

# Marshall's Essay on the History of Civilization

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## Editorial Introduction

Published below is a significant portion of a large amount of manuscript material that may be collectively described as Alfred Marshall's early historical writings. The material transcribed consists of an essay comprising over 145 folios on the history of civilization, 15 folios entitled 'Greek and Roman Characteristics' which, following Marshall's own instruction, have been included within the essay on the history of civilization, a further 3 folios that comprise notes for an introductory lecture on the 'History of P[olitical] E[conomy]', and finally 21 pages of Marshall's notes on Hegel's *Philosophy of History*.<sup>[1]</sup>

## I. Manuscript Sources

The material published below has been compiled from four folders currently stored in the Marshall Archive at the Marshall Library in Cambridge. The titles (as of course the identity codes) of the archive folders are not Marshall's own, but are rather the product of a later archival classification.

Archive Folder	Folder Title
M 3/1	Untitled (but a transcription of this folder was published in 1990 by P. D. Groenewegen with the title 'History of PE')
M 4/10	'Econ Hist: Buddha and the East'
M 4/11	'Econ Hist: Greece & Rome'
M 4/12	'Econ Hist: Middle Ages I'

Of these four folders, only M 3/1 is reproduced below in its entirety.<sup>[2]</sup> A good part of the folios contained in M 4/11, and most of those of M 4/12 have been included. From M 4/10 has been taken the 3 folios of introductory lecture notes and the first 10 folios of the notes on Hegel. The next section provides an explanation of this editorial procedure.

## II. Editorial Organization

At first glance the materials contained in the four folders listed above consist of a combination of short notes on various historical subjects and a number of fragmentary essays on different aspects of ancient and medieval history. Both M 4/11 and M 4/12 contain numerous short notes, but in addition also what appear to be fragments of longer essay-length writings. M 4/10 contains only notes, while M 3/1 contains no notes but rather thirty-two numbered and clearly consecutive pages. But even M 3/1 is evidently but a fragment, for while its introductory section states that the essay will deal with history both before and after the 'Christian Era' (M 3/1 f.12), the manuscript

ends after a discussion of the ancient Israelites. Indeed, so long as the material in any one folder is examined solely in relationship to other material in the same folder, it is hardly possible to reach any other conclusion about Marshall's early historical writings than that they were of an essentially piecemeal nature, and that a large part of the longer writings has been lost.<sup>[3]</sup>

When the material in the four folders is examined as a whole, however, a quite different conclusion emerges. For when viewed as a whole it is possible to see that what these four folders contain is a large amount of short notes and one long essay that follows the history of civilization from ancient India and China through to the European middle ages. The key to this reconstruction lies in the manuscript page numbers (i.e. the page numbers we owe to Marshall, as opposed to the folio numbering – f.1, f.2., f.3 etc. - of a later archivist). The manuscript page numbers of M 3/1 begin on the second page with the number 2, and run continuously to the last manuscript page of M 3/1, which is numbered 32. Within M 4/11 are to be found pages numbered 33 –56, and 59 – 78a (but not 78), and within M 4/12 we find pages numbered 79-145, and also the loose pages 57, 58 and 78. Thus what emerges, in addition to the various historical notes, is one long historical essay. The numbered pages of this essay run continuously up to 145, although a number of additional folios have been inserted at various points, and assigned intermediate page numbers (for example, 95.1, 95.2 etc, or 12 ½, 12 ¾, etc). In addition to two key sets of notes to be discussed shortly, it is this long historical essay that is reproduced below.

Confirmation of the continuity of the pages within the long essay is to be found in the continuity of the subject matter dealt with within them. As stated above, the pages placed in M 3/1 (1-32) begin with an introduction that looks forward to a discussion of civilizations both before and after the advent of Christianity, and then proceeds to outline the history of civilization from ancient China and India through to the ancient Israelites. The pages numbered 33-78a deal with the history of Greece and of Rome. And the pages numbered 79-145 deal with the history of Europe from the rise of Christianity and the German invasions, through to the emergence of republican governments, the medieval towns, and constitutional liberties by the fourteenth century. In short, while at some later date the essay was divided into distinct portions that correspond (give or take a few loose folios) to the different historical periods treated in the different sections of the essay, what is presented below is the original form of these fragments: a single long essay within which Marshall traced the history of civilization from ancient China and India through to the birth of the Italian republics, the French boroughs, and the post Magna Carta English parliament.

In addition to the pages of this long essay, the present edition also includes 15 folios, numbered by Marshall, and headed 'Greek and Roman Characteristics'. These pages are to be found in the archive folder M 4/11 and appear to form a discrete short essay. On the bottom of the page of the long essay numbered 59 by Marshall (M 4/12 f.53), however, Marshall has written "Insert papers on Greek and Roman characteristics". There is therefore good reason to believe that Marshall intended these fifteen pages to form a part of his essay on the history of civilization, and in the present edition of the essay they have been placed after page 59 according to Marshall's instruction.

Once the pages making up the long essay have been removed from the archive folders a large amount of discrete notes on various historical subjects remain.<sup>[4]</sup> Similar notes are to be found in a number of other archive folders (e.g. M 4/13, M 4/14, M 4/15, M 4/16, M 4/17). These notes deal with periods ranging from the ancient world through to the nineteenth century, and together with Marshall's statistical notes and his 'Red Book', need to be studied together with the long essay in order to obtain a complete picture of Marshall's early historical work (indeed, at various points in the long essay Marshall makes reference to some of these notes).

Although the material that can loosely be described as 'historical notes' is to be published in a future volume of the *Marshall Studies Bulletin*, it has been decided to publish here, in addition to the long essay, two distinct sets of notes. The long essay itself provides various indications that it was written, at least in part, in order to provide the text of lectures on the history of political economy and of 'economical phenomena' (see, for example, M 3/1 f.1). Three folios from M 4/10,

which are headed 'History of PE Introduction to lectures on', appear to provide an introduction to the long essay as a whole, and for this reason they have been published below and placed before the long essay itself. In addition to these three folios the present publication includes the twenty-one pages of notes on Hegel's *Philosophy of History* found in M 4/10 and M 4/11. As these notes are of particular interest in ascertaining Marshall's intentions in composing his essay, and indeed provide something of a blue-print for the narrative that informs the first part of the essay, these twenty-one folios have been published below and placed as an appendix to the long essay.

Both the essay and the two sets of notes are written in Marshall's handwriting of the 1870s (his handwriting is notably different in the 1880s and later). The style of the hand, however, varies. Both lecture notes and notes on Hegel are written in a compressed and deliberate hand, usually with clear spaces between words; but while the former are relatively cramped in style, the latter manifest a slight flourish. For the most part, the essay itself is written in a relatively clear and even hand with, on the whole, clear separation between words. The first eleven folios, however, are written in a much more rapid hand, while the additional pages inserted at various points in the essay are consistently written in a rapid and somewhat untidy hand.

Before ending this section on editorial organization it is necessary to deal with the question of whether or not there might be additional pages of the long essay still to be discovered. While it is not possible to provide a definitive answer to this question, there are nevertheless good reasons for believing that what is presented below constitutes the long essay in its entirety. First of all, a recent search through all of the folders in the Marshall Archive did not reveal any additional pages of the long essay. It is of course possible that some pages may have been passed over in this search, or that material might have been lost to the archive as a whole (as opposed to mixed up with other manuscripts within the archive). The decisive grounds for believing the long essay as published below to be complete are therefore to be found in internal as opposed to material considerations.

As the sequence of pages of the essay is uninterrupted through to page 145, the crucial question of completeness amounts to whether or not Marshall continued his narrative of the history of civilization beyond the middle ages.<sup>[5]</sup> But the historical narrative of the long essay itself suggests a closure of the narrative around the fourteenth or fifteenth centuries. As we shall see in the analysis of the essay below, Marshall's essay on history effectively identifies the moral and constitutional preconditions of modern economic life and thought by means of an account of the appearance of those preconditions in history. With the emergence of the French middle classes, the English parliament and the Italian republics the long essay has, in Marshall's view, reached the germs of modern civilization, and therefore also of modern economic life and thought. In other words, from Marshall's vantage point, philosophical historical narrative of the kind provided by Hegel has completed its primary task once it has reached the later Middle Ages, and the work of the historical economist or economic historian proper can now begin.<sup>[6]</sup> From the evidence of Marshall's historical notes, and also from his famous 'Red Book' (M 7/5), it seems clear that this latter exercise proceeds less by way of the composition of narrative, and more by way of the careful correlation of discrete facts and statistics (indeed, and as will be discussed from a different perspective below, latter parts of the long essay often read more like connected sets of notes than continuous narrative).

### III. Dating

Probably at the same time that they received titles, the four folders in the archive were assigned approximate dates of composition: in the catalogue of the Marshall Archive, M 4/10 is ascribed to 1872, M 4/11 and M 4/12 to 1873, while Peter Groenewegen, in his edition of M 3/1, regards 1870 as an approximate date of composition. In light of the reorganization of these folders described above, it obviously no longer makes sense to assign different dates to the different folders in this way. It does, however, seem clear that these dates are at least broadly reflective of the period in which Marshall was engaged in his historical studies.

In a manuscript entitled 'Approximate History of Curves' Marshall recorded his work during the long vacations between 1866 and 1882. The key entries for our purposes are as follows: "71 St Moritz, Miscellaneous, a good deal of history; 72 Aussee and East Tirol, chiefly history; 73 St Moritz... ditto".<sup>[7]</sup> It is to be noted that the entries for the periods before 1871 and after 1873 make no mention of history. Thus we have good reason for identifying the years 1871 – 1873 as the core period in which Marshall composed his various early historical writings.

An examination of the sources used by Marshall in his long essay (his bibliography has been reconstructed below) reveals that several were published in 1871, and one, Nasse's *Contemporary Review* essay on 'Village Communities', in May of 1872. It should be noted, however, that the one reference to Nasse's 1872 essay is on one of the folios that was later interposed between the main leaves of the essay (95.7). Thus, while the main part of the essay cannot have been written before 1871, it is possible that it was composed very late in this year, or sometime in early 1872 (with the folio referring to Nasse's essay added only later). Nevertheless, the discussion below of Marshall's earliest historical studies as evidenced by other early manuscripts will reveal that the long essay reflects a relatively mature stage in Marshall's historical thinking. Taking this into account together with the dates established by the manuscript 'Approximate History of Curves', it would seem more likely that Marshall was primarily engaged in historical note taking through 1871 and probably also most of 1872, and that the long essay itself was only composed in late 1872, or even in the summer vacation of 1873.

For the sake of completeness we should also take note of two relevant statements by Marshall, although not only do they not identify any specific dates, but together they also provide somewhat contradictory testimony. In a letter of 1878 Marshall told Foxwell, "I don't much recommend the history of economic science; though I most strongly recommend the history of economic phenomena. I spent a good part of a year on it, made voluminous notes, lectured on them twice, came to the conclusion that anything like an elaborate treatment was not profitable for me & most unprofitable for the class; & have seldom used my notes since."<sup>[8]</sup> Actually, our second statement shows that Marshall did make use of his notes again. In his 1892 reply in the *Economic Journal* to W. Cunningham's criticisms of the historical chapters of the *Principles*, Marshall explained that the material in these chapters derived from "a treatise on economic history" that "I once purposed to write", and for which "for many years I collected materials".<sup>[9]</sup> One way to resolve the discrepancy between the reference to "a good part of a year" in the letter to Foxwell and the "many years" collecting materials mentioned in the reply to Cunningham is to assume that the longer period refers to the whole of 1871-3 (and perhaps longer), during which Marshall was engaged in making his historical notes, and the shorter period to time spent on composition of the long essay itself.

According to his letter to Foxwell, Marshall lectured twice on the history of economic science during the early 1870s. It seems likely that these lectures took place in the October terms of 1873 and 1874. In the announcement of 'Lectures in Moral Sciences' for the October Term of 1873 in the *Cambridge University Reporter* it is announced that on November 12<sup>th</sup> 'Mr Marshall' will give 'Papers for Questionists' in History.<sup>[10]</sup> A later edition of the *Reporter* provides us with the questions for the Moral Sciences Tripos examination of December 4<sup>th</sup>, 1874, the second question of which is as follows: "MacCulloch and some other English writers have asserted or implied that Political Economy is entirely a modern science, and was quite unknown to the Greeks and Romans. Give your opinion upon this point, supporting it by adequate statements of the doctrines of classical authors." The long essay, at least in its early parts, reads very much as if it had been composed as detailed lecture notes, and would most certainly provide a student with sufficient material to answer this 1874 tripos question. Thus there is reason to believe that Marshall lectured on the history of economics in the October terms of 1873 and 1874; and these two dates, it should be noted, support the conjecture above that the long essay was composed around late 1872 or (and) the long vacation of 1873.

Confirmation that Marshall's historical work was well advanced by 1873 is provided by Mary

Paley's recollections of Marshall's lectures to women students in the academic year 1873-4. "Mixed up with the lectures on theory", she wrote in *What I Remember*, "were some on the History of Economics, Hegel's Philosophy of History, and Economic History from 1350 onwards, on the lines of the Historical Appendices to the *Principles*. He would give half an hour to theory and half an hour to history. He was keenly interested in Economic History."<sup>[11]</sup> Nevertheless, with regard to the role of the long essay in Marshall's lectures on history Mary Paley's testimony is not entirely straightforward. For according to her account Marshall's historical lectures were comprised of three distinct components: 'Economic History from 1350 onwards', the 'History of Economics', and Hegel's *Philosophy of History*. Given that the long essay deals only with history up to shortly after the Magna Carta, it might be wondered quite how relevant it would have been to the actual content of the history lectures attended by Mary Paley. The next section of this introduction turns to the task of establishing the relationship between the content of the long essay, and Marshall's various lectures on economic history after 1350, the history of economic thought, and Hegel's *Philosophy of History*. Ascertaining the relationship between these different strands of his early historical work will allow us, not only to identify the significance of the long essay with regard to Marshall's wider historical investigations, but also to understand something of the crucial place of this essay in the development of Marshall's thought as a whole. In order to establish this relationship, however, an overview of the development of Marshall's historical studies in the early 1870s is required.

#### IV. Background and Analysis

We can usefully begin an account of the development of Marshall's historical interests in the early 1870s by turning to his early notes on Adam Smith's *Wealth of Nations*. These notes cover over 180 folios, and while no doubt composed over an extended period, nevertheless in the main constitute some of the earliest of Marshall's extant economic writings.<sup>[12]</sup> Marshall used McCulloch's edition of the *Wealth of Nations*, and it was almost certainly in reading his 'Introductory Discourse' that Marshall would have first encountered McCulloch's view that political economy was "entirely unknown to the ancients";<sup>[13]</sup> an opinion the inquiry into the veracity and significance of which served to orientate much of Marshall's early historical studies (as the Tripas question of 1874 bears witness). But there are also two aspects of Marshall's notes on Adam Smith's work that warrant some discussion.

The first is simply the evidence that Marshall's notes provide that he took the historical side of Smith's volume seriously, and yet was already aware that Smith's particular historical narratives had in many ways become outdated thanks to more recent nineteenth century historical research. That Marshall took Smith's historical discussions seriously is evidenced by the simple fact that he made fairly extensive notes upon them (with regard to these notes we may, incidentally, note a possible clue to Marshall's own subsequent historical work; for his notes on Smith's account of savage and shepherd societies in Book V are somewhat more elaborate and detailed than his notes on the account of the emergence of commercial society out of the feudal order in Book III<sup>[14]</sup>). That Marshall was aware that Smith's historical work was relatively outdated can be ascertained by the fact that his notes on Smith's Book III indicate that he was already familiar with Guizot's work on the history of Europe, Rogers' history of English agriculture and prices, and also certain German socialist criticisms of economic history.<sup>[15]</sup>

The second point concerning these notes that demands attention is that Marshall clearly had a problem with Smith's use of the term 'natural'. On several separate occasions, when quoting Smith in his notes on Book IV, Marshall wrote "[N.B.]" after this word.<sup>[16]</sup> This second observation would seem, in the first instance, to be incidental to any discussion of Marshall's thinking about history. Nevertheless, the story of the development of Marshall's historical thought over the few years that separate these notes on Smith from the long essay on history can in large measure be told in terms of the gradual intertwining of his further thought concerning these two features of his notes on the *Wealth of Nations*.

Between writing these notes on the *Wealth of Nations* and composing the long essay on history published below we in fact have a number of records of Marshall's developing historical thought. A folder in the Marshall Archive (M 4/15) presents an account of the development of modern economic doctrine in terms of a process of clarifying and stating explicitly the assumptions of the theory of rent and distribution. The story here begins with Turgot and the Physiocrats, and although Marshall is primarily concerned with the relationship between the thought of Turgot and what, in his notes on the *Wealth of Nations*, he had identified as Smith's bias in favour of agriculture, it is Ricardo's formulations that are held up as completing the development of the modern theory of rent.<sup>[17]</sup> In addition to these notes on the history of modern theory, Marshall also began to compose the historical notes already mentioned above. His voluminous historical notes, almost certainly composed over a number of years, eventually came to range in subject matter from ancient Indian and Chinese religion through to early nineteenth century Prussian land reform. In his long essay Marshall refers to a number of these notes at various points, and so at least some of them evidently predate it; although, as we shall now see, in 1871 the amount of such notes already composed would seem to have been fairly minimal.

Another set of notes composed between those on the *Wealth of Nations* and the long essay on history appears to be lecture notes for Marshall's advanced classes in political economy in the years 1871-2.<sup>[18]</sup> There are several aspects of these notes that are of interest, but the most notable are three folios of lecture notes dealing specifically with economic history. These three pages cover the ancient world, feudalism, and seventeenth century Europe.<sup>[19]</sup> In addition to demonstrating that Marshall was now taking economic history sufficiently seriously to dedicate some part of his advanced lectures to the subject, the relative paucity of primary and secondary literature referred to suggests that in these three folios we have a glimpse of Marshall's earliest explorations of economic history. It is therefore interesting to note that while the last of these three pages contain three references to his historical notes, all three deal with relatively modern aspects of economic history, thus suggesting that Marshall's intensive study of the ancient world was as yet only in its infancy.<sup>[20]</sup> But if Marshall's historical reading was at this point still relatively limited, these early lecture notes demonstrate that he had already commenced a study of German literature. His reading of this literature in this early period embraced both socialists and historical economists. In the manuscript as a whole we find Marshall at one point quoting Roscher at length on the definition of political economy, and on another folio compiling a reading list which includes Nasse on village communities, Brentano on the history of the guilds, Schäffle's *Kapitalismus und Socialismus*, and Marx's *Kapital*.<sup>[21]</sup> Within the three folios on economic history, Marshall makes use of the work of Rau (who while not usually classed as a historical economist, nevertheless attracted Marshall's attention because, in contrast to McCulloch's dismissal of "the dislike of the Greeks & Romans to Commerce as a baseless prejudice", he provided "a fairer judgment" on the ancients), but also of Schäffle and Lassalle.<sup>[22]</sup> This combination of German socialist and historical sources would not remain in the long essay on history, which contrasts with these earlier lecture notes not only in the increased use made of the historical school, but also in the complete absence of reference to any socialist works.

Related to this disappearance of the German socialists from the long essay is one particularly instructive difference in the actual historical analysis of the two compositions. At one point in the earlier lecture notes Marshall turned to Schäffle's account of "the socialistic criticism" of economic history: "The Greek Roman & Medieval society have the common characteristic that particular individuals, castes, callings & nationalities are privileged. The idea of the moral personal *per se* dignity of all was not recognised in theory let alone practice, but still slavery was not so bad a state as that of our undeveloped laborers."<sup>[23]</sup> In the long essay, by contrast, Marshall quotes an extended passage from Hegel to the effect that, while in both the ancient world and the middle ages people were "confined to a certain station in life", nevertheless the Christianity of the middle ages entailed a "grand distinction, that here Religion holds the same position towards *all*" (M 3/1: f.22). There is a general need for more detailed research into Marshall's early reading of German literature, but this need is particularly pressing with regard to the relationship

between his earliest historical thought and his reading of Marx and Lassalle. Nevertheless, it seems probable that such a study would conclude that Marshall's early interest in "the socialist criticism" of economic history did not survive his encounter with Hegel. As we shall shortly discover, this is by no means the only way in which Hegel's *Philosophy of History* proved to be of pivotal importance in the development of Marshall's early historical thought.

If these three folios demonstrate an emerging interest in economic history, the advanced lecture notes as a whole also demonstrate Marshall's adoption of a historical approach to certain aspects of political economy itself. In the main part of these notes Marshall deals with the method of political economy, and the definition of the terms productive labour, value, and capital. In each of his discussions of these three key terms, Marshall's procedure is to move through a series of key quotations from various authorities, always beginning with Smith's *Wealth of Nations*, moving through the views of later political economists like McCulloch, Ricardo, and J. S. Mill, and culminating with surprising regularity in the writings of Macleod (who, of course, was presented as still only providing a partial glimpse of the truth). In other words, Marshall's approach in these lecture notes already embodied the view that he was to express in 1879 in a letter to Foxwell: "confusions about terms" can only be "satisfactorily dealt with... historically".<sup>[24]</sup>

Although in these notes the historical discussion of economic definitions rarely went back further than Adam Smith, there is one folio in which Marshall suggests that the thought of Smith himself should be placed within its historical context. The page in question is headed "Induction or deduction", and its content is confined to a discussion of Cliffe Leslie's *Fortnightly Review* essay of 1870, 'The Political Economy of Adam Smith'. Marshall noted Cliffe Leslie's view that (in Marshall's words) two "schools one deductive the other inductive originated from A Smith", and that "on the deductive side" was a conception of "ye law of Nature", which included such ideas as "natural price", "natural liberty", and the "natural progress of opulence".<sup>[25]</sup> In this note Marshall also drew particular attention to a paragraph in which Cliffe Leslie had insisted that an investigation into Smith's method must also "exhibit the connection between his economic system and the chief problems pressing for solution in his time; the methods which the philosophy of the age provided for their solution; and the history and phenomena of the economic world in which he lived, and from which his ideas, his inductions, and his verifications were drawn."<sup>[26]</sup> In other words, Marshall's advanced lecture notes illustrate not only that he was employing a historical approach to at least certain aspects of economic theory, not only that he was already engaged in the study of economic history, but that he had in addition taken careful note of Cliffe Leslie's insistence that the study of the history of political economy must proceed hand in hand with the study of more general historical movements. It is precisely this combination of general history with intellectual history that is a hallmark of the long essay.

Between the lecture notes for his advanced classes and the long essay on the history of civilization stand three crucial intellectual developments: an extensive reading of historical literature, a careful study of Henry Maine's *Ancient Law*, and an encounter with Hegel's *Philosophy of History*. With regard to the first we have already noted that over the next year or so Marshall pursued his reading of the German historical writers. But as a glance at the bibliography of the long essay will illustrate, Marshall's reading in the period around 1872-3 included, in addition to both German and French works, a large amount of English historical literature. A significant proportion of this material (both English and French), corresponds to the set texts in the Cambridge History and Law Tripos.<sup>[27]</sup> Here we may conjecture that an important impetus to Marshall's historical studies was provided by his membership in a University Syndicate, appointed in May 1872, and charged with making recommendations as to the future of the History and Law Tripos. The Syndicate delivered its report in December 1872 (and an amended report in February 1873). It may be conjectured that Marshall was elected to membership of this Syndicate in part because of an already established interest in historical matters, while the summer of 72, which was spent on "chiefly history", would have fallen within the period of the Syndicate's deliberations. It is also surely significant, not only that the new History Tripos was to include papers in Political Economy and Economic History, but that the Syndicate proposed that in the new Historical Tripos

“Ancient and Medieval History should have their place in the Tripos, as well as Modern History, so that History may be placed before the Student as a whole.”<sup>[28]</sup> Just as membership of this Syndicate no doubt pointed Marshall towards a course of reading, one result of which was the prolonged discussions of medieval constitutional history in his long essay, so the Syndicate’s conception of the ‘unity of history’ must have encouraged Marshall’s determination to frame a picture of the development of civilization as a whole.

Henry Maine’s *Ancient Law* was without doubt the most important work of contemporary historical scholarship that Marshall read in the early 1870s. Maine’s work provided Marshall with a wealth of concrete information concerning ancient and medieval ideas and practices; as is illustrated in his long essay, and even more so in the many historical notes taken from *Ancient Law* (and also Maine’s later works). But in addition to historical details, *Ancient Law* also seems to have convinced Marshall that Cliffe Leslie had been on the right track in his 1870 paper on Adam Smith. As we have seen, in his discussion of this essay Marshall had noted that, according to Cliffe Leslie, Adam Smith’s deductive method was related to his conception of “ye law of Nature”. In this note, however, Marshall had not made reference to Cliffe Leslie’s further argument that, while Smith’s inductive method derived from Montesquieu, the foundation of his deductive or a priori method was “that theory of Nature which, descending through Roman jural philosophy from the speculations of Greece, taught that there is a simple Code of Nature which human institutions have disturbed”. Nor did he make a note of Cliffe Leslie’s passing remark that Maine had “explored the fallacies lurking in the terms Nature and Natural Law”.<sup>[29]</sup> It would seem, however, that within a short time after writing this note Marshall was carefully following up precisely these aspects of Cliffe Leslie’s essay.

In one of Marshall’s historical notes, headed ‘*Rousseau*’, we find a passage copied from page 87 of *Ancient Law*, in which Maine contrasts the hypothesis of a Natural Law with the historical approach to jurisprudence initiated by Montesquieu.<sup>[30]</sup> An examination of the surrounding pages of Marshall’s personal copy of Maine’s *Ancient Law* (third edition, 1866), reveals a number of marked passages on similar themes. On pages 83 and 85, for example, Marshall placed vertical lines by a long discussion of why, with regard to their attitude towards Roman law, and in comparison with their English and German counterparts, “the situation of the French jurists was peculiar, and continued to be so down to the outbreak of the revolution”, and resulted in the French lawyers becoming “passionate enthusiasts for Natural Law”. Again, on page 88, Marshall marked a passage where Maine declares that “in all the speculations of Rousseau, the central figure, whether arrayed in an English dress as the signatory of a social compact, or simply stripped naked of all historical qualities, is uniformly Man, in a supposed state of nature”. It is the marking of the phrase “stripped naked of all historical qualities” that should catch our attention here, for it is clear that by this point Marshall had fully absorbed Maine’s conception of Natural Law and its associated hypothesis of a state of nature as “the great antagonist of the Historical Method”.<sup>[31]</sup>

It is worth noting here that if we turn to appendix A of the *Principles of Economics* – which, it will be recalled, Marshall claimed to have composed from the notes taken during his early historical researches – we find precisely these passages from Maine standing behind an analysis of the Physiocrats’ “pursuit of natural laws of social life”. According to these passages in the *Principles*, the French lawyers of the eighteenth century “were full of the Law of Nature which had been developed by the Stoic lawyers of the later Roman Empire”, and the Physiocrats’ “enthusiasm for agriculture and for the naturalness and simplicity of rural life” was in part influenced by Rousseau, and “in part derived from their Stoic masters”.<sup>[32]</sup> At another point in this appendix Marshall further explains that Adam Smith had not fully escaped from the influence of the natural law tradition; he “had not quite got rid of the confusion prevalent in his time between the laws of economic science and the ethical precept of conformity to nature.”<sup>[33]</sup> In fact in the *Principles* this line of thought extends beyond the historical appendices. In the first chapter of what became Book VI, for example, Smith’s use of such terms as “the natural rate of wages” and the “natural rate of profit” is questioned, and both Smith and Ricardo are criticized for adopting a “mode of speaking



similar to that of Turgot and the Physiocrats”; a mode of speaking, for example, in which the doctrine that wages are “fixed by an iron law at the bare necessities of life”<sup>[34]</sup> is connoted by the phrase ‘natural rate of wages’. We shall find below that by 1873 Marshall had already arrived at these – or similar – opinions.

