

SOCIAL THEORY AND THE *PRINCIPIUM UNITATIS*

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Complex as is the immediate situation of social theory, a general view reveals some significant continuities, both spatial and temporal. The attitude of the pluralists, whether in theory or in practice, to the sovereign nation-state has more common ground than at first appears with that of the states themselves toward the nascent organs of international government; and the dilemma underlying both controversies is in fact nothing less than a restatement, in modern ideology, of an issue fundamental to the history of the entire Christian era.

That issue, stated in the broadest terms, centers about the relation between *de facto* and *de jure* sovereignty; or, more broadly still, between political and ethical, secular and spiritual, authority; and its importance may be suggested by the generalization that security in social relations is attainable, and has in fact been attained, only when the *de facto*, or political, sovereign—whatsoever form it may take—has been substantially integrated with the immediate source of ethical or moral authority. The pre-modern period of history abounds in statements, both factual and doctrinal, of this issue. Earlier times, authoritarian in temper and more eloquent in their language of personification and symbol than ours with its formulae, frequently gave it concrete and spectacular expression. Not again, in all likelihood, will it stand forth in the drama of another Lutetia, Canossa, or Worms; and its persistence is increasingly difficult to trace in the period following the triumph of rationalism, more especially since the virtual failure of idealistic theories of the state. It is not always understood, for example, that the felicific calculus of the utilitarians was essentially an attempt to restate a sort of divine-right doctrine in terms that would supply an intellectually demonstrable basis for a rational theory of law and government; although Bentham's application of the pleasure-pain principle

as the criterion, not merely of expedient, but of right conduct, clearly illustrates the nature of the quest for a *principium unitatis*.¹ In its teleological aspect, modern sociology shows the continued development of this effort, altered in method rather than in aim. Instead of the naïve and a priori language of the felicific calculus, theorists of the socio-psychological school—Ward, Giddings, and Macdougall, for instance—use the terms and concepts of modern psychology; while others—such as Ratzenhofer, Small, and MacIver—less idealistic in their outlook, construct a hierarchy or harmony of interests where the schoolmen placed a hierarchy of ordinations. In both schools the essential program is still the search for a unitary principle as between *de facto* and *de jure* sovereignty, political and ethical authority—“ethical” being here understood to include the designation of supreme interest (in the sense, for example, that the concepts of social solidarity and public need play a comparable rôle in Duguit’s system to that of *das Rechtsbewusstsein* in Krabbe’s); and “authority” admitting a subjective as well as an objective interpretation.

On the negative side, the current importance of the issue needs no emphasis. The denial of sovereignty involved in the pluralists’ insistence upon autonomous group interests has its counterpart in the reservation of “vital interests” of sovereign states from the scope of international arbitration treaties. The following citation from Holcombe is one of many possible illustrations of the persistence of the same quest in pure political theory: “The will of the real rulers of the state, therefore, becomes a general will and hence the proper source of a political authority from which justice must flow, when the powers which they exercise are derived from the consent, expressed or implied, of the governed. The laws which these rulers enact and administer are just, when designed for the welfare of the state and supportable, if not actually supported, by a sound and enlightened public opin-

¹ Cf. Maine’s essay *Roman Law in Village Communities*. “Much of the laborious analysis which Bentham applied to legal conceptions was directed to the establishment of propositions which are among the fundamental assumptions of the juriconsults.”

ion. . . . Popular sovereignty, rightly understood, is a philosophical, not a juristic, concept. The governments of modern democracies are merely more or less popular according to the degree to which the preponderant opinion in the conduct of public affairs approximates true public opinion."² The effort to bridge the gap between the "real rulers" and specific enactments on the one hand, and a generalized "justice" or "welfare" on the other, by means of a (hypothetical) "true" or ideal public opinion is to some degree typical of modern liberalism.

It is in the international sphere that the urgency of the issue is most patent: it is there that the attempt to reenact a *jus gentium* that shall be identifiable with *jus naturale* proceeds under the direst penalties. Within our national frontiers we have in many cases been able so to integrate the events of human association as to secure therefrom, not merely the minimum conditions of the good life, but some positive contribution to it. Yet across those same frontiers—which are graven rather in the minds of men than upon the surface of the earth—we have so far failed to project even a bare security for existence. In part, this failure has been due to the disparity between the rates of cultural advance in different regions; in part, to that between the various phases of culture itself, particularly between economic and social integration.³ In the economic sphere the situation is now rapidly changing; whether for better or worse, it rests with ourselves to decide. Material culture, with its social consequences, still advances at breathless speed—too rapidly, perhaps, for spiritual health;⁴ and most of us still labor under the nineteenth-century acceptance of that speed as axiomatic for all social thought, endeavoring to persuade ourselves against all evidence that the rest of our institutions will in time catch up. But within the

² *Foundations of the Modern Commonwealth*, pp. 37, 238.

