

# *Toward A New Intellectual History*

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IN OFFERING THIS essay I feel at once ambitious and diffident: Ambitious because the task of re-writing Western intellectual history is a project of enormous significance and scope. Diffident because such a task is far beyond my meager powers. I should therefore like to stress at the outset that the re-writing to which I refer has been—and is being—done by others, not by me. What I shall have to say derives from the researches of Maitland, Von Gierke, and Figgis in the 19th century, Frankfort, Dawson, Bloch and numerous others in our own.

The burden of my argument is that, in discussing the theoretical reconciliation of conservatism and libertarianism, the word "fusion" is a misnomer. It suggests that, in combining traditionalist and libertarian emphases, we are yoking together disparate elements. I would argue instead that we are describing a natural and necessary unity, and that it is the separation of these emphases that is unnatural and mistaken. It would be possible to show this, I believe, by a thematic reconciliation of the points at issue—to argue that a libertarian regime is better established on traditionalist assumptions about the nature of man, political power, and virtue, than on utilitarian or classical liberal assumptions; that a traditionalist ethic will ultimately require a libertarian social policy, and so on.

However, my approach in this essay will be historical rather than thematic. I shall argue that the unnatural separation of traditionalist and libertarian emphases occurs because of the way we have been taught our intellectual history. In the usual construction, it is assumed that the distinctive elements of modern Western society—scientific progress, democratic government, individual liberty, etc.—have been achieved by throwing off the religious traditions of the Christian Middle Ages, which are usually depicted as a time of in-

tellectual somnolence, stagnation of commerce and political repression.

That the facts of the case are rather different is something we are beginning to discover as a number of scholars have set about to reconstruct our intellectual genealogy. I think it can be shown that individual liberty, limited government, representative institutions and the scientific attainments of the West are products of biblical theism generally, and of the Christian Middle Ages in particular. To appreciate this perspective, it is necessary to reverse the usual tenets of economic and technological determinism, which holds that material forces somehow dictate political relations, ethical values and religious sentiments. What I am suggesting instead is a theological determinism: Which is to say, theology determines metaphysics, which determines political philosophy and institutions, which in turn determine the economic and technological organization of society.

From this standpoint the decisive development in the emergence of Western culture and its distinctive ethical, political and intellectual values is the advent of biblical theism. Numerous elements from classical antiquity, Teutonic tribal custom and adventitious circumstances of European political conflict were melded into the final product, but the controlling and integrating principles were those derived from biblical theism. As Frankfort, Eliade and others have instructed us, the polytheisms of antiquity assumed an ultimate divinity in nature. Gods of the sea, the river, the forest, the harvest, were to be feared, entreated and propitiated. To conduct these functions—to serve as "intermediary between humanity and the powers in nature," as Frankfort puts it—was the principal job of the pharaoh, king, or other political authority.

Theologies of this type, whatever their

other variations, had a number of traits in common. Most notably, they held man in subjection to nature and its recurrent cycles; they were essentially magical in character; and they viewed the state as a religious institution as well as a political one. Under such conditions, Western notions of individual freedom, limited government, and scientific progress could scarcely be imagined. The political state had a total lien on the energies and affections of the citizen. Nature was a cockpit of capricious and often warring divinities, and knowledge of its workings was magical and esoteric.

As Voegelin has shown at length, various of the ancient philosophers attempted to break past these barriers, and in some cases came close to doing so, albeit with attendant difficulties. But with the advent of biblical monotheism, the intellectual landscape was suddenly and drastically transformed. It was this transformation which, above all else, was responsible for the development of Western society and its distinctive mind-set. In the biblical perspective, God is the Creator of physical nature, but nature is not itself divine. There are no polytheistic deities of sea, wind, and harvest to be propitiated. Which means, among other things, that the political state no longer has this integrating function. The state exists within the providence of God, but its leaders now are charged, essentially, with keeping secular order. The political state is no longer capable of negotiating the final issues, no longer the unchallenged arbiter of divine intention in society.

As the political state is scaled down in the biblical perspective, so the individual is raised up. In the Christian view, every person is precious because he or she is a child of God, made in His image. Every person has an immortal, individuated soul, and is embarked on a drama of existence which has as its central issue the question of personal salvation. The result is an intense psychological individualism, the basis, as Gilson has noted, of the Western idea of personality. Other aspects of the biblical perspective are relevant also, but I shall

mention only three: (1) The idea of Covenant between God and the people of Israel, prior to the advent of Kingship. (2) The affirmation of the reality and goodness of the created order, as the handiwork of God. (3) The notion of an intelligible harmony in the universe, replacing the form-matter dualisms of antiquity (which afflicted the philosophers as well).

Dawson, Bark and others have convincingly argued that these notions provide the conceptual basis of Western society—its political institutions, its ideas of personal freedom, its science and its economic progress. From these beginnings we derive the precepts, contrary to the ancient view, that the king is *not* the law speaking; that the religious authorities—the prophets in the Old Testament era, the Church in the New—are separate from the political state, and may render judgment on it; that political authority arises from consent of the governed, and so on. It is precisely in the Christian Middle Ages that these ideas develop in institutional form. The leading political idea of the medieval period was of course constitutionalism—that the king was under God, and the law. This is the famous theme of Bracton—and retrospectively, of Fortescue and Lord Coke. Political power, moreover, was practically constrained by the authority of the church—and also by the wide dispersion of economic and military power that characterized the medieval equilibrium.

