

## CHAPTER II

### THE OLD FREEDOM: THE LAND-FREE MAN

"We have got to cheer and inspirit our people with the sure prospects of social justice and due reward, with the vision of the open gates of opportunity for all. We have got to set the energy and the initiative of this great people absolutely free, so that the future of America will be greater than the past, so that the pride of America will grow with achievement, so that America will know as she advances from generation to generation that each brood of her sons is greater and more enlightened than that which preceded it, know that she is fulfilling the promise that she has made to mankind."  
—WOODROW WILSON, *The New Freedom*, Chap. XII, p. 292.

How far are we prepared to go? Who can tell? So long as so many of us remain in the dark and fear the light this question is difficult to answer. Anyway we may assume that education will undoubtedly make for higher and broader vision. It is futile to expect millenniums for those who have been satisfied so long with the present condition of affairs. But an educated people may not only bring about economic miracles, they may, after the reform of material conditions, desire the best the arts can give to ennoble and restore again the spiritual excellence of the race. But we hear the admonition of the cautious man who cries "make haste slowly." We know the fear the cautious man has gnawing in his

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mind. Inured so long in a world which is not so bad a world after all, for the few, he is loath to change because he is conscious that many changes which have been called reforms have made conditions worse. There are numbers of well-intentioned men who feel deeply the economic injustice they see round and about them, men who feel the necessity for reform, but who are haunted with the idea that change might easily make conditions worse; consequently they grieve for what is, and do nothing. A great English statesman once pointed out that this might be the reason for so much indiscreet charity. But charity will not satisfy the demands which are made today.

How far are we prepared to go? Well, there is a demand for a true democracy founded on economic principles first of all. Who wants to go further than that? Let us have such a democracy and leave the millennium to look after itself. No new ideas are necessary for the bringing about of such a state. There have been true democracies. The tradition of the United States goes back to the truest democracy recorded in history. We have the records of it at our hands, and there is no reason why any man should remain in ignorance. Let us take a glance at its fundamentals. The story of the English democracy upon which this of the United States was largely based can be read in small compass in John Richard Green's *A Short History of the English People*, and also in Edward Freeman's *The Growth of the English Constitution*. Let it, however, suffice for our present purpose to give a short description of the principles which the English took with them when they invaded Britain.

"The basis of their society was the free man,

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and he never bent to a lord. Land was the accompaniment of full freedom, for the landless man ceased for all practical purposes to be free, though he was no man's slave." Green says, "the bulk of its freemen lived in homesteads, but amongst these were the larger homes of men distinguished among their fellows by noble blood, who were held in an hereditary reverence, and from whom the leaders of the village were chosen in war times, or rulers in time of peace. But the choice was a purely voluntary one, and the man of noble blood enjoyed no legal privilege among his fellows. The holdings of the freemen clustered around a moot-hill or sacred tree, where the community met from time to time to order its own industry and to frame its own laws. Here plough-land and meadow-land were shared in due lot among the villagers, and field and homestead passed from man to man. Here strife of farmer with farmer was settled according to the 'customs' of the township as its 'elder men' stated them, and the wrong-doer was judged and his fine assessed by the kinsfolk; and here men were chosen to follow headman or ealdorman to hundred, court or war. It is with reverence such as is stirred by the sight of the head-waters of some mighty river that one looks back to these tiny moots, where the men of the village met to order the village life and the village industry, as their descendants, the men of a later England, meet in Parliament at Westminster, to frame laws and do justice for the great empire which has sprung from this little body of farmer-commonwealth in Sleswick." In this glimpse of our early history we cannot fail to notice some differences from present conditions which are truly fundamental. How we have been led to believe

that freedom began its career towards the end of the eighteenth century in France and America is something which will puzzle the historian of the future. Men of a generation ago were taught to regard the early history of England as the source of democratic institutions and look sceptically upon the institutions of intermediate ages. Edward Freeman says, "As the continuity of our national life is to many so hard a lesson to master, so the continuity of our political life, and the way in which we have so often fallen back on the very earliest principles of our race, is a lesson which many find specially hard. But the holders of Liberal principles in modern politics need never shrink from tracing up our political history to its earliest beginnings. As far at least as our race is concerned, freedom is everywhere older than bondage; we may add that toleration is older than intolerance."