³ Cf. Ogburn, *Social Change*, Part IV.

⁴ The following observation from Thomas and Znaniecki, *The Polish Peasant*, I, Intro., is suggestive: "The pace of social evolution has become so rapid that special groups are ceasing to be permanent and stable enough to organise and maintain organised complexes of attitudes of their members which correspond to their common pursuits. In other words, society is gradually losing all its old machinery for the determination and stabilisation of individual characters."

economic sphere the acceleration has shifted during the last few decades from the strictly productive to the distributive factors—a natural consequence of the unregulated accumulation of capital goods; and whether the continued advance of transport and communication is to wreck the world in a struggle for markets and raw materials, or to bind it in a closer solidarity of social culture, no man can yet say.

But it is time the alternative were at least realized. The disaster from which Europe is now struggling to recover has raised the problem of human solidarity to a plane upon which mere *de facto* political sovereignty is incapable of functioning; and the discovery, among heterogeneous communities, of a unitary principle adequate to support a unitary institution is now the larger aspect of the problem raised by the conflict of groups within the constitutional state. That problem has been solved once only—and that upon a far smaller scale and in vastly different terms—in fifteen hundred years. Yet from its solution in the Roman Empire enough of suggestive value remains to justify a brief commentary. All that is proposed in this connection is to outline a historical setting for the problem as it appears in contemporary social, and especially international, theory. But any reader who may be disposed to grant that social psychology has changed less than concepts and conduct patterns may gather a few hints of more direct significance as well.

Modern analytical history shows a distinct reaction against the tendency of earlier historians toward the idealization of Roman institutions, a reaction strengthened in recent years by a consideration of the military basis of the Roman system.⁵ It may be questioned whether this reaction, especially in the latter emphasis, has not gone somewhat too far. The military basis of the *pax Romana*—that supreme achievement of the pagan world to which its Christian successor has produced no parallel—has never been denied; but recent insistence upon it has tended to overlook two important considerations. The aggressive and expansive rôle of the military arm was virtually ended before the evolution of the

⁵ For a characteristic verdict see Barnes, *The New History and the Social Studies*, pp. 359–362.

imperial system had more than begun; and no contrast could be more important in its consequences than that between the Julian conception and the later policy of stabilization. A comparable contrast would perhaps be that between the character of the British military machine in India in the eighteenth and the twentieth centuries. The really constructive contribution of the military system from the second century onward lay in the provision, in the only way then feasible, of a universal medium through which the influence of the geographical expansion could be brought to bear upon the evolving Roman institutions.⁶ And the strength of the imperial edifice lay precisely in the breadth and adequacy of this institutional development, through which the effects of the central decadence insisted upon by sociological writers were both mitigated and delayed.

In this respect the contribution of Roman arms was basic. To them were due those physical lines of communication without which neither law, church, nor language could have extended its sway. Where they rested, economic communities sprang up about which the commerce of Europe in later days was to congeal: communities which acted in fact as the nodal points of the nascent western culture. For two centuries before Caracalla opened the gates of citizenship to all and sundry, they had furnished to both military and civil talent an avenue that might lead to the very center of the world. Enlistment served as an initiation into citizenship; and the discipline of the legions was the precursor of the discipline of the law.

Nothing indeed is more important to an understanding of the first five centuries of our era than an appreciation of the rôle played by the military administration in tiding over a period of change in the very nature of cultural institutions. In law, the period witnessed a secular change not only in technique, scope, and content, but in the concept itself. It was from the necessity of dealing with the "tribes without the law," i.e., the civil law, that the great edifice of equity arose. Cicero, in the last years of the republic, had anticipated to some extent that union of Greek thought and Roman practice from which so large a part of

⁶ Cf. Bryce, *Studies in History and Jurisprudence*, Essay I.

political theory, from Aquinas to Rousseau, was ultimately to arise; but equity as a principle rather than a "correction" of law was an idea unknown even to Aristotle.⁷ It was on the practical application of the concept to the essentially Roman problems of the praetorian office that the later edifice arose; and the very title of the *edictum perpetuum* indicates the prestige which gradually accrued, in this different setting, to the old Greek notion of *ισοτης*.⁸ It was perhaps fortunate for jurisprudence that the edict of Caracalla came no sooner; since the delay afforded occasion for the once despised *jus gentium* to attain that degree of breadth and importance upon which later thought could base its *principium unitatis*. The evolution was not strictly logical nor wholly free from accident; but it was none the less effective for that. Thus, two hundred years before Justinian, forces were working to produce, not merely that unity of law which marked the third century,⁹ but a transcendent principle of unity which still survives in our thought and our ideals.