The second leading idea of the period, I would venture to say, was that of contract. The much-maligned feudal system was in fact a network of contracts—in which political allegiance was based on the notion of reciprocity. If the lord did not fulfill his obligation to the vassal, then the vassal's allegiance was dissolved. Such ideas were congruent both with the notion of individual worth on both sides of the transaction, and with the biblical idea of covenant. Also congruent with such notions, and dictated by the circumstances of the time, was the development of representative institutions. If we consult the Pipe Rolls recording the transactions of the early parliaments, we find kings affirming

rights and privileges of their subjects as a necessary condition of obtaining revenue which they did not possess of their own authority. Hence the tight connection, in our tradition, between popular government and the question of taxation.

If it seems strange to think of the medieval period as a nursery of free institutions, we need only reflect that Magna Carta was a preeminently feudal document, imposed on the king by the barons and clergy. And, from the other direction, we may also reflect that it was the "reception" of Roman law at the time of the Renaissance which revived the authoritarian precept that "the king is the law speaking." In the medieval era, these libertarian ideas and practices existed in a kind of emulsion. As Maitland says, to understand the era and its ideas of the "given-ness" of political institutions, we must "think ourselves back into a twilight." It was the religious-political crisis of the Reformation which forced the articulation of these concepts in their modern form.

That crisis presented situations in which a monarch of one confession sought to impose his rule on a sizable number of his subjects who held the opposite opinion. This confronted the subjects with the necessity of justifying resistance to the monarch, and sent them back to the medieval and biblical precedents. There they found the ideas of which we have been speaking: That the king is under God and the law, and must conduct himself accordingly; that the king, as a feudal sovereign, was reciprocally bound to provide his subjects with protection as a condition of their allegiance; and that the authority of kings, while ultimately of God, was on the biblical record intermediately of the people.

All these ideas were forcefully brought forward, by Catholic and Protestant theoreticians alike, as religious conflicts sharpened in the 16th century. We find them most coherently expressed in the *Vindiciae Contra Tyrannos*—which is at once an intensely medieval and intensely modern document. (It is noteworthy that, when the *Vindiciae* was published in London, the common assumption was that it had

been written by the Jesuits.) Such ideas were inevitably in conflict with the revived conception of expansive monarchy in which the word of the king was absolute law. The most relevant collision of these forces from our standpoint occurred in 17th century England, as Stuart kings confronted tenacious Parliaments filled with devotees of medieval constitutionalism and Puritan squires steeped in the covenantal doctrines of resistance. The apex of this struggle was the Parliament of 1628, populated by pre-Cromwellian Puritans and Sir Edward Coke, the common law incarnate.

This was the Parliament that adopted the Petition of Right, stressing traditional immunities against arbitrary taxation and imprisonment, and the Three Resolves, again denouncing arbitrary taxes and demanding Calvinist orthodoxy in the church. This Parliament represented the high-water mark of libertarian doctrine, derived from medieval sources, in the England of the 17th century. It was precisely at this phase of the proceedings that our own forefathers—intent on covenantal notions of church and civil government—departed England for these shores. They strongly objected to Laud's campaign to rule through bishops, and came to America to establish church and civil practice on congregational principles. They planted here not only the English common law but specific institutions of government derived from their medieval-feudal heritage and their covenantal theology.

In fact, these covenantal principles had already been partially established in Virginia, under the charter of 1618. This constitution was drawn up by Sir Edwin Sandys, son of a Puritan archbishop and traveller on the Continent when the *Vindiciae* was in fashion. Sandys had served on a parliamentary committee inquiring into the feudal prerogatives of the king, and argued in the House of Commons in 1613 that the power of the monarch was exercised under "certain reciprocal conditions" which "neither king nor people could violate with impunity." Virginia under the

Sandys charter, unsurprisingly, became the site of the first representative assembly in the new world, the House of Burgesses.

It was, however, in the New England colonies under the systematic Puritans that the implications of the medieval mind-set and covenantal theology achieved their greatest theoretical clarity. Again, as with feudalism, we must get past conventional stereotypes to understand the reality of the situation. While they were by no means modern libertarians and had no truck with religious toleration, the Puritans were anything but believers in unchecked authority. On the contrary, they were ardent constitutionalists, highly suspicious of arbitrary power. The characteristic Puritan view was stated by John Cotton, theologian-in-chief to Massachusetts Bay. "Let all the world," Cotton said, "learn to give mortal men no greater power than they are content they shall use, for use it they will.... It is necessary that all power that is on earth be limited, church-power or other..... It is considered a matter of great danger to the state to limit prerogatives, but it is a further danger not to have them limited."

