

Research paper on territorial rulers, old regimes and the demand for change in ea...

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Thomas Ertman identified four types of territorial states in early modern Europe, all of which faced significant strains, challenges from below and demands for change that finally culminated in the French Revolution of 1789. Even Britain, which had already experienced two revolutions in the 17th Century that overthrow the absolutist monarchy and established the principle of parliamentary supremacy, underwent significant strains and conflicts at that time, with demands for greater democracy in political and economic life. Britain's bureaucratic constitutionalism, which had replaced the absolute Tudor and Stuart monarchies, managed to weather the storm more or less intact (Ertman 187). So too did the bureaucratic absolutism of Hohenzollern Prussia, although naturally Germany would continue to experience periods of major unrest and revolutionary upheaval into the 20th Century (Ertman 245). In Latin Europe, with Old Regimes Ertman characterizes as patrimonial absolutism, reforms and Enlightened Despotism in the 18th Century failed to stave off revolution, most dramatically in France (Ertman 125). A fourth type of regime, which Ertman regards as highly exceptional on the continent of Europe, was the patrimonial constitutionalism of Hungary and Poland, where local notables, aristocrats and oligarchs had resisted the formation of an absolutist state of the type created in Germany, Austria and Russia. In the 18th Century, this form of state proved to be militarily uncompetitive with its stronger, absolutist neighbors, and Poland disappeared from the map while Hungary lost most of its independence and autonomy (Ertman 300). Most of Ertman's book is devoted to explaining and analyzing various theories of how these various types of states came into being in the medieval and early modern period,

and why some of them proved to be far more durable than others when confronted with demands for change.

All of the states in early modern Europe came into existence in a period of tremendous internal and external conflicts, religious wars, colonial expansion overseas, and the rise of commercial and industrial capitalism. Charles Tilly (1985) and Perry Anderson (1974) were among the researchers who examined the question of how these first territorial states came into being and why they took on a certain political character, such as absolutism on most of the continent of Europe and liberalism in Britain and Holland. They accepted Max Weber's thesis that Europe was unique in the world at that time for creating "the exceptionally penetrative sovereign, territorial state" combined with market economics, which proved far more durable than other models such as city-states, feudalism or old-style empires (Ertman 3).

Ertman's approach was to concentrate on the "means of administration" of these territorial states, once it became necessary to have an apparatus larger than the monarch's court or personal household. Patrimonial regimes were one solution to the problem, with a great deal of power in the hands of tax farmers, local nobles, and bourgeois who purchased their offices, and these could exist in constitutional or absolutist states. These were typical of France, Spain, Portugal, Tuscany, the Papal States and Naples, which all had absolutist rulers, as well as the constitutional states of Hungary and Poland, where the nobles controlled the legislative bodies. On the other hand, the bureaucratic state became the norm in Germany, Austria, Britain and Scandinavia, again under either absolutist or constitutional regimes. In this type of state, the apparatus had a certain degree of autonomy and a life of

its own, not simply subject to the whims of kings and ruling elites but following “ strictures of a formalized, impersonal administrative law” (Ertman 9). Indeed, these bureaucracies seemed eternal, and continued on and kept expanding regardless of changes of regime.

Most historians and political scientists made a stark contrast between the absolutist states and the liberal, constitutional order in Britain, and maintained that absolutism developed because of the greater threat of land invasions on the continent. Tilly believed that behind the construction of every great nation lies a great crime, or even many great crimes, with the modern nation-state being defined as having a monopoly on violence and coercion. All the European nation-builders in the 17th, 18th and 19th Centuries started out in highly fragmented or feudal societies, controlled by rival gangs of nobles, barons and aristocrats. At first, they had no intention of creating modern nation-states since no such entities had ever existed in history before that time. The Bourbon, Hohenzollern, Stuart and Tudor kings sought was capital and a monopoly on military force so suppress all rival warlords. They did not hesitate to use pirates, bandits and mercenaries to achieve their ends, and made little moral or legal distinction between legitimate or illegitimate uses of force. Both war making and state building qualify as organized crime or a protection racket, rather than more idealistic exercises in social contracts, liberalism and obtaining the consent of the government. Insofar as those occurred at all, they came after the nations were established by military force (Tilly 170-71). This process took decades or even centuries in Western Europe, with the eventual winners employing “ subjugation, dividing, conquering, cajoling, buying as the occasions might