The same period saw a deliberate evolution of the concept of the Empire as a factual reality. Even in republican times the idea of the Empire as eternal and indivisible was in men's minds; and when, under Diocletian and Constantine, the Roman dominion was no longer identified with the Roman city, one effect at least was to set the idea on a still loftier and more universal plane.¹⁰ "Having lost its local center, it subsisted no longer by historic right only, but, so to speak, naturally, as a part of an order of things which a change in external conditions seemed incapable of disturbing."¹¹ Thus, long before the full theory of the Holy Roman Empire was evolved, even before Constantine, the concept of imperial unity was something more abstract and universal than the physical supremacy of Rome. And this conceptual evolution, based on the physical unification achieved by the armies, on the spread of a Latin culture, and on the

⁷ Cf. Aristotle, *Nic. Eth.*, V, ii-v.

⁸ Maine, *Ancient Law*, Chap. 3.

⁹ Bryce, *op. cit.*, Essay II.

¹⁰ Bryce, *Holy Roman Empire*, Chap. 3; Ferrero, *Greatness and Decline of Rome*, Vol. V, Chap. 14. Cf. *Cambridge Med. Hist.*, Vol. I, Chap. 20, pp. 574-5.

¹¹ Bryce, *Holy Roman Empire*, Chap. 1.

development of a law universal in scope and theory, was carefully fostered by, and focused upon, the imperial office itself.

The temptation to interpret the cultural practices of the past by the ideology of the present has nowhere wrought more misapprehension than in regard to the sanctification and subsequent apotheosis of the emperors. It has been represented by numberless writers of the Christian tradition as a piece of crass superstition or wanton idolatry, despite its long background of tradition and precedent in the ancient world, its obvious suitability to the temper of the age, and the supremely important ends of policy which it served. In view of the essentially social nature of the Roman religion, and of the ancient and intimate connection of the office of *pontifex maximus* with the Latin kingship,¹² the assumption of that office by Augustus may be regarded as an entirely logical culmination of the unity he strove to reëstablish. And just as this step with the revival of the strictly Roman religion, was in accord with the spirit of the Senate and citizens of Rome, so the later apotheosis met the less sophisticated aspirations of the world outside her gates. In both cases there is ample evidence to show that the emperors were following rather than leading public opinion.¹³

The significance of the provincial origin of the emperor cult has been remarked by many writers. Those who have seen country folk filing through the Capitol at Washington, or gazing at the sentries of the Horse Guards or the Palace in London, may glean some faint hint of the effect produced by the imperial name and office on the minds of Roman provincials.¹⁴ Says Ferrero: "Gaul was the first European province to adopt, with greater readiness even than Greece and other Oriental nations, that cult of living sovereigns which originated in Egypt and which Asia Minor had transmitted to Augustus and to Rome. Gaul was Italy's neighbour, and had enjoyed republican institutions and elective

¹² Fowler, *Religious Experience of the Roman People*, Chaps. 8, 12.

¹³ Dill, *Roman Society from Nero to Marcus Aurelius*, Bk. IV, Chap. 3; Bryce, *Studies*, Essay II, note to p. 27; Sweet, *Roman Emperor Worship*, pp. 59, 67-68, and references there given; Cumont, *Mysteries of Mithra*, Chap. 3.

¹⁴ Cf. Bryce, *Holy Roman Empire*, Chap. 3.

magistracies but a dozen years before; yet she could not understand the ingenious organization of the supreme power in the republic which had enabled Rome to put an end to civil war; she could only realize the strange power of Augustus under oriental symbolism, and she regarded him as an Asiatic monarch who personified the State."¹⁵