Cliffe Leslie not only rejected Smith’s ‘natural law’ theory, but all deductive political economy, and wanted to erect in their place a purely inductive or historical economics. Marshall, probably sometime in late 1872, came to the conclusion that the elements of the natural law tradition in Smith’s deductive economics should indeed be discarded, but that they should be replaced by a deductive theory informed by a version of philosophical history. The long essay on the history of civilization was an attempt to outline just such a philosophical narrative, and its construction can in the first instance be characterized as an attempt to fuse Maine’s historical method with Hegel’s philosophy of history. Two further marginal comments in his copy of Maine’s *Ancient Law* illustrate how Marshall saw Maine’s historical scholarship as complementing Hegel’s philosophical history. In the margin of a discussion by Maine of the juristic exclusion of children and lunatics from the law of contract, we find the annotation: “This passage brings out the latent parallelism with Hegel”.<sup>[35]</sup> Equally significant is the annotation of Maine’s statement that “the tendency to look not to the past but to the future for types of perfection was brought into the world by Christianity. Ancient literature gives few or no hints of a belief that the progress of society is necessarily from worse to better.” Marshall not only marked these sentences, but wrote in the margin: “Hegel’s atonement”.<sup>[36]</sup> As can be seen from his notes on Hegel’s *Philosophy of History*, Marshall regarded “Hegel’s atonement” as the culmination of Hegel’s account of the emergence of self-consciousness, by means of which habit and social custom had been dethroned by action founded upon the deliberation of an individual moral will; or, put another way, as the moment when, by virtue of the spiritual advance manifested in the Christian religion, man finally separated himself from nature.<sup>[37]</sup> In place of the ultimately pagan tradition that identified social life with an unchanging nature, and which Cliffe Leslie had identified as a foundation of Smith’s thought, Marshall now intended to embrace a truly moral philosophy of history, grounded upon what he took to be an ultimately Christian faith in progress.

We can best approach the shape of Marshall’s historical narrative in the long essay by means of a sentence contained in his introductory lecture notes: “Instinct: bees require no instruction no pure thought; close analogy between constitution of a hive & constitution of ancient civilisation”.<sup>[38]</sup> India and China, the starting point of Marshall’s narrative, while each exhibiting some embryonic stirrings of the spirit, are still in effect natural organisms, the study of which might be undertaken by the biologist, or at least his fellow natural scientist, the Spencerian sociologist. What Hegel provides and Marshall closely follows - at least until the Christian era – is an account of the stages whereby a moral order emerges, as it were naturally, out of the natural order; a narrative, that is to say, of the evolution of self-consciousness, and the subsequent construction of constitutional forms which reflect and foster such moral freedom. As Marshall read Hegel then, Hegel’s *Philosophy of History* provides a narrative which establishes the continuity in the gradual process whereby natural evolution is transformed into a moral evolution, and yet firmly emphasizes the fundamental differences that separate the moral from the natural realm. Within this narrative it is the advent of Christianity - “Hegel’s atonement” – that marks the pivotal moment in the history of civilization.

For Marshall as political economist, one key implication of such a rendering of Hegel’s philosophical history is that, properly speaking, economic activity is not to be found in the ancient world. As “a consequence” of the “passive acquiescence in ‘Natural’ arrangements” characteristic of ancient civilizations, he writes in the long essay, “we have an absence of the habit of determination of his conduct on the part of each individual so as to obtain most completely his own ends. Men do not seek to ‘buy in the cheapest market and sell in the dearest market’. Trade, in any broad sense of the word does not exist”.<sup>[39]</sup> Economic activity presupposes self-conscious moral agents whose actions are determined by means of individual deliberation as opposed to being bound by custom. Thus the key event in the history of civilization, in Marshall’s view, is the

advent of Christianity and the “appeal to conscience”<sup>[40]</sup> which thereby replaced custom as the starting point of individual action. Truly economic behaviour, Marshall is saying, springs from a free will and deliberation; it cannot exist in a society governed by custom.

Yet in the long essay Marshall insists that anything “like a theory of Political Economy can scarcely be said to have existed before the end of the Middle Ages.”<sup>[41]</sup> And indeed it does not seem that Marshall thinks that there is much that could be regarded as properly economic activity in the first millennium of the Christian era either. One explanation of what looks like a delayed commencement of the modern world can be found in the last page of Marshall’s notes on Hegel’s *Philosophy of History*, where it is stated that Byzantine Christianity is evidence of “how Christianity may be abstract & how as such it is powerless on account of its very purity & intrinsic spirituality”. The message of spiritual equality and moral freedom ushered into the world by Christianity is a necessary, but not sufficient condition of the modern era. In this page of the notes on Hegel we find that “religion is something internal having to do with conscience alone”, and to it all passions and desires are opposed. In order that the heart, the will, and the intelligence “may become true, they must be *thoroughly educated*; right must become custom, habit; practical activity must be elevated to rational action; the state must have a rational organisation & then at length does the will of individuals become a truly righteous one”.<sup>[42]</sup> Such a gulf between potentiality and actuality is essentially the space within which modern history occurs; and the second part of the long essay is primarily concerned with tracing the various constitutional arrangements of modern European history which culminate in the Italian city state republics, the French charter towns, and the English Magna Carta. In other words, the appearance of self-conscious and therefore free individuals within a state is a necessary condition of modern economic activity, but Marshall posits as an additional condition of modern economic life – and consequently also modern economic theory – the rational organization of the political and legal structures of the modern state. Both subjective freedom and objective freedom (to use Hegel’s terms) are the preconditions of the modern world, and hence of the emergence of a modern economy, and also of the science which studies it. The long essay, in short, is neither an exercise in economic history nor an exercise in the history of economic thought, but rather an exercise in the ‘pre-history’ of these two branches of modern history.<sup>[43]</sup>

Marshall’s long essay on the history of civilization is essentially an attempt to graft the recent developments in English and German historical scholarship onto a Hegelian narrative of the evolution of human self-consciousness and, with it, the forms of political and legal organization that constitute the different stages of civilization. The Hegelian narrative was responsible for identifying the nature of the two pivotal moments in the history of civilization that had given rise to the modern world (moral and constitutional), while contemporary comparative historical scholarship provided details of the gradual unfolding of the second, constitutional, moment from the time of Charlemagne onwards, as well as a picture of the development of the feudal manor out of the mark of the “original Teutonic community”. As already stated above, the last part of the long essay can at times read more like a compilation of notes than a continuous narrative, and it is far from self-evident that such grafting was completely successful. That the discussion of the origins of feudalism, which is of course heavily reliant upon contemporary comparative scholarship, has no very definite corollary in the Hegelian philosophical history, is a relatively superficial problem compared to the fundamental clash between the presuppositions of Hegel and those of a comparative scholarship that identified the history of civilization with the history of the Aryan race. And Marshall was certainly aware of the problem, for among his historical notes we find that he has copied from Max Müller’s *Chips from a German Workshop* the complaint that Hegel treats “religions as languages used to be treated”, that is, he classifies “them according to age, or place, or a stage of advancement. They ought to be classified genealogically.”<sup>[44]</sup> In fact, due to its reliance upon such ‘genealogical’ history, the second part of Marshall’s essay is essentially a history of what would then have been regarded as ‘Aryan civilization’; but in the first part of his essay Marshall unhesitatingly adopts Hegel’s account of a continual progress of civilization which moves seamlessly between three distinct language groups or ‘races’. This is a deep if unacknowledged flaw in Marshall’s essay, and we may speculate that the much more

pronounced role of 'race' as a historical category in Marshall's later historical writings is related to the relatively much less pronounced place of Hegel in these writings.

There is another tension, albeit a deliberate one, in the relationship of the first and second parts of the essay to Hegel's *Philosophy of History*. For Hegel's own history culminates in a constitutional monarchy, whereas Marshall is determined to find the seeds of liberal democracy at the end of his historical narrative.<sup>[45]</sup> It is in large measure because he is leaving Hegel's framework behind and increasingly striking out on his own that the second half of Marshall's manuscript is so much more convoluted than the first half (indeed, whereas Hegel's treatment of Europe from the Germanic invasions through to the French revolution occupies only a small part of his history, Marshall needs about half of his entire essay to trace his liberal version of this history from the Germanic invasions down to the time of the Magna Carta). It is at this point in his historical work, incidentally, that the constitutional histories of England that Marshall found as set texts in the History and Law Tripos proved so useful. Marshall's historical narrative as a whole might then best be described as a 'neo-Hegelian' and 'Whig' narrative; a narrative which culminates in the establishment of the Italian republics, the French boroughs, and the post Magna Carta English parliament. While not exactly a problem of the same order as that noted above, it must be said that Marshall's 'neo-Hegelian' philosophical history loses the symmetry of the original. Hegel's account begins with a Chinese civilization in which the Emperor is an absolute despot, and concludes with a constitutional monarchy, thereby as it were presenting a complete historical revolution. Marshall's liberal version of this history (which, due to his democratic and nineteenth century republican sentiments, does not emphasize the English parliamentary system as a 'mixed government' with the crown at the center) fails to embody Hegel's neat dialectical circle.

Given the genealogical and political problems which Hegel's narrative caused for Marshall, one might wonder quite why he embraced Hegel's philosophy of history with such evident enthusiasm. Such a question points to the fact that we have not yet explored all the dimensions of Marshall's encounter with Hegel, nor brought into view the full explanatory range of his particular rendering of Hegel's philosophy of history. What needs to be highlighted here is that Marshall's encounter with Hegel did not occur only on the field of historical inquiry, but also on that of philosophical speculation. Around 1872 Marshall found in Hegel's *Philosophy of History* a means of further developing the philosophical position that he had arrived at during his period of philosophical study in the late 1860s. As the research of Tiziano Raffaelli has made clear, in his 'Grote Club papers' Marshall had outlined a dualist position with regard to the relationship between body and mind, but had argued that much mental behaviour could be explained in material terms, and with much ingenuity had constructed a mechanical account of the material dimensions of the mind.<sup>[46]</sup> In his paper 'ye machine' (c. 1868), Marshall had constructed a two-level mechanical model of the mind, capable of explaining not only automatic (habitual and instinctual) reflex behaviour (lower level circuit), but also deliberative action (upper circuit). Yet Marshall was insistent that such a machine would not be capable of self-consciousness. Such a duality, it should be noted, served to separate brutes from humans; for only the latter were capable of self-consciousness. As Raffaelli has pointed out in his introduction to these philosophical papers, although Marshall began this psychological project quite certain that evolutionary science could obtain no purchase upon self-consciousness, by 1869 and his last philosophical paper ('The Duty of the Logician'), the influence of H. Spencer had led Marshall to waver upon this point. Looked at from this perspective it becomes clear that Marshall's encounter with Hegel's *Philosophy of History* allowed him to continue to develop the line of thought already found in embryo in the last of his Grote Club papers. That is to say, the first part of the long essay (and indeed also the notes on Hegel), present an account of the evolution of self-consciousness.

Marshall's reading of Hegel is closely bound up with his evolutionary interests in this period, and the a priori framework of his particular rendering of Hegelian philosophy of history is essentially arrived at by the placing of his psychological model within a historical framework. Each of the three levels of Marshall's psychological model of the human mind (spiritual, lower mechanical, and higher mechanical) corresponds to a particular stage in the evolution of human civilization. In

psychological terms, the progress of history proceeds from lower level mental circuit, through the development of self-consciousness, to the education by self-consciousness of the upper level circuit. At the start of Marshall's history of civilization only the first mechanical level of the mind is in operation. Ancient civilizations, we may recall, are for Marshall analogous to a beehive; composed, that is, of individual members who "require no instruction" and exercise no "pure thought". As in the animal world, behaviour is here determined by inherited instincts, or rather, their social equivalent – customs. From this initial starting point in the natural world, the history of civilization for Marshall is essentially the emergence and development of self-consciousness, of a free moral choice that corrodes and dissolves the bonds of established custom. The key move here, in terms of Marshall's philosophical development, is the placing of self-consciousness within the same historical or evolutionary framework as the mechanical mental circuits of the phenomenal mind. Thus, in terms of the development of Marshall's philosophical views, the long essay represents both a continuation of the evolutionary theme briefly developed in 'The Duty of the Logician', and a final rejection of the initial refusal to countenance an evolutionary account of self-consciousness found in 'The Law of Parsimony'.

Now, in the long essay itself the evolution of a moral order is followed, chronologically, by an account of the development of constitutional forms of government that provide an external correlate and safe-guard of this inner freedom. But the transformation of freedom from potentiality to actuality that is, for Marshall, the underlying theme of the history of the modern world, involves more than just the coming into being of the rationally organized state. To recall Marshall's notes on Hegel quoted above, it is also necessary that the minds of individuals be "thoroughly educated", that it becomes habitual to act rightly. The point here is not only that to decide to act upon deliberation as opposed to established custom is itself an action that is largely determined by custom and habit. For in Marshall's mechanical model, automatic lower level circuits are gradually built up over time and then inherited, with the implication that while the early Christians might have been able to act according to their conscience via deliberations worked through by the higher mechanical level of their minds, nevertheless almost the entire collection of their mental habits had been formed in an earlier period. There is, in short, a lag between potential freedom and the coming into being of minds that are thoroughly characterized by free modes and habits of thought. It is clear from other writings of this period that by 1873 Marshall had come to the conclusion that the distinguishing feature of his own day was that this age-long process of the education of inherited mental habits was approaching an end.

This psychological component of Marshall's account of modern history is not present in the long essay; it is to be found, however, both in Marshall's 1873 lectures to women and in his Reform Club talk, 'The Future of the Working Classes', delivered in November of the same year. If we place the date of composition of the long essay in the summer of 1873 then, given that both the lectures and the talk were delivered within the next few months, it is hardly surprising that we find historical references and discussions scattered throughout both. Indeed both the lectures and talk can be seen as articulations of Marshall's rationale for rejecting the "socialist criticism" that the modern proletariat is worse off than either ancient slaves or medieval bondsmen. In both his lectures to women and his talk at the Reform Club Marshall's underlying theme is that, while in the ancient world the freedom of the few was predicated upon the enslavement of the many, in the modern world it is now possible that all may become "gentlemen". Marshall's key argument in both cases is that the economic impact of education negates older economic doctrines that hold that wages cannot rise above a "natural" subsistence level. But in both cases a major part of his argument consists in an attack directed, not against classical political economy per se, but rather against what he takes to be the habits of thought which inform the pessimistic interpretation of certain classical doctrines; habits of thought which have descended from a now bygone era. As Marshall put it in his final lecture to his women students, the "free circulation of labour and capital" was a product of but "one short century" - the nineteenth; and yet even today, he insisted, people are still very much "governed by modes of action which have descended from a time" when labour and capital did not circulate freely.<sup>[47]</sup> In fact, such "modes of action" are, in Marshall's view, descended ultimately from the ancient world. In other words, although people are on the whole self-conscious, nevertheless they do not sufficiently reflect upon their inherited opinions, and are

thus still creatures of habit as opposed to fully deliberative moral agents.

It is in his lectures to women and his talk on 'The Future of the Working Classes' that we obtain a hint of Marshall's Hegelian version of Cliffe Leslie's identification of Smith's deductive method with the Stoic and Roman tradition of natural law. In his Reform Club talk Marshall identified a belief in an iron law of wages with "a Pagan belief not very different from the old one – the belief that it is an ordinance of Nature that multitudes of men must toil a weary toil, which may give others the means of refinement and luxury, but which can afford to themselves scarce any opportunity of mental growth".<sup>[48]</sup> A similar point had previously been made to his women students when Marshall explained: "Aristotle said: 'Slavery is natural. Nature intended some men should be slaves' and the modern world has said that a proletarian class is necessary and natural. This they say in spite of their professing to be followers of a person who maintained with the most unflinching audacity the doctrine that a proletariat was not necessary." Greece and Rome failed, Marshall explained to his students, "because they were utterly devoid of moral enthusiasm – because they were pagan"; and so, while we must "adore our Greek teachers", nevertheless we must "absolutely deny" all "their fundamental social axioms, or put aside the name of the followers of Christ."<sup>[49]</sup> Translated into the terms of nineteenth century political economy, Marshall was in effect calling for the abolition of any identification of subsistence wages and a stationary state with a 'natural' order, and was in addition pointing to the need to replace the ultimately pagan modes of thought which stood behind such doctrines with a vision of progress which he believed to be sanctioned by Hegelian philosophy, by Maine's historical method, and by the moral teachings of Christianity.

It will be recalled that, according to Mary Paley, in the academic year 1873-4, Marshall's historical lectures covered 'Economic History from 1350 onwards', the 'History of Economics', and Hegel's *Philosophy of History*.<sup>[50]</sup> We can now see that while it is only the last category that would have been likely to have included the kind of discussion to be found in the long essay, nevertheless any discussion of either modern economic history or the history of economics would have been conducted upon a foundation that presupposed the ground covered by the long essay. In the long essay we learn that neither economic activity proper, nor economic theory, are possible before the Middle Ages; for both presuppose a moral and constitutional freedom that did not come into existence before this period.

Thus in reference to the tripos question of 1874 quoted above, we may suppose that the minimal passing answer would have asserted that McCulloch was basically correct to deny the existence of ancient political economy, while the first class answer would perhaps have nodded to Roscher's dissenting opinion, but then worked through a Hegelian account of the absence of moral freedom in the ancient world (an answer incidentally that would, almost certainly, have baffled McCulloch himself). Indeed, armed with an understanding of the mixture of Maine's historical method, Hegelian metaphysics and Marshall's own psychological model of the human mind, we should now be fairly confident about tackling part of an essay question that Marshall composed on Book III of the *Wealth of Nations* sometime in the early 1870s: "What are the more prominent assertions in the third book of the *Wealth of Nations* in which the word "natural" occurs? Give an account of the circumstances in the history of political speculation in general & in that of Political Economy in particular which caused him to use it as he did."<sup>[51]</sup> Marshall was here demanding that the student answer a question about Adam Smith, and yet it should now be clear that in teaching students to answer this and similar questions he was in effect informing them that if the science of political economy was, as McCulloch asserted, modern, nevertheless it contained a significant residue of ancient pagan thought. McCulloch might have asserted that political economy was a modern science. Marshall insisted that the political economy of McCulloch's generation was not yet modern enough.

As we have seen, in 1878 Marshall told Foxwell that he had once spent the "good part of a year" on the history of economic science, but come "to the conclusion that anything like an elaborate treatment was not profitable for me & most unprofitable for the class; & have seldom used my notes since." One must suppose that Marshall here had in mind his long essay, and it is now clear why, after having composed this essay, he could in many ways dispense with further elaborate treatments of the history of civilization from ancient through to medieval times. For what was

important to Marshall about this essay was not the ground that it actually covered, but rather the foundations that it established for his subsequent economic studies. That is to say, the long essay supplied Marshall first of all with a definite conception of a modern economy – defined, that is, in contradistinction to custom and to external restraints upon freedom. Secondly, it supplied him with an extremely usable contrast between two modes of thinking about social science: an ultimately ancient mode which invoked a static and ahistorical ‘nature’, and a modern historical mode which embedded economic concepts within a wider vision of progress. Already by 1873 it seems clear that Marshall was using such a contrast to distinguish his own development of political economy from the work of his late eighteenth and early nineteenth century predecessors. But once this contrast was employed with regard to distinguishing modern economic doctrines, the historical and Hegelian foundations of the contrast became relatively unimportant. To a large degree Marshall’s interest in ancient and medieval history could now fade into the background of his thought.

Marshall himself can provide us with the last word on his subsequent attitude towards historical scholarship. In 1879, distressed at the workload imposed upon him by his duties at Bristol, Marshall was sounding Foxwell out about the possibilities of a return to Cambridge. “Sidgwick writes that there are practically no Moral Sciences men”, he wrote. “So I suppose it would not do for me to think of coming back as a Mo: Sc: lecturer. But in my last year at Cambridge I had a large class (22) more than half of which consisted of the best Historical men. Do you think St Johns would have me as a Historical Sciences Lecturer with the understanding that I looked after the men generally & taught economic history, economics, & perhaps political philosophy including Bentham &c.” St Johns had other plans, however, and anxious to assure Foxwell not to worry on his account, Marshall now wrote his friend that “My hobby for years was that the College should have a real bonâ fide historical lecturer; & nothing would delight me more now than to hear that in default of any bonâ fide historian within the walls, the College had elected [an] outside historian to a Fellowship.”<sup>[52]</sup> By 1879 Marshall was prepared to become a ‘Historical Sciences Lecturer’ in order to free himself from his workload at Bristol, but he had no illusions that he was a “bonâ fide historian”.

## V. Marshall’s Bibliography

The following are the books referred to or quoted by Marshall in his essay on the history of civilization. [ML] marks books owned by Marshall and currently held in the Marshall Library. [UL] marks books owned by Marshall and currently held in the Cambridge University Library. (Note that not all Marshall’s personal library has been preserved). [SJCL] marks books that are held in St John’s College Library. Where possible the edition used by Marshall has been identified.

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Bridges, J. H., *France under Richelieu and Colbert* (Edinburgh: Edmonston & Douglas, 1866)

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Whewell, W., *Lectures on the History of Moral Philosophy* (2<sup>nd</sup> edition, Cambridge, 1862)

## VI. Conventions

The following conventions have been used in editing Marshall's long essay:

*Italics* - manuscript word or phrase is underlined.

<triangular brackets> - word or phrase is crossed out. Only such crossings out as are still legible have been recorded.

\*asterisks\* - word or phrase written above the line.

underlining - letter or word is illegible.

## Marshall's Essay on the History of Civilization

### I.

#### Lecture Notes on the History of Political Economy

##### Editorial Introduction

The following three folio pages were placed at the beginning of the archive folder M 4/10 ('On Buddha and the East'), with the first folio (f.1) constituting one half of a larger page folded in two, with the two following folios (f.2 and f.3) placed within. They would appear to be notes for an introductory lecture to the course of lectures the material of which is contained in the long essay itself.

##### Main Text

f.1

*History of PE*

Introduction to lectures on.

History of Science is generally both history of phenomena of science, & history of knowledge of phenomena

But in some sciences, e.g. mathematics, chemistry we have no <knowledge of the> history



of phenomena.

But in all biological & social sciences we have.

There is however a division between two branches. In one, of which geology is a <type we> specimen, we may if we will study the history of the phenomena & pay no attention to the history of the knowledge of phenomena.

In another of which history of disease is a specimen we cannot. Our knowledge of vaccination affected the history of the phenomena of disease.

f.2

Instinct: bees require no instruction no pure thought; close analogy between constitution of a hive & constitution of ancient civilisation

/

The Persians

/

The Jews: their notion of good high: but even they under special family relations: year of jubilee accounts about usury.

/

The Greeks: their personal character: slavery

Greek how differing from modern in principle.

Why the enthusiasm for the town continued with the existence of the slave system, rendered their life free in the main from economical considerations.

/

Why they failed. <full account of slavery>

they were getting to a stage at which <even the slave denied> the destructive elements of the present age made themselves visible, but the constructive elements not & they failed

/

recollect Greek civilization at its highest lasted but a few years.

f. 3

Final cause of energies of those who are anxious to promote social well-being

/

how it admits of no class distinctions.

/

It assumes free and deliberate action on the part of each individual

/

& the problem to be solved by the Economist is – given the ethical & social data of our times what are the evils by which we are surrounded which of them are surmountable; against which must we openly strive; what can we claim from human nature

We find historical arguments brought to bear & we must if we would estimate their value. We must for instance consider how far Greek civilisation was under the same difficulties as our own: what their history teaches us to seek: but above all we have to enquire whether there is special need now for a deliberate energy in our social affairs which there was not then.

## II.

### **‘Long Essay on the History of Civilisation’**

#### **Editorial Introduction**

The following long essay is comprised of over 145 folios. The essay has been pieced together out of three main archive parts.

1. The whole of M 3/1 ‘history of PE’: pages numbered by Marshall 1-32 (f.1 – f.36),
2. Two parts of M 4/11, ‘Greece & Rome’: 33 – 55, 59- 78a (f.29 - f.72),
3. The main part of M 4/12, ‘Middle Ages I’: 79 - 145 (f.1 – f.82).

In addition, there are also included three ‘wandering pages’ from the tail-end of M 4/12, ‘Middle Ages I’: 57, 58 and 78 (f.84, f.85, and f.86).

After the folio assigned the number 59 by Marshall has been included – following Marshall’s own instructions at the bottom of this page - the 15 page essay ‘Greek & Roman Characteristics’. This latter essay is to be found in M 4/11 ‘Greece & Rome’. It comprises 15 folios numbered from 1 through to 15, and is written in the same clear hand as the bulk of the long essay. The first page is headed ‘(Mommsen & Hegel) Greek & Roman Characteristics’, but from the slightly more compact hand of the title, it would appear likely that this title was added later. It seems probable that Marshall wrote this short essay separately and only later decided to incorporate it within the long essay.

#### **Main Text**

##### **[M 3/1]**

f.1

M Say prefaces a short sketch of the history of Political Economy with the remark “the more perfect a science becomes, the shorter becomes its history”: & he quotes from D’Alembert – “the more light we acquire on any subject the less we occupy ourselves with the false or doubtful opinions which it has produced. It is only when one has no fixed & definite ideas with which one can occupy oneself, that one cares to <equ> enquire into men’s opinions.”<sup>[54]</sup> This is an important half-truth. Taken by itself the study of men’s opinions is as profitless an employment as the student can well find. In the present course of lectures however I shall endeavour to shew the truth of a supplementary statement

f.2.

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viz. that a study of the successive steps by which the worlds confusions on the subject of Pol Econ

have been up to the present time cleared up may be made to subserve very important ends.

And *firstly* <it> such a study is likely to aid our advance as regards the abstract theory. The observing how other people have been led into error guides us to know how we may ourselves have been misled. The tracing the mode in which confusions have been cleared up gives us hints as to the mode in which we should seek to resolve those difficulties which remain.

While a knowledge of these errors & confusions will help us to anticipate similar errors

f.3

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& confusions on the part of those to whom we may wish to explain our views & to guard against them.

*Secondly* such a study is necessary if we would obtain a personal acquaintance with the great minds who have, each in <their> his turn, contributed to the knowledge which we now possess. It is a matter of common observation that we are affected in totally different modes by <circumstances> \*events\* of which hear an account from a distance & by those which are brought in any way under our own direct observation. And it is admitted but not in general sufficiently born in mind that the same thing applies to the discovery of any truth. If we are brought into personal contact with the discoverer of it, it has ever after a special interest for us. A person who has talked with D<sup>r</sup>. Carpenter for one evening

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about deep sea dredgings is more likely to feel a permanent interest in them than if he has spent three in reading an account someone else has given of them. As regards moral truths the case is even more striking. What is there in the world like the preaching of a man who <se> \*has\* discovered a new moral truth: <has> by the magic of his presence he revolutionised societies; & “moved mountains by his faith.”[\[55\]](#)

The man who has discovered nothing new; but has as it were rediscovered for himself moral truths which were old, though holding a lower place, is yet “strong enough to enforce his own convictions”; he utters “burning words”.

As to the source of this amazing power of belief psychologists have

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much to tell us. They have more to learn about it yet. Enough for us at present that it is. Yet while the world is continually quoting the proverb that “Enthusiasm is infectious” it has a growing tendency to neglect the writings, full of life & eagerness in which great thinkers have <given> \*uttered\* their great thoughts. These are being supplanted by newspaper articles, reviews, popular manuals, written for love not of the subject but of the guineas to be paid per sheet. And if this is to be regretted with reference to physical sciences, much more is it with reference to Social. For in the latter each successive step has been intimately bound up with human wants, & wishes, & desires. The personal character of each writer makes itself felt more when he speaks of <the> his

f.6

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relations of his fellowmen, & of himself to them, than when he speaks of the relations of a new species of fern to the old ones.

