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Lee Ward. *The Politics of Liberty in England and Revolutionary America*. Cambridge: Cambridge University Press, 2004. x + 459 pp. \$90.00 (cloth), ISBN 978-0-521-82745-4.

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The Origin of a Species: The Making of Whig Political Thought

This is a challenging book to review fairly, especially at first glance. Initially it resembles a book out of time, a ghost of orals past, engaging in a debate that is now pass at best and, at worst, irrelevant. Ward began this study as a dissertation at a time when the advocates for the seminal importance of “liberalism” in Anglo-American thought were gravely and earnestly arguing with those who believed “classical republicanism/civic humanism” represented the crucial counter-tradition. Graduate students throughout the 1980s and into the 1990s sweated to learn the difference between the republicanism of J. G. A. Pocock and Gordon Wood, to plumb the depths of the arguments of James Harrington and Benjamin Hoadly, to fit the Founders, the framers, and every pamphlet and polemic (both crucial and obscure) into the proper species of the *genus* republicanism or liberalism. Liberation came from some seminal articles—like Daniel T. Rogers’s “Republicanism: the Career of a Concept”—which reflected a gradual and spreading awareness that the terms of the debate were themselves fundamentally flawed, rigid, and ahistorical, that the dialectic was ultimately false, and that too many other important aspects of the world of ideas and things were being excluded from close analysis by a conversation that had grown into the worst type of academic scholasticism.[1] As John Locke might say, the debate became overburdened with “so much glib Nonsense.”

Yet first impressions can be deceiving. True, Ward frames his project as an attempt to chart a new direction in the liberalism/republicanism debate along guide-

lines suggested in a twelve-year-old article by Lance Banning, but to dismiss Ward’s book as an artifact of a now largely irrelevant controversy would be sadly myopic. This study is too rich to be so quickly discarded and should prove important as a learned and deeply enlightening study of the philosophical origins and contours of Whig thought.

This is a complex book, but its complexity is more satisfying than infuriating. It is, as Ward claims, an “archeological” expedition to root out the formative, and indeed syncretic, influences that became characteristic of Whig political philosophy. The title is deceptive. It is not a study of the “politics of liberty” so much as a history of the intellectual roots of eighteenth-century Anglo-American Whig political theory. “Politics” as used in Ward’s book is not based upon elections, usurpations, or mobilizations, but refers to the broadest Aristotelian notion of the word: the moral philosophy of the relations of men in nature and civilized society. Ward is not interested in people and their struggles for power, as such, but in ideas, and the way specific ideas define and justify ordered, governable life. His ideas are not time out of mind, but located in seventeenth- and eighteenth-century Europe, England, and America, a fruitful, contested, and innovative period in the history of political thought.

Ward reconstructs the philosophical history of eighteenth-century Whig thought through a close analysis of the argument, meaning, and influence of three classic texts: James Tyrell’s *Patriarcha, Non Monarcha*

(1681), Algernon Sidney's *Discourses Concerning Government* (1698), and John Locke's *Two Treatises of Government* (1690). Although published at different times in the late seventeenth century, each of these works were largely written during the exclusion crisis—the period from 1678 to 1682 when a series of attempts were made by Parliament to alter the succession so that the Catholic James II could not ascend to the throne. Each work included a specific critique of Robert Filmer's defense of divine right monarchy, *Patriarcha* (1696), written during the heady pre-civil war debates but enthusiastically republished during the exclusion crisis. Tyrell, Locke, and Sidney are essential and foundational in Ward's argument, not only because this is the moment when the term "Whig" was first coined, but because, Ward argues, in these three authors and in this historical moment, the basic elements of Whiggism were fashioned by "the infusion of concepts, premises, and categories of seventeenth-century continental natural jurisprudence into the fundamental debate over English constitutional theory and practice in the Exclusion and Glorious Revolution periods" (p. 13). Tyrell's work and thinking became indicative of a strain of moderate Whig thought which emphasized constitutionalism and the supremacy of Parliament, while Locke and Sidney's idea became important "radical" branches of Whig thought which emphasized rights and republicanism and which in turn became particularly significant on the margins of Whig power—in the opposition to Walpole and in the American colonies.