As well indeed, we add, she might; for the emperor was literally the personification of triple authority—military, as *imperator*; legal, as *dominus mundi*; and religious, as *pontifex maximus* and subsequently *divus*. The emphasis put upon the deification policy, not merely nor mainly by such perverts as Caligula and Claudius, but by statesmen of the caliber of Trajan and Diocletian, indicates its supreme importance in the ideology of the Empire. If, in fact, we resist the temptation to the excessive rationalization of social conduct which perennially besets the historian, the dynamic rôle of the emperor-cult becomes obvious. While the task of evolving a unitary principle in terms that a later civilization could appropriate and understand was being gradually worked out by the juriconsults, the apotheosis of the emperors met the instinctive demand for a conceptual absolute in an expression suited to the universal early language of myth and personification. The cult was thus not only an ubiquitous stimulant to what Bryce has termed the "sense of an imperial nationality;" it was also the tangible keystone of a transcendental as well as a mundane unity. "The inevitable result" says Sweet "was unification. The emperor's name was carried throughout his vast dominions and his power known and felt everywhere. The center of this system is the imperial throne at Rome; its circumference, the outermost boundaries of the empire; its radii, the countless major and minor officials who wear the livery and perform the rites of the deified emperor, and in so doing bind every community, however remote, and almost every individual, to the royal person by the twofold bond of political loyalty and religious devotion."¹⁶ And it was because Christianity alone of all the cults gave overt challenge to this secret of the *principium*

¹⁵ *Op. cit.*, Vol. V, Chap. 9.

¹⁶ *Op. cit.*, p. 89.

unitatis that pagan Rome could not afford to ignore it. Able and tolerant rulers might well believe that more was at stake in the maintenance of the established world-order than any sect or prophet could be worth—as indeed a historian, viewing the entire sequel, might not impossibly contend even today; and of that order the ultimate sanction invoked in the deification was the supreme symbol. Small wonder that in later days, though the form of adoration vanished, the sentiment of reverence for the imperial office remained, surviving even the last faint vestiges of the Empire itself. Small wonder that, even today, the Italian effort to revive a national solidarity should reëvoke, in the Eternal City, the very symbols, the very gestures, of imperial Rome—so much, if nothing else!

Of the disruption of this dual unity of secular and spiritual allegiance, the whole of mediaeval history is the record. It seems, indeed, as if the problem had been solved only momentarily, and on the very eve of a conceptual era in which the terms of the dominant solution no longer applied. Much of the connection between the various biological and cultural factors of the disruption is obscure; but outstanding in the immediate foreground are the new subjective psychology of the Christian communism and the pressure of racial movements too vast and too rapid for assimilation. It is curious, though natural, that economic forces figured far more in the breakdown than they had in the upbuilding of the imperial solidarity. The reciprocity of economic interests had not, in the creative era, reached a stage at which it could exert much formal pressure upon other institutions; and the dynamic importance it subsequently attained was along lines that revealed the relative inadequacy of the technical to the conceptual culture. But there is colorable evidence in history for Woodrow Wilson's generalization that "interest does not bind men together: interest separates men. . . . There is only one thing that can bind people together, and that is common devotion to right."¹⁷ Unfortunately, the effort to give content to this abstract "right" in the matter of group relations has fared little better than the attempt to establish a reliable community of interest.

¹⁷ Speech at Manchester, Dec. 30, 1918 (Baker, Vol. I, p. 309).

The whole problem was well on its way to a new statement—although not as yet a new solution—when Constantine unwittingly left the See of Peter to inherit not merely the prestige, but, as it turned out, much of the secular leadership of the imperial city. Time and again, in the breakup of the West, events anticipated the use that was to be made in the twelfth century of Constantine's supposed donation. But apart from such excursions of the early papacy in secular leadership, the genius of Rome was evolving from the anarchy of the primitive faith a new imperialism whose power lay precisely in its independence of the temporal sovereignty; while with sure instinct the Church held as it were in reserve the one element of the early faith that could render that imperialism secure in the coming chaos—the superiority of the spiritual allegiance. Not that as yet, nor for several centuries, the claim was made to a supremacy of the spiritual authority in matters temporal; though it was latent in the situation, waiting until the closer integration of the national groups should in time force its assertion. But the duality of allegiance was in fact already established when Julian fought the last great fight of pagan Rome; and Gelasius was virtually defining a *fait accompli*.¹⁸ From the fifth century onwards the old unity of the *pax Romana* was split upon the principle “that human society is governed by two powers, not by one, by the temporal and the spiritual, and that these are embodied in two authorities, the secular and the ecclesiastical, two authorities which are each divine in their origin, and are, each within its own sphere, independent of the other.”¹⁹

That the dual allegiance thus laid upon mankind might issue, if not in a single suzerainty, at least in coterminous systems of community, was the ideal of the Holy Roman Empire: a dream whose splendor outshone ten centuries. Fate was against it. Thrust into being by the dim racial tides of the Middle Ages,

¹⁸ “Duo quippe sunt, imperator auguste, quibus principaliter mundus hic regitur: auctoritas sacrata pontificum, et regalis potestas. In quibus tanto gravius est pondus sacerdotum, quanto etiam pro ipsis regibus hominum in divino reddituri sunt examine rationem.” Gelasius I, Ep. xiii. See Carlyle, *Mediaeval Political Theories*, Vol. I, Chap. 15.