Of course we may treat Political Economy as a deductive & purely abstract science. That is we may take certain arbitrary assumptions & deduce from them laws of value. Such enquiries have their utility: but if we seek to know Political Economy because we want help in our attempts to understand Social Philosophy, this personal element becomes as important in reading a book on Political Economy as in reading one on any other branch of Social or Ethical Philosophy. It is not too much to say that we can never fully appreciate the importance of what Adam Smith \*wrote\* unless we know the importance which it had to him. For to him they were living truths, energising, fertile in hope, enticing almost forcing him to seek further truths. And they must be living for us also, if they are

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to be of much use to us. But if we read them in a crambook they are almost sure to be the mere facts, dead, prompting us to nothing; & if we read them anywhere else but in Adam Smith they are not unlikely to be so, unless indeed we have a large store of creative energy in our own minds: & if we have we are as sure to read them if circumstances permit in Adam Smith, as a good musician is to go to a good concert instead of a bad one {I say "if circumstances permit": because a man may not have time to read all the important discoveries of Political Economy in the words in which they were first enunciated. If I want to know something of Geology but cannot afford time to read more than one book; I would certainly rather read Juke's Manual than <Hu> a book of Huttons. Of course

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also it is advisable for the ordinary student to read a modern book first, in order as far as possible to avoid the useless exertion of forming elaborately wrong opinions & then substituting for them right ones.} If however we are to enter fully into Adam Smith's thoughts it is not sufficient simply to read his book. If we could talk to him it would be different; we could ask him why he laid so much stress on this point or that; why he says one thing in one part of his book & something apparently inconsistent with it in another. But as we cannot ask him we must find out for ourselves. That is we must know what errors were just extruded & through their closeness to the mind's eye, appeared to occupy an unduly large space. We must know also what errors were in the process of extrusion,

f.9

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& thus sometimes appeared in the place of those half grasped truths which were but gradually <being> supplanting them.

The third great use of a study of the history \*of the doctrines\* of Political Economy, is that we may understand the social & political phenomena of the periods in which they were held. Our knowledge of Economical doctrines & <that> of Economical phenomena must go together. And the Economical & all other social & political phenomena of a period are inextricably interwoven with another. It is not necessary to enquire into the relative importance of a knowledge of Economical phenomena & of others; any more than we need enquire as to the relative importance of the heart or the lungs <& any of> as compared with other vital organs

f.10

all of which are necessary to a mans existence.

If any part of the social phenomena of an age be ignored we have not history; though we may have materials which <will> may aid the historian. Of course the question may be raised – is a disease of the heart or of the lungs more prejudicial? But even to this no general & direct answer can be returned: we must consider the special circumstances of the case. For myself, I think that perhaps the gravest practical error of the present day is the blind <worship of wealth on the part of society> pursuit of wealth, furious often to the verge of insobriety, on the part of the individual. But in spite of this, perhaps <in> partly in consequence of this & the reaction against it in the minds of <a> many students, the

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influences of the economic circumstances of an age upon its history have been I think underrated. I use the word history here in its highest & most real sense, - the account of mans aims, of his spiritual life, of the life of his moral nature, & also, as inseparable from them, of \*the development of\* his intellectual faculties. Whatever be the mode of our historical studies this must be the end to which they are subservient; if they are to possess any real value. It is because I am convinced that the history of economical phenomena is immensely important for this end that I am induced to pay much attention to them. The materials of which I can avail myself are but very scanty. [Owing to my own very meager knowledge of general history, I can not hope at present to make good use of what there are. But] I may say suggest lines of enquiry & help you to get on the right track for investigating this great problem or some portion of it.

f.12

12.

Anything like a theory of Political Economy can scarcely be said to have existed before the end of the Middle Ages. But there is much to learn from the Earlier portions of the World's History. Why had they no theory? How did they get on without one? The answers to these questions will guide us in drawing lessons from the history of past ages, for the guidance of the present age – an age in which some sort of Economical Theory is involved, <and> \*in\* probably the greater part of the questions that most interest us. We shall find that all the Civilisations before the Christian Era much as they differ among themselves, yet have in common striking points of difference from all those that have come after this Era. Kautz at the commencement of his history of Political Economy remarks (page 51) that in spite of the gulf which exists between the “Oriental and Greek-Roman Periods of Antiquity, and divides the

f.13[56]

12 ½

Now\*nearly\* all social questions involve a prominent economical question because it is recognised that <each> individuals have a strong tendency to contemplate the future & to steer their course so as to obtain <their> for themselves & their immediate relations the greatest <possible> amount of material comfort & wealth which can be attained without violation of certain conditions. But these conditions are mainly \*the avoidance of\* loss of health, <extreme> personal discomfort, & infractions of moral laws.

It is seen that we are in a condition in which as long as peace prevails, the <causes> \*influences\* acting on the growth of population wealth &c are likely to be tolerably uniform in kind: & are our theoretical enquiries have a tendency to be made as to the effect of these influences after

f. 14 [\[57\]](#)

12  $\frac{3}{4}$

a while: It may be objected – But such results as the multiplication table indicate *have* not happened: what reasons have we to suppose that they will happen.

From the other side it may be said certain conditions have been <uniform> found at all stages of human history: & we must be able to form an idea as to how far it is necessary that these causes always will be found. E.G. The existence of an uncultivated class has been an <accompan> phenomenon of all previous civilisations: need it be one of all those which are to come. In order to estimate the value of the argument from history we must know

f. 15 [\[58\]](#)

12  $\frac{5}{7}$

roughly what the conditions of previous civilisations have been.

Instance the old fallacy that every civilisation must be overthrown by <a dark age> barbarians that bring about a dark age.

f.16

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whole Ancient World into two great divisions differing widely from one another in spirit and character”, there is running through the whole Ancient World and its habits of thought and feeling (Cultur) “a peculiar unity a complete inward cohesion which shows a certain family relation and likeness in the whole of the forms and arrangements, tendencies, and principles which are found in it.” At the head of these characteristics he puts the omnipotence of the government, he says “the fundamental principle of the Ancient Political World is the suspension of individuality of the self-dependant, self-determining personality of each member” ..... The individual appears in the Ancient <arrangements> \*constitutions\* of society as a simple atom, as a dependent unit the whole cause of whose being (Das eingemack) consists in this, that through absolute offering up of himself (Hingabe) and complete incorporation of himself \*in\* <to> the Whole he may turn himself to some account, he must

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subordinate himself to the Whole and live not for himself but for the common weal. (das Allgemeine) In the \*West\* no less than in the East is there no individual freedom and equality . . . . . to which each individual simply, as a man, could lay claim. In relation to the Whole, the individual is utterly devoid of right and power” This is I think in the main true: but I should \*prefer\* saying with Hegel that man had not learnt to reverence others, that society had not learnt [\[59\]](#) to reverence the individual because man had not learnt to reverence himself, that man could not understand clearly what Right was because he had not yet learnt what duty was: That in the Oriental World man had not separated himself from Nature but <ex>\*ac\*cepted unquestionably the arrangements by which he found himself surrounded while the successive overthrows of the Greek

f.18

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and Roman World were due to their asking themselves questions about the rightness of these arrangements and their not finding the answers to these questions. // The marvellously intimate connection between the philosophical and religious <points of view> characters of the several Nations of the Ancient World, as well as the dependence of Greece and Rome upon Oriental teachings will appear as we proceed with our account of the successive civilisations. It is always doubtful whether to put first China or India. Hegel puts China first: but had he been acquainted with the results of more recent investigations tending to establish the local government of the village community as the earliest form of civilisation he would probably have put India first. The reason which he gives for his order is that the Chinese have properly speaking no idea of a divinity while the Hindoos luxuriate in a dreamy and mystic sort of Pantheism.

\*The history of each is so multiform that neither can properly be put first\*[60]

f.19

16.

The argument <of> would be stronger if we were \*more\* sure of our facts. Kautz puts India first. The<y> \*Hindoos\* were the first he says to elaborate a philosophical system, their speculative habits caused them, or rather their philosophers to shun material activity, and even unnecessary converse with their fellow-men. The Law Book of Manu was written in 7<sup>th</sup> Century B. C. . “One can trace in it” he says “an almost ascetic self abrogation and <self denial> renunciation – the unconditional recognition of, and the glorification of the absolute governmental authority” Avarice is placed as the source of almost all Moral Evil, while inconsistently enough, prayers for material advantages and wealth are <common enough> \*enjoined\*. The philosophic contempt of wealth which we find here and in China reminds us of that professed by the Stoics when the power of the Imperial Government became so crushing that the philosopher

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found the only sources of enjoyment which he could preserve consistently with his dignity were those which no tyrant could take from him.

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The Indian Village Community, its organization, government, its self sufficiency, Trades hereditary, relation to Strangers, customary price within the Village, the position of markets, customary rent of land and competitive rent.

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From all this we see the absolute dominion in India of the rule of Nature. In the East moral freedom, freedom of choice is not recognised. As Hegel says “If distinctions obtrude themselves, their recognition is accompanied by the belief that the Individual does not choose his particular position for himself, but receives it from Nature. In China the people are dependent - without distinction of classes – on the law and moral decision of the Emperor, consequently on a human will. [<It is strange that he does not in this find the reason for treating on China after India>] Plato

f. 21[61]

17 ½

The causes which in Indian as well as in the other early civilisations caused a superabundant population to press upon the means of subsistence, & to make the laboring classes poor & weak are given in Buckle pp 70 &c & quoted under *Population* (Buckle)[62]

f.22

18

in his Republic, assigns the arrangement in different classes with a view to various occupations, to the choice of the governing body. Here, therefore, a moral, a spiritual power is the arbiter. In India, Nature is this governing power. But this natural destiny need not have led to that degree of degradation which we observe here, if the distinctions had been limited to occupations with what is Earthly – to forms of objective Spirit. In the feudalism of Medieval times, individuals were also confined to a certain station in life; but for all there was a Higher Being, superior to the most exalted Earthly dignity, and admission to Holy orders was open to all. This is the grand distinction, that here Religion holds the same position towards *all*; that, although the son of a mechanic becomes a mechanic, the son of a peasant a peasant, and free choice is often limited by many restrictive circumstances, the

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*Religious element* stands in the same relation to all, and all are invested with an absolute value by religion. In India, the direct contrary is the case. Another distinction between the classes of society as they exist in the Christian World and those in Hindostan is the moral dignity which exists among us in every class, constituting that which man must possess in and through himself. In this respect the higher class are equal to the lower; and while religion is the higher sphere in which all sun themselves, equality before the law – rights of person and of property – are gained for every class. But by the fact that in India differences extend not only to the objectivity of spirit but also to its absolute subjectivity, [i.e. not only “to spirit as related to the external world but to spirit as related to itself as self-determining] and thus exhaust all its relations neither morality, nor justice, nor <religion> religiosity is to be found.” (page 154).<sup>[63]</sup>

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As a consequence, then of this passive acquiescence in “Natural” arrangements we have an absence of the habit of determination<sup>[64]</sup> of his conduct on the part of each individual so as to obtain most completely his own ends. Men do not seek to “buy \*in\* the cheapest market and sell in the dearest market”. Trade, in any broad sense of the word does not exist. Division of labor is confined practically to the narrow sphere of one village, though very \*rigid\* within that sphere: and of course all the more refined appliances of Economical progress are absent, all systematized institutions for credit, all tendency to substitute the work of machinery for hand-work. And it is a most striking fact that the introduction of changes in ‘Economic’ habits is the most potent influence by which European Civilisation is dissolving the philosophico-religious theories of caste. It may be well to put

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together the main causes which seem to have prevented the formation of economic science in India. *Firstly*. The absence of competition \*prices\* and generally of systematized trade. *Secondly*. The relegation of material employments to a lower class, shut off from all converse with the thinking class. *Thirdly*. The slight esteem in which riches were held by the thinking class, and this for various reasons (a) The position of the thinking class was made for them, while the mental energy of the middle classes of Modern Europe is largely devoted to bettering their position by means of wealth (B) The contemplative character of their religion, inconsistent with anxieties about



wealth. (C) The general insecurity which, as before remarked, rendered the Philosopher unwilling to place any large portion of his happiness within the control of the fickleness of circumstances. *Fourthly*. The habit of treating questions as a whole, not analysing them. This, the characteristic of all ancient science, or absence of science, was eminently so of Indian thought. \*This is questionable\* Conf Hegel l.c.

f.26

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Almost the same account may be given for the absence of any careful analysis of Economical conditions among the Chinese. They appear indeed to have had a more practical turn of mind than the Hindoos, to have enjoyed on the whole more security and to have paid their \*un\*hesitating obedience to the commands of Nature in the disguise<d form> of abject submission to authority in very concrete forms. Yet strangely intimate as was the connection between philosophy and the ruling powers of the state although the Emperor was ex-officio head philosopher while all the <leading> posts awarded by government nominally, were really awarded by boards of examiners, yet despotic caprice seems to have made mere wealth an object of pursuit not very compatible with the independence of the philosopher. It must not however be denied that

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in their case almost as much as in the case of the Indian Philosophers, a real veneration for the intellectual and emotional sides of human nature, even if it were partly an effect of the misfortune of their condition, was a real fact; and that we must not speak without admiration of their contempt of wealth and luxury, of the energy of their declamations against avarice and all the various incitements which cause a man to render himself a slave to his greed of possession. We find, indeed consistently \*with all that we know of them\* that they are never tired of praising patient industry to secure a moderate subsistence (Kautz page 93) or that here as in the whole of the Ancient World \*(with a partial exception perhaps of Greece)\* agriculture is extolled above other occupations, or that it <should be> is regulated by minute governmental ordinances or that while some trade was not praised, foreign trade was condemned in the severest

f. 28

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possible terms. Yet their more settled habits did cause them distinctly to perceive <the> \*some of the\* advantages of the divisions of labour and Kuautsche, said to have lived two centuries B.C. (Kautz 94) says "the money which is gained through trade enriches a kingdom only in so far as it is given out again in trade, - that is only the obtaining of really necessary and useful commodities is on all sides useful": and he adds, wealth in superfluities is luxury; the more horses the rich harness to their carriages the more people must go on foot, the best and most desirable end which men can obtain in social life by perseverance, industry, economy and wisdom is that all should have the necessaries of life and some of its comforts".<sup>[65]</sup> If the date be right we must allow for the Chinese some precocity in social as in physical science. In Modern

f. 29

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times the question of the advisability of allowing a high rate of interest, the ethical position of trade and similar questions seem to have been considerably discussed (Kautz 94-5). Adam Smith (W of N bk 4 chap 9 pg 307) says that in China the artizan holds a much lower position than the agricultural laborer and speaks of the great dislike of both Chinese and Egyptians to trade and

particularly to foreign trade. M<sup>c</sup> Culloch page 219 and note XVII considers that the opinion generally held on this point is incorrect. Rau I § 295 (a) says that in the eleventh century the only money in circulation was paper money and that the worn out pieces were replaced gratis <for> \*by\* new ones. Vol 2 § 267 (d) he says, China possesses the largest Canal system in the world, the Imperial Canal

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is more than 1000 miles long between 200 and 1000 feet broad and <drawing> \*joining\* many navigable rivers so that it enlivens the traffic throughout a large portion of the whole Kingdom. Adam Smith points out that the immense size of China makes the prejudice of the Chinese against foreign trade comparatively innocent. This is but half true. Roscher § 32, points out that had the ocean currents set in a different way, America would have been colonised by Chinese. As day laborers the Chinese are useless they must work by the piece. (Ib § 39) This is indeed but one instance of that utter absence of the sense of duty which Hegel remarks as characteristic of them. China is an unsolved riddle, the word routine is nearly a solution of it. Economical, ethical, social, religious routine is one complicated net, each portion strengthening every other.

f.31

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The Persians are the first people to whom Hegel allows a true conception of divinity. The worship of light, he says, is no idol worship, it marks the first <the> clear distinction between the finite and the infinite, the antithesis which Greek and Roman thought aided by Jewish and Egyptian feeling had to develop before man could comprehend his own nothingness and attain to a perfect religion in the great Christian Reconciliation. He derives their great economical habits from their religion, he says (phil of his page 188) "The *ritual observances* of the religion of Ormuzd import that men should conduct themselves in harmony with the Kingdom of Light. The great general commandment is therefore, as already said, spiritual and corporal purity, consisting in many prayers to Ormuzd. It was made specially obligatory upon the Persians

f.32

28.

to maintain living existences, – to plant trees – to dig wells – to fertilize deserts; in order that Life, the Positive, the Pure might be furthered, and the dominion of Ormuzd be universally extended". Kautz indeed (page 91.) represents the almost deification of agriculture which he finds in the Zendavesta as due to the great desire of Zoroaster "as of many other ancient oriental law givers and founders of religion, to induce the people to abandon their unsettled nomad life". <He speaks> The Zendavesta appears to be full of exhortations to what may be called the citizen virtues. And Rau 2 § 336 (β) gives its minute instructions with regard to Charity, - every man must give away ten per cent of the net produce of his land if there is water on it and five per cent if not; two and half per cent

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of the money in excess of a certain sum which has been in his possession more than eleven months and so on. Thus while Persia seems rightly to be described as the link between the Oriental and Greek Worlds, the position of Man as a person beginning to be clearly recognized, we yet have the complete amalgamation of religious, social, moral and Economical considerations. And this we find among the Hebrews who form as it were not a link in the chain of the history of the world but rather a separate chain passing <suddenly> into the interior of the chain

of the world and then running on inside the successive links. The similarity of the precepts of the Old Testament to those of Confucius and Zoroaster is striking. The domestic virtues are praised, agriculture is extolled,

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avarice is condemned, the vanity of riches is insisted on, while at the same time they are represented as the rewards of a virtuous life. Adulteration and false weights are condemned equally by Moses and the Prophets and by Zoroaster (Kautz page 100 & page 92) But there is one marvelous economical arrangement a wild Utopia for modern Communists but a practically working arrangement with a people who heard in the words of their law give the Language of God. Every head of a family with the exception of the Levites, had his share in the soil of his father land, an inalienable inheritance which might indeed pass into other hands for a time, but reverted absolutely to the family at the end of each (Jubilee) fiftieth year. The family relation, indeed, which we have seen fossilised in China and in India was as Hegel says,

f. 35

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the living foundation of Hebrew Society in consequence of its being merged in the relation of the whole people as one great family to God their Father. True it is that as Hegel also remarks, their belief that He was the Father only of the Hebrew Nation rendered them cold and hard in their bearing to other nations. And that since it has been their miserable fate to live only as outcasts in the land of the Stranger this has caused a narrowness of commercial Spirit which has made them at once a by-word, and the most important agency that has existed for rendering true the Economical theories which assume as a preliminary basis that man is a prudent trader, uninfluenced by any other desire than that of gain. But in their own home the reverse of this appears to have been the case. There is probably no

f. 36

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other case in which the desire of personal aggrandizement has through a whole country been more completely subordinated to the affections of each man for his family, his tribe, his nation, his Religion, and his God: None in which what a man had was thought of less importance in comparison to what he was, none in which success in the outer world was so slightly regarded in comparison with purity in the inner man. Immensely instructive as is the history of the Hebrews in many directions, it is for the Political Economist important mainly in order to show how he or any other theorist may be rendered superfluous by universal belief in \*the\* continuous occurrence of the direct intervention by word and deed of the Divine Ruler.

[M 4/11]

f.29:

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Hegel compares the Greek <Spirit> World to the period of adolescence in the sense that youth does not yet present the activity of work, does not yet exist itself for a definite intelligent aim but rather exhibits a concrete freshness of the soul's life (page 233) He describes them as living under the dominion of a love for their country, intense but unreasoning, – not developing itself into any <elaborate> general principle of Patriotism, – but an instinctive Oriental feeling \*into\* which the sophists “first introduced subjective reflection” and the new doctrine that each man should act according to his own conviction. When reflection comes into play, the enquiry is started whether

the Principles of Law (das Recht) cannot be improved. Instead of holding by the existing state of things *internal* conviction is relied upon; and thus begins a subjective independent Freedom, in which the individual finds himself in a position

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to bring everything to the test of his own conscience, even in defiance of the existing constitution. Each one has his "principles", and that view which accords with his private judgment he regards as *practically* the best, and as claiming practical realization. This decay even Thucydides notices, when he speaks of every ones' thinking that things are going on badly when he has not a hand in the management." Again; "the Greek morality, though extremely beautiful, attractive and interesting in its manifestation, is not the highest point of view for spiritual self-consciousness ..... self-comprehension on the part of thought is wanting – illimitable self-consciousness – demanding that, what is regarded by one as Right and morality, should have its conformation in myself – from the testimony of my own spirit; that the Beautiful (the Idea as manifested in sensuous contemplation

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or conception) may also become the True – an inner supersensuous World. The stand point occupied by the Aesthetic Spiritual levity which we have just described, could not long be the resting place of Spirit; and the element in which further advance and corruption originated, was that of Subjectivity – inward morality, individual reflection, and an inner life generally. The perfect bloom of Greek life lasted only about sixty years – from the Median Wars, B.C. 492, to the

Peloponnesian War, B.C. 431 \* NB death of Socrates 400\*[\[66\]](#). The principle of subjective morality which was inevitably introduced, became the germ of corruption, which, however, shewed itself in a different form in Athens from that which it assumed in Sparta; in Athens, as levity in public conduct, in Sparta

f.32

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as private depravation of morals." This seems to be, in brief, the history of Greece. The Greek spirit is often spoken of as though it had had no development: quotations from Homer, Thucydides, and Demosthenes are jumbled together. Maine has, however, shown reason for believing that in the Homeric time, government was almost patriarchal in Greece, while the more primitive forms of family life prevailed among their more barbarous neighbours. For all that even here as Hegel says (page 233) "Greece presents to us the cheerful aspect of youthful freshness and Spiritual Vitality. It is here first that advancing Spirit makes *itself* the content of its volition and its knowledge: but in such a way that State, Family, Law, Religion, are at the same time objects

f.33

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arrived at by individuality, while the latter *is* individuality only in virtue of those aims. The (full grown) man, on the other hand, devotes his life to labor for an objective aim; which he pursues consistently, even at the cost of his individuality." As time went on the peculiar qualities of the Greek Spirit developed themselves, \*under\* the <peculiar> favor of their geographical circumstances. Kautz finds in all their public and private business "that active, lively longing for action, that restless pushing and shoving that is so peculiar to the Greek spirit" (p. 102) And the origins of this he finds in "that recognition and respect for individuality and personal independence which had taken its root in the Greek Being". (p. 103) <This is true of their whole history, but with

regard to the form of their activity he makes>

f.34

38.

But for the Political Economist above all others it is necessary not to confound this free individuality with selfishness, though as Hegel shows, <the past> \*it passed into it\* when acted on by the solvent of philosophical scepticism. As Kautz \*says\* “the Economical theory of the Greeks started from the fundamental conception that the state was the real embodiment of the moral world, its aggrandisement the final cause of everything: the individual with all his personal \*and private\* ends is entirely subordinated to the ends of the state, & all the activity of his life must have reference to this”. <And that,>

But the oriental habit of taking things as they found them, of submission to Nature, though weakened was not destroyed, all their theoretical investigations of \*Political Economy\* started immediately from <their> \*the\* facts of the concrete relations

f.35

39

of their practical every-day life. (Kautz 110). And thus although they have great horror of trade partially on the ground that it may lead to dis-honesty and a great contempt for the acquisition of wealth; they all, even Plato and Aristotle recognise the <accumulation of> acquisition of wealth by the forcible appropriation of another man's labor as a necessary condition for the free development of the individual. “All agree” says Aristotle “that in every well regulated state, sufficient leisure must be preserved from the wants of life for public business, but a difference of opinion exists as to the manner in which this should be done. It is effected by means of slaves who are not however treated in all places alike. (Heeren Pol: History of Greece. ch 10 p. 158)

f.36

40.

Aristotle considered that <the> Nature was very precise and distinct in her statement that some men were born to be slaves. The Oriental doctrine of casts thus existed in Greece, had the same origin and similar effects. Secure in having their disagreeable work done for them, the Greeks assumed it at their ease as unworthy of man. They left nearly all the business of life to be transacted by slaves, though Heeren shows, that they sometimes deigned personally to superintend commercial enterprises. The chief importance of slavery however to the theory of Political Economy was not that it prevented <them> \*the\* Greeks from investigating Economical Theories (this they did as far perhaps as could be expected considering <their> \*the\* utter absence of an analytical method for breaking up questions as <which> involved as those [\[67\]](#) Political Economy. Roscher thinks

f.37

41

they went very far – Thucydides, he says, makes no mistake, (Ansichten). While Dühring (Nat. Oeken ch II) thinks that people who talked so inconsistently as the Greeks did, could not help saying things that were partially right but they showed they did not mean <it> \*them\*. <Its> \*The\* great effect \*of slavery\* was in preventing the <population> \*labor\* question from coming forward. [\[68\]](#) It is true as Roscher says, that if population were close; slave labor, necessarily wasteful as it is, would be impossible – But the more important point is that masters have a direct control over the growth of slave population and stop as soon as they find that a slave costs more

than he is worth. Thus "cost of production" had not always a definite meaning, and the wages question, *the* question of modern P.E. had no existence.

f.38

42.

That in spite of some passages which cannot be proved directly to be wrong the Ancients had no clear idea about value which was right, is shown by the statements of Aristotle and Cicero, with regard to those traders who buy only in order to sell again, that their trade is unnatural and that they can only gain at other peoples' cost \*as Aristotle puts it\* or as Cicero puts it on condition of their doing a sufficient amount of cheating. Roscher ans 27. It is \*an old\* remark that men are but little demoralized by doing what is wrong provided they do not know it to be wrong, and the attainment of the requisites of a perfectly free development of one's own nature at the cost of the almost entire cramping of that of others was probably effected in Greece with as little ill effect as possible. At least in the towns the slaves, admitted

f.39.

43

to very free intercourse with their masters did not live a sordid life and the Greeks made the best possible use of their advantages. The state Budget was heavy, but its main item was that due to preparing for the whole body of the citizens amusements which were often of a very high type intellectually; and which almost always were connected with religious conceptions. And although, metaphysically considered, the Greek Religion was singularly low – lower than the Persian and much lower than the Jewish – it was at all events an expression of <their> \*the\* subordination of the Individual to the State and of that free, fresh, youthful enjoyment of the bounties of nature which were so strong among them. And the leisure that was given to individuals was turned to an account more valuable

f.40.

44.

even if we set aside their literary and artistic achievements than many are apt to consider. John Morley (Miscellanies page 296 etc) examines the difficulties under which social philosophy labors in primitive communities. The habits of analysis are but small. Few have them at all, <but> and those of these few who have a tendency to direct their thought to social matters are by the very nature of the case impelled to turn their theories into practice before they are worked out. This has been long recognised as an evil with reference to philanthropists, male and female, but especially the latter. In Greece there was not much philanthropy but there was much political enthusiasm. In politics above all things we want theories acted out. I.E. Experiments. We owe \*very\* much to the experiments of Greece.

f.41.

45

And we must not grumble at their having bestowed on them much of the energy that might otherwise been directed to abstract speculations. It is not, however, easy to deduce their theories from their practice; Maine has posited that one of the greatest sources of error in Political Inferences is the assumption that the causes of institutions dating from a very ancient time were such as would have been likely to have caused them now. The objection that Greek, and specially Oriental nations had to foreign traffic appears to have been mainly due <to> in many cases to religious prejudices. This was certainly the case with the Lacedemonians with whom by the bye \*religion\* was most eminently Greek. Plato seems to have borrowed the idea from them. Roscher (ans. p. 26, &c) gives a multitude of other instances. We turn then to the Greek literature

on the subject.

f.42

46.

