THE ENGLISH HISTORICAL REVIEW

NO. LXIII.—JULY 1901

William Stubbs, Bishop of Oxford

NO readers of the 'English Historical Review,' no English students of history, no students of English history can have heard with indifference the news that Dr. Stubbs was dead. A bright star had fallen from their sky. This is not an attempt to speak on behalf of those who had been his close friends, or even of those who, without being his close friends, yet knew him well. Evidently there is much to be told which only they are privileged to tell of a man who was good as well as great, of a kindly and generous, large-minded, warm-hearted man. Then there is the bishop to be remembered, and the professor, the colleague in the university, and the counsellor of other historians, whose ready help is acknowledged in many prefaces. Evidently also there is something to be added of good talk, shrewd sayings, and a pleasant wit. Of all this some record has been borne elsewhere, and fuller record should be borne hereafter. But to this journal rather than to any other there seems to fall the office of endeavouring to speak the grief of a large but unprivileged class—namely, of those to whom Dr. Stubbs was merely the author of certain books, but who none the less cordially admired his work and who feel that within our English realm of historical study there has been a demise of the crown, or rather that they have had a king and now are kingless.

Representatives of this unprivileged multitude would, I take it, be hard to find among Oxford men unless they were too young to remember the days when the great books were coming from the press. It is with many misgivings that I shall endeavour to say a little part of what should be said. But when I was asked to do so, some battered and backless volumes told me of happy hours and heavy

debts. Also I was not sorry that an opportunity for some expression of gratitude to the historian of the English constitution should be given to one whose lot is that of teaching English law.

The bishops of London and Oxford have but just left us, and our thoughts may naturally go back to the year 1859, when Hallam's death was followed by Macaulay's. It is to be remembered, however, that some years have already fled since Stubbs and Creighton retired from the active service of history. Already we may think of them as belonging to a past and a remarkable time. Was there ever, we might ask, any other time when an educated, but not studious Englishman, if asked by a foreigner to name the principal English historians, would have been so ready with five or six, or even more names? Freeman and Froude, Stubbs, Creighton, Green, and Seeley he would have rapidly named, and hardly would have stopped there, for some who yet live among us had already won their spurs. It is fair to say that the English historian who wishes to have numerous readers in his own country had better give to that country a large share of his attention. I fancy that Creighton gained the public ear somewhat slowly, and that the well-known Seeley was not the Seeley who wrote of Stein. Still it was a remarkable time, prolific of work that not only was good but was generally praised. Also we may notice the close connexion that existed between these masters of history and the English universities, but more especially the university of Oxford. The time when the active labourers had been Grote and Carlyle, Buckle and Palgrave, men in whom neither Oxford nor Cambridge could claim anything, and Edinburgh could not claim much, had been followed by a time when Oxford had become a centre of light whence historians proceeded and whither they returned. History seemed to be in the ascendant, and an *Historical Review* was needed. Now it might be too much to say that if a laurel crown had been at the disposal of the public that reads history this prize would certainly have fallen to Dr. Stubbs, but there can, I think, be little doubt about its destination if the only awarders had been the generally recognised historians and votes for self (which in some cases may properly be given) had been excluded. Of some weighty voices we can be very sure, for they have spoken in prefaces and dedications.

At least there should, so it seems to me, be no doubt about the award that should be made in this journal. The greatness of historians can be measured along many different standards, and far be it from any one to speak slightly of the man who, without adding to what was known by the learned, has charmed and delighted and instructed large masses of men. His place may be high, and even the highest, provided that he be honest and reasonably industrious

in the search for truth. But such a man will find his reward in many places. Here we have to think first of the augmentation of knowledge—the direct augmentation which takes place when the historian discovers and publishes what has not been known, and the indirect augmentation which takes place when his doings and his method have become a model and an example for other scholars. And here Dr. Stubbs surely stood supreme.