Ward divides his discussion into three parts. Part 1 details the arguments of Sir Robert Filmer, as elaborated in *Patriarcha* and some of his other writings, in defense of divine right monarchy. But more than a mere exposition of Filmer, Ward takes the reader on a tour of many of the authors against whom Filmer reacted, including the Jesuit scholastics Francisco Suarez and Roberto Bellarmine, Calvinist resistance theorists Theodore Beza and Francios Hotman, Scottish Humanist George Buchanan, English parliamentarian Henry Parker, Dutch jurist Hugo Grotius, and the unique Thomas Hobbes, among others. Far from working in a vacuum, Filmer understood all the various traditions about the origins and legitimacy of political power circulating in the mid-seventeenth century, and he rejected them all. Filmer rejected any notion of natural liberty from various traditions of natural jurisprudence, any attempt at a scriptural support of resistance to tyrants, and considered any notion of mixed regime theory, ancient constitutions, or limited monarchy as inconsistent abominations that only led to anarchy

and lawlessness. The key to Filmer is the belief that Adam received absolute authority over the earth from God and that this divinely ordained patriarchal authority is represented most properly in kingly government. The natural state of mankind is one of subjugation and obedience, as ordained in the truth of the Holy Scripture. Kings were put on the earth to rule, and to be obeyed. To Filmer, consistency was the essence of beauty.

So we are happily placed in the broader traditions of classical and Thomist political thought, English and European traditions of natural jurisprudence, and Protestant and Catholic resistance theory, as well as the familiar categories of the common lawyers and ancient constitutionalists. Ward's opening discussion of Filmer is a feast of ideas. Some experts on the period may quibble with Ward's characterization of the coming of the civil war (for instance, he makes no reference to Nicholas Tyacke's *Anti-Calvinism*, which can be felt at times by Ward's lack of clarity about the place of Calvinism in the English church), but for the most part, Ward is not attempting to re-write the history of the civil war; Filmer is his real target, and he nails him.[2] Filmer emerges as an extremist amongst extremists. His divine right theory and emphasis on the natural subjugation of man is absolute; more absolute than James I's *True Lawe* (1603) and certainly more extreme than the mixed regime theory actually advocated by Charles I on the eve of the civil war.

Prepared by this long exposition of the major points and conflicts within Filmer, we are well equipped to take on the foundational Whigs, Tyrell, Sidney, and Locke, in part 2 of the book. But we move too fast. To get to the Whigs, Ward takes us on a discursive trip through the work of Samuel Pufendorf, who, Ward convincingly argues, had a crucial impact on the development of moderate Whig constitutionalism at the end of the seventeenth century. Tempered and frustrated by a lifetime of chaotic war and upheaval, Ward's Pufendorf emerges as the epitome of a moderate sensibility that emphasizes the rule of law. Following a Grotian notion of natural law and the origins of government, Pufendorf limits the potential of radical natural rights by emphasizing the contractual origins of political society. The original compact takes upon fundamental meaning; it creates the law of property, and all resistance to tyrants can only be justified when it is a community action to restore it. Individuals have no moral right to rebel. Pufendorf emphasizes not mixed, but "limited" regimes, a clarification which calls for one final location of sovereign power.

In Ward's reading James Tyrell introduced a "Pufendorfian Moment" which finally created a stable and theoretically grounded defense of British Constitutionalism that does not move towards absolutism or democracy. Using Pufendorf as an intellectual crutch, Tyrell fused natural jurisprudence with British constitutional and legal thinking and therefore created a deeply satisfying moral, legal, and political justification for parliament-centric constitutional monarchy. In Tyrell's world, the British Constitution is not a mixed regime, but a limited monarchy. "King-in-parliament" becomes the ultimate sovereign power in Tyrell's scheme, while the contractual origins of political society allow the theoretical and moral justification for the legal and constitutional limits on the power of the crown. The implications for individual resistance within Tyrell's scheme are clear. Tyrell's "Pufendorfian understanding of the natural law obligations informing human sociability produces a highly conservative notion of consent that commits the individual to support the continuation of the Constitution in its existing form" (p. 137). If resistance is necessary, it should always be "restorative" in nature, to re-establish traditional constitutional boundaries. Ward's description of Pufendorf's influence on Tyrell is one of the more interesting and convincing parts of the study.