Democracy is old, as old as freedom, and it is not in works which record comparatively modern political institutions we can learn to know and understand the fundamentals of a true democracy. Freeman says that the history of England should be studied in the Statute-Book, but it must be in a Statute-Book which begins at no point later than the Dooms of Æthelbert. The struggle of the English people for freedom has not been at any time accompanied by a demand for new laws; indeed, all through that long struggle the demand has been for the restoration of the old laws. It was so at the time of Edward the Confessor, at the time of John, at the time of the Tudors and the Stewarts, at the time of William and Mary, and even in our own day, when, a few years ago the Commons and the Lords were in conflict. And what was the American revo-

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lution but a demand coming from English people to govern themselves according to the old law and custom of England? That issue was clouded because some people imagined that George III ruled according to the old law of the English constitution.

Who would turn to the history of Greece to learn what democracy is, when the history of England is a simple matter for any one who can read the language to master? It is like a wondrous fairy tale, that story of the long ago, when we were free and tolerant. In Taine's *History of English Literature* the story is told vividly. The great Frenchman describes us in this way:

Each in his own home, on his land and in his hut, was his own master, upright and free, in no wise restrained or shackled. If the commonweal received anything from him, it was because he gave it. He gave his vote in arms in all great conferences, passed judgment in the assembly, made alliances and wars on his own account, moved from place to place, showing activity and daring. . . . We find women associating with the men, at their feasts, sober and respected. She speaks, and they listen to her; no need for concealing or enslaving her, in order to restrain or retain her. She is a person, and not a thing. The law demands her consent to marriage, surrounds her with guarantees, accords her protection. She can inherit, possess, bequeath, appear in courts of justice, in county assemblies, in the great congress of the elders. Frequently the name of the queen and of several other ladies is inscribed in the proceedings of the Witenagemote. Law and tradition maintain her integrity, as if she were a man, and side by side with men."

Again we find another fundamental difference between the old and the new. In restoring to women their political rights, regarded as an innovation by so many, we are only in our clumsy, ponderous, modern way giving her the place in society which she held twelve centuries ago. Stubbs, the great historian,

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has well said, "the roots of the present lie deep in the past, and nothing in the past is dead to the man who would learn how the present comes to be what it is. . . . Without some knowledge of Constitutional History it is absolutely impossible to do justice to the characters and position of the actors in the great drama; absolutely impossible to understand the origin of parties, the development of principles, the growth of nations in spite of parties and in defiance of principles. It alone can teach why it is that in politics good men do not always think alike, that the worst cause has often been illustrated with the most heroic virtue, and that the world owes some of its greatest debts to men from whose very memory it recoils." These glimpses of ancient history are taken to remind us that we had great beginnings, that democracy is very old, older indeed than kingship. Can we learn from the past? I think we can; indeed, the present can teach us very little as to economic and political reformation.

That the old democracy is better than the new, every student of history must agree. Only, however, in some of the cantons of Switzerland is there a remnant left of true democracy. Freeman says, "In the institutions of Uri and Appenzell, and in others of the Swiss Cantons which have never departed from the primeval model, we may see the institutions of our own forefathers, the institutions which were once common to the whole Teutonic race, institutions whose outward form has necessarily passed away from greater states, but which contain the germs out of which every free constitution in the world has grown."