*Plato*

His account of the growth of the division of labor in Rep: 15 is given by Blanqui (134) as an anticipation of Adam Smith. Morley (Miscellanies 317) contrasts it with what he calls the metaphysical principle of Adam Smith, "The division of labour is the necessary though very slow and gradual consequence of a certain propensity in Human Nature... the propensity to truck, barter and exchange one thing for another." (W of N. ch 132) Of course division of labor of which he speaks is of a very elementary kind implying rather that one man should do only one thing <and> \*than\* that many men should combine together to do one thing; indeed, far the greater part of their commodities seem to have been home made. Roscher (ans 24.25) gives a list of the chief articles of commerce, remarks that they were

f. 43

47.

mainly luxuries which must necessarily been consumed on only a small scale, and consequently could not give occasion for very complicated division of labor. The admiration of the Athenians for the strict caste division of the Egyptian is well known, consistently he limits the population which a perfect state should have, and he wishes the laborers not to become too rich for fear that \*they\* should \*not\* adhere to their proper business. Kautz (120 – 121). Indeed, he does not wish any one but the philosopher to be trusted with the use of much wealth. Socrates <to find> \*defined\* the wealthy man as \*one\* whose possessions bore a large proportion to his wants. Money is accounted for in the Republic by the necessities of trade, of having soldiers etc: yet he would exclude it, except and so far, as it was absolutely necessary for those ends.

f. 44

48.

His condemnation of handicrafts (laws XII) is very severe. "Nature has made neither bookmakers nor blacksmiths, such occupations degrade the people engaged in them, miserable mercenaries, excluded by their very position from political rights" Every citizen convicted of plying a handicraft should be severely punished. (Xenophon<sup>[69]</sup> also condemns handicrafts, partly on the ground that they disfigure the body) On merchants he is only less severe. In short he expresses the ideas which we have seen to be Greek, <were> only he lays stress on the Oriental portion of them. His communism is not democratic, but of a most strictly oligarchic<sup>[70]</sup> character. The state is everything, the individual is nothing in relation to it. On the other hand in his Republic he only exaggerates the common practice of Greek cities \*of\* <for> making the state do everything for the people, that is, contributions of the rich & of

f. 45

49.

others who would have been rich, and of the slaves, were taken to provide enjoyment for the "citizens".

*Xenophon*<sup>[71]</sup>

Though with Plato he condemns handicraft as an employment for citizens, and though (sec

16) he regards agriculture as not only the most noble occupation but the most profitable because of the assistance of nature in it, he recognises the advantage of trade, he would have it fostered by prompt and true justice to strangers engaged in it, by an invariable currency, and by inviolability of credit, even in war-time. He saw the export of money need not impoverish a country that the <wealth> value of all commodities, except silver, (he included gold) fell with their abundance, rose with an increase of consumers, yet he thought

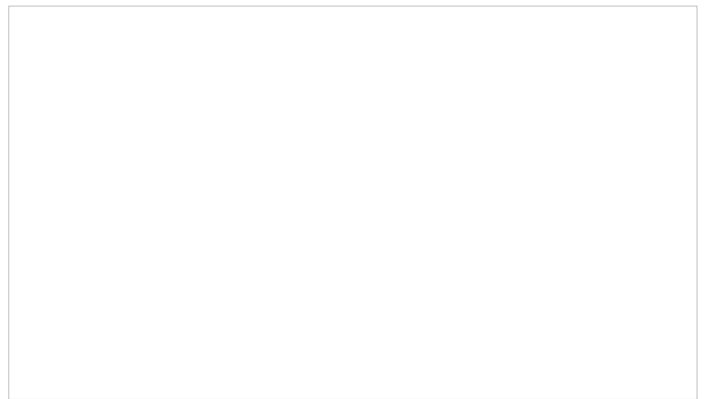
f.46

50.

that an increase of silver, the current coin, should be met by an increased demand for it, and so would not lower its value. (The facts from Kautz pp. 135 to 130.)

*Aristotle*

Kautz (p. 131) quotes <the proverb> with approval a comparison of Aristotle's position with reference to his predecessors, to that of Adam Smith with reference to his; both were great systematizers. MacCleod appears to think next to himself Aristotle was the greatest economist, but as Duhring says, he did not get further than half truths which might – necessarily obtrude themselves on his observations. The great passage is Nic Ethics Ch 8 bk 5. "The act of mutual giving in due proportion may be represented by a parallelogram.



f.47

51.

No dealing arises between two of the same kind, two physicians for instance, but say, between a physician and an agriculturalist ..... but these of course must have been equalised before the exchange can take place, it is therefore indispensable that all things which can be exchanged should be capable of comparison and for this purpose money has come in, and comes to be a kind of medium .... As then the builder to the shoemaker, so many shoes must be to the house..... for unless there is this proportion there cannot be exchange or dealing, and this proportion cannot be unless the terms are in some way equal, hence, the need as was stated above of some one measure of all things. Now this is really and truly the Demand for them, and the account

f. 48

52

of its Greek name \*νόμισμα\* is this that it is what it is not naturally, but by custom or law, and it rests with us to change its value or make it wholly useless. And further money is a kind of security to us in respect of exchange at some future time ..... the theory of money being, that, wherever, one brings it one can receive commodities in exchange: of course this too is liable to depreciation for its purchasing power is not always the same, but still it is of a more permanent nature than the commodities it represents." In some confused way he held the doctrine of the physiocrats.



Politics I. ch 8 & 9. quoted by MacCleod commented on by Kautz 137-139. This partly accounts for his contempt of trade. To the proletariat he denys political freedom because through its venality, excitability and unquiet

f.49

53

habits it might be dangerous to the state, and would certainly be incapable of managing the rudder. The existence of, <but,> extremely poor and rich in the small cities of Greece, is (Pol. 4. ch XII) the source of their disturbances. The middle class keeps the balance and Equilibrium where it exists. Of slavery he says, it is Nature herself that has made Slavery; <the> animals are divided into male and female; the male is the more perfect, he commands; the female is less accomplished, see she obeys; and so there are in the Human Race individuals just as inferior to others as the body is to the spirit, or the beast is to man ..... These are the beings destined by Nature to Slavery, because there is nothing better for them to do than obey... Is there then after all such a difference between the Slave and the Brute, their services are alike, it is only by their bodies that they are useful to us.

f.50[\[72\]](#)

54

With reference to his criticisms on Platos <party> political position, in particular to his account of property conf Whewell History of <Pol> Mor: Phil: App:

//

Morley Miscellanies 339 &c quotes his account of the origins of the family. "It is nature who has defined the female & the slave. For nature never acts penuriously, like the manufacturers of the Delphian knife, made for many uses, but she created each for its own particular use" Pol I ii.

(This passage contains an immense amount). Again "MaC there is in all of us by nature an impulse to join

f.51[\[73\]](#)

55

such a union as that which we have described (the city see below), it is still true that he who first organised men in union conferred the greatest benefits on them." Morley remarks that this implies that the State of nature was not the perfection: but this is more fully given in his account of the growth of a city Pol I ii "The association existing for satisfying everyday needs is naturally the *household* ..... The association formed of several households for purposes beyond the wants of the day is the *village*. The specially natural kind of village is that comprised of a settlement from a household ..... Now the association finally formed from a number of villages is a city, which attains

f.52[\[74\]](#)

56

the limit of the full satisfaction of our wants, first springing into being that the members might live, while it continues that they may live rightly. Thus every city is natural: exactly as the earlier associations were. For this is their consummation, & nature needs consummation, since what anything is when its growth is consummated, that we say by nature it is in each case, whether it be man or horse or family." With regard to the previous passage Morley remarks that

unlike Plato, he recognised “the indispensable part which has been played by individuals of superior political capacity in making the spontaneous social quality of men effective for its own ends & final aims”. His great failure is his exclusion of the idea of progress.

#### **M 4/12**

f.84<sup>[75]</sup>

57

Isolated economical facts.

//

Heeren comes to the conclusion that coined money was due to the necessities of trade with colonies. (Pol Hist of Anc: Greece ch x p 195)

//

Greek colonies sometimes furnished a military force, but seldom any revenue W of N IV ch vii. P 266 “They seldom acknowledged themselves subject to the dominion of the mother city. They were generally her allies in war, but very seldom her subjects in peace.” lb.

//

Preference of Greeks for agriculture. Foreign trade forbidden in many Greek States. Handicrafts mainly in hand of slaves: these are expensive: in particular any improvements they invented, likely to bring down on them punishment as being a sign of a decision to shirk work.

W of N IV iv a ix, p. 309

#### **M 4/12 f.85**

58

Roscher Ansichten

“High Cultivation” with Greeks & Romans meant application not of much <la> capital but of much labor p 16

//

Nowadays (written in 1861) an ordinary good slave is worth 2000 dollars, but in Demosthenes’ time he was worth only half as much as an average horse. And in Rome in the time of Lucullus a slave cost 4 drachmae i.e. one Thaler<sup>[76]</sup> pp 17 & 41

//

It was in the flourishing time of Athens that the men were slain, the wives & children sold in Melos p 41

//

Means of communication (p 45) In Plato’s time fare fr: Athens to Aegina 2 obol = 2 ½ d. fare for whole family with luggage to Egypt 1/6. Persian posts took a message to Alexander Great nearly 225 miles in one day Cesarius travelled in 5 ½ days a distance of 550 miles as the crow flies.

f. 53

59.

In passing from the Greek World to the Roman World, the great change that we find is that due to the fundamental difference in character of the two nations. The Greek and the Roman civilisation started from a somewhat similar origin and attained to \*a\* somewhat similar ultimate position. Roman thought was too dependent upon Greek thought for it to be able to progress much further than its teacher had done. In an Economical theory, we do not, I think, find anything new in Rome. In administrative finance, of course they dealt with much larger sums, \*and\* with more systematic < matters > \*manner\*, and in every way Economical conditions exerted more influence over their history than over that of Greece.

[Insert papers on Greek and Roman characteristics]

**[M 4/11]**

f.14

1. (Mommsen & Hegel) *Greek and Roman*

characteristics<sup>[77]</sup>

“The family and the State, religion and art, received in Italy and in Greece respectively a development so peculiar and so thoroughly national, that the common basis, on which in these respects also the two peoples rested, has been so overgrown as to be almost concealed from our view. The Hellenic character, which sacrificed the whole to its individual elements, the nation to the single state, and the single state to the citizen; whose ideal of life was the beautiful and the good, and, only too often the pleasure of idleness. Whose political development consisted in intensifying the original individualism of the several cantons, and subsequently led to the internal dissolution of the authority of the state; whose view of religion first invested its gods with human attributes, and then denied their existence; which gave full play to the limbs in the sports of the naked youth, and gave free scope to thought in all its

f. 15

2.

grandeur and in all its awfulness: - and that Roman character, which solemnly bound the son to reverence the father, the citizen to reverence the rulers and all to reverence the gods: which required nothing and honored nothing, but the useful act, and compelled every citizen to give up every moment of his brief life with unceasing work; which made it a duty even in the boy modestly to cover the body: which deemed every one a bad citizen who wished to be different from his fellows: which viewed the state as all in all, and a desire for the states existence as the only aspiration not liable to censure, - who can in thought trace back these sharply – marked contrasts to that original unity, which embraced them both, prepared the way for their development, and at length produced them...? (pp 24.25) ..... All that may be called the patriarchal

f.16

3.

element in the state rests in Greece and Italy on the same foundations. Under this head comes especially that moral and honorable constitution of the relations of the sex, which enjoined monogamy on the husband, and visited with heavy penalties the infidelity of the wife, and which recognised the equality of the two sexes and the sanctity of marriage in the high position which it assigned to the mother within the domestic circle. On the other hand, the vigorous development of the marital, and still more of the paternal authority, regardless of the natural rights of persons as such was a feature foreign to the Greeks, and peculiarly Italian: It was in Italy alone that moral

subjection became transformed into legal slavery. In the same way the principle of the slave being completely

f.17

4.

destitute of legal rights – a principle involved in the very nature of slavery – was maintained by the Romans with merciless rigor, and carried out to all its consequences; whereas among the Greeks, alleviations of its harshness were early introduced, both in practice and in legislation, the marriage of slaves, for example, being recognised as a legal relation. <p. 25> On the household was based the clan, that is, the community of the descendants of the same progenitor; and out of the clan, among the Greeks as well as the Italian, arose the State. But while under the weaker political development of Greece the clan maintained itself as a corporate power, in contradistinction to that of the state, far even into historical times, the state in Italy made its appearance at once in complete

f.18

5.

efficiency, in as much as, in presence of its authority, the clans were neutralised, and it exhibited a community, not of clans, but of citizens. Conversely, again, the individual attained, relatively to the clan, an inward independence and freedom of personal development far earlier and more completely in Greece than in Rome.” (pp 25-26)

He goes on to say that “the Italian resolutely surrendered his own personal will for the sake of freedom, and learned to obey his father, that he might know how to obey the state. In such subjection as this individual development might be marred, and the germs of fairest promise in \*man\* might be arrested in the bud; the Italian gained instead a feeling of fatherland and of patriotism such as the Greek never knew” (p. 31)

f.19

6.

Of course stress is here laid on the distinction of the Greek country and various Greek <states> \*cities\*, yet the Roman country was originally only a city, however, while, admitting this, we must not forget that it was the special ‘mission’ of Rome to develop what Hegel calls “the inherent freedom of the abstract Ego, and which as <the> he says, must be distinguished from individual idiosyncrasy”. “In Rome, first”, he says “we find that free universality, that abstract freedom, which on the one hand sets an abstract state, a political constitution and power, over *concrete* individuality; on the other side creates a personality in opposition to the universality.” ..... “For Personality constitutes the fundamental condition [of] legal Right: it appears chiefly in the category of Property, but it is indifferent to the concrete characteristics

f.20

7.

of the living Spirit with which individuality is concerned.” (Phil of His: 289-290). All that we know of the two nations corresponds to this distinction.

Take their religion, Hegel and Mommsen expressed themselves very similarly on this point. The vivid fancy of the Greeks “When the thunder rolled among the mountains made him see Zeus brandishing his bolts on Olympus: when the blue sky again smiled upon him, he gazed into the bright eye of Athena, the daughter of Zeus; but so powerful over him was the influence of the forms which he had thus created that he soon saw in them nothing but human beings invested and

illuminated with the splendor of Nature's power and freely formed and transformed them according to the laws of beauty. It was in

f.21

8.

another fashion, but not less strongly that the deeply implanted religious feeling of the Italian race manifested itself: it held firmly \*by\* the idea and did not suffer the form to obscure it. As the Greek, when he sacrificed, raised his eyes to Heaven, so the Roman veiled his head; for the prayer of the former was vision, that of the latter reflection. Throughout the whole of Nature he adored the spiritual and the universal. To everything existing, to man and to the tree, to the State and to the storeroom, a spirit was assigned, which came into being with it, the counterpart in the spiritual domain of the physical phenomenon: to the man the male, Genius, to the woman, the female Juno, to the boundary, Terminus, to the forest Silvanus,

f.22

9.

to the circling year Vertumnus, and so on to every object of its kind. In occupations even the steps of the process were spiritualised: thus, for example, in the prayers of the husbandman was invoked the spirit of following, of ploughing, of furrowing, sowing, covering – in, harrowing, and so on to those of in-bringing, up-storing, and opening of the granaries. In like manner, marriage, birth and every physical event, were endowed with a sacred life. The larger the sphere embraced in the abstraction, the higher rose the god, and \*the\* reverence paid by man." (Momm. Vol I. 28-29) And again (page 172) "While in the case of the Greek every important notion, speedily expanded into a group of forms, and gathered round it a circle of legends and ideas, in the case of the Roman, the fundamental thought

f.23

10

remains stationary in its original naked frigidity." In very similar words Hegel (Phil of Hist. 255) develops the opinion that the Greek gods are individualities not "abstract beings to which various \*attributes\* are attached like the Horatian "Necessitas clavis trabalibus" and that (page 302) "the chief characteristic of the Roman Religion is a hard and dry contemplation of certain voluntary aims which they regard as existing absolutely in their divinities and whose accomplishment they desire of them as embodying absolute power. .... It was the Roman especially who introduced the practice of not merely supplicating the the <sup>[78]</sup> gods in time of need, and celebrating "lectisternia", but of also making solemn promises and vows to them. .... The introduction of the gods and most of the Roman

f.24

11.

temples thus arose from necessity – from a vow of some kind, and an obligatory, not disinterested acknowledgement of favors. The Greeks on the contrary erected and instituted their beautiful temples, and statues, and rites, from love <of> to beauty and divinity for their own sake." And this is Mommsen's account, he considers that the Roman Religion shrunk into a species of traffic on the part of the Romans with their gods, and finds the lineal descendant of this commercial spirit in the debtor and creditor account kept by the Roman Catholics with the divinity and the saints. "The gods confronted man just as a creditor confronted his debtor: each of them had a duly acquired right to certain performances and payments; and as the number of the gods was as great as the number

f.25

12

of the contingencies in earthly life, and the neglect or wrong performance of the worship of each god revenged itself in the corresponding occurrence, it was a laborious and difficult task to gain even a knowledge of one's religious obligations, and the priests who were skilled in the law of divine things and pointed out its requirements – the *pontifices* – could not fail to obtain an extraordinary influence.” ..... “As the Roman merchant was entitled, without injury to his conventional reputation for integrity, to fulfill his contract merely in the letter, so in dealing with the gods, according to the teaching of Roman theology, the copy of an object was given and received instead of the object itself. They presented to the lord of the sky heads of onions and poppies, that he might launch

f.26

13.

his lightnings at these rather, than at the heads of men. In payment of the offering annually demanded by Father Tiber, thirty puppets plaited of rushes were annually thrown into the stream. The ideas of divine mercy and placability were in these instances inseparably mixed up with a pious fraudulence which tried to delude and to pacify so formidable a master by means of a sham satisfaction.” (pp 181-182) It is not to be wondered at that as he goes on to say “the embodiment of the conception of the deity continued so wholly transparent that it afforded no opportunity for the training of artist or poet, and the Latin religion always held a distant and indeed hostile attitude towards art.” (p 183) As regards ordinary morality, it seems to have

f.27

14.

exerted a \*more\* direct influence <on> \*than\* the Greek Religion, not only w\*h\*ere legal punishments, supposed to be accompanied by the curse of the divinity offended by the crime, but this was invoked to restrain men from committing actions which were condemned, not by the law, but by their feelings of morality. Mommsen gives as instances, a husband selling his wife, or a father his married son. It was not as the Greek religion was, the rallying point of national unity; the Greeks indeed had no other such rallying points. Nay, further “The mighty intellectual development of the Hellenes, which created their religious and literary unity (even imperfect as that unity was), was the very thing that made it impossible for them to attain to

f.28

15.

a genuine political union; they sacrificed thereby the simplicity, the tractableness, the self devotion, the power of amalgamation which constitutes the condition of any such union..... The deepest and ultimate reason reason<sup>[79]</sup> of the diversity between the two nations lay beyond doubt in the fact that Latium did not, and that Hellas did, in the season of growth, come into contact with the East. No people on earth was great enough by its own efforts to create either the marvel of Hellenic, or the marvel in a later period of Christian culture: history has produced these most brilliant results only where the ideas of Aramaic religion have sunk into an Indo-Germanic soil.” (p 186)

**M 4/11**

f.54<sup>[80]</sup>

## Mommsen I

192 “The transition from a pastoral to an agricultural economy preceded the immigration of the Italians into the peninsular.”

193 “In the earliest times the land was cultivated in common, probably by the several clans; each of these thereafter distributed the produce among the several households belonging to it.”

(198-2 early land system)

(202 &c trades)

212 “The distinction between a landed & a moneyed aristocracy was unknown to the Romans of the earlier times; the great landholders were at the same time the <great> speculators & capitalists.....

.... Rome was by no means a commercial city like Caere or Tarentum, but was and continued to be the center of an agricultural community.”

f.55[\[81\]](#)

## Mommsen Vol. I

456 “The insolvency of the middle class of landholders gave rise to the formidable internal crisis of 3<sup>rd</sup> and 4<sup>th</sup> centuries (A.C.)... The revival of the Latin farmer class which was produced during 5<sup>th</sup> century partly by the large assignation of land & incorporations, partly by the fall in rate of interest & the increase of the Roman population was at once the effect & the cause of the mighty development of the Roman power.” First symptom of system of husbandry on a large scale A C 387.

P. 461. “No urban middle class in the proper sense of that term, no body of independent tradesmen & merchants was ever developed in Rome [on the other hand what middle class there was in Greece was, I suppose, urban].

p. 462 &c reasons of this.

f.56[\[82\]](#)

## Mommsen Vol II Ch XII

p.362 The large farm system became fully established in 6<sup>th</sup> century A.C.

363. Heritable leases not recognised by law, <other> \*short\* leases rare. \*These on the terms that lessee pays all expenses and has half produce\*

366. “The <law> slaves were, like the larger cattle, not bred on the estate but purchased at an age capable of labor in the slave market; & when through age or labor they had become incapable of working, they were again sent off with other refuse to the market.”

367. “The growth [of food &c] was regulated by the labor; on which account the steward, who had easier work than the common slaves got scantier measure than these.”

368. "The whole system was pervaded by the utterly unscrupulous spirit characteristic of the power of capital. Slaves & capital were placed on the same level; a good watch-dog it is said in a Roman writer on agriculture must not be on too friendly terms with his "fellow-slaves" "

f.57

63

Mommsen <Vol II> \*Bk III\* Ch XII

p. 360 "In earlier times religious considerations had exercised an alleviating influence ..... Nothing is more characteristic of the spirit of Cato & those who shared his sentiments than the way in which they inculcated the observance of the holiday in the letter, & evaded it in reality, by advising that while the plough should be allowed to rest on these days, the slaves should then be incessantly occupied with their labors not <incessantly> expressly prohibited." T.O.

p. 369[83]

"On principle no freedom of movement whatever was allowed to them – a slave so runs one of Cato's maxims must either work or sleep & no attempt was ever made to attach the slaves to the estate or to their master by any bond of human sympathy. "So many slaves so many foes" said a Roman proverb. It was an economic maxim that dissension among the slaves ought rather to be fostered than suppressed."

370&c Government <through> \*threw\* Sicilian corn on market at a nominal price. The ordinary means of cultivation would not pay. Small farmers were ruined. Sometimes they gave up their farms at once, sometimes by the slower process of borrowing money. The strength of the empire was sacrificed to the wants or luxuries of the Capital. A low price

f.58[84]

64

Mommsen Vol II ch xi

of corn hastened Rome's fall. [This must be born in mind as having tended to cause a belief in agricultural system to appear plausible – notably in case of Sully]

378. Money-lending became a favourite trade with Romans. 380 Their branch-banks &c were under control of slaves & freedmen.

384 &c Mommsen points out the effect of social rule forbidding men to take wages for state services as increasing depth of line of demarcation between rich & poor. He is full on this point.

388. He quotes from Cato "Our forefathers ordained & inscribed it among their laws that the thief should be bound to pay twofold but the man who takes interest fourfold compensation; whence we may infer how much worse a citizen they deemed the usurer than the thief."

392 &c During sixth century (A.C) the population of Italy diminished, & free population rapidly, owing to influences of Capital.

f.59

65.

In bk 4 chap II. "On the commonwealth and its Economy", he traces the continuation of the movement already described. The growth of wealth, its concentration in few hands, the concentration of farms, the dying out of the middle class, the growing importance of money-dealing



as the great occupation of Romans, to the decay of conscientiousness even in state affairs, <at> \*and\* and lastly the danger arising from the unwillingness of the citizens to marry, causing moralists to insist upon it as a duty to the country though they admitted it to be a burden for the individual. A long and full account of Italian commerce, but not very suggestive, is given in M<sup>c</sup> Culloch's 'Treatise on Economical Policy'. Blanqui (p. 76)

f.60

66.

maintains that the Roman hatred for the sea was so great that they obtained control over it only for clearing every-body else off it. The great distinction between the Roman & Greek modes of treating their slaves was of course that the Greeks regarded the slaves as placed under their control by nature, just as their horses were, while the Romans developed their ideas of contract into the dogma right of conquest gives us the right over their <life> lives, if we grant them their lives, there is no cruelty which we have not an equitable right to inflict upon them; this view was promoted, if it was not partially caused by the fact that the Romans were incessantly obtaining fresh supplies of slaves. Maine

f.61

67. \* Next 6 pages not important\*

remarks that "the *status* of the slave is always the worst when no memory remains of the position which he held in the "primitive family"". It is worth enquiring whether this remark may not be extended. It appears that wherever a political and social organisation has descended through long periods without any violent break of continuity, Nature is regarded as the Ruler of affairs. Every one acquiesces in her commands, – that is <the> as custom. And custom involves duties, just as much as rights, involves morality just as much as, or rather more than law, causes men instinctively to follow out the promptings of their Emotions which through the long education of successive generations have been brought into harmony with their social conditions. Violent <and>

f. 61

68.

< rapidly succeeding> changes in rapid succession on the other hand, blot out all feelings of customary obligation, and the only restraint imposed upon mans' action is due to a perception of two principles, <if I do> \*"if each of us does\* not acknowledge the common cause has a right to certain things from <me> him, the common cause cannot succeed"; and "if each of us does acknowledge that other individuals *of the society* have a right to certain things from him we shall all be perpetually embroiled with one another". From neither of these two principles can it be show that any gentleness need be exercised towards slaves. Honesty and punctuality – in the fulfillment of contracts will be insisted on (compare the grotesque severity of the Roman law of debtors. The law of the Twelve Tables is as

f.63

69.

follows ""If a debtor be insolvent to several creditors, let his body be cut to pieces on the third market day. It may be cut into more or fewer pieces with impunity; or if his creditors consent to it, let him be sold to foreigners beyond the Tiber." After the judicial proof or confession of a debt, thirty days were allowed before a Roman could be <liberated> delivered into the power of his fellow-citizens. In his prison twelve ounces of rice were his daily food; he might be bound with a chain of fifteen pounds weight; and he was thrice-exposed in the market place to excite the compassion and sympathy of his friends and neighbours. At the expiration of sixty days the debt was discharged either by his

f.64

70.

slavery or death, as already mentioned." (Blakey His: of Polit: Lit. vol 1. pp. 96.97)).

In every way the rights of property will be strictly construed, and its duties, except perhaps those to the state, laxly. Whether slaves exist or not, the dominion of the strong over the weak will be severe; the extinction of the middle class is not unlikely to follow; but that, of course, assumes that the highest class are either systematic plunderers or systematic \*traders\*: in Ancient Rome they were both. The absolute supremacy of state interests over private, will be recognised as long as the dangers of the state from external enemies are prominent. On the other hand the habit of deliberately imposing obligations on oneself as well as on others will bring forward prominently what may be called

f.65

71

the intellectual side of the moral faculty as opposed to the emotional. Independence of character will be promoted; each man will be proud of forming for himself a moral standard and of bringing to trial, according to it, his own actions no less than those of others. But severity, <may> nay ferocity, towards those who are separated from him by differences of color, of race, of religion or even of social position will be among the last vices to be expunged from his system. The ancestors of the Romans, appear to have been < wild lawless brigands> \*compelled to live amid bloodshed\*, their early history was the history of a camp, not of a people, they had the vices and the virtues of the above described state of things. Our ancestors were for the most part pirates or members of robber hordes

f.66

72.

and friends and foes agreed that we have the virtues of the above described state of things. (Our reverence to the state we seem to owe originally to the close cohesion among the Normans, necessary just after the Conquest, and at a later period to the natural enthusiasm caused by the French wars.) And of the vices above described there is scarcely one which Continental \*writers\* are not fond of attributing to us. (English pride, haughtiness, self-righteousness, barbarity towards Orientals, heartlessness towards laboring classes). Yet if the above account be true, since we have now passed through a very large number of years of continuous social development, it appears probable that we may not be wholly wrong in accounting for these accusations by our unexpressiveness, trait of geniality of outer manner, habit of exposing our own faults and as regards the East, difficulties of our circumstances.

f.67

73.