No other Englishman has so completely displayed to the world the whole business of the historian from the winning of the raw material to the narrating and generalising. We are taken behind the scenes and shown the ropes and pulleys; we are taken into the laboratory and shown the unanalysed stuff, the retorts and test tubes; or rather we are allowed to see the organic growth of history in an historian's mind and are encouraged to use the microscope. This 'practical demonstration,' if we may so call it, of the historian's art and science from the preliminary hunt for manuscripts, through the work of collation and filiation and minute criticism, onward to the perfected tale, the eloquence and the reflexions, has been of incalculable benefit to the cause of history in England and far more effective than any abstract discourse on methodology could be. In this respect we must look to the very greatest among the Germans to find the peers of Dr. Stubbs, and we must remember that a Mommsen's productive days are not cut short by a bishopric. The matter that lay in the hands of our demonstrator was, it is true, medieval, and the method was suited to the matter, but in those famous introductions are lessons of patient industry, accurate statement, and acute but wary reasoning which can be applied to all times and to every kind of evidence. The very mingling of small questions with questions that are very large is impressive. The great currents in human affairs, and even 'the moral government of the universe,' were never far from the editor's mind when he was determining the relation between two manuscripts or noting a change of hand, and then if he turned for a while to tell big history it was with a mind that still was filled to the full with tested facts and sifted evidence.

In 1857 a project in which the honour of England was deeply concerned took shape: the Rolls Series was planned. Looking back now we may see that a considerable risk was run. A supply of competent editors was wanted, and the number of men who had already proved their fitness for the task was by no means large. We may fairly congratulate ourselves over the total result, though some indifferent and some bad work saw the light. In such matters Englishmen are individualists and libertarians. The picture of an editor defending his proof sheets sentence by sentence before an official board of critics is not to our liking. We must take the ill along with the unquestionable good that comes of our free manners. It would be in the highest degree unjust were we

in the present case so to distribute light and shade that one bright figure should stand out against a gloomy background. There were accomplished men and expert and industrious men among the editors. There was the deputy keeper himself, and Dr. Stubbs, who measured his words of praise, called Sir Thomas Hardy illustrious. Luard there was, and Madden and Brewer ; but we have no wish to make what might look like a class list. However, it must be past all question that Dr. Stubbs raised the whole series by many degrees in the estimation of those who are entitled to judge its merits. Not a few of his fellow editors would gladly have admitted that they learned their business from him, and that they were honoured when their books were placed on one shelf with his. We cannot say that without him there would have been failure, but the good work would have had some difficulty in floating the bad. His output was rapid, and yet there was no sign of haste. In the course of twenty-five years seventeen volumes were published, besides such a trifle as the 'Constitutional History;' and every one of those volumes might fearlessly be put into the hands of learned foreigners as an example—a carefully chosen example, it is true—of English workmanship. Praise was not grudged by learned foreigners. When extracts from the English chronicles were being published in the 'Monumenta Germaniae,' men who well knew good from bad work, and the best work from the second best, carefully examined what Dr. Stubbs had done, and pronounced it perfect. His knowledge of the manuscript contents of English libraries, episcopal registries, muniment rooms, and similar places must have been unrivalled, and he seemed to have at his fingers' ends all the information that had been collected by the Hearnes and Bales and Tanners. But also from the first he was distinguished by the sureness with which he trod on foreign ground, and though no Englishman will blame him for devoting his best powers to English history we may often wish that he had interpreted medieval Germany, or even modern Germany, to Englishmen. Though very English he was never insular.

Meanwhile it was becoming evident that under the pretext of introducing chroniclers Dr. Stubbs was writing excellent history on a large scale. Whether in an adequately governed country he would have been allowed to do this we need not inquire. A 'brief account of the life and times of the author' was permitted by official instructions, and 'any remarks necessary to explain the chronology' might be added. These elastic terms were liberally construed. Sir Thomas Hardy must have seen that he had found the right man, and the vicar of Navestock proceeded to explain chronology in his own manner and to the delight of many readers. To begin with, he explained the chronology of the crusades so freshly and so vigorously that after many years we turn back with

joy to his explanation. There is room for differences of opinion touching the relative merit of the various introductions: each of us may choose his favourite. The Hoveden was the first that I read, and, perhaps because it is an old friend, there is none that I like better. Into these earliest introductions Dr. Stubbs poured the contents of a mind that was brimming over not merely with facts but with thoughts. What, we may ask, could be better conceived or better executed than the sketch of Henry II's foreign policy and its consequences? Where but in the 'Walter of Coventry' shall we look for the quarrel between John and Innocent? Whither do we go for the age of Dunstan or for the age of Edward II? Then there is the gallery of portraits in which the statesmen and the prelates and the men of letters of the twelfth century stand before us real, solid, and living. We feel that every scrap of available knowledge about them and their families and their surroundings has been fused and utilised by a constructive and sympathetic mind which has found details and has given us men—'erring and straying men.' Dr. Stubbs's men err and stray in a most lifelike manner.