The passing of the old true democracy marks a period in our early history of exceeding importance

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for those who wish to study the political changes of modern times. It is difficult to understand how so many historians have missed that point when true democracy passed and power was usurped by a ruling class. Unless one has studied this epoch it is impossible to have clear ideas of the vast political differences there are to be found in similar forms of government. Green describes the change that took place and marks the period in the following lines:

“The principle of personal allegiance embodied in the new nobility tended to widen into a theory of general dependence. From Ælfred’s day it was assumed that no man could exist without a lord. The ravages and the long insecurity of the Danish wars aided to drive the free farmer to seek protection from the thegn. His freehold was surrendered to be received back as a fief, laden with service to its lord. Gradually the ‘lordless man’ became a sort of outlaw in the realm. The free churl sank into the villein, and changed from the freeholder who knew no superior but God and the law, to the tenant bound to do service to his lord, to follow him to the field, to look to his court for justice, and render days of service in his demesne. While he lost his older freedom he gradually lost, too, his share in the government of the state. The life of the earlier English state was gathered up in its folk-moot. There, through its representatives chosen in every hundred-moot, the folk had exercised its own sovereignty in matters of justice as of peace and war; while beside the folk-moot, and acting with it, had stood the Witenagemot, the group of ‘wise men’ gathered to give rede to the king and through him to propose a course of action to the folk. The preliminary discussion rested with the nobler sort, the final decision with all. The clash of arms, the ‘Yea’ or ‘Nay’ of the crowd, were its vote. But when by the union of the lesser realms the folk sank into a portion of a wider state, the folk-moot sank with it; political supremacy passed to the court of the far-off land, and the influence of the people on government came to an end. Nobles indeed could still gather round the king; and while the folk-moot passes out

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of political notice, the Witenagemot is heard of more and more as a royal council. It shared in the higher justice, the imposition of taxes, the making of laws, the conclusion of treaties, the control of war, the disposal of public land, the appointment of great officers of state. There were times when it even claimed to elect or depose the king. But with these powers the bulk of the nobles had really less and less to do. The larger the kingdom the greater grew the distance from their homes; and their share in the general deliberations of the realm dwindled to nothing. Practically, the national council shrank into a gathering of the great officers of Church and State with the royal thegns, and the old English democracy passed into an oligarchy of the closest kind. The only relic of the popular character of English government lay at last in the ring of citizens who at London or Winchester gathered round the wise men and shouted their 'Ay' or 'Nay' at the election of a king."

We consider this a point of utmost significance, and it must be fully grasped if we are to have a clear understanding of our political affairs and modern forms of government. We must not let ourselves be misled, diverted from the facts, by some present-day historians when they with some dexterity toss about such terms as monarchy, republic, autocracy, democracy, and bureaucracy. If we keep constantly in mind the true democracy of old and know how it passed away, we shall have little difficulty in deciding the nature of the reform we should undertake. Keep also this important fact in mind: that the English people have experienced pretty nearly all forms of government. Since the Norman conquest they have known all kinds of rulers. No people has such a history, and yet in all their greatest struggles they have asked for nothing new. Stephen Langton, Simon de Monfort, Sir Thomas More, Pym, Hampden, Cobbett, and Cobden, and many others, are names which mark only a few of the periods in Eng-

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lish history when the people asked for their old liberty to be restored.

Every demand the people of England made at a time of great crisis was clear cut; they knew what they wanted. So it must be with us; we must have a definite idea of the nature of the change to be made. But no great advance can be made until the ideas intimated by Mr. Schwab are openly discussed anywhere and everywhere. Our universities must open their doors to the Mr. Schwabs, and the faculties and trustees should be especially invited to take part in the discussion.

While science must go always forward, adding to its data and developing its processes, in politics the tendency, with us, must be backward, back to true democracy. Already the signs of dissatisfaction are manifold. Do we not hear serious complaint of a co-opted Cabinet, not in direct touch with Congress? There have recently been many articles published in favour of adopting the English budget system. Frequently now we hear of the necessity of making the executive heads of the Government as directly responsible to the legislature as are the Prime Minister and Cabinet to the Houses of Parliament. Now these are questions which show there is a body of thoughtful people, slowly realizing that our boasted form of democratic Government is not representative, as we have been taught to imagine, but that it is *delegated*; and that which we have learned to call a democracy is as different in intention and procedure from the old democracy established and practised in England as Church practice of Christianity is different from the principles practised by Jesus. Like Christianity, indeed, democracy must work backward to the ideal.

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