present themselves” (Tilly 173). At first the monarchs created their military machines “ through sustained struggles with their own subject populations”, but eventually reached various compromises and accommodations with them (Tilly 175). This failed to account for the endurance of constitutional systems in Poland and Hungary into the 18th Century, even though they had virtually no commercial or capitalist class to support them.

Civil rights and civil society finally broke into full public consciousness during the 18th Century, at least in North America and Western Europe. In the 16th and 17th Centuries, the commercial towns of northern Europe began to accumulate wealth from the colonial trade, including slaves and slave products. New ideas about science, technology and politics developed in these urban areas, especially among the literate and educated middle class, while traditional religion declined (Ishay 324). Although agriculture was still the chief economic activity in every European country in the 18th Century, including Britain, the commercial towns became “ essential for the advance of human rights” given their relative autonomy from the feudal system (Ishay 325). Initially the mercantile bourgeoisie was allied with the absolute monarchs like Charles I of England and Louis XIV of France, who ruled without parliaments. As Bishop Bossuet put it, these monarchs were “ the sole representatives of God on earth” and French-style absolutism was widely copied and admired throughout Europe (Ishay 355). Yet in the Glorious Revolution of 1688 and the American Revolution of 1776, the mercantile and financial capitalists began to exert more independent political influence to act as a check and balance to royal authority.

Britain and Holland, as the most advanced and ‘ modern’ economic powers

in the 17th and 18th Centuries, had ‘ bourgeois’ or capitalist revolutions before any other European state. They avoided the harsher militarized absolutism of Russia, Prussia and Austria, where the towns, independent peasants and commercial classes were weaker and more easily bought off by the state (Ertman 17). Even Poland and Hungary, which were more feudal than the Western countries, also retained “ powerful representative institutions” into the 18th Century that prevented the formation of bureaucratic or absolutist states. Nobles controlled the legislative bodies and prevented too much power from accruing into the hands of kings and bureaucrats, although there was a much smaller bourgeoisie or commercial capitalist class compared to Britain and Holland. In the end, though, these regime types proved to be throwbacks and were unable to survive against their more centralized and militarily powerful neighbors. Britain withstood all attempts by stronger states to invade its home islands or destroy its overseas empire, but Poland disappeared from the map in the 18th Century and Hungary suffered a “ partial loss of independence (Ertman 32). Civil society in the towns became the bastion of human rights, and the middle class led the reform and revolutionary movements by virtue of literacy and education. Freedom of the press, religion and association was a vital concern to the middle class and its articulate leaders like John Adams, Voltaire, and Jean Jacques Rousseau. For this reason, the American Bill of Rights and the French Declaration of Rights listed the “ free communication of ideas and opinions as one of the most precious rights of men” (Ishay 327). Even the concept of the autonomous individual was a modern development, as was the right of privacy, personal autonomy from traditional families and

communities, and choice of marriage partners in the ‘Romeo and Juliet revolution’. Early modern society also placed a new emphasis on bodily decorum, cleanliness, improved table manners and “clearer lines of demarcation between individual bodies and greater respect for bodily integrity” (Hunt 10).

Among the educated middle classes, just coming into class awareness and consciousness in the 18th Century, newspapers, novels, pamphlets and political and religious tracts proliferated. Even though peasants remained in the majority everywhere, these middle class merchants, shopkeepers and professionals were in the vanguard of modern individualism and human rights. For the revolutionaries of France and their supporters throughout Europe, the typical organization for discussion of radical and revolutionary ideas was the fraternal lodge, club and political association. New ideas about the rights of freedom of speech and opinion spread rapidly to Switzerland, Italy and Germany, which had “270 bourgeois reading societies” in the early-1790s (Ishay 327). Even absolute monarchs began to respond to these new impulses of humanitarianism and individual rights, which led to the abolition of judicial torture in Prussia (1754), Sweden (1772), France (1780) and in the United States in the 1789 Bill of Rights (Hunt 15).