From Tyrell we move to Ward's compelling reading of the life and letters of Algernon Sidney, who emerges as nothing less than a radical maverick whose aggressive style and eclectic political philosophy shines next to the lawyerly Tyrell. Emphasizing popular sovereignty and the creative power of resistance, Sidney emerges as a modern "natural rights" republican with a somewhat pressing (Machiavellian) fascination with the glory of warfare. Sidney follows Spinoza in his belief in democracy as the best form of government, while his enthusiastic belief in the power of reason puts him firmly in the Enlightenment. Ward makes Sidney look much more important for eighteenth-century developments than current authors would suggest and his conclusion that "Sidney's heroic vision of a modern republic grounded on natural rights and open to the liberating power of science, commerce, and general enlightenment would become a touchstone for radicals in England and America in the century to come," should make anyone interested in the political thought of the Atlantic world take another look at Sidney's *Discourses Concerning Government*.

After this reading of Sidney, Ward's treatment of Locke is a bit lackluster. Given the volume of sophisticated work on Locke, Ward admits that he is not really contributing much that is surprising, but he does clar-

ify elements of Locke that later influenced thinking on natural rights and constitutionalism. He also takes us through the rarely considered First Treatise, Locke's long attack on Filmer, to help clarify the radical importance of Locke's use of individual natural political authority, natural rights, and political sovereignty. The important elements of Locke's thought which Ward considers to be foundational to a "radical" Whig constitutionalism are "the delegation theory of sovereignty and the dissolution of government" (p. 247). Sovereignty comes from the individual's executive power in the state of nature, and is delegated to governmental institutions when political society becomes necessary. While Locke is not a radical republican like Sidney, he prefers powers to be balanced; he is much more overtly individualistic in his conception of the origins and legitimacy of political power. Unlike Tyrell, Locke allows for fundamental changes in political society from time to time; whenever the original arrangements of government no longer function and the government fails to protect the natural rights of property, the sovereignty invested in the institutions of the state devolves onto the people, and they can do with it as they wish.

With the "big three" of Whig thought examined, Ward turns to other evolutions of Whig thought throughout the eighteenth century, including those of Cato and Blackstone. His reading of Cato's letters is refreshingly sensible. He shows how John Trenchard and Thomas Gordon effectively combined radical Whig constitutional and rights theory into a practical critique of the corrupt British state, circa 1720. In essence, unburdened by the rigid definitions imposed by the "classical republicans versus liberalism" debate, we can return again to the fundamental insight first made by Bernard Bailyn in his *Ideological Origins of the American Revolution* (1967) of the crucial importance of Trenchard and Gordon to the American understanding of both individual rights and the British state. In Ward's reading, Cato is not only decidedly Lockean, but also much less enamored of the mixed British regime than has previously been argued. Blackstone emerges as the mature moderate Whig, clarifying the supremacy of Parliament which had become mainstream by the mid-eighteenth century, safe and widely respected. Tyrell's Pufendorfian moment becomes a Pufendorfian hegemony.

Part 3 of the book deals with the variants of Whig thought which influenced the American independence movement and the drafting of the state constitutions. Focusing on the writings of James Otis, Thomas Jefferson, and Thomas Paine, Ward gives us a very short sam-