¹⁹ *Ibid.*, Vol. IV, p. 4.

new groupings, new allegiances, bore the two strains of the dualism farther and farther apart. From time to time—as at Aachen or Canossa—some titanic personality would reach out from one side or other to bind them briefly together; and throughout the whole period we watch the dual authorities striving, by combined force, prestige, and diplomacy, though often with genuine ideality of purpose, each to subvert the other to its orbit. But the old unity was gone, never apparently to come again. In the spiritual sphere, the various orders—but especially the lower—without breaking from the imperial authority of the Church, became more and more affected by the local solidarities of which they formed a part. In the temporal sphere the matter was more complex. The imperial title enhanced, but did not supersede, the tribal kingship.²⁰ Its prestige enabled the latter to extend its scope and strengthen its authority; but it could not merge the militant groupings in a lasting unity, even on the secular side. Under stress of necessity and in closer conformity with economic culture, the kingship was hardening in the rigidity of feudalism. A system of specific sovereignty was evolving which, despite its successive borrowings from the imperial idea, resisted in the long run all attempts to perpetuate the imperial reality. “As a matter of fact the principle of the Universal State was assailed while as yet the principle of the Universal Church was not in jeopardy. Especially in France, we hear the doctrine that the oneness of all mankind need not find expression in a one and only State, but that on the contrary a plurality of states best corresponds to the nature of man and of temporal power.”²¹ New solidarities absorbed the social consciousness as the new groupings stabilized. Monarchy, with its train of good and evil, partitioned the western mind; and that one bond to which even Luther and Calvin clung—the doctrine of a divine institution of both secular and spiritual powers—proved an inadequate foundation for the *principium unitatis*.

²⁰ Cf. Gierke, *Political Theories of the Middle Age*, Sec. V, and Bryce, *Holy Roman Empire*, Chap. 8.

²¹ Gierke, *op. cit.*, Sec. III, p. 20.

Yet throughout the investiture and Hildebrandine contests it is remarkable how often from either side the breach of peace or unity is made the ground of an indictment. Whether it is Geoffrey of Vendome or Wido of Osnaburg complaining of the harm done to body and soul, church and kingdom, by the contest of the powers, or Peter Crassus, Wido of Ferrara, and the author of *De Unitate* accusing the Pope, or Manegold the emperor, of destroying peace²²—we seem to detect in writers on both sides a dawning apprehension of what might follow the disruption of the dual unity. But as the national solidarities cohered, and the investiture issue waged its dreary progress, an unconscious change came over the *argumentum unitatis*. Ecclesiastical writers, deploring the disruptive tendency as loudly as ever, begin to speak in terms of the national rather than the imperial unity. Thus Gregory of Catino, arguing at the time of Henry V the impiety of resistance to the royal authority, goes on with practical good sense to emphasize the danger that may come upon the realm if the churches, with their wealth and vassals, refuse allegiance to “*rex vel imperator*.”²³ With Honorius, Hugh of Fleury, and in particular the writer of the *Tractatus Eboracenses*,²⁴ the practical end of the argument suffers a slight change of emphasis in favor of the *de facto* national unites. Hugh, who dedicates his work to Henry I of England, while making no concession in his spiritual doctrine, yet stresses the subjection of the bishops to the crown for the clear sake of national unity—“*ut universitas regni ad unum redigatur principium*.”

Outside the doctrinal dispute, the emergence of national allegiances is, of course, still more striking. Sentiment, tradition, custom, and interest were all congealing about the national foci, which the valiant sallies of the temporal empire served but to bring more fully into consciousness. And as the “drift towards monarchy”²⁵ persisted, more and more remote grew the fulfilment of Dante’s pathetic aspiration “that in this little plot of

²² Carlyle, *op. cit.*, Vol. IV, pp. 285, 227–31, 222, 239–42, 245–7, 233–6.

²³ *Ibid.*, pp. 106–8.

²⁴ *Ibid.*, pp. 286–94, 266–70, 274–7.