Such opinions were dictated by the Puritans' pessimistic view of human nature and their heritage of Christian constitutionalism. The practices adopted in Massachusetts Bay were in keeping with this background. Thus, despite the fact that the Massachusetts Bay Company was a private corporation in which voting powers could have been restricted to the eight original members, the first meeting of the Massachusetts General Court in October 1630 was thrown open to the votes of 116 people—in accordance with congregational doctrine.

Other aspects of Massachusetts politics likewise reflected the influence of such principles: The strict separation of church and civil government (a minister could not hold political office); a strong emphasis on local town government; development of a bicameral legislature, on checks-and-balances principles; the adoption of the Body of Liberties—precursor to the Bill of Rights—in response to what was seen as the

undue influence of Governor Winthrop. In these developments, we find the embryo of virtually all the political institutions which were embodied in the constitutions of the several states, and were transferred thence into the Constitution of the new American Republic. From this perspective, it is possible to see that the institutions of limited, representative government, far from being products of secular intuition, were derivative from our religious heritage generally and the political practices of the medieval era specifically. It is a conceit of modernity to suppose that these ideas were invented by the theoreticians of the enlightenment.

A good example of this conceit is the usual treatment accorded the notion of "social contract." Most discussions of social contract assume the idea was invented by Locke, that it is a purely speculative, ahistorical concept, and that the American colonists imbibed the contractual principles expressed in the Declaration of Independence and other revolutionary documents from such sources. In response to these assertions, we need only note that—contrary to the usual statements on this subject—there *was* a society of historical record based explicitly on social contract: Plymouth Colony. The Mayflower Compact, which formed the basis of this polity, states "we do combine and covenant together to create a civil body politic...etc."

In view of what has been said about the contractual nature of the feudal tie, the biblical stress on covenant and the teachings of the *Vindiciae*, such an arrangement is hardly astonishing. Obviously, the Pilgrims got their social contract notions from such sources, not from Locke—who didn't publish his *Treatise on Civil Government* until 69 years later. (In fact, Locke derived his ideas about such matters from Hooker—who in turn derived them from the Christian-classical political tradition.) The social contract language of the American revolution, as it appears in the Declaration and in the writings of Chief Justice Drayton, is of similar provenance. These formulations—that the king has withdrawn his protection and is no longer

owed allegiance—are eminently feudal and virtually identical in logic and phrasing to the *Vindiciae*.

The attribution of ideas derived from the Western religious heritage to the secularism of the Renaissance and Enlightenment is equally mistaken in the realm of science, concerning which a brief footnote may be in order. As Stanley Jaki has recently argued in a series of brilliant books, the achievements of Western science, like the achievements of Western statecraft, may be traced to the influence of biblical theism, which posits the reality and importance of the created order, and which rejects the cyclical assumptions and form-matter dualisms of the ancient cosmologies and philosophers.

In the biblical perspective, as Jaki puts it, the universe is “a totality of interacting things,” harmonious in character and intelligible to human reason, which is part of the same creation formed by the same Creator. In this respect, it is noteworthy that Copernicus, Kepler and Galileo were all devout Christian theists, moved by an appreciation of the universal harmony in rejecting Aristotelian geocentrism. It is equally noteworthy that the Renaissance, with its revival of pagan ideas and practices, was famously hospitable to magic. The idea of a vast harmony with a multitude of interacting parts that gave birth to the Western conception of science is markedly similar, it should be added, to the idea of the market. In fact, it seems unlikely that market theory, envisioning the interaction of millions of transactions through the reconciling mechanism of a spontaneous order, could have arisen in any other cultural setting.

Even on a brief recapitulation, it should be evident that we have derived a host of political and social values from our religious heritage: Personal freedom and individualism, limited government-constitutionalism and the order-keeping

state, the balance and division of powers, separation of church and state, federalism and local autonomy, government by consent and representative institutions, bills of rights and privileges. Add to these the development of Western science, the notion of progress over linear time, egalitarianism and the like, and it is apparent that the array of ideas and attitudes that we think of as characteristically secular and liberal are actually by-products of our religion. It may be said, indeed, that the characteristic feature of liberalism, broadly defined—classical as well as modern—has been an attempt to take these by-products, sever them from their theological origins, and make them independent and self-validating. On the whole, it has not been a successful experiment.

Let me stress, by way of conclusion, what I am *not* saying in these remarks. I am not suggesting that wherever Christianity has reigned, there has been free government in all its plenitude, or that Christians have always adhered to the principles derived from their tradition. Nor am I saying the secular by-products of biblical faith may be taken as justifications for it. While these are good as far as they go, they are not the ultimate good, and the truths of religious faith are self-justifying.

What I am arguing, instead, is a kind of tautology: That the characteristic values and institutions of Western society have arisen and flourished only where the writ of Western religious faith has run—hardly an astonishing proposition unless one ignores the influence that religious belief, in one guise or another, exerts in the shaping of human cultures. It is in this context, I believe, that the central disputes between the traditionalists and libertarians among us may be resolved: Our tradition is a tradition of freedom, and our libertarian precepts are undergirded by the traditional values of our faith.