ple of the complexity and variety of political thought in the American revolution, but still makes solid arguments. Ward presents a version of the place of rights in the American revolution which is diametrically opposed to the revisionism of J. R. Reid and Jack Rakove, who, among others, have emphasized the lack of importance of natural rights theory in the revolution and the founding. Ward, instead, follows his dissertation advisor, Michael Zucker, in emphasizing American employment of natural rights language as both a philosophical imperative and a revolutionary tactic. Here is where Ward's early engagement with the varieties of Whig thought pays off. In the crucial constitutional debate over the power of Parliament in the 1760s and 1770s, Ward shows convincingly that the patriots were operating from fundamental assumptions that had little to do with mainstream British conceptions of the meaning of the Glorious Revolution and the character of the British constitution. By showing that Trenchard and Gordon, and, later, Thomas Jefferson and Tom Paine, along with numerous American revolutionaries (as well as English reformers Joseph Priestley and Richard Price, among others) emphasized a radical Whig conception of natural rights, popular sovereignty, and the right of revolution that found its intellectual antecedents in John Locke and Algernon Sidney (but which was anathema to mainstream Whig constitutionalism by the middle of the eighteenth century), we can clearly see how the patriots and the British so readily talked past each other in the conflicts of the 1760s and 1770s. Ward's analysis is defensible and sensible, and helps us understand why the problem of rights in the American revolution simply did not end in 1776.

This is high intellectual history of a type still enjoyed by some political scientists, but which will not appeal to the tastes of all historians. Occasionally Ward's study indulges in the grosser extravagancies of pure histories of ideas. Studying ideas as a *science* requires a system of classification. But unlike those disciplines that are willing to share a common core of knowable elements, with properties arranged and classified in a periodic table, historians of thought have very few controlling definitions. Historians engaged with the intellectual history of the early modern Anglo-American world were verging towards such a lexicon (in the classic republicanism/liberalism debate), but this attempt failed precisely because scholars could not agree on definitions and labels. Pocock, alas, is no Linnaeus. The debate became a fight over jargon. Ward's book exhibits some of the difficulties this distressing problem of labeling can create. One example, of far too many, is a sentence like

this: "The preservationist Hobbesian core of Spinozist Sidneyan republicanism is subject to important qualifications however" (p. 195). Such flights leave the reader bewildered. We are too often forced to wrestle with such complex formulations, or worse, bad recipes. Tyrell is more Pufendorfian than Grotian, more Hookerian than Hobbesian, but with a smidgen of Hunter and perhaps a dash of Christian Aristotelianism. Ward and his mentor Michael Zucker could conceivably spend long hours debating whether Tyrell was more Grotian than Pufendorfian. A whole new literature could be spawned. For the most part, however, to be fair, all we can ask is internal consistency, and Ward, although at times abstruse, is relatively consistent.

Even so, labeling presents interpretive complications. For instance, James Tyrell's thought is described as "moderate Whiggism," but Tyrell's opus emerged when there can be no such thing as "Whiggism" because the term Whig was only just being coined. As for "moderate," the two authors he identifies as "radical" elements of Whig thought were published after Tyrell, so one wonders how can you have a moderate version of a thought before you have a radical version. Indeed, if Tyrell is moderate and Sidney and Locke are "radical," who is representative of "conservative" Whig thought? Burke? The Tories? But this is more a problem of labels than meaning, and Ward would be safer sticking to Tyrell as representative of later "mainstream" Whig constitutionalism, with Locke and Sidney representing possible variations on a theme.

Another consistent problem with pure histories of ideas is the ambiguity of change. Why do some thinkers make different arguments than others? The historical context provided by Ward is too thin and standard to be little more than stage scenery. At times, Ward emphasizes aspects of the biographies of these great men as the seemingly crucial component. So, for Filmer, his status as a Lutheran-leaning churchman seems most significant. Sidney's experiences in the Civil War and in the Long Parliament, and his travels around Europe are emphasized. But what about Locke and Tyrell? Their biographies seem rather similar, except perhaps for their relationship to Europe. Tyrell is an establishment Whig, Locke is a philosopher, Sidney is a revolutionary. Without a sense of why people are making the arguments they are making, we also have a difficult time seeing who is derivative and who is an original thinker. Because Tyrell, Locke, and Sidney are set up as the great originators of a Whig tradition, Blackstone, James Otis, Thomas Jefferson, and Tom Paine become mere ciphers, manipulating aspects of ideas to suit their own needs. But is this really