These virtues and vices seem to have been brought out by the struggles with the Moors which the Spaniards went through and to some extent by <those> the hardships undergone by the Puritans of England and the Presbyterians in Scotland; and many of them are likely to be developed <into> \*in the\* descendants of that wild population that has colonised California. But the case in which these vices were most clearly developed, though as it happened, other circumstances prevented the development of the corresponding virtues, is that of France. The strifes of robber hordes and a series of wars on the soil of France, had destroyed that continuity which is necessary for the development of citizen virtues. Ferocity - severity of character \*consequent on centralised arbitrary power\*, an absence of any power of

f.68

74.

deriving pleasure from the affections, and consequently reckless plunging into the intoxicating pursuit of luxury and debauchery were the legacy, which the successful wars of Rome and of France left to the nations in the times of the Caesars and of the later Louises. Kautz (page 161) calls attention to the parallel movements by which many of the more earnest men of both these times sought to quench the fever burning round them by the cool fresh air of agricultural pursuits. (Enquire whether there was any parallel movement in Spain) For the Romans the following passage from Cicero *de Officiis* speaks "all such occupations as \*are\* liable to the disrespect of mankind are to be disparaged: those, for instance, of tax-collectors and usurers, also, the business of all those whose

f.69

75.

labor, without skill, is <gai> a matter of gain, is disreputable and low: for the mere payment of such services involves slavery. Those, also, who purchase from merchants for the purpose of immediate retail, are to be considered mean: for they can realise no profit without an excessive deception: and nothing is meaner than fraud. All mechanics are engaged in a low calling; for a workshop can contain nothing dignified. But the least respectable of all are those that minister to animal gratifications: such as fish-curers, butchers, cooks, poulterers, and fishermen. Add to those if you will – in the words of Terence – perfumers, ballet-dancers, and the whole hazard table, all the professions, however, to which more science is indispensable, or from which a considerable advantage is derived: such as medicine, architecture, or the

f.70

76

teaching of respectable acquirements, are creditable to those whose position in society they suit. Commerce, if on a small scale, is mean: if extensive and profitable, importing largely from all directions, and distributing extensively and without deception, is not to be much undervalued. Indeed, it may most reasonably be commended, if, when sated, or, at least contented with its gains, it should withdraw from the haven into the country and a private property, as it had often previously withdrawn from the sea into the haven. But, of all occupations by which anything is realised, none is better, more profitable or agreeable none more suited to a gentleman, than agriculture."

f.71 [\[85\]](#)

77

Adam Smith has many interesting remarks about the Romans.

I ch xi p 100

The high price paid for rare birds &c in flourishing time of Rome due to demand forcing up price of things of which there was a limited supply.

Really value of silver was high in ancient Rome. Wheat was 21 p per quarter in *free* market.

V. Ch 1 p. 399

Study of law at Rome more steadily pursued than in Greece. Popular courts of Greece not so well adapted for justice as the Roman courts presided over by one judge. (He thus accounts for superiority in character of Greek over Romans: he takes Greece in decay – Rome in vigor).<sup>[86]</sup>

## M 4/12

f.86.<sup>[87]</sup>

78.

A.S.'s W of N V. Ch I, p. 365

Most of Greek & Roman literati were professors public or private IV, ch vii p 281

Rome was ruined by increasing the number of her citizens beyond the limits which were compatible with self government.

There is no such danger with us, because of <the re> our adoption of the representative system. Hence the history of Rome affords no arguments against a British Empire.

We ought to have delegates from America to an imperial parliament.<sup>[88]</sup>

f.72

78 a

In preparing the previous papers the following portions of books have been read & need not be read again (Hegel should be reread)

J. Morley Miscellanies "Greek conception of social power

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Blanqui, Histoire Vol I ch I- VII

//

Heeren's chapter on Pol Econ in his Anc: History

//

Kautz §§ 7-24 (not 25-29)

//

Blakey Hist of Pol Lit ch IV

//

M<sup>c</sup> Culloch on the commerce of Romans (This is not suggested but may be reread if facts are wanted)

//

Chapters on Economy in Vols I II III of Mommsen (There are here also numerous facts with regard to commerce which do not appear to bear directly upon the subject as here treated: but may yet possibly be utilized hereafter in another connection)

//

Roscher Ansichten Geschich 1.

The passages in Rau & Adam Smith supplied references to indices

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M<sup>c</sup>Cleods' Dict: Art Aristotle

//

Dictionaire Artt Aristotle Plato

//

Say's History in his Cours

**[M 4/12]**

f.1

79

*Christianity*

The change which Christianity made in the world was, as Hegel says, a revolution in its aims. <In what> \*inward\* perspective was recognised as an object which could be attained only through self-renunciation, and thus its pursuit was *reconciled* with those failures which necessarily accompany out attempts to perform our social duties. A deliberate appeal to conscience was recognised as the proper commencement of any course of action; custom was dethroned; but yet unruffled composure was not held out as the aim to be striven for. The various duties and obligations were recognised and a quiet <virtue> \*obtained\* at the expense of these was no longer regarded as peace but was condemned as torpor. Although <though> Stoicism lived again, as it were,

f.2

80.

in Monasticism; the spirit of Christianity is inconsistent with the belief that the aim of man is to be found in a state of isolation. Indeed, the duty that one owes to oneself is not explicitly insisted on, – Man's duty to God and to his neighbour are recognised as being incapable of separation, while man's duty to himself is included under his duty to God. Certain general principles, indeed, were supplied for his guidance, but he was recognised as a responsible being, < the development of> whose every action was, for good or evil, decided according to his free choice by a decision which was more momentous than any thing else which \*was\* not a moral decision. And since this was true of all men, since all were children of an impartial Father, since in the Kingdom of Heaven there was

f.3.

81.

neither bond or free, since to every Human being there was attached, as it were, a hereditary portion of the Divine dignity, it was no longer possible with undisturbed complacency to trample underfoot the personality of the slave. "In the world but not of the world" may be said to be the motto of Christianity. Hegel quotes "Care not for your life, what ye shall eat and drink, nor for your body what ye shall put on. Is not the life more than meat and the body than raiment? behold the

fowls of the air for they sow not neither do they reap nor gather into barns, yet your Heavenly Father feedeth \*them\*; are not ye much better than they?" Yet wealth, though no ways of importance in itself, was a great means towards the practical

f.4

82.

aim of Christianity, the love of our neighbour through God. There is no loophole for idleness "Who does not work, nether shall he eat": and the Fathers who insisted on the duty of labor (Kautz 208) cannot fail to have influenced much the history of the World both immediately and at a later period through the influence on the monasteries. Connected with this were the praises they bestowed upon community of goods, and their vehemence <and> \*in\* condemnation of luxury. One of the many passages quoted by Kautz (pp 203-4) is from Chrysostom "by the introduction of the community of goods Heaven would come on Earth, rich and poor would live in happiness and peace with each other and the state

f.5

83.

itself would become worthy of the angels". As Kautz points out, the community of goods in general went no further than a community of use – \*was\* not a community of ownership. (Logically indeed there is not much difference between these two). And the attacks upon wealth were partially due to its rampant selfishness at that time: and of course while the rich are recommended to give up their wealth, others are not recommended to take it from them. While all heavenly work is praised, agriculture has of course the preference with them, and after them with the monks. As regards trade the difficulty of combining it with unblemished honesty is insisted on, and there are even traces of the doctrine of

f.6

84.

the superiority of the Ethical standpoint of customary prices over competitive prices (Kautz page 209) Connected with this is their condemnation of usury. "St Chrysostom, at Constantinople, in the year 400, says, "I shall show you who is a Merchant, that you may understand that the man who shall not be of this character, is not a Merchant. Whosoever procures an article not to sell the very same thing entire and unaltered, but that it may be unto him a material for some workmanship, he is not a Merchant. But whosoever, procures a thing, in order that he may gain profit by disposing of the very thing entire and unaltered he is a Merchant. And the man who procures an article to make profit by disposing of the

f.7

85

very thing entire and unaltered, he is the Merchant who is ejected from the temple of God. Some may say "The man who lets his land for rent, or a house for a pension, is not he in the same state with the man who gives money at usury? He is not; first, because money is not laid out for any other use, but for buying: secondly, because a man possessing land, gains fruit by tilling it: having a house he gets the benefits of dwelling in it. Therefore the man lets ground, or a house seems to cede his own advantage, and to receive money, and to commute somehow profit for profit. You get no utility from having money hoarded up: thirdly, a farm or a house wears in the use; but money when

f.8

86.

exchanged is neither diminished or worn.” The same opinions are expressed by S. Augustine, S. Les, and by the Council of Nice in the year 325.” (Blakey Hist: Pol: Lit: pp 145-8)

This is remarkably clear, but to complete it, we must remember that money was then seldom lent for trading purposes; borrowing was merely the resource of a man in extremities, and the Fathers did not consider that saying do not lend a man money on usury any way prevented them from urging loans to those in distress. Blakey (pp 142-3) quotes numerous passages. E.g. “S. Basil the great says “It is the highest degree of inhumanity to charge the man who applies for a loan in order to support wretched existence

f.9

87.

any more than the principal, or to calculate on riches from pinching poverty ... give him the money idly dormant at home, embarrassing him with no interest.” St Clement of Alexandria says “The law forbids lending to our brother at usury, It is unlawful to charge usury for the money which ought to be extended with open hearts and hands towards the needy, in imitation of God’s free bounty to us” St Chrysostom in his 5<sup>th</sup> Homily says, “Nothing exceeds in barbarity the modern system of usury: indeed these usurers traffic on other people’s misfortunes, seeking gain through their adversity: under the pretence of compassion, they dig for the distressed a pit of misery: under the appearance of giving aid they grind the indigent.”

f.10

88.

Other references are given in Kautz (p 200) Still it cannot be doubted that though insecurity was such that <alone> \*a loan\* a\*t a\* <high> rate of interest sufficiently high to be remunerative will often be in opposition to the borrowers’ interests; yet their attitude must have discouraged trade – On the other hand their emphatic insistence on honesty must have promoted it, so far that is, as their influence in this direction reached.

All the influence which Christianity exerted on the practical conduct of the world was in some way or other due to its making man more distinctly a social being. And in all its forms it was assisted by the new elements which introduced into human life by the Germans.

f.11

89.

As Hegel says “The <Greek> \*German\* world took up the Roman Culture and <the> religion in their completed form. There was indeed a German and Northern religion but it had by no means taken deep root in the soul: Tacitus therefore calls the Germans: “Securi adversus Deos.” The Christian Religion, which they adopted, had received from Councils and Fathers of the Church, who possessed the whole culture and in particular, the philosophy of the Greek and Roman World, a perfected dogmatic system: the Church, too had a completely developed hierarchy.” But as he goes on to say “They had an entirely new Spirit by which the world was to be regenerated, the Free Spirit – namely – which reposes in itself – the

f.12

90

absolute self determination (Eigensinn) of subjectivity”. (p 356) But while this adapted them for the lesson of the dignity of man \*;\* for the uniting element of love, they were prepared by the

strength of the personal feelings which they had. Thus as Hegel points out (p 361) "They had attached themselves to their leaders of their own free choice", \*again (p 367) Freedom & Fidelity were their virtues\* They respected the dignity of woman, and assisted the Christian teachers in startling the civilised world by the doctrine that Chastity is a virtue. Their treatment of slaves was mild for the reasons above given, and because of their domestic habits and as Blanqui points out slaves had to be bred and were rather expensive. But lastly the fundamental doctrine of \*natural in\*equality was

f.13

91.

overthrown as soon as a race that had been despised and had almost acquiesced in its inferiority became suddenly the dominant race.

The Church united society by enforcing alms, founding hospitals and as Blanqui says "Inventing charity by assembling all classes together in the common church, treating them there as perfectly equal, or alike inferior to the representative of the Deity." If religious festivals became the origin of markets, its missions and pilgrimages, paved the way for the business travels and aided by accustoming men to meet on friendly terms as well as by the direct protection of its authority. (Kautz (pp 188). And it united nations still more by those great

f.14

92.

pilgrimages the Crusades. (Kautz p 120). The Christian Sunday had the effect of causing men to remain more in contact with their family circle than they otherwise might have done. When the number of Church Holidays had become very great, it, of course, tended to diminish production. Bridges (France under Richelieu and Colbert) exalts in the similarity between the Medieval Catholic Church and the Positivist Church of the future, "It was" he says "by the power of the Catholic Church antagonising and balancing the rude force of Feudalism that the condition of the labouring classes was made tolerable".

//

See *Medievalism* [\[89\]](#) for this and a theory by Lecky that monasteries are no more the sources of light than bright clouds are. Similarly Buckle on Spain. A defense of Monasticism Scherr p. 69.

f.15

93.

*The Germans.*

We have said that respect of the German for his own independence formed a fit soil in which Christianity might plant the habit of regarding the individual conscience as supreme. But it must not be supposed that the early Germans were in any way possessed of this habit: they seem distinguished from other barbarians only by personal independence combined with personal affection and fidelity. Custom ruled with them." The slaves originally consisting of captives in war were in the Ancient legal ordinances expressly put on the same footing with the Greeks." (Scherr page 43) Nay, he was even in that condition which Hegel remarks as completing the misery of the lower castes among the Hindoos, "devoid of rights in this life, he had no prospect for the future

f.16

94.



None but a free man found admittance to Wuolau Walhalla” (page 44) Scherr indeed justly says that the Germans were the first to recognise “That woman is the nourishing and warming flame of History; they were the first to bring her really into Society” (p. 25) Yet distinctions were made, the far famed fidelity was on the part of the woman her punishment for breach of it was most severe, but it did not prevent a man from having concubines if he could afford it. (Scherr. p. 26.) Death did not loose the bond of fidelity – for the woman. In very ancient time the German widow did as the Hindoo widow does.

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Ancient German Religion. Scherr pp. 27 – 42

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The German Conversion to Christianity - for a long time only superficial, idolatry retained in substance, habits of cruelty retained – particularly shown in persecutions to those who refused to be converted. (Scherr pp. 59-62)

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A complete sketch of the early Teutonic community is given in Morrier’s Essay on the “Agrarian Legislation of Prussia during the Present Century.”

f.17

95.

The distinctive character of their social institutions as founded upon the family and upon personal relations is brought out.

//

p. 279 All Teutonic communities arisen from similar forms. The history that of the occupation of land “In contra distinction to the *citizens* of the Antique World, the Teutonic race essentially a race of *Land-folk*.”

//

The “original Teutonic community, an association of free men .... amongst whom the private right of property in land, its correlative to the public duty of military service and participation in the legislative and other political acts of the community”.

//

The Common Mark (Folcland) the Arable Mark (Feldmark) the mark of the Township the rights of the individual and the community; the absolute authority of the individual within his “dwelling house and its appurtenances in the Township”. The “Freeman a “miles” in virtue of being a land *owner*”

[\[90\]](#)

f.18

95. I.

Guizot devotes his 7<sup>th</sup> Lectures on Civilisation in France to the early Germans, he considers that the French are better judges than the modern Germans of the habits of the most truly \*German\* portion <germ> of the German Tribes. The modern Germans have investigated the habits of a less adventurous portion that stayed at home. He finds among the Germans, the germs of the three great institutions which contested for Europe, but only their forms. “Everything is abandoned to the

caprice of individual wills, wherever the assembly of the nation or the King or the Lord wished to be obeyed, the individual must either consent or disorderly brute force obliged him. ... There was no public power, no government, no state.”

//

Maine says that the most striking characteristic of the habits of savages is their uniformity; Guizot has taken the trouble to find for every German custom described by Tacitus, corresponding customs of North American Indians. The parallel is noteworthy. He makes the general remark that the

f.19

95. <||> 2.

mixture of good and evil found in primitive society is suggestive of poetical thought – and poetical fiction.

//

His conclusion is – 1<sup>st</sup> “At the opening of modern civilisation, the Germans influenced it far less by the institutions which they brought with them from Germany than by their situation itself, amidst the Roman World. They had conquered it; they were, at least upon the spot where they had established themselves, masters of the population and of the territory. The society which formed itself after this conquest, arose rather from this situation, from the new life led by the conquerors in their relations with the conquered, than from the ancient German manners.

2<sup>nd</sup>. That which the Germans especially brought into the Roman world was the Spirit of individual liberty, the need the passion for independence and individuality. To speak properly, no public power, no religious power, existed in ancient Germany; the only real power in this society, the only power that was strong and active in it, was the will of man;

f.20

95. 3.

each one did what he chose, at his own risk and peril. .... the Germans conferred upon us the spirit of liberty, of liberty such as we conceive of, and are acquainted with it, in the present day, as the right and property of each individual, master of himself, of his actions, and of his fate, so long as he injures no other individual. This is a fact of universal importance, for it was unknown to all preceding civilisations; in the ancient republics the public power disposed all things; the individual was sacrificed to the citizen”.

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The most essentially German characteristics are probably much less prominent in Modern Europe, than they would have been, if it had not been for the wars in general and the Crusades in particular, these tended to weed out enterprise. Perhaps their slaves left more descendents that they themselves did.

//

Political Economy may be said to be based on the assumption of the existence of markets. The habits of the Germans were eminently inconsistent with free circulation, particularly as regards labor but not with the other elements of markets, of competition. They had the market virtue of honesty.

f.21

95. 4.

*The Anglo-Saxon Constitution.*

It is not to be wondered at that we get as good an idea of the habits of \*the\* Germans when *settled* \*from\* England, as from any other place. The population consisted of Thralls, (not very numerous – Creasy) Ceorls, and Thanes. (This classification better than into Ceorls and Eorls. “The title of Eorl having reference to birth, whereas the title of Thane had reference to the possession of landed property. And it was this that mainly determined the status and rights of a Saxon Freeman.”) The democratic element was mainly due to the fact that if any Ceorl could obtain five hides of land (600. acres) he became a Thane. There were town courts, hundred courts and county courts. A Town came gradually to mean the land of a Thane, and the Ceorls living round him and dependent on him. The Commonalty of each town elected freely from its own body a Reeve and four men who represented the town in the hundred court, and in the county court. They managed their own police. The town court was subordinate to the hundred court and that to the county court. Both the town court and the hundred court fell gradually into decay, the sizes of the hundreds very unequal, no clear theory on the subject of their origin.

f.22

95.5

Each hundred had its court attended by the Thanes and the Reeve and four men of each town in it; it met monthly. The county court met twice a year, attended by the Thanes, the reeve and four men of each town and twelve deputies from each hundred; probably only the Thanes voted. Every freeman “bound to place himself in dependence on some man of rank and wealth as his lord” \*bound down to lord\*; also to belong to a tything. The tything was merely a portion of a hundred. All members of a tything were perpetual bail for one another. *Frank Pledge*. If one committed a crime and fled the rest were \*held\* guilty unless they proved the contrary. Hallam discusses question of the existence of Feudal tenures among Anglo-Saxons, concludes that it has a tendency to become a question afterwards. The military duties of the Thanes were not more than those of allodial proprietors but they were liable to forfeit their lands for misconduct in war.

The Ceorl was sometimes bound to the land but not always and in other respects was free; he could vote for the magistracies of his town, of his tything and his hundred (The magistrate of the tything was called the Court leet and had to settle matters of Frank pledge and he was eligible for them.)

f.23

95. 6.

In dooms-day book there are 108,000 villains and 82,000 bordarii, two kinds of Ceorls attached to the land, corresponding to copy holders. There are 12,300 liberi homines and 23,000 socmen whose position appears to have been that of free holders, the difference between the two, probably not important (Hallam m.a. chap. 8. pt 1. note 3).

The witenagemote or “the assembly of the wise men” composed of prelates, abbots, aldermen of shires, possibly all Thanes, certainly no Ceorls. “All the laws of the Anglo-Saxon kings expressed the consent of this council, and there are instances where grants made without its assent, have been revoked”. (Hallam) They elected the king from among the members of the royal blood, sometimes deposed him. They formed a supreme court of civil and criminal justice. The magistrates of boroughs were sometimes present in cases of appeal or to obtain justice against a powerful offender. The Church very strong, and on the whole “as little deformed as any by the ambition and power, and selfish class interests of the clergy.” (Kemble). The humblest priest ranked with the landed gentry as a Thane. Power of the great nobles tending to predominate just before the Conquest.

f.24<sup>[91]</sup>

95. 7.

Manor v Mark

The manor rises out of the mark

I through growth of inequality: & this due to

- i Intertribal wars } resulting in unequal
- ii Wergeld } distribution
- iii German tendency to berech lawgiven rights.

Morrier 283

iv increasing weight of military service

Take away 4 from each of the numbers 5 & 7 & the remainders are not nearly equal. <lb 386>

This last came into operation <only> \*most injuriously\* after feudalism had made its appearance.

Crusades<sup>[92]</sup>

lb 286 & Nasse in Cont. Rev: May 1872 p 747

II as a consequence of Feudalism *introduced from above*. This has <two> \*three\* three elements

- i. The Teuton: consisting in tendency to convert private duties into public rights, in respect for personal relations to sovereign
- ii The Roman element – conception of state, an idea about beneficia & customs of military colonies
- iii Deliberate subordination of the inhabitants of a district by a conqueror to his Gesidhas as Nasse says

f.25

96.

*Transition to Feudalism*

“The second period can be described as the period of Land Tenure and of unequalled possession, in which the Feudal tenant is ... a land <owner> \*holder\* in virtue of being a “miles”. (p 282).

//

Inequality originated in wars: the prominent combatants obtaining largest shares of conquered land.

//

Political dependence due to sending out colonies and to combinations of small townships for

mutual defence.

//

(Page 283) "The separation between executive and legislative functions, the establishment of permanent executive organs, the gradual hereditariness of the executive office. Hitherto the assembly of the community had been all in all". It elected a chief for each war, a president for each civil trial.

//

(Page 285.) Feudalism made up of Teutonic and Roman elements. Teutonic elements - Idea of correlation between possession of land and military service; tendency to change public office into private right and to transmit such rights by inheritance:

f.26

97.

regarding personal service to the Sovereign as in its nature honorable though involving political disabilities. Roman elements – "Ideas regarding "beneficial uses" the difference between "possession" and "dominium", as well as the Roman practice connected with the agricultural civilisation of the provinces".

//

Progress of change of course slower in Germany than Roman Provinces. Assisted by expense of soldiering when military expeditions on a large scale to distant countries became common. The freeman was bound to bear arms, consequently he "commended" himself to a lord. In return he was maintained by his lord while in the field or if his tenure was only an agricultural one, he rendered only agricultural services. (p. 287)

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Parallel passages in Maine – see *Feudalism*<sup>[93]</sup> or *Village Communities* pp 143 – 166. and pp 199 etc. *Ancient Law* pp 300-304 and 364 &c. V.C. p 199. He points out that the objections felt to rack rents are strongest in those parts of the country in which there are the most relics of the Feudal system. The feeling of Brotherhood in the Allod passed into a feeling of

f.27

98.

filial and paternal obligations in the fief. Yet as he points out (p 366) Feudalism was on the whole a system of contracts and thus essentially non-archaic, yet there can be no doubt that it delayed the growth of commercial habits as regards production and exchanges, including rent.

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The inveterate Teutonic tendency to treat public offices as private property and as hereditary. Thus the "Gau Graf from being a prefect named by the Emperor to exercise Royal prerogatives in his name becomes a hereditary sub-regulous; the royal authority is decentralised." (p 289) Originally "private rights imposed public duties, now public duties breed private rights.

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The gradual increase of the power of the owner of the manor. Complete loss of political independence on the part of the community, but retention of right of local administration.

Divergence between Germany and England. In Germany limits of old agricultural community retained – In England substitution of parochial, i.e. ecclesiastical boundaries (pp 289 – 90). He proceeds to the history of this century.<sup>[94]</sup>

f.28

99.

*Charlemagne.*

Hegel's account is as follows. "This great Empire Charlemagne formed into a systematically organised State, and gave the Frank dominion settled institutions adapted to its strength and consistency. .... The king stood at the head of the officers of the Empire, and the principle of hereditary monarchy was already recognised. The king was likewise master of the armed force, as also the largest landed proprietor, while the supreme judicial power was equally in his hands. The *military constitution* was based on the "Arrière-Ban". Every freeman was bound to ask for the defence of the realm, and had to provide for his support in the field for a certain time. .... But there was also a kind of standing army for readier use. The vassals of the Emperor, namely, had the enjoyment of estates on the condition of performing <certain> military service wherever commanded. And with a view to maintain these arrangements commissioners (Missi) were sent out by the Emperor, to observe and report concerning the affairs of the Empire,

f.29

100.

and to enquire into the state of judicial administration and inspect the royal estates. Not less remarkable is the management of the *revenues of the state*. There were no direct taxes, and few tolls on rivers and roads, of which several were farmed out to the higher officers of the Empire. Into the treasury flowed on the one hand judicial fines, on the other hand the pecuniary satisfaction made for not serving in the army at the Emperor's summons. Those who enjoyed *beneficia* lost them on neglecting this duty. The chief revenue was derived from the crown lands, of which the Emperor had a great number, on which royal palaces (Pfalzen) were erected. It had been long the custom for the kings to make progresses through the chief provinces and to remain for a time in each palatinate: the due preparation for the maintenance of the court having been already made by Marshals, Chamberlains, &c.

As regards the *administration of justice* criminal cases and those which

f.30

101.

concern real property were tried before the communal assemblies under the presidency of a Court. Those of less importance were decided by a<sup>[95]</sup> least seven free men – an elective bench of magistrates – under the presidency of the Centgraves. The supreme jurisdiction belonged to the royal tribunals, over which the king presided in his palace: to these the feudatories, spiritual and temporal were amenable. The royal commissioners mentioned above gave especial attention in their inquisitorial visits to the judicial administration, heard all complaints, and punished injustice. A spiritual and a temporal envoy had to go their circuit four times a year."

... For Charlemagne endeavoured to restore science, then almost extinct by promoting the foundation of schools in towns and villages ..... In Charlemagne's time, the law could still demand from conventual authorities the surrender of offenders ..... The constitution first described

f.31

102.

looks excellent; it introduced a firm military organisation, and provided for the administration of justice within the Empire. Yet after Charlemagne's death it proved itself utterly powerless, - externally defenceless against the invasions of the Normans, Hungarians, and Arabs, and internally inefficient in resisting lawlessness, spoliation, and oppression of every kind. Thus we see side by side with an excellent constitution, the most deplorable condition of things, and therefore confusion in all directions. Such political edifices need, for the very reason that they originate suddenly the additional strengthening afforded by negativity evolved within themselves: they need re-actions in every form such as manifest themselves in the following period. .... This re-action is *first* that of the particular nationalities against the universal sovereignty of the Frank Empire, - manifesting itself in the splitting up of that \*great\* Empire. The *second re-action* is that of

f.32

103.

individuals against legal authority and the executive power, - against subordination, and the military and judicial arrangements of the <Kingdom> Constitution. This produced the *isolated* and therefore *defencelessness* of individuals. The universality of the power of the state disappeared through this re-action: individuals sought protection with the powerful, and the latter became oppressors. Thus was gradually introduced a condition of universal dependence, and this protecting relation is then systematised into the Feudal system. The *third re-action* is that of the church – the re-action of the spiritual element against the existing order of things.”