In the history of Western liberal and democratic thought, the social contract theories of John Locke has been far more influential than those of Thomas Hobbes. Although both Locke and Hobbes imagined that all persons once existed in a state of nature and contracted together to form a government, their image of humanity could not have been more different. Locke was not a democrat in the modern sense, but he did regard human beings as generally

rational and capable of cooperation for mutual benefit, while Hobbes thought human nature was basically violent, greedy and cruel. For Locke, all persons had a natural right to life, liberty and property, even in their natural condition, and they could overthrow the state if it violated those rights. This had indeed occurred in the English Civil War and again in the Glorious Revolution of 1688, which Locke justified in *Two Treatises on Government* (1690) on the grounds that the absolutist Stuart monarchs had violated the natural rights of the people. In *Leviathan* (1660), Hobbes denied the existence of natural rights and asserted that the main purpose of the state was to maintain order. He did not particularly care whether the state was a monarchy or parliamentary system as long as it carried out its essential purpose of controlling the greed, savagery and violence of the masses. In this sense, he should probably be considered one of the foundational theorists of authoritarian systems of government, compared to the more liberal or (potentially) democratic views of Locke and the other Whig theorists.

John Locke was far more optimistic than Hobbes about the humanity and his state of nature was nearly as brutal. Hobbes did not really believe that reason or morality existed at all in nature, but only the law of kill or be killed, although his ideas were not necessarily in “the mainstream of the contract tradition” (Mills 15). In Locke’s state of nature all persons were “equal and independent” and had a natural right to “life, health, liberty” and property (Locke Chapter 2). Human beings were rational and merely contracted together to form a state so that it could better protect the rights of all than they could do individually. Government could only be established by the

consent of the governed, and since they always retained their natural rights they could also withdraw this consent if these were violated. As Locke put it, the “liberty of man, in society, is to be under no other legislative power, but that established, by consent, in the commonwealth; nor under the dominion of any will, or restraint of any law, but what that legislative shall enact” (Locke Chapter 4). Locke formulated this theory not simply as an abstraction but to justify the Glorious Revolution of 1688, in which Parliament had overthrown King James II and installed William and Mary in his place. Since the king had violated the natural rights of the people, the social contract had been broken and therefore he could be removed from power. Other Whig theorists in the 17th Century like James Harrington and Thomas Gordon had drawn similar conclusions about natural rights and popular sovereignty and were prepared to carry them in an even more radical or democratic direction than Locke (Main 2004, p. 10).

Thomas Hobbes was an atheist and materialist who did not believe in the divine right of kings, nor did he particularly care which form of government was contracted as long as it maintained order. Given that his book *Leviathan* was a product of the English Civil War and the religious wars of the era, human beings operated primarily out of fear and greed which led them to create governments that would protect their lives and property. In his most famous phrase, human life in a state of nature was “solitary, poor, nasty, brutish, and short” (Hobbes Chapter 13). Until the state was established by social contract “there hath no right been transferred, and every man has right to everything and consequently, no action can be unjust” (Hobbes Chapter 14). In their natural state, humans robbed, raped and plundered at

will, unrestrained by any superior power, and they routinely used violence “ to make themselves masters of other men's persons, wives, children, and cattle; the second, to defend them; the third, for trifles, as a word, a smile, a different opinion, and any other sign of undervalue” (Hobbes Chapter 13). Once the state was established, however, its power was absolute and it could only be overthrown if it failed to fulfill its primary function of keeping order. Hobbes certainly did not expect that it would be a democracy or that all persons would have equal rights and no matter whether the government was a monarchy or a republic, it would operate in a highly authoritarian manner.