the case? Jefferson never thought Locke and Sidney were enough; as he noted, “there does not exist a good elementary work on the organization of society into civil government: I mean a work which presents in one full and comprehensive view the system of principles on which such an organization should be founded, according to the rights of nature.”[3] Without such a single work, Jefferson recommends no less than five: Locke, Sidney, Priestley on the first principles of government, Nathaniel Chipman’s *Sketches of the Principles of Government* (1793), and the *Federalist*. What does Locke not have? What does Chipman offer? That might be a better question. Why all these works? Pure histories of ideas are rarely adequate to understand how particular ideas are received, evolve, and are transmitted because very few tracts are intended to be *systematic*. And even when they are, they are not universally approved. Judgments made about the content of ideas at a given time, based upon overtly polemical, political, or propagandistic works, necessarily only provide a blurred narrative of ideas actually operating and changing. So why do some ideas appeal to some people in some moments? Why do ideas change in Ward’s story?

We might have a better sense of this if Ward had taken up the challenge of placing these ideas within broader, more human, more realistic, political contexts. Admittedly, this is very close to an unfair criticism. But consider one group entirely absent from Ward’s study, yet a subject of ridicule to Filmer, that is: “common people everywhere.” Writing about the dangerous proliferation of advocates for “natural liberty,” Filmer attacks not only the Catholic and Protestant resistance theorists, each of whom receive the attention of Ward, but also notes that “the common people everywhere tenderly embrace it.”[4] From Ward’s book we get no sense of the truth or lack of truth of Filmer’s assertion. Who are these “common people everywhere?” What role did they have in turning these high ideas into decisive action? As described by Ward, the Civil War, the Glorious Revolution, and the American Revolution are high constitutional debates where “the common people” are significantly absent as a political force, so we have very little sense of the meaningful effect of these contesting philosophies of liberty. When we receive only a deep reading of a few tracts, histories of ideas too easily escape the obligation of explaining how ideas function in the transformative popular movements in which they were articulated. Ward’s history of the Glorious Revolution is particularly lacking in this regard. He actually gives us a moderate Whig version of that revolution as a way to explain the moderate Whig theory of that revolution. We are blinded by light.

Finally, because Ward’s study seems interested only in the formulations and questions of an old debate, the work is silent on questions that have most recently animated the best scholarship, namely, the role of political, economic, and constitutional thinking in relation to the rise of the British fiscal/military state in the eighteenth century; the emergence of competing British conceptions of empire; the place and importance of nationalism in political thought; and the place of these ideas within a history of ideas in the Atlantic world. Ward seems well poised to help guide us on these issues, especially since his authors are clearly engaging in Atlantic problems. Locke and Tyrell’s constant use of the examples of the Americas, and Native Americans, to help explore the implications and potential of the state of nature; Grotius’s importance in the development of a commercial law of nations; Pufendorf’s hope to bring moderation to a world of war and exploitation; Jefferson’s expansive belief in the rights of expatriation; all are themselves using and reacting to realities presented by an Atlantic world that was essentially new in the seventeenth and eighteenth centuries. The problem of creating, perfecting, and governing states as a purely intellectual enterprise had been of great interest throughout the Atlantic world at least since More’s *Utopia* (1516) claimed to discover the ideal commonwealth somewhere in the American Atlantic.

Alas, timing is everything, and even if they are fads, current fashions in scholarship seem most pressing. If it had appeared in the early 1990s this might have been a great book. In the end it is a good book, and one that should help clarify, for those willing to engage with it, the flexible potential of eighteenth-century Whig thought.

Notes

[1]. Daniel T. Rogers, “Republicanism: The Career of a Concept,” *The Journal of American History* 79 (June 1992), pp. 11-38.

[2]. Nicholas Tyacke, *Anti-Calvinism: The Rise of English Arminianism, c. 1590-1640*, 2nd ed. (Oxford: Oxford University Press, 1990).

[3]. Thomas Jefferson to John Norvell, June 11, 1807; quoted in Andrew A. Lipscomb and Albert Ellory Bergh, eds., *The Writings of Thomas Jefferson*, 20 vols. (Washington, D.C., 1907), vol. 11: pp. 222-223.

[4]. Algernon Sidney, *Discourses Concerning Government*, ed. Thomas West (Indianapolis: Liberty Fund, 1996), p. 8.

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