As regards the first reaction, and indeed as regards the second, the origin of weakness was the absence of a real constitution, that is one which “exists as objective freedom – the substantive form of volition – as duty and obligation acknowledged by the subjects themselves. But obligation was not yet recognised by

f.33

104.

the German Spirit which hitherto showed itself only as vigorous disposition (*Gemüth*) and subjective choice.” (p 383)<sup>[96]</sup> There was no tendency to a firm organisation, in fact the barbarians had not yet acquired citizen virtues, because they had not yet felt citizen wants. “They looked upon it as a limitation of their freedom to have their rights guaranteed them by others”. But the necessities of defence etc forced them to attach themselves willingly to individual leaders. Private interests are recognised no longer and were it not for the Church, which itself had much fallen from its high estate, there would have been nothing much left, but robbers and robber morality. He then gives an interesting criticism of the medieval Church (pp 389-98) Hallam takes rather a different view of these reactions; “Charlemagne's greatest Eulogy is written \*in\* the disgraces of succeeding times and the miseries of Europe”. He considers that his chief error was the support he gave to the hierarchy; this was partly caused by “his strong sympathy for intellectual excellence”.

f.34

105.

Blanqui gives a fuller account of the capitularies than Blakey. (whom we shall quote) He thinks that one half of them were due to Charlemagne's predecessors. He thinks that his great mistake was, that he thought he had for subjects none but soldiers and ecclesiastics, he did not raise up any administrators around him. The only result of his dominion which lasted was the system of benefices, which very much hastened the growth of Feudalism. He mentions one small fact. C. for bad the purchase of standing crops. Of course many of the arguments against usury would hold

here.

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Closely connected with the want of “objective freedom” and the tendency to personal attachment is the absence “during a large part of what we usually term Modern History”, of any such conception as that of “territorial sovereignty”. (Maine A.L. p. 103.)

The Barbarians seem to have “still been in their own view a patriarchal

f.35

106.

society, a nomad horde, merely encamped for a time upon the soil which afforded them sustenance.” The only settled dominion which the world had not long since forgotten was that of Rome; and if a man wished for a more dignified title than chieftain of a tribe he had no choice but to call himself Emperor of the World. To this Maine traces the action of Charlemagne and his successors in regard to the Imperial Title. (pp 103-8)

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Blakey (His: of Pol: Lit: vol 1. ch 7. & 11) gives some interesting accounts of early German codes. \*{But he probably borrowed this & his account of the capitularies from a *very full* account in Guizot’s Civilisation in France\*[\[97\]](#)

Page 191. The Salic Law reduced to writing in the seventh century “to embrace an immense mass of rules, enactments, and decisions made by some individual, but without anything approaching to systematic order or arrangement. The greater part of it relates to the punishment of offenders against the law by pecuniary mulct or compensation. The law of debtor and creditor is laid down with considerable minuteness.

f.36

107.

The code likewise contains some constitutional or primary principles of government; two of which are important – that land should \*not\* be inherited by females: but only by male heirs – and the recognition of the independence of the people, both in judicial and legislative proceedings.

Some authors place the *Ripuary Code*, or system of laws, at a later date than the Salic. The principles and maxims of civil rights are, here pretty full developed, as well as those of criminal jurisprudence. Pecuniary compensation for offences, is universally insisted on. The Ripuary Law was reduced to writing about the year 630, and is sanctioned by the authority of the King, (Dagobert) the prince of the State and the Merovingian people generally. This code contains provisions for the legal enfranchising of slaves, which at this time commenced, chiefly, however, among the clerical body. The code contains, likewise, some constitutional

f.37

108.

maxims of a liberal and enlightened character.

The *Burgundian Code* is dated anterior to both the Salic and Ripuary digests. It is said to have been published in 501 by Gondebaut. It contains a series of enactments on legal and legislative affairs; such as relates to civil contracts, marriages, the laws of inheritance, as well as the important privilege which this code enforces, that the Burgundians and Romans were to be



placed, in the eye of the Law, upon one and the same footing. This forms a striking feature in contrast to the Salic and Ripuary Codes, which maintain the inferiority of the barbarian element to the Roman citizens." The Visigotic Code<sup>[98]</sup> published in its final form in 693 takes throughout a high moral standard and is particularly minute in its injunctions on the judges to perform their duties uprightly, and enumerates penalties should they fail in any particular.

f.38

109.

The fees of the judges are in no case to exceed 5 per cent on the value of the property under litigation. Should the judges have dealt unfairly with the poor man, the Bishops may re-hear the case, but their decree is not valid until it has been sent to the King, with a written statement of particulars and confirmed by him.

In chapter 11 he gives an account of the famous Capitulary de Villis in which Charlemagne attempted to give his general views upon the administration of his Kingdom. "It is composed of 70 paragraphs, arranged without any view to method or system. They embody formal instruction of a rich proprietor to his steward or bailiff. The Prince requests that all his servants should serve him with probity, and in return, they should experience the kindest treatment. He wishes the *corvée* not to be imposed upon them; they are not to be subjected to severe labor; and if they labor during the night, they are to be remunerated accordingly for the

f.39

110

sacrifice of their extra time. The same Capitulary contains a curious enumeration of the different kinds of trades and handicraftsmen the Prince wished to encourage in his domains. Blacksmiths, Tailors, Joiners, Carpenters, and Weavers are mentioned. It is also ordered that every slave who wished to have a personal interview with the monarch, relative to the manner which his master treated him, was to have free access, and by no means to be refused admittance.

We recognise in other Capitularies, many matters of great importance. One in particular attempts to fix a *maximum* price for various articles. "The very pious Lord, our King, has decided that no man whether ecclesiastic or layman, shall be permitted, either in seasons of abundance or scarcity, to sell articles of food for more than the price recently fixed by bushel; namely etc." Then again we have a regulation respecting the poor, "as to mendicants who wander

f.40

111.

over the Kingdom, we wish that each of our *fidèles* would support his poor, either in his own benefice, or in the interior of his own house and not permit them to wander elsewhere. And if we find any such mendicants, and if they refuse to labor with their own hands, then they shall not be entitled to receive any favour whatever." The Emperor was severe upon those clergy who exacted usury. He also fixes himself the rate at which their money, whether good or bad is to be raised; on pain of being sent to labor at the forts. These measures seem rather tyrannical, but they were compensated by others of a more enlightened and humane character; such are rules favourable to the comfort and protection of slaves: to the laboring peasants: and to the poor, whom he ordained to be supported and attended upon when sick. The ecclesiastical portion of the

f.41

112.

Capitularies is very voluminous: and it teaches us, of what great importance the clergy were at

that period: and how rulers looked up to them for direction in the government of their Kingdoms. There are few of the capitularies which have a direct reference to fiscal imports of any kind. Those which may be considered as coming under the head of commerce, display very enlightened views, compared to what we can perceive among the Roman Emperors. The slaves of his Kingdom were treated with great philanthropy and tenderness. No master or owner was permitted to separate man and wife: and the capitulary which contains this ordinance quotes the passage in the New Testament, "Quos Deus conjunxit, homo non separet"? It was forbidden to sell or buy a slave except in the presence of the Emperor's delegate. All private sales were not only null and void, but the parties were liable to punishment.

f.42

113.

The Capitularies contain many maxims of a purely moral and religious character; such, for example, as the following. "It has pleased us to ordain that every one shall endeavour, in his own person, to keep himself fully in the holy service of God". Again, "Let every one fully consent that our deputies (Misi Dominici) rigidly exercise justice, and not permit the custom of perjury, for it is necessary to banish from a Christian people so odious a crime." The entire collection of the capitularies presents to the mind a disordered assemblage of heterogeneous matters on religious, political, military, social and judicial topics, without anything like a fixed order or method. They display no logical arrangement or connection, but are intermixed in the most irregular and capricious manner. The chief cause of this unquestionably was, that they were the product of a temporary system of legislation, and were purely *stop gaps* to some of

f.43

114.

the principal social and political irregularities of the hour.

Many authors have contended, that the real origin of jurisprudence, can be traced no further than to the time of Charlemagne; because, before this period, the nations of Europe were not in a state of civilisation, to have any written system on general or particular right. It is to this memorable epoch of the reign of Charlemagne, that we owe all these general principles of law connected with treaties, alliances, navigation, commerce, and the laws of nations generally."[\[99\]](#)

Lecky mentions that he for bad Sunday labor, and Hallam that he directed a capitulary against itinerant penitents, "who probably considered the iron chain around their necks an expiation of past as well as of future offences." Draper (I, 356 etc) gives an amusingly scornful account of his relations to the Church. He does not think the Paganism in the Middle Ages was mainly due to the Germans. // Charlemagne who in this respect was a true German, <in this respect> disapproved of idolatry.

f. 44

115.

### *The Crusades*

Blanqui gives as the result of the Crusades, "The emancipation of the Communes, the modification of serfdom, the appearance of a middle class, the resurrection of industry, the creation of commerce and navigation, and the fortune of that brilliant and poetical pleiad of the Italian Republics". (p 173). The most various accounts are given of their moral results. Hallam is decidedly of opinion that they were bad. "Those who served under the cross, would not indeed have lived very virtuously at home; but the confidence in their own merits, which the principle of such expeditions inspired, must have aggravated the ferocity and dissoluteness of their ancient

habits. Several historians attest the depravation of morals which existed both among the crusaders and in the states formed out of their conquests.” (p 531). But they certainly developed mens intelligence, they were brought into contact with various civilisations, in particular the highest then existing, that in Constantinople.

f.45

116.

But more they were taught that the Church was wrong in representing to them, the Saracens as “blood-thirsty fiends, but whom they found valiant, merciful, just.” (Draper 2. p. 131) And the Romish Hierarchy as Immaculate Saints. Many of them passed through Italy and had the opportunity of forming an opinion for themselves. By the way, they made a fortune of the Italian Cities, Genoa, Pisa, and Venice. On the other hand they increased the power of the Church directly: they left in their wills before starting, their lands to the Church, and often never returned. But the fact that the Church sent its rivals for power to the East and stayed itself at home was most important. It was this that favored the growth of the Middle Class, and rendered the position of the labouring class better in three ways. It diminished the number of their oppressors; it increased the area in which cultivation was secure, and it diminished the ratio of population and land.

f.46.

117.

Guizot \*(Civilisation Europe. Lecture 8.)\* regards the Crusades as \*one of\* the most powerful levers which contributed to transform the civilisation of Europe. The history of this “may be summed up into three <long> \*grand\* periods: 1<sup>st</sup>. A period which I shall call the period of organs, of formation – a time when the various elements of our society freed themselves from the chaos, took being, and showed themselves under their native forms with the principles which animated them. This period extended nearly to the 12<sup>th</sup> century.

2<sup>nd</sup>, The second period is a time of essay, of trial, of groping; the various elements of the social order drew near each other, combined, and as it were felt each other, without the power to bring forth anything general, regular, or durable. This state was not ended, properly speaking, till the 16<sup>th</sup> century.

3<sup>rd</sup>, The period development, properly so called, when society in Europe took a definite form, followed by a determined tendency, and progressed rapidly and universally towards a clear and precise end. This commenced at the 16<sup>th</sup> century and now pursues its course.”

f.47.

118.

The contrast which is drawn between the first period and the last is very striking. “From the 5<sup>th</sup> to the 12<sup>th</sup> century society ... possessed kings, a lay aristocracy, a clergy, burghers, laborers, religious and civil powers – in a word, the germs of everything which is necessary to form a nation and a government, and yet there was neither government nor nation. Throughout the epoch upon which we are occupied, there was nothing bearing a resemblance to a people, properly so called, nor to a veritable government, in the sense which the words have for us in the present day. We have encountered a multitude of particular forces, of special facts, and local institutions; but nothing general or public; no policy, properly so called, nor no true nationality.

Let us regard, on the contrary, the Europe of the seventeenth and eighteenth centuries; we shall everywhere see two leading figures present themselves upon the scene of the world, the

government and the people. The action of a universal power upon the

f.48

119.

whole country, and the influence of the country upon the power which governs it, this is society, this is history; the relations of the two great forces, their alliance, or their struggle, this is what history discovers and relates. The nobility, the clergy, and the burghers, all these particular classes and forces, now only appear in a secondary rank, almost like shadows effaced by those two great bodies, the people and its government.”

The cause of the early Crusades, besides, of course, religious enthusiasm, he finds in the restlessness which this state of things had engendered. “Everything had become local, states, existences, minds, were confined with a very limited horizon. It was thus feudalism had prevailed. After some time, an horizon so restricted did not suffice; human thought and activity desired to pass beyond the circle in which they had been confined. The wandering life had ceased, but not the inclination for its excitements and adventures. The people

f.49

120.

rushed into the Crusades as into a new existence, those enlarged and varied, which at one time recalled the ancient liberty of barbarism, at other opened out the perspective of a vast future.

Such, I believe, were the two determining causes of the crusades of the 12<sup>th</sup> century. At the end of the 13<sup>th</sup> century, neither of these causes existed.”

He finds <the> \*a\* striking difference between the earlier and later chronicles of the Crusades. The first, animated, impassioned, with vivid imagination, but narrow, full of prejudices, devoid of judgment. The latter are more like modern historians, calm, broad, sometimes even scientific. He gives a long account of most of those results of the Crusades, which we have already pointed out. He says that they reduced a large number of fief-holders to the necessity of selling them to their sovereigns, or of selling charters to the boroughs in order to procure the means of following the Crusade. They greatly diminished the number of small-fiefs,

f.50

121.

and originated the large fiefs. He attributes this movement partially to the intimacy contracted between leaders and followers in the Crusades themselves. Commerce also, in Italy and Flanders has become developed. Every kind of social organisation was on a larger scale than before. An enterprising king could find occupation for his energies and domestic policy, and it was at this time that the regal power became prominent. “For the sovereigns the place of adventures, was supplied by policy, by the people by work on a great scale. One single class of society still had a taste for adventure, this was that portion of Feudal nobility, who not being in a position to think of political aggrandisement, and not liking work, preserved their ancient condition and manners.”

f.51

122.

*The Rise of the Boroughs.*

Guizot, (civ: in Europe, Lec 7) compares the position of “Tiers état” now, with that which it had from the 5<sup>th</sup> to the 12<sup>th</sup> centuries. Now its importance is much more distinctly recognised in theory,

and according to modern notions it is free, but the inhabitants of any one town, have practically no influence over the way in which things are done in that town, the intendant decides everything. Then the common people were quite content that they should be regarded as in every way inferior to their "superiors", but each town did to a very great extent, manage its own economy. Many wrecks of Roman institutions were to be found in them, particular<sup>[100]</sup> in municipal magistracies, and we read often of public assemblies, but their independence from the 5<sup>th</sup> century to the complete organisation of Feudalism, had steadily declined, but when it was once thoroughly established, men ceased to wander<sup>[101]</sup>, as they had done the town

f.52

123.

struggle\*d\* with more hope. At one time i.e. before 10<sup>th</sup> century they had but small means of self defence, they could only offer the protection of the church, but this was very important as a means of attracting fresh inhabitants. In 10<sup>th</sup> and 11<sup>th</sup> centuries they began to fortify themselves. A brick \*wall\* was then nothing to be laughed at, they had wealth to build brick walls, wealth enough to be protected inside them, and men enough to man them. <Their> \*The first step\* <was> in \*the\* enfranchisement of each town was as Guziot says a veritable insurrection against the lord in whose fief it was included, a regular war ensued, if the insurrection failed, the fortifications of the town and of the houses, for each house was fortified, were razed<sup>[102]</sup>, the king continually interfered in the struggle, more frequently, but not nearly always, against the barons. "In the 12<sup>th</sup> century the bourgeoisie was composed of only the small merchants who retired

f.53

124.

into the towns after having made their purchases and sales, and of the proprietors of houses and small domains who had fixed their residence there .... So long as it did not include magistrates, nor men of letters, so long as it was not what it became in the 16<sup>th</sup> century, it possessed neither the same importance nor the same character in the state." In their own narrow sphere they possessed a degree of energy, devotedness, perseverance and a patience, which has never been surpassed; they were hardy, manly and warlike; and yet they were seldom feared for they had no taste for great enterprises, none of the elements of political greatness, - no ambition, no "desire to participate in the affairs of the country, no consciousness of the greatness of man as man." The citizen of a town in comparing himself with the inferior lord who dwelt near him, and who had just been conquered, was not the less sensible of his extreme inferiority; he was not filled with a haughty sentiment of independence which animated the proprietor of the fief; he held not his portion of his liberty for himself alone, but from his association with others." The municipal authorities

f.54

125

had always a double struggle to carry on, with an ignorant and disorderly rabble below them, they cannot be judged severely for coquetting with counts, bishops, dukes, kings and Emperors.

Blanqui quotes from Levasseur that the corporations of certain towns can be traced back to the Roman "Colleges" though the pages are much blurred from the 5<sup>th</sup> to the 11<sup>th</sup> century. P. 211. he quotes the Abbé Guibert chronicler of the 12<sup>th</sup> century. "This is what one understands now-a-days by that new and detestable word the Commune." Those who should pay 'taille' pay only once a year: if they commit any fault they are let off for a punishment which is fixed by law, and as to the levies of money which used to be made on the serfs, they are free from them. Chartered towns

existed in Spain earlier than anywhere else, their only task was to defend themselves from the Moors. The king appointed governors, but they were only military officers. See Hallam & Blakey.

f.55

125. 1

Guizot devotes Lectures 16 to 19 of the second course on Civilisation in France, to the third estate.

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In Lecture 18. an account of the boroughs of the Roman World: they were mainly formed by colonisation, they had every advantage, superiority in force, intellect, civilisation, over surrounding people. Agriculture was developed first, commerce followed. In all these respects they resembled Boston, New York etc, and differed from the boroughs of the middle ages. Other points of difference between ancient and medieval colonies – non-existence of a distinct ecclesiastical power, power of parent over person as well as property of son, slavery, residence of aristocracy within the towns, the fields being cultivated for them. These two last circumstances made the aristocratic spirit predominate in the Roman Cities. He points out that slavery has made the tone of the Southern United States aristocratic, though their constitution is formally eminently democratic.

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A description of a Roman municipality: "In each *municipium* a senate, which was called an *ordo* or *curia*. This senate constituted the city, properly so called:

f.56

125. 2.

the power belonged to it; this it was that administered the town, with the exception of a few extraordinary cases, where the mass of the population was called upon to take part in the municipal affairs.

This *ordo*, this *curia*, was composed of a certain number of families known beforehand inscribed upon a register which was called *album*, *album ordinis*, *album curiae*. Their number was not considerable. There is reason to suppose, from some examples, that it varied between one and two hundred. You see the municipal power was concentrated in a very small number of families. Not only was it concentrated therein, but it was generally hereditary in those families who were invested with it. When once they formed part of the senate, of the *ordo*, they never left it; they were bound to fill all the municipal charges, and at the same time had a right to all the municipal honors and powers." Vacancies in the *curia* were filled up by election, by the *curia* itself. "At the fall of the Empire, this municipal power was a charge, and men fled from it instead of seeking it... But the organisation always remained profoundly aristocratic." In Southern France, and especially Italy, where Roman traditions were strong, and in consequence

f.57

125. 3.

of the comparative weakness of the German element, the boroughs had a continuous history there are traces of this aristocratic spirit: The Boroughs of the North of Europe are purely democratic.

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Lec: 16. He says the analogy between Roman and Medieval contests of patrician and plebeian is delusive. "Niebuhr has proved, in his *History of Rome*, that the struggle of the plebeians against the patricians was not the progressive and laborious enfranchisement of a class for a long time debased and miserable, but a consequence, and, as it were, a prolongation of the war of conquest, the effort of the aristocracy of the cities conquered by Rome to participate in the rights of the conquering aristocracy."

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(Vol I. p. 185. He points out unsuitability of cultivated land of Italy for the chase as a cause of the tendency of aristocracy to seek the towns.)

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*The History of French Boroughs.*

In the Middle Ages the French Boroughs were less important than those of other countries, yet France is the birthplace of the third estate. The solution of this.

f.58

125. 4.

In France the third estate had three origins.

I. The Roman municipal system, which continued to exist in large number of towns.

II. The agglomeration of population which was naturally formed upon the estates of many of the lords, and which, by the sole influence of increasing wealth, by the need which the lords had of their services, successively obtained concessions, privileges, which, without giving them a political existence, still ensured the development of their prosperity, and consequently of their social importance. III. Finally, the corporation, properly so called – that is to say, the boroughs and towns which, by force of arms, by a struggle of greater or less duration, wrested from their lords a considerable portion of the sovereignty, and constituted petty republics of them." <p. 29>

(page 299) Numerous instances in centuries X and XI of the citizens marching to war under the guidance of their priests.)

First class. "It was the general characteristic of Roman municipalities, of cities, properly so called, that the clergy in concert with the people elected the bishop." This habit remained. Towns of this class of course, numerous in the South of France,

f.59

125. 5.

hence few charters for the south of France.

// (pp. 307 – 315) He gives a number of charters in centuries X to XIII to towns of the second class, but these are governed by provosts and sergeants, that is to say by royal officers, not their own magistrates (pp 317 – 323) The charter of Laon, a borough of the third class. His conclusions seem hardly to follow from his premises, but they are that (p. 337) "Boroughs, properly so called, were towns having a jurisdiction of their own, making war, coining money, almost governing themselves, in a word, petty republics, nearly independent".

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Lecture XIX. At the commencement of century 14. boroughs on the decline. Three causes. (i)

Centralisation of Feudal powers, they conquered the local Feudal law, but this only brought them into contact with a king or at all events a duke. Italy was an exception, there \*there\* was no such power in the background. They might have continued as indeed the Lombard cities did against Barbarossa. "But confederation of all systems of association and government is the most complicated, the most difficult, that which demands the development in the intellect of men, the

f.60

125. 6.

greatest Empire of general interests over particular interests, of general ideas over local prejudices, of public reason over individual passion." Thus the Albigences were beaten though they were strong and had a common cause, because they could not combine. (To similar effect vol 1. pp 187-189. The republics of Ancient Greece in her contests with Macedonia and Rome and those of Italy in later times, show weakness of republican as opposed to national organisation; the former "did not contain within itself at this epoch the principle of progress of duration of extension – it had no future")

Cause 2. Their constant appeals to the suzerain of their lords for protection from them.

Cause 3. The internal disorders, the burghers were in ruling, violent, the classes below them were more so. The King or suzerain continually appealed to was only too glad to give his aid. (Good instance pp 346-8)

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While the boroughs of the third class decayed those of the second did not \*at all events those which were administrated in the name of the king\*. On the whole <it was> \*they were\* not badly administrated. For the king was always in fear of his offices making themselves independent: and the parliament became prominent; its decisions very upright. Moreover all the officials of these towns came from the third estate, they were aggrandized and raised the whole of the third estate with them.

f.61

125. 7.

This brings us fairly into French centralisation; he believes much in the miseries of the intestine bitterness of boroughs. "Doubtless we have lost something by the decline of the boroughs... but on the whole the centralisation which characterises our history has been the cause of much more prosperity and grandeur to France, of much happier and more glorious destinies than if the local institutions, the local independencies had remained sovereign or even preponderate."

f.62

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### *The Italian Republics.*

The early history of the Italian Cities is in general obscure, but says Hallam \*p 136\* "It is observable that their chroniclers speak in recording these transactions, of the people not of their leaders, which is the true republican tone of history". Thus we read of victories gained "by the Pisans over the people of Lucca", by strong fortifications by liberally throwing open the privileges of citizenship, by reducing to subject states their smaller neighbours. "The principal cities and especially Milan, reached before the middle of the 12<sup>th</sup> century a degree of population, very far beyond that of the capitals of the Greek kingdoms" The sovereignty of the Emperors was purely formal. To this Frederic Barbarossa objected. He ascended the throne in 1152, found an excuse soon, for besieging <the land> \*Milan\*; he was powerless but hunger conquered the city; he made



new ordinances, excluded the cities from coining money and from rights to tolls, he appointed a podesta in each city, he retired. The Milanese rebelled. They were again besieged, again starved out. Frederic's severity increased

f.63

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for the whole of Italy. The cities leagued together; after various struggles they gain a complete victory at Legnano, 1176. Finally "The famous peace of Constance establish the Lombard Republic in real independence." 1183. By this "the cities were maintained in the enjoyment of all the regalian rights whether within their walls or in their district which they could claim by usage. Those of levying war, of erecting fortifications, and of administering civil and criminal justice, were specially mentioned. The nomination of their consuls, or other magistrates, was left absolutely to the citizens; but they were to receive the investiture of their office from an imperial legate. The customary tributes of provision during the Emperor's residence in Italy were preserved: and he was authorised to appoint in every city a judge of appeal in civil cases. The Lombard league was confirmed, and the cities were permitted to renew it at their own discretion; but they were to take, every ten years, an oath of fidelity to the Emperor."

The Guelf and the Ghibelin became prominent. The Guelf particularly in the land, <which where> \*were\* inspired by hatred to the Hohenstaufen, than by jealousy of

f.64

128.

imperial power. "Terms of this description having no relation to principles which it might be troublesome to learn and defend, are always acceptable to mankind, and have the peculiar advantage of precluding altogether the spirit of compromise and of accommodation" About 1288 the inhabitants of Milan were reckoned at 200,000: the <soldier> men capable of bearing arms from the city and its district at 240,000.

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*The Constitution.* In the 12<sup>th</sup> and 13<sup>th</sup> centuries, annual councils were elected by the cities as soon as they had thrown off the yoke of their Feudal court or bishop: <These> The administration of war, justice and public order lay with them. There was besides a small council who "may be called the ministers of the state": and a general council to decide on treaties, choice of consuls etc. This had in some cases a decided aristocratic element (Blakey I. P 272. says the only important difference between the free cities of Roman and those of German origin, was that the former "displayed always, more or less, an oligarchic spirit"; the latter "set a high value upon their communal rights and customs, loved to take an active part in the choice of their [\[103\]](#)

f.65

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magistrates and rulers, and to express their sense of public wrongs and acts of injustice in general assemblies called together by their own will and power.") "An ultimate sovereignty, however, was reserved to the \*mass\* of the people, and the parliament or general assembly was held to deliberate on any change in the constitution". (Hallam p. 154.) But after the peace of Constance 1183, almost all the cities revived the office of Podesta which had been instituted by Frederic. His office was annual, he was invariably a man of an old family, <a c> but a citizen of a neighbouring state; he was their general, \*sometimes\* their judge always \*always\*, but his most arduous work was preserving the peace and enforcing justice in spite of faction; he was chosen sometimes in a general assembly sometimes by a select number of citizens. His salary was fixed,

he was compelled to stay in the city after the expiration of his office, in order that charges might be brought against him, he could neither marry a native of the city, nor have any relation resident in the district, nor even eat or drink in the house of any citizen. About the middle of the 14<sup>th</sup> century, intestine struggles had made all the cities loath discord and seek rest under a popularly elected tyrant.

f.66

130

*Florence.* The basis of the Florentine polity was laid in 1266, and was “a division of the citizens exercising commerce into their several companies or *arts*. These were at first twelve: seven called the great arts and five lesser: but the latter were gradually increased to fourteen. The seven greater arts were those of lawyers and notaries, of dealers in foreign cloth, called sometimes Calimala, of bankers or money changers, of woollen-drapers, of physicians and druggists, of dealers in silk, and of furriers. The inferior arts were those of retailers of cloth, butchers, smiths, shoemakers and builders.” (Hallam page 167) In 1324 the constitution was altered, magistrates were in a round-about way selected by lot: they had to be Guelfs and citizens. There were two general councils, from the more important of which the nobles were excluded. Indeed, in 1295 the nobles had been excluded from the most important offices (Priors) “Common fame attested by two creditable persons” was sufficient evidence for the condemnation of a nobleman. In 1342 there was a struggle: the Commons were completely victorious, and merciful in their confidence they “elevated to the

f.67

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rank of Commoners”, 530 nobles. Conversely they ennobled several unpopular commoners. After various fortunes the Guelf aristocracy obtained power 1382 and governed under the Albizi; after 1433 the Medici became rulers, Florence conquered Pisa < at the end of the 14<sup>th</sup> century > 1406. Lorenzo de Medici; 1469 to 1492.