The worst of this plan of writing history in the guise of introductions was that Dr. Stubbs never received at the hands of the large public just that palm which the large public was competent to bestow. He was, so it seems to me, a narrator of first-rate power: a man who could tell stories, and who did tell many stories, in sober, dignified, and unadorned but stirring and eloquent words. If an anthology were to be made of tales well told by historians, and the principle of selection paid no heed to the truthfulness of the passages, but weighed only their verisimilitude and what may be called their æsthetic or artistic merits, Dr. Stubbs would have a strong right, and hardly any among the great historians of his day would have a stronger, to be well represented. But the large public knows or guesses that constitutional history is arid; the little book on the early Plantagenets is highly compressed; some of the seventeen lectures are—as many lectures may properly be—a little too garrulous to be good reading; and the well-told stories and the lifelike portraits are where the large public will not look to find them.

It is not a little surprising that a man who could paint men so well, and so well tell stories, a man (we may add) who loved a pedigree and was fond of tracing the hereditary transmission of landed estates and psychical traits, should have decided to make the great effort of his life in the history of institutions. That he had a strong taste for law—and the history of institutions is the history of public law—cannot be denied. It has often seemed to me that if he had changed his profession he might have been a very great judge. But if there was taste there was also—this often appears—a strong conviction that constitutional history is the absolutely necessary background for all other history, and that until this has been arranged

little else can be profitably done. I do not suppose that the great task was irksome, but still it was a task to which duty called.

What are we to say of the 'Constitutional History'? Perhaps I have just one advantage over most of its readers. I did not read it because I was set to read it, or because I was to be examined in it, or because I had to teach history or law. I found it in a London club, and read it because it was interesting. On the other hand it was so interesting, and I was so little prepared to criticise or discriminate, that perhaps I fell more completely under its domination than those who have passed through schools of history are likely to fall. Still, making an effort towards objectivity, must we not admire in the first instance the immense scope of the book—a history of institutions which begins with the Germans of Caesar and Tacitus and does not end until a Tudor is on the throne? Then the enormous mass of material that is being used, and the ease with which this immense weight is moved and controlled. Then the risks that are run, especially in the earlier chapters. This last is a point that may not be quite obvious to all; but is it not true that the historian runs greater and more numerous dangers if he tells of the growth and decay of institutions than if he writes a straightforward narrative of events? Would Gibbon's editor find so few mistakes to rectify if Gibbon had seriously tried to make his readers live for a while under the laws of Franks and Lombards? Then, again, we recall the excellent and (to the best of my belief) highly original plan which by alternating 'analytical' and 'annalistic' chapters weaves a web so stout that it would do credit to the roaring loom of time. While the institutions grow and decay under our eyes we are never allowed to forget that this process of evolution and dissolution consists of the acts of human beings, and that acts done by nameable men, by kings and statesmen and reformers, memorable acts done at assignable points in time and space, are the concrete forms in which the invisible forces and tendencies are displayed. When compared with other books bearing a like title Stubbs's 'Constitutional History' is marvellously concrete.

It is possible that by trying to blend or interlace two styles of history Dr. Stubbs sometimes repelled two classes of readers. The man who wants events and actions, characters and motives, may find more than he likes of institutional development and even of technical law, while there may be too many facts and details, names and dates and moral judgments for those who desire a natural history of the body politic and its organs. But to both these classes of students it may be suggested that in the present state of our knowledge concerning men and their environment both methods must be used, and that our highest praise should be reserved for one who can use them concurrently. Also Dr. Stubbs's book is extremely 'well