Both Hobbes and Locke rejected the older concepts of absolutism or the divine right of kings, but drew very different conclusions about the nature and purpose of the state. Given his relative optimism about humanity and belief that all persons retained their natural rights even before they entered into social contract, the Locke's ideal state was more liberal than the Hobbesian one. Both men were writing at the dawn of industrialization at a time when the Western empires were in the first phases of their expansion, colonizing, enslaving or exterminating various peoples that whites considered inferior. When they considered the state of nature, they therefore had the example before them Africans, Pacific Islanders and Native Americans who seemed to be in a state of nature and basically inferior to Europeans. As Charles W. Mills wrote in *The Racial Contract* (1997), the social contract theories may have been theoretical, but until fairly recent times " duties, rights, and liberties have routinely been assigned on a racially differentiated basis" (Mills 93). In the Anglo-American political tradition,

Locke's more liberal ideals of natural rights and popular sovereignty won out over the pessimism and authoritarianism of Hobbes, but only in the last century or so was the concept of equal rights for all extended to women and nonwhites.

Without the French and American Revolutions the concept of universal human rights would not have existed in the Western world. Even Hugo Grotius wrote his famous treatise about natural rights and international law in 1625 "in the midst of the Dutch revolution for independence from Spain" (Hunt 4). Thomas Hobbes had argued that natural rights had to be abandoned to maintain order in society, but the French and American Revolutions insisted that they were universal. Even the English Bill of Rights (1689) had claimed that life, liberty and property were "ancient English rights" but never declared them to be global in application. (Hunt 5). Denis Diderot and Thomas Jefferson stated that they were both universal and self-evident, as did the Declaration of Independence and Declaration of the Rights of Man and the Citizen. As late as 1787, though, Jean Paul Rabaut Saint-Etienne did not believe that non-Catholic religious minorities in France should have equal civil and political rights in France. Two years later, the National Assembly voted to extend full citizenship right to Protestants and "after considerable back and forth" to Jews in 1791 (Hunt 16).

That same year, it also granted equal rights to blacks in the colonies, which was followed almost at once by a slave revolt in Santo Domingo. In 1794, the Jacobins abolished slavery completely in the French Empire, although it was restored by Napoleon. In contrast, the U. S. did not extend equal citizenship rights to religious minorities until the 1820s, while full equality for blacks was

not achieved until the constitutional amendments after the Civil War—and in practice full equality for blacks, Jews and Catholics did not really exist until the mid-20th Century. Women’s rights were still “ in the shadow” in the French Revolution, though. (Hunt 17). Nevertheless, Olympe de Gouge wrote a Declaration of the Rights of Women in 1791, which was debated and voted down by the National Assembly (Ishay 377). Nor would Mary Wollstonecraft’s *Vindication of the Rights of Woman* (1792) have been possible without the French Revolution.

In the long run, the greatest challenge to absolutism and various feudal-patrimonial systems would be the liberal-democratic systems that emerged in Britain, Holland and North America. This danger was seen clearly by every monarchy and aristocracy in Europe after 1789, which is why most of them fought for the status quo or to turn back the clock. Civil society had existed long before the French Revolution as had the concept of natural rights, and in retrospect the French and American Revolutions appear to be a culmination of developments that originated in the Renaissance and Reformation, and the development of capitalism and a middle class in the commercial towns. Both of these 18th Century revolutions proclaimed that human rights should be considered self-evident and universal in the Declaration of 1776, the U. S. Bill of Rights (1789) and the Declaration of the Rights of Man and the Citizen (1789). No founding documents of any revolutions had had such declarations in the past, and after 1789, the French Revolution inspired supporters throughout Europe, and as far away as Latin America and the West Indies. In very short order, women, slaves, religious minorities and the working class all demanded that these rights be granted

to them as well instead of only to middle and upper class white men, and they still are today. Far more than in America, the French Revolution also promised social and economic rights and even presaged the welfare state, which Thomas Paine and other radicals at the time insisted should have the same weight as individual political and civil rights.

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