²⁵ Gierke, *op. cit.*, Sec. V, p. 30.

earth belonging to mortal men, life may pass in freedom and with peace."²⁶

With the specific theory of sovereignty which was thus growing up it is unnecessary here to deal. What is important for our immediate purpose is to emphasize the limits within which as yet that problem was confined. Those limits were set by the persistent principle of the divine institution of both spiritual and temporal powers; and the fact that, as Gierke puts it, "the Imperium Mundi which rose above the sovereign states had evaporated into an unsubstantial shadow,"²⁷ did not of itself alter the doctrinal position. For the divine authority originally confined to the emperor was being transferred, by a gradual and half involuntary movement, to the monarchies; and even the elective principle, as in Germany and England, is by no means to be understood as implying a modification of this view. Nay, Marsiglio himself is careful to preface his unique exposition of popular sovereignty²⁸ with a careful exclusion from the field of all Mosaic or divine ordinances; though his manner indicates pretty clearly how much importance he attaches to them. Not until the spiritual *imperium* itself was attacked, and the spiritual as well as the temporal empire disrupted, was there room for a radical revision of the doctrine of temporal authority. In truth, it was Luther more than any man who cleared the way for that new general theory of sovereignty which the modern world has so far failed to discover.

Not, of course, that Luther intended as much, nor anything like as much; but the stage was set for him. We must beware of imputing the fruition of an idea too exclusively to its content, irrespective of the soil on which it fell. It was none of Luther's doing that his teaching acted as such a drastic precipitate in matters temporal. The assertion of a divine institution of temporal authority, both general and specific, not merely survived but was immensely strengthened by Luther and his immediate followers. If Luther "destroyed in fact the metaphor of the two

²⁶ *De Monarchia*, Church's trans.

²⁷ *Op. cit.*, p. 97.

swords,"²⁹ the one with which he equipped his "godly prince" was double-edged. The utmost he would concede was the superiority, in case of conflict, of the spiritual allegiance. It was the Jesuits, not the reformers, who in the extremity of the issue let loose the full force of that argument against the temporal power, splitting wider apart, as they did so, the two halves of the *principium unitatis*. "When the Protestant writers on natural law always emphasize the divine ordinance of the State; when they willingly put the subject as against the monarch in the relation in which the child stands to a father whom it does not even choose; when, finally, they firmly hold the indefeasible majesty of the head of the State—the Jesuit writers on State law meet them with most decided opposition. In the interest of the Church they assert the human origin of the State by means of a primitive social contract, and it follows therefrom that where the prince shows himself unworthy of the power with which he is entrusted, the mandate which has been given him may be resumed. On the other hand, the head of the Church, whose origin is from above, cannot be deposed."³⁰

And while on the one hand early Protestant theory was thus attacked by the Church's reserve weapon, it was with something like horror that the reformers saw rising on the other hand the tide of radical individualism. It was no part of Luther's intention, nor of Calvin's either, that the doctrine of the autonomy of the individual conscience should be so promptly construed, first in act and then in theory, to imply the autonomy of the individual intellect and will; and the note of desperation is plain in their protests. Even a century after Calvin men could still be genuinely frightened at the prospect. "When I do hear men speak," says Ireton, "of laying aside all engagements to consider only that wild or vast notion of what in every man's conception is just or unjust, I am afraid and do tremble at the boundless and endless consequences of it. . . . If you do paramount to all constitutions hold up this law of nature, I would fain have any man show

²⁸ *Defensor Pacis*, quoted in Coker, *Readings in Political Philosophy*, p. 162.

²⁹ Figgis, *Divine Right*, p. 84.

³⁰ Erdmann, *History of Philosophy*, Vol. I, par. 252.

me where you will end.”³¹ Yet Ireton’s own sword (as he half realized) was hewing a way for the age of reason, and (as he feared) for heaven knew what unreason in its train. Inevitably; for the breakup of the spiritual *imperium* had shattered the foundations of the temporal unity; the divine sanction was dissolving into the thin air that gave it birth; and the last vestige of the *principium unitatis* had fallen with Charles’ head.

The world, in fact, had outgrown the bonds of the Middle Ages: the doctrine not merely of a divine institution of secular and spiritual authority, but of any extrinsic sanction of the moral law. And thus bereft, there was nothing for it but to reconstruct a general theory of sovereignty *ab ovo*. It was by no accident, but by sheer logical necessity, that Locke had to argue his way to the roots of the human understanding before he could set about formulating a new political philosophy.

³¹ Quoted in Ritchie, *Natural Rights*, p. 15.