documented,' as the French say, and those who have had occasion to criticise any part of it would willingly confess that its foot notes were the starting points of their own investigations. A word too should surely be said of the art—unconscious art, perhaps, but still art—whereby our interest is maintained not only throughout the long crescendo but also throughout the long diminuendo. Dr. Stubbs saw English history and taught others to see it in a manner which, if I am not mistaken, was somewhat new. Somewhere about the year 1307 the strain of the triumphal march must be abandoned; we pass in those well-known words 'from the age of heroism to the age of chivalry, from a century ennobled by devotion and self-sacrifice to one in which the gloss of superficial refinement fails to hide the reality of heartless selfishness and moral degradation.' It was no small feat for an historian who held this opinion to keep us reading while the decades went from bad to worse, reading of 'dynastic faction, bloody conquest, grievous misgovernance, local tyrannies, plagues and famines unhelped and unaverted, hollowness of pomp, disease and dissolution.' And yet he kept us reading, and even those whose unfortunate experience compels them to think of the book chiefly as one whence pupils must be taught can, if they get a spare hour, still read and still admire. It is so solid and so real, so sober and so wise; but also it is carefully and effectively contrived.

As regards permanence, probably we ought to distinguish. It is difficult to believe that the account of the twelfth and three next following centuries will become antiquated until many a long day has gone by, though mistakes will be found and additions will be made. On the other hand it would be foolish to say that Dr. Stubbs knew the earlier centuries as he knew the twelfth. That is impossible; the evidence is too small in quantity and too poor in quality. Many an investigator will leave his bones to bleach in that desert before it is accurately mapped. It may be doubted whether Dr. Stubbs himself was fully aware of the treachery of the ground that he traversed. He had studied the evidence for himself with his usual thoroughness. Nevertheless he was under the guidance of German explorers. This an Englishman who means to do good work in those ages is likely to be. The Germans have some advantages over us. For one thing, legal education has been good in Germany, and consequently the German historian, be he lawyer or no, can use a much more accurate set of terms and concepts than such as are at our disposal. This may lead him to make about old times theories that are too sharp to be true, but he sees possibilities that are concealed from us in our fluffier language, and the sharp one-sided theory will at least state the problem that is to be solved.

Dr. Stubbs chose his guides well. In particular any one who is

praising his first chapters should turn aside for a moment to do reverence to the great Konrad Maurer. It is pleasant to think that Dr. Liebermann has been able to dedicate his edition of the Anglo-Saxon laws to this veteran scholar—*dem Altmeister der germanischen Rechtsgeschichte*. When Dr. Stubbs published his book those first chapters well represented the best learning of the time; but *die germanische Rechtsgeschichte* did not stop in 1878, and Dr. Stubbs stopped there or thereabouts. No doubt the author of a work which is obviously becoming classical has a difficult question before him when new editions are demanded. How much to alter in order that the book may keep abreast of advancing knowledge? How much to leave unaltered in order that the book may still be itself? Dr. Stubbs made some changes, but not many that were of importance. It is allowable to regret that he made so many and yet so few. He sometimes leaves us doubting whether he is deliberately maintaining in the nineties a position that he held in the seventies. It is apparent that he was slow to change opinions when he had once formed them; but we do not always know precisely how much he is reaffirming and how much he is simply leaving alone. To have altered the foot notes would have been laborious, for the books, especially the German books, to which students were rightly sent in 1878 can hardly have been the first to which the bishop would have wished to send them in 1897. Conservatism, however, is the note of the methodological preface prefixed to the last edition of the 'Select Charters,' which one of its readers must confess that he does not altogether understand. Some one is being reprimanded. But who? Fustel de Coulanges? We can only guess. A laudable desire to avoid controversy, coupled with a desire to warn the young against seductive guides, seems to have made the bishop's words for once obscure, and this at an interesting moment, for he was publishing what might be called his last will and testament. But whether those early chapters are destined to wear ill or to wear well, they represented an almost immeasurably great advance beyond anything that had previously been written in England; nor can we say that, as a general picture of the first age of English history, they are likely to be superseded in the near future. This being so, the conservatism that their writer displayed was, to say the least, pardonable. He wished to hold fast that which had been good.