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*Pisa* conquered Sardinia in the 11<sup>th</sup> century. Architecture flourished there in the 11<sup>th</sup> and 12<sup>th</sup>. A war at intervals with Genoa from 1119 to 1284 when she was finally beaten

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*Genoa.* Conquered Corsica in the 11<sup>th</sup> century. Aided the Greeks to recover Constantinople in 1261 and obtained cession of Pera, adjacent to Constantinople. This they colonised and governed by a magistrate sent from home. They established further a colony Caffa<sup>[104]</sup> in the Crimea and obtained a monopoly of the commerce of the Black Sea. First war with Venice 1258, second 1293, to which <Gen> a Genoese armament was sent of 155 galleys, each man with nearly 300 sailors. The great war was in 1378. Apparently unfavourable to Venice but “in fact it is the epoch of the decline of Genoa”.

f.68

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The government was a strange mixture, Podesta was chosen by a certain portion of the nobility. On the other hand a general council of the whole people was called more frequently and this exercised more control than in any other Italian city. In 1339 a popular tumult elected a Doge. After this, endless discord. <In 1461> She passed under the control of France \*twice\* then of Milan, then of France again.

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*Venice*. Founded in 421 by Italians who had escaped the barbarians. Her splendor dated from her assisting the Latins to take Constantinople in 1204. For this they obtained 3/8 of the city; ousted by Genoa in 1261. After that, turn her chief attention to Acre and Alexandria. Had nearly a monopoly of trade with India. Elected a doge in <1692> \*697\*, for a long time supreme. Limitations gradually imposed. The *great Council* established in 1172 at first elected, after hereditary. Many riots in the 14<sup>th</sup> century. "Upon the suppression of the last in 1310 the aristocracy sacrificed their own individual freedom along with that of the people, to the preservation of an imaginary privilege. They established

f.69

133

the elaborate *Council of Ten*." 1405, Venice acquires Pienza, Bassano, Verona, and Padua. Wars with Milan from 1427 to 1448. At the height of her power at the end of the 15<sup>th</sup> century. America discovered 1492. New passage to India 1498. Henceforward, Venice declines.

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Blanqui is enthusiastic about the genuine Republicanism of the Italian cities, contrasts them with the Greek and Roman oligarchies. Absolute freedom of work and of commerce practical training for the people in politics: the fine arts of every kind flourished; hospitals and schools in vast numbers; public offices not paid. He gives a complete budget of Florence for 1337. Two Florentine Bankers lent Edward III between them, 16,000,000 francs. The Venetian bank rose at the end of the 12<sup>th</sup> century. Venice had started at exporting salt, but by the time of Charlemagne her silks, tapestry, etc, had become important. In the 15<sup>th</sup> century its ships traded with the whole Mediterranean Coast. They had treaties of Commerce with the Hanseatic town, Bruges, Antwerp, and London. To these towns a fleet was sent out every year.

f.70

134

But Blanqui insists that there was no monopoly. The young politicians were forced to travel often in charge of the very small commercial enterprises. Foreigners were always subject to great disabilities, they paid double custom duties. It is not very clear when these restrictions were introduced, originally their trade was certainly free, at least, <a> \*any\* citizen might do what he liked. Genoa whose policy had also been originally free, had been the first to start exclusive companies and the payment of subsidies. See *P.E. in Venice*. [\[105\]](#)

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The earliest bank of deposit was at Barcelona in 1401.

The bank of Venice probably, but not certainly similar to the bank of Genoa. In century 14, Genoa borrowed much of her private citizens. These collected the taxes by their own agents, deducted the interest due to them, and paid the surplus into the treasury. The affairs having become complicated, a bank was formed, which soon became almost independent of the state. And it conquered Corsica at its own expense and governed it for a long time. Hallam. M.A. p. 551.

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Luxury set in about 1260. before that manners rude.

f.71 [106]

134. 1.

McCulloch on Italian commerce says, in early middle ages, merchants under great difficulties, pillaged by land and at sea. Shipwrecked mariners enslaved their property seized. "Not uncommon for divines to prostitute religious worship by praying that their coasts might be enriched with shipwrecks."

Venice Italian, not German. He insists on the despotism that ruled there, their cruelty etc, but does not find the key to their conduct in their origin.

Their trade with England seems to have commenced at end of the thirteenth century. 1325. Edward II concluded a commercial treaty with the Republic of Venice in which its subjects were exempted from the liability under which aliens then labored of having themselves or their goods seized on account of the debts of other foreigners.

"Her maritime commerce was probably <not>, when greatest, not much inferior to that of all the rest of Christendom."

Rigid manufacturing regulations. "Their industry like that of the <Venetians> Chinese had been precocious but remained stationary." <The> A number of Lombard merchants settled themselves in London in 12<sup>th</sup> and 13<sup>th</sup> centuries. 1283. The commons granted 1/50 portion of their moveable property to Edward I on condition of his expelling them.

f.72

135. < English Boroughs.> \*The Anglo-Roman Constitution\*

The different fates of England and France to a great extent due to the different forms which Feudalism took in the two countries. This was partially due to the character and policy of William I. but still more to the advantages of his position. The "great vassals of France had usurped their dominions before the accession of Hugh Capet and bearly [107] submitted to his nominal sovereignty." (Hallam.) But all William's vassals had obtained their possessions as a direct grant from him; his vigorous character enabled him to impose conditions only just, not severe enough to prompt them to active rebellion. But as he paid the army with which he conquered England, so when threatened by Canute he was forced to assemble an army collected from all parts of Europe. This he was enabled to do by possessing 1500 manors and almost all the cities and towns of any note (Creasy page 90.) Moreover, if any vassal rebelled he could arm the Saxons against him. The process by which he established the kingdom was, firstly, its formal acknowledgement at Salisbury in 1086, there each landowner whatever his rank or wealth, knelt before William, placed his hands within his and said "I become your man, from this day forth, of life, of limb

f.73

136.

and of earthly worship, and unto you will be true and faithful and bear you faith for the land I hold of you, so help me God". Subinfeudation was not prohibited till two centuries later, but its political force <was> never came into existence. Next, he was very careful not to give many manors in the same neighbourhood to the same lord. Next, he made his own royal tribunal effective as the supreme authority. He retained the Saxa the popular tribunals, for temporal matters, making it more democratic by admitting every one who held any land by free tenure to act and vote, and to sue in the county court, and the hundred court. Thus the baronial courts never became prominent. Of course war was forbidden between nobles, though it was sometimes carried on. Thus every town was brought more or less into direct contact with the central government. The battle of freedom was the same all over the country. Moreover, the royal courts could interfere to

prevent any locality from being practically isolated from its neighbours by system of heavy tolls. And there was a tendency for King and barons in their struggles to bid against one another for the friendship of the lower orders. Yet their condition was bad enough. Of the 2,000,000 inhabitants of England and under John, probably one half were villeins, "villeins regardant" could only be sold with

f.74

137. \*Hallam MA 478 makes no distinction between vi r & vi g. He does not allude to Creasy's point\*[\[108\]](#)

the land on which they were; villeins in grosso were absolute slaves, they were probably not numerous. Probably most of the peasants were villeins regardant under Henry II. The Normans had raised the position of the Saxon Thralls and lowered that of the Ceorls till they had become the same. The lawyers managed to make the escape from the state of thralldom very easy. In the towns the citizens were probably free – "Every free-man was eligible to serve the minor offices of local self government so far as the tithing and hundred were concerned." (Creasy.). Three kinds of tenure, tenure in chivalry, and free socage, and in velleinage. The terms of the first kind of tenure were much the severest. (Details. Creasy pp 101-3). In particular rights of worship and marriage confined to them.

The Norman lord whether king or not required of the cities an annual rent, he farmed them out to a bailiff who became the ruler instead of the elected reeve, they often bought back their liberties at high rates. The town was said to be in feefarm when it had thus converted the tributes of individuals into a perpetual rent from the whole borough, levied by borough officers. For such a privilege and for every other that can be imagined, a charter with attendant fee was required, - of course the charter was revoked on the smallest pretext.

f.75

138.

(Guizot, Rep: Gov: in England Lecture III thinks that if the Conquest had not occurred that the decay of the royal authority and of the national assembly, and the growing independence of the great lords would have made the history of England very similar to that of the Continent. The Conquest united the Saxons; "they claimed incessantly to be ruled by the laws of Edward the Confessor" ... the county courts served to maintain the Saxon liberties", and limited the growth of feudalism." On the continent the royal authority conquered judicial power from feudalism; in England the royal authority was super-imposed upon the County Courts, hence arises the immense difference between the two judicial systems". Creasy, p 183. lays stress on the fact that the Anglo-Saxon King could not levy taxes without the consent of Witan, and thinks this must have influenced the Normal Constitution. Guizot, Rep: Gov: p. 292., holds also, that the Kings Council had similar functions to the Witan. And in a note to Hallam M.A. ch IV pt. 2. the great council is spoken of as a continuance of the Witan. William and his sons'

f.76

139.

held their courts three times a year. see Guizot for details. The following summing up of Hallam contains everything important. I. "The Norman Kings explicitly renounced all prerogatives of levying money on the immediate military tenants of the crown, without their consent given in a great council of the realm; this immunity extending also to their sub-tenants and dependants. II. All these tenants in chief had a constitutional right to attend and ought to be summoned: but whether they could attend without a summons is not manifest. III. <That> The summons was usually directed to the higher barons, and to such of a second class as the king pleased, many being omitted for different reasons, though all had a right to it. IV. On occasions when money was not to

be demanded, but alterations made in the law, some of these second barons, or tenants in chief, were at least occasionally summoned, but whether by strict right or usage does not fully appear. V. The irregularity of passing many of them over when councils were held for the purpose of levying money, led to the provision in the great Charter of John by which the King promises that they shall all be summoned through the sheriffs on such occasions; but the promise

f.77

140.

does not extend to any other subject of parliamentary deliberation. VI. Even this concession, though but the recognition of a known right, appeared so dangerous to some in the government that it was withdrawn in the first Charter of Henry III."

*Magna Charter. 1215.* The church of England to be free. "Relief limited to a certain sum according to the rank of the tenant; the waste committed by guardians in chivalry restrained; the disparagement of female wards forbidden, and widows secured from compulsory marriage." Hallam. Article 12. "No seutage or aid shall be imposed in our Kingdom except by the general council of our Kingdom; except for ransoming our person, making our eldest son a knight at once for marrying our eldest daughter." Article 13. "The city of London .. and all other cities and boroughs shall have all their liberties and free customs." Article 14. And for holding the general council of the Kingdom concerning the assessments of aids, except in the three cases aforesaid, and for the assessing of seutages, we shall cause to be summoned <generally by our sheriff> the archbishops, bishops, abbots, earls, and greater barons of the realm; singly by our letters.

f.78

141.

And furthermore we shall cause to be summoned generally by our sheriffs and bailiffs, all others who hold us in chief, for a certain day, that is to say, forty days before their meeting at least, and to a certain place; and in all letters of such summons we will declare the cause of such summons. And summons being thus made, the business of the day shall proceed on the day appointed, according to the advice of such as shall be present, although all \*that were\* <those> summoned come not."

In Articles 15 and 16, similar restrictions are laid by the barons on themselves with regard to their own tenants. "We will not grant to any one that he may take aid of his own free tenants etc." Justice of assize are to go through every county four times a year. (The institution was due to Henry II we owe to it the uniformity of our Civil Law). No one shall be forced to make bridges or banks unless they were anciently bound to do it. Various restraints or extortions of Kings officers. 39. No freeman shall be taken or imprisoned, or desseised, or outlawed, or banished, or anyways destroyed, nor will we send upon him unless by the lawful judgement of his peers, or, by the law of the land. 40. We will sell to no man, we will not deny to any

f.79

142.

man either justice or right. 41. "All merchants shall have safe and secure conduct, to go out of, and to come into England and to stay there and to pass as well by land as by water, for buying and selling by the ancient and allowed customs, without any evil tolls; except in time of war, or when they are of any nation at war with us. And if there be found any such in our land, in the beginning of the war, they shall be attached, without damage to their bodies or goods, until it be known to us, or our chief justiciary, how our merchants be treated in the nation at war with us; and if ours be safe there, the others shall be safe in our dominions. 42. It shall be lawful, for the time to come, for any one to go out of our Kingdom and return safely and securely, by land or by water, saving his allegiance to us: unless in time of war by some short space, for the common benefit of the realm,

except prisoners and outlaws, according to the law of the land, and people in war with us, and merchants who shall be in such condition as is above mentioned.” Provisions for carrying out the charter and for open resistance to the king in case he breaks it.

f.80

143.

The Earl of Pembroke acting for Henry III, then 9 years old, confirmed the charter, omitting all the provisions about imports. “It assigned as a reason of omission of this and other weighty matters, that the prelates and barons had agreed to respite the consideration of them till further deliberation could be had” (Creasy.) <Creasy> Confirmed again in the 9<sup>th</sup> year of Henry’s reign, when a clause against holding lands in mortmain was introduced. Yet Henry never dared to levy any general tribute on the nation on his own responsibility. (Guizot 323.) The charter was continually confirmed and “1253 a sentence of excommunication was solemnly pronounced against any person who should infringe the royal charters; and [\[109\]](#) the close of the ceremony, the prelates threw down their extinguished but smoking tapers, exclaiming, “may the soul of <him> every one who incurs this sentence so stink and be extinguished in hell!”. And the King added, “So help me God! I will keep these charters inviolate, as I am a man, as I am a Christian, as I am a Knight, and as I am a King crowned and anointed!”

Of course it was again violated. It was ratified 6 times by Henry III, 3 by Edward I 15 by Edward III, 6 by Richard II, 6 by Henry IV

f.81

144.

once by Henry V, and once by Henry VI. But <in Edward III.> in the 25<sup>th</sup> year of Edward I. 1297, the *confirmation cartarum*, the Right of imposing tallages on towns and cities which had been freely exercised by Henry III and by Edward I hitherto; as well the right of taxing without their consent the barons, was for ever abandoned. (for text see *Creasy* p. 177.)

It seems to be universally conceded that boroughs were not represented till 1264. Montfort’s “Mad Parliament”. The practical difficulty of levying tallages without the consent of the towns was rapidly increasing, and the principle cause to be recognised, <by> but no portion of the Kingdom could be taxed without the consent of that portion. In 23. E. I. The Earls, barons and Knights gave the King an eleventh, the clergy a tenth, the burghesses a seventh and there are numerous similar instances (Hallam p. 411) Originally the Knights sat with the peers, after about 1300 they sat with the burghesses, Edward III. kept trying to break through the law about tallages, the commons kept remonstrating, in one case they said parliament must be dissolved, they could not act without fresh instructions from their constituents, and

f.82

145.

ultimately Edward III. seems to have endeavoured to make a distinction between excise and customs duties. “The 30<sup>th</sup> section of Magna Charter had provided that foreign merchants should be free from all tributes excepting the ancient customs, and it was strange to suppose that nations were excluded from the benefit of that enactment, yet owing to the ambiguous <style> and elliptical style so frequent in our older laws this was open to dispute, and could perhaps only be established by usage.” (Hallam. p. 415) Page 434. He says that Richard II. never levied illegally tallages as Edward III. had done to the end of his reign. See *Staple Towns* and *Hanseatic League*. [\[110\]](#)

The election of burghesses was apparently originally made by the principal members of the

corporation in the county court, the consent of the inferior freemen being only nominal (Hallam p. 448.) For methods of levying taxes and the history of the quarrels about them, see Brougham. Brit: Con: pp 33-53. "The greatest oppression having been suffered in Edward II time from his collectors, Edward III fell upon an expedient which gave great satisfaction to all.. he appointed commissioners to compound with each county and each town for the amount which they should pay towards the tallage or subsidy that had been granted in general terms by the parliament." p. 53

III.

## Notes on Hegel's *Philosophy of History*

### Editorial Introduction

This set of notes is compiled from two archives. The first half (folios numbered by Marshall 1-10) is contained in 'Buddha and the East' (M 4/10), while the second half (folios numbered 11-21) is contained in 'Greece & Rome' (M 4/11). Throughout the notes Hegel is loosely quoted, and the hand is, throughout, careful yet rapid.

### Main Text

[M 4/10]

f. 4

Hegel Phil: of Hist

18 "Spirit is the self contained existence (Bei-sich-sellst-seyn) Now this is *Freedom* exactly. For if I am dependent, my being is referred to something else w<sup>h</sup> I am not: I cannot exist independently of something external. I am free on the contrary when my existence depends on myself. This self contained existence of spirit is none other than self-consciousness."

25 "A *State* is then well constituted & internally powerful when the private interests of the citizens is one with the common interests of the state; when the one finds its gratification & realisation in the other."

40 –1 "The *state* is the realisation of *Freedom*; i.e. of the absolute final aim; and it exists for its own sake. All the worth which the human being possesses – all spiritual reality, he possess only through the state. For his spiritual reality consists in this, that his own essence – Reason – is objectively present to him, that it possesses objective immediate existence for him. Thus only is he fully conscious, thus only is he a partaker of morality – of a just & moral social & political life. For truth is the unity of the universal and subjective Will; & the Universal is to be found in the State, in its laws, its universal and rational arrangements. We have in it therefore the object of history in a more definite shape than before; that in which Freedom obtains objectivity & lives in the enjoyment of that objectivity. For *Law* is the objectivity of Spirit, volition in its true form. Only that will which obeys law is free; for it obeys itself – it is independent & so free"

f. 5

2

Hegel Phil of Hist

43 –4 "The *patriarchal* condition is sometimes regarded as exclusively that condition of things in which the legal element is combined with a due recognition of the moral & emotional parts of our nature; and in which justice as united with them truly & really influences the intercourse of the social units." But in the patriarchal state "the union has already ceased to be simply a bond of love & confidence & has become one of plighted service." ... "The spirit of the *family* – the Penates – form one substantial being as much as the spirit of a people in the State; and morality in both



cases consists in a feeling a consciousness and a will not limited to individual personality and interest, but embracing the common interests of the members generally. But this unity is in the case of the family essentially one of *feeling* not advancing beyond the limits of the merely *natural*. The piety of the Family relation should be respected in the highest degree by the State; by its means the State obtains as its members individuals who are already moral (for as persons they are not) & who in uniting to form a State bring with them that sound basis of a political edifice - the capacity of feeling one with a whole .... The piety of the hearth is a profoundly subjective state of feeling."

44. "If Freedom is asserted to consist in the individuals of a state all agreeing in its management, it is evident that only the subjective aspect is required. The natural inference from this principle is that no law can be valid without the approval of all" I do not conceive that he would mean that such a state of things if it could exist was not freedom: but rather that this involves that Law

f.6

3

*Hegel Phil of Hist*

"the objectivity of spirit" should be in accord with the Universal will Indeed (p 40) "the state is the realisation of freedom" i.e. of complete freedom but this assumes (it) that "the universal is to be found in the state its universal & rational arrangements." See also p119 definition of monarchy.

47. The constitution of a country not the result of deliberate choice but of the genius of a people.

51-6 Position of religion in the State

61. Undeveloped nations are "destitute of *objective* history, because they present no *subjective* history, no annals ... only in a state cognisant of laws can distinct transactions take place, accompanied by such a clear consciousness of this as supplies the ability & suggests the necessity of an enduring record." India & China contrasted in this respect

74 "Even morality which is so intimately connected with the consciousness of freedom can be very pure while that consciousness is still wanting, as far that is to say as it expresses duties & rights only as *objective* commands; or even so far as it remains satisfied with the merely formal elevation of soul – the surrender of the sensual & of all sensual motives – in a purely negative self denying fashion." ... The Chinese treatises upon morality... read – as do the moral writings of the Stoics – like a string of commands stated as necessary for

f.7

4

*Hegel Phil of Hist*

realising the goal of happiness, so that it seems to be left free [i.e. without abrogating their natural law] to men on their part to adopt such commands or not."

82. "Spirit is essentially the result of its own activity: its activity is the transcending of immediate simple unreflecting existence – the negation of that existence & the returning in to itself ..... The life of a people ripens<sup>[111]</sup> a certain point... But the fruit does not fall back into... its bosom: on the contrary it becomes a poison draught to it. That poison draught it cannot let alone for it has an insatiable thirst for it; the taste of the draught is its annihilation, though at the same time the rise of a new principle"

110. Substantial [objective] freedom is the abstract undeveloped reason implicit in volition, proceeding to develop itself in the State. But in this phase of reason there is still wanting personal insight and will, i.e. subjective freedom which is realised only in the individual, & w<sup>h</sup> constitutes the reflection of an individual in his own consciousness. Where there is merely substantial freedom

commands & laws are regarded as something merely fixed & abstract to which the subject holds himself in absolute servitude. Then

f. 8

5

*Hegels Phil of Hist*

laws need not concur with the decision of the individual & the subjects are consequently like children who obey their parents without will or insight of their own. But as subjective freedom arises & man descends from the contemplation of external reality into his own soul, the contrast suggested by reflection arises, involving the negation of reality. The drawing back from the actual world forms ipso facto an antithesis, of which one side is the absolute Being – the Divine – the other the human subject as an individual. In that immediate unreflected consciousness which characterises the East, these two are not yet distinguished .... In the political life of the East we find a realised rational freedom describing itself without advancing to subjective freedom. It is the childhood of history”

117 “In the East ... there is no want of a will to command moral action, but of a will to perform them because commanded from within.”

119. “China is quite peculiarly oriental; India we might compare with Greece. Persia on the other hand with Rome. In Persia the Theocratic Power appears as a monarchy. Now monarchy is that kind of constitution which does indeed unite the members of a body politic in the head of the government as in a point, but regards that head neither as the absolute director nor the arbitrary ruler but as a power whose will is regulated by the same principle of law as the obedience of the subject.”

f. 9

6

China

*Hegel Phil of Hist*

134. In China “free sentiment – the moral standpoint generally – is thoroughly obliterated.”

“The legal externality of the family relations becomes almost slavery”

“Punishments are generally enforced chastisements ... corrective not retributive

135 “The distinction between *malice prepense* & blameless accidental commission of an act is not regarded”

138 “To us religion means the retirement of the Spirit within itself in contemplating its essential nature its innermost being. In these spheres then man is withdrawn from his relation to the state & betaking him self to this retirement is able to release him self from the power of the secular government. But in China religion has not risen to this grade.

f. 10

7

India

*Hegels Phil of Hist*

145 “In contrast with the Chinese State which presents only the most prosaic understanding, India is the region of family & sensibility.”

147. In a dream the individual ceases to be conscious of self as such in contradistinction from objective existence. When awake I exist for myself & the rest of creation is an external fixed objectivity as I myself am for it. As external the rest of existence expands itself to a rationally connected whole a system of relations in which my individual being is itself a member – an individual being united with that totality. This is the sphere of the *Understanding*. In the state of dreaming on the contrary this separation is suspended. Spirit has ceased to exist for itself in



are not enslaved, but are left in possession of their wealth, their political constitution & their religion.” .... but they could not ‘inform’ the conquered land with their principle as the Greeks did & hence men unorganised & weak

f. 13

10

Judea

*Hegels Phil of Hist*

203 “The Persian idea of light has at this stage advanced to that of “Jehovah” the *purely One*. This forms the point of separation between the East & the West. Spirit descends into the depths of its own being & recognises the abstract fundamental principle as the Spiritual Nature – which in the East is the primary & fundamental characteristic is now depressed to a mere creature, & Spirit now occupies the first place”.

204 “Nature is reduced to something merely external and undivine. This is the true & proper estimate of nature at this stage: for only at a more advanced stage can the idea obtain a reconciliation in this its alien form. Its first utterances will be in opposition to nature”

205. “The individual as concrete does not become free because the Absolute itself is not comprehended as *concrete* spirit; since spirit still appears posited as not spiritual – destitute of its proper characteristics. It is true that subjective feeling is manifest – the pure heart, repentance, devotion, but the partially concrete individuality has not become objective to itself in the abstract. It therefore remains closely bound to the observance of ceremonies & of the law. The basis of which latter is pure freedom in its abstract form. The Jews possess that which makes them what they are through the One. Consequently the individual has no freedom for itself”. Conf p 233

[M 4/11]

f.3

11

Greece

*Hegels Phil of Hist*

230 “The Greek world is to be compared to the period of adolescence... in the sense that youth does not yet present the activity of work – does not yet exist itself for a definite and intelligent aim – but rather exhibits a concrete freshness of the souls life. ... It is here first that advancing spirit makes *itself* the content of its volition and its knowledge but in such a way that State, Family Law, Religion are at the same time objects aimed at by individuality while the latter *is* individuality only in virtue of those aims. The full grown man on the other hand devotes his life to labour for an objective aim; which he pursues consistently, even at the cost of his individuality.”

262. “That very subjective Freedom which constitutes the principle & determines the peculiar form of freedom in *our* world ... could not manifest itself in Greece otherwise than as a *destructive* element. Subjectivity was a grade not greatly in advance of that occupied by the Greek Spirit: that phase must of necessity soon be attained: but it plunged the Greek world into ruins ..... The consideration of the state in the abstract, which to our understanding is the essential point – was alien to them.

f.4

12

Greece

*Hegels Phil of Hist*

Their grand object was their country in its living and real aspect; - this actual Athens, this Sparta, these Temples, these Alters, this form of social life, this union of fellow-citizens, these manners & customs. ... It was the Sophists ... who first introduced subjective reflection; & the new doctrine that each man should act acc to his own conviction.”

264. To a democracy which possessed no “consolidated Subjectivity of Will”, oracles were necessary.

275 In Greek morality there is wanting “self-comprehension on the part of thought – illimitable self-consciousness – demanding that what is regarded by me as Right & Morality should have its confirmation in myself – from the testimony of my own Spirit; that the Beautiful (the Idea as manifested in sensuous contemplation or conception) may also become the True – an inner supersensuous world.”

He then traces how this subjectivity destroyed Greece.

f.5

13

Rome

*Hegels Phil of Hist*

289. In the Greek principle we have seen spiritual existence in its exhilaration – its cheerfulness and enjoyment: Spirit had not yet drawn back into abstraction; it was still involved with the natural element – the idiosyncrasy of individuals. ... Abstract universal Personality had not yet appeared ..... Here in Rome then we find that free universality that abstract freedom which on the one hand sets an abstract state, a political constitution and power over *concrete* individuality, on the other side creates a personality in opposition to that universality – the inherent freedom of the *abstract* Ego, which must be distinguished from individual idiosyncrasy. For personality constitutes the fundamental condition of legal right.”

303. “It was the Romans who introduced the practice ... of making solemn promises & vows to the gods ..... most of the Roman temples thus arose ... The Greeks on the contrary erected & instituted their beautiful temples & statues & rites from love to beauty & divinity for their own sake”

f.6

14

Rome

*Hegel's Phil of Hist*

328-9 “The Emperor *domineered* only & could not be said to *rule*, for the equitable & moral medium between the <subje> sovereign & the subjects was wanting – the bond of a constitution & organisation of the state in which a gradation of circles of social life, enjoying independent recognition, exists in communities & provinces, which devoting their energies to the general interest, exert an influence on the general government .... That therefore which was abidingly present to the minds of men was not their country or such a moral unity as that supplies: the whole state of things urged them to yield themselves to fate, & to strive for a perfect indifference to life, an indifference which they sought either in freedom of thought or in directly sensuous enjoyment. Thus man was either <given> at war with existence or entirely given up to mere sensuous existence. .... Stoicism, Epicureanism & Scepticism, although within their common sphere opposed to each other, had the same general purport, viz. rendering the soul absolutely indifferent to everything the world had to offer. .... Thought which as perfectly refined made itself its own object & thus harmonized itself was entirely destitute of a real object & the immobility of Scepticism made aimlessness itself the object of the Will”.

f.7

15

Christianity

*Hegel's Phil of Hist*

330 - “Rome was the fate that crushed down the gods & all genial life in its hard service, while it was the power that purified the human heart from all speciality”

331 “The law for the Greek spirit was “man know thyself” The Greek Spirit was a consciousness of Spirit but under a limited form having the element of nature as an essential ingredient. Spirit may have had the upper hand, but the unity of the superior & the subordinate was itself still natural. Spirit appeared as specialized in the idiosyncrasies of the genius of the several Greek nationalities, & of their divinities & was represented by *Art*, in whose sphere the Sensuous is elevated only to the middle ground of beautiful form & shape, but not to pure thought. The

element of subjectivity that was wanting to the Greeks we found among the Romans: but as it was merely formal & in itself indefinite, it took its shape<sup>[112]</sup> from passion and caprice. .... This element of subjectivity is afterwards further realized as personality of individuals – a realization which is exactly adequate to the principle and is equally abstract & formal. As such

f.8

16

Christianity

*Hegels Phil of Hist*

331-2

an Ego, I am infinite to myself & my phenomenal existence consists in the property recognised as mine & the recognition of my personality. ....