Conservative Dr. Stubbs was in another sense, but it may be a testimony to his fairness and to his rigorous and praiseworthy exclusion of modern politics from the middle ages if I say that it was possible to know the 'Constitutional History' fairly well and yet not know how its author would vote at a parliamentary election; my own guess would have been wrong. It even seems possible that at some time hence those who, ignoring the contents of English ballot-boxes, assign to historiographers their respective

places in the thought of the nineteenth century, will reckon Dr. Stubbs's version of English history among the progressive rather than among the conservative forces. If the study of history had in some sort made him 'sad,' he was hopeful; and he was hopeful at a time when great changes were following each other in swift succession. Was there ever so profound a medievalist who was so glad when he had done with the middle ages? 'The charm,' he said, 'which the relics of medieval art have woven round the later middle ages must be resolutely, ruthlessly broken.' Even his high-churchmanship, if it is more apparent than anything that could accurately be called political conservatism, is by no means prominent in the 'Constitutional History.' A large collection might be made of passages in which archbishops, bishops, monks, and clergy are castigated in terms which a layman would have scrupled to use. I open the second volume by chance at a page where the clergy of the fourteenth century 'are neither intelligent enough to guide education nor strong enough to repress heresy; ' the best prelates are apparently being blamed for being 'conservative rather than progressive in their religious policy,' while the lower type represented by Arundel is charged with 'religious intolerance.' Certainly Stubbs was just, and to read his great book is a training in justice.

To those for whom he was no more than a writer of books the seventeen lectures revealed him in some new lights. We will pass by the pleasant chat and the too frequent groans over statutory lectures. The attempt to formulate 'the characteristic differences between medieval and modern history' might, so I venture to think, be taken as an instance of the sort of work which Dr. Stubbs could not do very well. He loved the concrete, and was not happy among abstractions of a high order, such as a contrast between 'rights, forces, and ideas.' We think how Seeley's agile mind would have played round, and perhaps played with, such a theme. On many pages, however, Dr. Stubbs indicated the shape that some comparatively modern history would take if he wrote it. For example, a dislike for the puritans, or at any rate for the puritan cause, came out strongly. These indications were new to some of us who stood outside. That his history was not carried beyond 1485 is deeply to be regretted. The two admirable lectures on Henry VIII are tantalising, though worthy of the man who drew Henry II. We see that he sees the great problem, and a solution is suggested; but we are left to doubt whether an unwillingness to admit that many people wanted Henry to do what he did in ecclesiastical affairs is not compelling the historian to imagine not only a king who is almost super-human in his self-will, but also a clergy and a nation which are sub-human in their self-abasement. Still, though he seems inclined to steer a course that looks difficult,

Dr. Stubbs was so wise and equitable and sympathetic that it is possible, and more than possible, that he would have kept his head where many heads have been lost, and would have done good justice both to papist and to puritan. Certain it is that those statesmen and churchmen whose cause he thought the good cause would at times have felt the weight of his chastening hand. He never spared a friend who erred and strayed.

Nothing has yet been said of the 'Councils and Ecclesiastical Documents.' What is published is enough to make us wish that Dr. Stubbs had given one of many lives to the Anglo-Saxon charters. Other lives should have been devoted to the constitutional history of Scotland and France and Germany; yet another to a history of medieval scholarship. Nothing, again, has been said of the 'Select Charters'—that fertile book, which is becoming the mother of a large family in England and elsewhere. Few books have done more to make a school than that book has done, and the school at Oxford may well be proud of it. Nothing, again, has been said of the laborious and lucid historical appendix which redeems the report of certain commissioners from the limbo to which such things tend. It may be doubted whether history can be written upon commission, for the historical inference, when it is set to do practical work, is apt to degenerate into the legal dogma. Still, even when it was produced under unfavourable conditions, Dr. Stubbs's work could never fail to be good.

But I must end. The last words of the great history are familiar, so familiar that I will not repeat them. Few historians have had a right to speak in that solemn strain about the attainable maximum of truth and the highest justice that is found in the deepest sympathy with erring and straying men. Few indeed have had a better right to speak in that strain than had Dr. William Stubbs. His place among historians we do not attempt to determine. Assuredly it will be high. I fancy that those who fix it high among the highest will be those who by their own labours have best earned the right to judge.

F. W. MAITLAND.