But Individuals are at the same time subject to the severe rule of One [The connection between the ruler & the ruled is not mediated by any divine or constitutional right, or any general principle but is direct & Individual, the Emperor being the immediate lord of ea subject in the Empire] That private right is therefore *ipso facto* a nullity, an ignoring of the personality. ... This contradiction is the misery of the Roman world.... It is the discipline [Zucht – ziehen – to draw] of that culture which compels personality to display its nothingness. But it is reserved for us of a later period to regard this as a training; to those who are thus trained [trainés, dragged] it seems a blind destiny, to which they submit in the stupor of suffering. The higher condition in which the soul itself feels pain & longing

f.9

17

Christianity

*Hegels Phil of Hist*

332-3

in which man is not only drawn but feels that the drawing is into himself, is still absent. .... outwards suffering must be merged in the sorrow of the inner man. He must feel himself as the negation of himself: he must <feel> see that his misery is the misery of his nature – that he is in himself a divided and discordant being. This state of mind, this self-chastising this pain occasioned by our individual nothingness – the wretchedness of our isolated self, & the longing to transcend this condition of soul – must be looked for elsewhere than in the properly Roman world. It is this which gives to the Jewish people their world historical importance ... for from this state of mind arose that higher phase in which Spirit arose to absolute self consciousness – passing from that alien form of being which is its discord & pain & mirroring itself in its own <existence> essence. This state of feeling we find most beautifully expressed in the psalms of David & the Prophets, the chief burden of whose utterances is the thirst of the soul after God, its profound sorrow for its transgressions & the desire for righteousness & holiness”.

334 “Opposed to the universal fatum of the Roman world we have here the consciousness

f.10

18

Christianity

*Hegels Phil of Hist*

334-5

of evil & the direction of the mind godwards. All that remains to be done is that this fundamental idea should be expanded to an objective universal sense, & be taken as the concrete existence of man – as the completion of his nature. Formerly the land of Canaan & themselves as the people of God had been regarded by the Jews as their concrete & complete existence. But this basis of satisfaction is now lost, & thence arises the sense of misery & failure of hope in God with whom that happy reality had been essentially connected. Here then misery is not the stupid immersion in a blind fate but the boundless energy of longing. Stoicism taught only that the negative *is not* –

that pain must not be recognised as a veritable existence; but Jewish feeling persists in acknowledging reality & desires harmony & reconciliation within its sphere; for that feeling is based on the oriental unity of nature.

..... Sin is the discerning of good & evil as separation: but this discerning likewise heals the ancient hurt & is the foundation of infinite reconciliation. The discerning

f.11

19 Christianity *Hegels Phil of Hist*

335

in question brings with it the destruction of that which is alien & external in consciousness & is consequently the return of subjectivity into itself. This then adopted in the actual self consciousness of the world is the *reconciliation* [atonement] *of the World*. From that unrest of infinite sorrow - in which the two sides of the antithesis stand related to each other – is developed the unity of God with reality (which latter had been posited as negative) i.e. with the subjectivity which had been separated from him. .... The recognition of the identity of the subject & God was introduced into the world when *the fullness of time was come*: the consciousness of this identity is the recognition of God in his true essence. The material of Truth is spirit *itself* – inherent vital movement. The nature of God as pure Spirit is manifested to man in *the Christian religion*.”

336 There follows a rationalisation of the Christian mysteries, not perhaps very happy.

336 “The unity of man with God is posited in the Christian religion .... Man is God only in so far as he annuls the merely natural & limited in his spirit & elevates himself to God. That is to say

f.12

20 Christianity *Hegels Phil of Hist*

336

it is obligatory of on [\[113\]](#) him who is a partaker of the truth & knows that he is a constituent element [moment] of the divine idea to give up his merely natural being: for the natural is the unspiritual. In this Idea of God is to be found also the reconciliation that heals the pain & inward suffering of man. For suffering itself is henceforth recognised as an instrument necessary for producing the unity of man with God.”

347. What we observed among the Greeks as a form of customary morality cannot maintain its position in the Christian world. ... Greek Freedom was that of Hap & genius. It was still conditioned by slaves & oracles; but now the principle of absolute Freedom in God makes its appearance. Man now no longer sustains the relation of dependence but of love – in the consciousness that he is a partaker in the divine existence. In regard to particular aims, man now forms his own determination & recognises himself as plenipotentiary in regard to all finite existence. All that is special retreats into the background before that spiritual sphere of subjectivity which takes a secondary position only in the presence of the divine spirit.”

f.13

21 Byzantine Empire *Hegel's Phil of Hist*

351

“It is evident here how Christianity may be abstract & how as such it is powerless on account of its very purity & intrinsic spirituality... It is a common notion & saying in reference to <religion> the power of religion abstractly considered over the hearts of men that if Christian love were

universal, private & political life would both be perfect & the state of mankind would be thoroughly righteous & moral. Such representations may be a pious wish, but do not possess truth; for religion is something internal having to do with conscience alone. To it all the passions and desires are opposed, & in order that heart will intelligence may become true, they must be *thoroughly educated*; right must become custom, habit; practical activity must be elevated to rational action; the state must have a rational organisation & then at length does the will of individuals become a truly righteous one.”

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[1] I would like to thank the staff of the Marshall Library for their kind and generous help; particularly Alex Saunders, who has done so much to bring order into the Marshall Archive, and Rowland Thomas, head of the Marshall Library. I would also like to thank Tiziano Raffaelli for encouraging me to transcribe Marshall's early historical writings, Sarah Stroumsa, Michael Cook and Clare Woods with help on archival matters, Halbert Taylor for helping me to identify E. Dühring's *Kritische Geschichte* as one of the sources used by Marshall in his essay, and Hal Brigham for correctly deciphering the very first letter of Marshall's long essay.

[2] The manuscript M 3/1 was edited and published in 1990 (P. D. Groenewegen, *Alfred Marshall on the Method and History of Economics*, University of Sydney, Department of Economics). However, as this 1990 edition contains numerous transcription errors, a new transcription of M 3/1 has been made for the present publication.

[3] A good example of the misleading impression given by the present organization of material within the folders is to be found in M 4/11, where fifteen pages numbered 1 through to 15 are directly followed by twenty-four pages numbered 33 through to 56. Given that both series discuss aspects of Greek and Roman history, the obvious inference is that they belong to a single essay on Greece and Rome, of which eighteen pages have been lost. In fact, the fifteen pages make up the discrete discussion on 'Greek and Roman Characteristics' that Marshall inserted into his long essay, while Marshall's page number 33 follows directly after the last page of M 3/1, which is numbered 32.

[4] The one exception here is the last four pages of M 4/12 (f.87 – f.90), which consist of a discussion of Adam Smith's article on education in Book V of the *Wealth of Nations*, and which clearly belongs with the large amount of early notes on the *Wealth of Nations* discussed in the main text below.

[5] There is of course also a further - if less pressing - question as to whether or not the last pages of any insertions between the integer page numbers have been mislaid.

[6] Confirmation of this reading of the long essay is to be found on page 118 of the 'Red Book' (M 7/5), where Marshall transcribes a long quotation from Freeman to the effect that it was in the thirteenth century that most of Europe took something like its present form and constitutional arrangement, and that the European states of England, France and Spain began to replace the older empires of the West and East as the dominant historical forces in Europe and Asia. It is also significant that while the 'Red Book' covers the period from 1700 B.C. to the nineteenth century, there are no graphical records prior to the thirteenth century.

[7] Reproduced in J. K. Whitaker, *The Early Writings Economic Writings of Alfred Marshall* (2 vols. London, 1975), volume 1, p. 41 (note 12).

[8] J. K. Whitaker, *The Correspondence of Alfred Marshall Economist* (2 vols. Cambridge, 1996), volume 1, p. 99.

[9] 'A Reply', *Economic Journal*, September 1892, reprinted on page 735 of volume 2 of A. Marshall, *Principles of Economics* (2 vols. 9th (Variorum) edition. London, 1961).

[10] See the *Cambridge University Reporter*, 1873, p. 33. It is to be noted that the only lectures that Marshall is stated to be giving that term are "Political Economy (Mill)". Yet in addition to questions on history, Marshall is also set down to give questions on "Political Economy – Theory", and "Political Philosophy".

[11] M. P. Marshall, *What I Remember* (Cambridge, 1947), p. 20; quoted in *Early Economic Writings*: I, p. 11.

[12] These notes cover some parts of Book II, all of Book III, and most of Books IV and V of the *Wealth of Nations*. They are mainly to be found in folders M 4/3, M 4/4, and M 4/5. As noted above, four pages of notes on Smith's article on education have been placed in M 4/12, while in M 4/15 are to be found notes on Smith's chapter on rent in Book I (but which Marshall himself evidently placed together with his notes on the Physiocrats). Notes on Book I do exist, but are included in more general discussions of method and definitions (in, for example, M 4/19, discussed in the main text below). Reasons for believing these notes on Smith to be particularly early include the nature of the notes and authorities cited in the notes on Smith's Book III (see main text), and the extremely small amount of references to other notes by Marshall. I intend to publish these notes on Smith, as well as Marshall's notes for his advanced lecture course in the early seventies (M 4/19), in forthcoming issues of the *Marshall Studies Bulletin*. Issues of dating will be discussed more fully in the introductions to my transcriptions of each of these manuscripts.

[13] A. Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations. With a life of the author, an introductory discourse, notes, and supplemental dissertations by J. R. McCulloch* (Edinburgh: Adam and Charles Black, and William Tait, 1839), p.xix.

[14] It is to be noted that a (very nineteenth century) rendering of Smith's four stages makes an appearance at the beginning of the short historical narrative in chapter VII of Book I of the *Economics of Industry* (see A. Marshall and



M. P. Marshall, *The Economics of Industry* (London, 1879), p. 43).

[15] Guizot and Rogers are mentioned by name. Commenting upon Smith's account of the transformation of the feudal landowners into consumers of trinkets in chapter IV of Book III, Marshall comments that "It is precisely on this position that the modern socialists have founded their grossly exaggerated, but not altogether groundless, attacks upon the present form of society. The reign of "capitalism" is, they say the worst for the laboring classes that the world has known or shall know" (M 4/3: f.26). It is tempting to infer from this comment that Marshall had in mind Marx's discussion of 'The So-Called Primitive Accumulation' in *Das Kapital*. However, another version of the same comment is to be found in the lecture notes on history found in Marshall's lecture notes for his advanced classes in political economy (on which see the main text below), and in this latter instance the source of this view is stated to be Schäffle's *Kapitalismus und Socialismus*. But whether the source here is Marx or Schäffle (or Lassalle, or even all three), it is to be observed that Marshall's knowledge of the "socialist criticism" of economic history predates this comment on the *Wealth of Nations*.

[16] In his notes on Smith's Book V Marshall does the same after the word 'fair' - although the word here appears in a quotation taken from Buchanan's comments on Smith, which is itself quoted from chapter 16 of Ricardo's *Principles*. The same thing is also found - this time after the word 'natural' - in Marshall's notes on chapter 23 of Ricardo's *Principles* (M 4/5: f.49). It is interesting to observe that in his early notes on method (M 4/19: f.32), Marshall places an asterisk after the word 'natural' in a quotation from Book I of the *Wealth of Nations*, and at the bottom of the page another asterisk with the comment: "*natural* he had previously defined in this use as 'ordinary or average in a particular society or neighborhood'". The germs of Marshall's later distinction between 'natural' and 'normal' values can thus be discerned in these very early notes.

[17] There is some reason to believe that these notes on the Physiocrats, some of which are labeled as lecture notes, belong to the same advanced course as the notes on method discussed below.

[18] These notes are to be found in the folder M 4/19. Again, a full discussion of this manuscript as well as the date of its composition will be given when a transcription of these folios is published in a later issue of the *Marshall Studies Bulletin*.

[19] M 4/19: f.96-99. Note that there is a page missing in the middle of these notes (and the narrative thus jumps from the ancient Greeks to feudalism). It is of course entirely possible that later pages are also missing.

[20] M 4/19: f.99. The references are to "P.E. Spain", "P.E. in France", and "P.E. in Venice". Historical notes with these titles have not yet been located.

[21] M 4/19: f.16. Some care must be taken with this book list. Not only is it evidently incomplete, but also although clearly from approximately the same period as the main body of the notes, it is not clear that it forms a part of the lecture notes, and it may have been placed in this folder at a later date.

[22] M 4/19: f.98-9. Marshall refers to "Lassalle on absence of capitalism in feudal times", and also quotes from Lassalle's *Herr Bastiat-Schulze von Delitzsch* (1864).

[23] M 4/19: f. 97. The source is Schäffle, A. G. F., *Kapitalismus und Socialismus*, (Tübingen, 1870), p. 134. Marshall owned a copy of this book (which is now in the Marshall Library), and we may surmise that he bought it during his trip to Germany in 1870.

[24] *Correspondence*: I, 117. If it is indeed the case that Marshall's notes on the Physiocrats belong to the same early advanced course as these notes on method and terms, then it would seem to be demonstrated that Marshall's early approach to teaching theoretical economics was to a considerable extent a historical one, i.e. that both economic terms and also (at least some parts of) theory were explained by way of an account of the history of modern works on political economy.

[25] M 4/19: f.6; and see T. E. C. Leslie, 'The Political Economy of Adam Smith', *Fortnightly Review*, 8, November 1870, 549-563.

[26] 'The Political Economy of Adam Smith': p. 550. Marshall in his notes wrote: "Paragraph 4 of the article must be given in extenso." For Cliffe Leslie himself this insistence upon the intimate relationship between the history of economic thought and economic history was one of the defining features of German historical economics (see T. E. C. Leslie, 'The History of German Political Economy', *Fortnightly Review*, 24, 1875, pp. 93-101, where this form of the history of thought is associated especially with Roscher).

[27] Set texts for the History Tripos of 1874 included, for example, Guizot, as well as de Tocqueville's *L'Ancien régime*, Hallam and May's constitutional histories, Freeman's *History of Federal Government*, and Maine's *Ancient Law*.

[28] In 1873, following the report of a University Senate appointed Syndicate, the Cambridge History and Law Tripos was abolished and replaced by two independent triposes. The Syndicate had been appointed on May 23, 1872, and its members included not only John Seeley, Fenton Hort and Henry Sidgwick, but also Alfred Marshall. The Syndicate delivered its report in December 1872 (a slightly amended version of the report was delivered in February 1873), declaring that "the insertion of History among the subjects of the Law Tripos, which followed its removal from the Moral Sciences Tripos, has not been found to work well; and that the subject of History is so large and varied that it requires a separate and distinct Examination" ('Report', *Cambridge University Reporter*, Dec 18, 1872, pp. 131-6.) According to the 'Report' of the Syndicate, it was proposed for the Examination that one paper at least be allotted to a list of nine subjects, which as well as English History and special subjects "to be selected, generally speaking, from the periods termed Ancient, Medieval, and Modern respectively" (this wording is taken from the

amended report of February 1873), included Political Philosophy and Jurisprudence, Constitutional Law and Constitutional History, International Law and Treaties, and also Political Economy and Economic History.

[29] 'The Political Economy of Adam Smith': 552.

[30] M 4/13: f.20.

[31] H. S. Maine, *Ancient Law: its connection with the early history of society, and its relation to modern ideas*, (third edition, London, 1866), p. 91. Marshall's copy is in the Marshall Library.

[32] *Principles*: I, 756, n. 2.

[33] *Principles*: I, 758, n. 1.

[34] *Principles*: I, 507. Note that in this first chapter of Book VI of the *Principles* Marshall essentially retells the history of doctrines first set out in his early writings on the Physiocrats (M 4/15) discussed at the start of this section, only now this narrative is integrated into an account of the hold on these early economists of modes of thought related to the natural law tradition. In other words, this part of Book VI essentially combines the early notes on the Physiocrats with the distinction between natural law tradition and the historical method that Marshall arrived at in his long essay.

[35] *Ancient Law*. 170. Again, Marshall writes "Conf Hegels Beauty v. Law" by Maine's discussion of the tendency of the popular Athenian courts to confound law and fact (Hegel regards Greek subjectivity as "adolescent" - advanced enough for art and aesthetics, not advanced enough for the abstract contemplation of the law).

[36] *Ancient Law*. 74.

[37] See M 4/11: f.11.

[38] M 4/10: f.2.

[39] M 3/1 f.24.

[40] M 4/12 f.1.

[41] M 3/1: f.12.

[42] M 4/11: f.13; and see Hegel, G. W. F., *The Philosophy of History* (translated by J. Sibree; Prometheus Books, 1991), p. 338 (emphasis in original - both Marshall and Hegel).

[43] It is worth noting that here we see an instance of an initial adherence to the orthodox views of J. S. Mill eventually leading Marshall to a revision of Mill's position. Mill had been careful to emphasize that the doctrines of political economy were only applicable to modern societies dominated by competition rather than by custom. In the early 1870s Marshall certainly subscribed to this point of view, and we find in his early notes on method the declaration that the political economist must "neglect custom" and assume that "competition holds full sway" (M 4/19: f.95). As indicated by his statements about the recent growth of economic freedom in his lectures to women of 1873 (discussed below) Marshall evidently considered Hegel's notion of freedom to embrace the economic freedom designated by the term 'competition', and he certainly regarded his Hegelian account of pre-modern history as providing a story of the emergence of free competition out of a world of custom. It seems likely, then, that Marshall initially considered his Hegelian history to simply provide a means of delineating the competitive features of the modern world as assumed by Mill; yet this engagement with Hegel in fact led him to a revised conception of the modern world itself. Thus in the *Principles of Economics* we find Marshall declaring that competition "is only a secondary, and one might almost say, an accidental consequence from the fundamental characteristics of modern industrial life"; such fundamental characteristics being "self-reliance, independence, deliberate choice and forethought" (*Principles*, I, 5).

[44] M 4/10: f. 24 (the passage is copied from p. 21 of volume 1 of Max Müller's *Chips from a German Workshop* (London, 1867). Marshall comments in the long essay that "Hegel puts China first: but had he been acquainted with the results of more recent investigations tending to establish the local government of the village community as the earliest form of civilisation he would probably have put India first" (M 3/1: f.18). This does not even acknowledge the problem with his own historical narrative that is implicitly raised by Müller.

[45] It seems likely that Marshall was here in part influenced by J. S. Henderson's 'Hegel as a Politician: His Views on English Politics' in the *Fortnightly Review* of 1870 (volume 14, pp. 262-276). Henderson, who discussed Hegel's treatise on the British Reform Bill, pointed out that Hegel had argued for the need to strengthen the powers of the British crown, and suggested that Hegel's general insistence "on the necessity for an individual head or monarch" of the modern state (265) was the product of an overly "local" point of view which was apt to give rise to "defective and partial views regarding other nations". From Katia Caldardi's list of Marshall's collection of bound periodicals (*Marshall Studies Bulletin*, volumes 7 and 8) we know that Marshall had not only read Henderson's article, but had also considered it worthy of inclusion in his collection of bound articles.

[46] T. Raffaelli, 'The early philosophical writings of Alfred Marshall', *Research in the History of Economic Thought and Methodology*, *Archival Supplement*, 1994, 4: 57 – 158.

[47] T. Raffaelli, E. Biagini, R. Tullberg, (eds), *Alfred Marshall's Lectures to Women* (Edward Elgar, 1995), pp. 125-6. In this lecture Marshall summarized the narrative of his long essay by describing such historical progress as "proceeding almost regularly through the Eastern civilization to the Greek and Roman, checked then by the inundation of Teutonic custom, and expanding again until the present time." Note, in the quotation in the main text, the association of free economic circulation with freedom (or the lack of it) in habits of thought.

- [48] A. C. Pigou, *Memorials of Alfred Marshall* (London, 1925), p. 109.
- [49] *Lectures to Women*: 126.
- [50] When Mary Paley recalled Marshall's lectures in the academic year 1873-4 she was not referring to the lectures to women students discussed above, which she had attended earlier as an introductory set of lectures, but to Marshall's standard lectures in political economy for women students.
- [51] M 4/16: f.16.
- [52] *Correspondence*: 114 and 117.
- [53] That Marshall used Sibree's English translation of Hegel is clear. Which of the first three editions of the translation was used, however, cannot be ascertained. In general it is often possible to identify the edition used by Marshall by matching up the page references that he usually gives for the quotations that he makes. The first three English editions of Hegel's *Philosophy of History*, however, have identical pagination.
- [54] On the folio numbered 78a Marshall lists books used in compiling the first half of his 'long essay' dealing with the ancient world, and the last item on the list is "Say's History in his Cours". Both the quotations on the first page of the manuscript above can in fact be found in the 'abridged history of the progress of political economy' contained in J. B. Say's *Cours complet d'économie politique pratique* (Bruxelles, 1840) – Marshall's own copy of which is in fact in the Marshall Library (the translation would appear to be Marshall's own). Both quotations are to be found on page 564 of this edition, and Say here gives '*Elémens de Philosophie*, page 17' as the reference for the quote by D'Alembert.
- [55] This sentence has been altered from the plural to the singular past tense, i.e. 'discovered' replaces 'The discoverer', 'revolutionised' replaces 'revolutionises', 'moved' replaces 'moves'. Further, a previous sentence, and a following sentence have been crossed through and are no longer legible.
- [56] This folio written in a less polished hand.
- [57] This folio written in a less polished hand.
- [58] This folio written in a less polished hand.
- [59] Sic.
- [60] This last sentence is written in a later hand at right angles to the main text, and in part upon it.
- [61] This folio written in a less polished hand.
- [62] "*Population* (Buckle)" is the heading on four pages of Marshall's historical notes (to be published in the next edition of the *Marshall Studies Bulletin*).
- [63] From the sentence which begins "Plato in his Republic..." down to the page reference "(page 154)", Marshall is simply quoting Hegel. The comment placed in square brackets is however Marshall's own exegesis of Hegel's meaning. Note that where Hegel writes "higher classes are equal to the lower" Marshall writes "higher class are equal to the lower".
- [64] It would appear that originally Marshall wrote "habits of determining" but, in the same pen, changed the words to "habit of determination".
- [65] The closing quotation marks are in pencil, suggesting they were added later.
- [66] The words above the line are written in a different pen.
- [67] Sic.
- [68] The first two of the three emendations to this sentence are made in pencil, the third in pen – but a different pen from that used in the main text.
- [69] 'Xenophon' initially spelled 'Zenophon', but the Z crossed through and an X added above the line in pencil.
- [70] The word 'oligarchic' initially spelled 'oligarcic', and changed later in pencil.
- [71] Again, initially spelled 'Zenophon', but the first letter overwritten with an X.
- [72] This folio written in a less polished hand.
- [73] This folio written in a less polished hand.
- [74] This folio written in a less polished hand.
- [75] This folio written in a less polished hand.
- [76] Roscher states that 4 drachmae equal three marks, which Marshall renders as 'one Thaler' (which is the same value).
- [77] Both headings - 'Mommsen & Hegel' and 'Greek & Roman characteristics' - are written in a slightly different hand, and appear only on this first of fifteen numbered pages (in this period Marshall's usual habit is to place the same heading on every page of a set of notes on any one subject or from any one source).
- [78] Sic.
- [79] Sic.

- [80] This folio written in a less polished hand.
- [81] This folio written in a less polished hand.
- [82] This folio written in a less polished hand.
- [83] This (but only this) paragraph is written on the back of folio f.57.
- [84] This folio written in a less polished hand.
- [85] This folio written in a less polished hand.
- [86] This paragraph seems to have been derived from a page of Marshall's early notes on Smith's *Wealth of Nations* (M 4/5: f.33) in which Marshall had criticized Smith's preference for Roman over Greek education in his article on the education of youth.
- [87] This folio written in a less polished hand.
- [88] Again, the context of these last two paragraphs would seem to be Marshall's notes on Smith's *Wealth of Nations* contain an extended discussion of Smith's plans for an imperial parliament (M 4/4: f.54 – 56).
- [89] This refers to Marshall's historical notes with this title, which consist of some five pages headed '*Medievalism*', three of which are notes from Lecky, and two from Bridges. In the notes headed '*Bridges Medievalism*', the above one sentence quote (from Bridges 1866: 11) is continued over two folio pages. These pages will be published in the next edition of the *Marshall Studies Bulletin*. Note that in Marshall's historical notes is to be found also a transcription of a passage from p. 69 of Scherr's *Deutsche Kultur-und Sittengeschichte* (1866), headed '*Monasticism*' (although in the above passage Marshall refers to the book as opposed to his own notes).
- [90] The quotations on p. 95 are from R. B. D. Morrier's essay on the 'Agrarian Legislation of Prussia During the Present Century', in the Cobden Club collection *Systems of Land Tenure* (London, 1870).
- [91] This folio written in a different pen.
- [92] The word 'crusades' written in margin at right angles to two sentences directly above sentences.
- [93] This refers to Marshall's historical notes with this title, which will be published in a future issue of the *Marshall Studies Bulletin*.
- [94] All of the quotations on pages 96 (f.25), 97 (f.26) and 98 (f.27), unless explicitly attributed to Maine or Nasse, are from R. B. D. Morrier's essay on the 'Agrarian Legislation of Prussia During the Present Century', in the Cobden Club collection *Systems of Land Tenure* (London, 1870). Note, however, that not only are Marshall's quotations – as usual – somewhat loose, but also his spelling of various terms occasionally differs from those found in Morrier. Marshall also made extensive notes on the rest of Morrier's essay dealing with nineteenth century Prussian land reform.
- [95] Sic.
- [96] On page 383 of both the 1861 and 1872 editions translated by Sibree, the sentence Marshall is transcribing in fact reads "But obligation was not yet recognized by the German Spirit, which hitherto shewed itself only as 'Heart' and subjective choice".
- [97] This last sentence written in pencil.
- [98] Blakey writes "Visigothic code".
- [99] From half-way through the manuscript page numbered 106 to this point Marshall has been quoting from, first chapter VII, and then chapter XI of the first volume of Blakey 1855.
- [100] Sic.
- [101] Originally 'wonder', corrected in pencil.
- [102] Originally 'raised'; corrected in pencil.
- [103] In pencil in the margin by this last paragraph: "Guizot explains this".
- [104] Hallam spells the name of this colony 'Caffo'. Marshall appears to have first written 'Caffo' and subsequently changed the word to 'Caffa'.
- [105] This would appear to refer to one of Marshall's historical notes, but I have to date been unable to locate any page with this heading (a similar reference can be found in one of three folios on economic history contained in M 4/19).
- [106] This folio written with a different pen.
- [107] Sic.
- [108] This written in same hand but clearly added after page written, at top of page and closed off by horizontal line below and vertical line to the left.
- [109] Sic.
- [110] Both '*Staple Towns*' and '*Hanseatic League*' are references to Marshall's own historical notes; the latter has not yet been located.
- [111] Sic.

[112] Hegel's text here reads: "...it took its material from passion and caprice".

[113] Sic.