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REVIEWS

The Growth of English Industry and Commerce during the Early and Middle Ages. By W. CUNNINGHAM, D.D. (4th edition.) Cambridge University Press (1905), p. xxvi., 724.

THE first edition of Dr. Cunningham's economic history of England was published in 1882. It was a small volume, and covered, or rather pegged out, the whole ground from the invasion of the Romans to the repeal of the Corn Laws. The author would now be the most ready to confess that in this volume he had done those things which he ought not to have done, and, still more, left undone those things that he ought to have done. But, unlike too many miserable sinners of authors, he showed that there was life in him, and year after year, in lectures, occasional writings, and enlarged and revised editions, he changed the whole work in form and substance. The large volume under review is now the first of three, and to understand properly the labour involved in deletion and completion the reader should turn to the earlier work. That work, however, with all its faults, had one great merit. It was written in such a way and with such guiding ideas as to be capable of expansion and growth; it was never intended to be stereotyped; and it was a beginning in the way of meeting the wants of those who were learning or teaching economic history in the early 'eighties. As one who felt such wants, both as learner and teacher, the present writer returns thanks to Dr. Cunningham for the great satisfaction afforded by his labours.

This first volume is in some respects the strongest and in some the weakest of the three. And to avoid the risk of appreciation seeming to degenerate into mere flattery, some of the shortcomings may be noticed in the first place. The period labelled Early History is on the whole least satisfactory, though there are some notable chapters (*e.g.*, chapter v. on the Danes, and chapter vi. *b.* on early units of measurement). Dr. Cunningham still retains in its main outlines the traditional view of the influence, or rather

want of influence, of the Roman occupation on the development of the nation. He has, it is true, accepted and incorporated important fragments of Seeböhm's work, and he is a competent critic of the literature to which the *English Village Community* has given rise. He has inserted a copy of Seeböhm's celebrated map of a virgate, and the frontispiece is a very good photograph of an open field with balks.

But by rejecting the main argument and the leading ideas he has lost—even if we take the lowest ground—a most effective hypothesis for presenting in an ordered manner the effects in the pre-Saxon period of successive waves of conquest and immigration on the economic structure. According to the traditional view the Roman civilisation in England was practically swept away and the Romanised Britons were driven westwards or exterminated by the Saxon invader. On this view any apparent survivals of Roman influences in the form of law or religion are to be ascribed to the reintroduction by the Church at later periods; the Roman occupation was a mere incident—an incident, by the way, extending over four centuries—and the only Roman survivals of importance were the roads and bridges and the ruins of the cities. If the Roman civilisation was obliterated still less important, on this view, must have been any survivals of the tribes whom the Romans conquered. Accordingly, we are not surprised that Dr. Cunningham, whose work, as the very title implies, is based on the idea of growth and continuity of change, should begin his history with the English in Frisia, and proceed forthwith to the conquest of England by the English. On this plan what might have been two most interesting chapters (or books) have remained unwritten. The first would have brought up to date the work of Elton on the *Origins of English History*, and given an account of the economy of the tribes which occupied Britain before the invasion of the Romans. In the second chapter (or book) an inquiry would have been made into the economic aspects of the Roman occupation, not only as regards the origin of the manor, the cultivation of land, and similar topics which Seeböhm's inquiry has made popular, but as regards other economic elements which still lie buried, so far as the economist is concerned, in the books of the antiquaries (*e.g.*, Thomas Wright). For both chapters there is now an abundance of material available, and, in both, subjects of the greatest economic interest are involved. And it must be confessed that the reasons given for beginning with the English in Frisia, and not with the pre-Roman and Romanised Britons in England, are neither new nor strong. On p. 108 we are told that

the proof of the destruction has already been given, but when we turn back (p. 60) all that we find is that there is no inherent improbability in the story of destruction and devastation recounted by Bede, Gildas and Nennius, and a little earlier (p. 56) descriptive passages from Bede are quoted. Bede, however, was not born till 672 A.D., and Dr. Cunningham's date for the withdrawal of the Romans is 410 A.D. For the most part, Bede relied on popular traditions and on the rhetorical effusion of Gildas, whose story, we were assured years ago by a very competent authority, is built on some slight notes in an old Continental chronicler, and displays the most profound ignorance of the period to which it relates.

It is true that Dr. Cunningham rests his argument also on the alleged facts that the Latin language and the Christian religion apparently disappeared with the Roman legions. But according to the usual Roman policy of amalgamation and subjugation, the Roman soldiers in a distant province were drawn from all parts of the Empire—and the inscriptions in Britain show that this was the case—and *parcere subjectis* was their golden rule. It is, then, quite possible that in Britain under the Romans, although Latin was the official language, it was not the language in general use throughout the country. It is probable that Teutonic tribes, as Kemble and other authorities have maintained, had made permanent settlements in Britain before the Roman occupation, and it is quite possible that there was as much "English" as "Latin" spoken in "Celtic" England before the arrival of the Saxons, though the English was not the English of Frisia any more than the Latin was the Latin of Rome. In the same way the significance of the disappearance of Christianity depends a good deal on the degree and the extent of the Christianisation of Britain, which again opens up a wide controversy. Perhaps Dr. Cunningham may, on some future occasion, give us an additional preliminary volume dealing with England before the Saxon invasions.

The materials for the economic history of Saxon England are so scanty, and the period is so interesting, that any omission of importance is a matter for regret. The Saxon land charters are amongst the most interesting documents in English history, and the work of Earle has made them so accessible and intelligible that one would naturally expect greater prominence to be given to them than is done by Dr. Cunningham. One of the best features of his work, as a whole, is the introduction, alike in text, notes, and appendices, of specimens of the original sources, and as the Saxon charters are very brief a typical specimen might easily have

been inserted in Appendix B, or preferably in the text, and the pertinent explanation would have been most instructive to the student in many ways. The land charter is undoubtedly a great landmark in history.

In the book entitled *Feudalism* the period is made to extend from 1066 to 1272. The dates are chosen in accordance with the author's usual method of fixing on some event of political importance. The first date is, of course, of unquestionable significance in economic as in other history, but in a book dealing with feudalism it would appear better to include the whole of the famous thirteenth century. The reason is that in the last quarter we have three of the most important statutes affecting feudal land—*Mortmain* (1279), *De donis conditionalibus* (1285), and *Quia Emptores* (1290). And here it may be said that the side of feudalism, which is so admirably presented to the lay reader in Sir Frederick Pollock's book on the English Land Laws, hardly receives sufficient attention, especially considering that this part of the feudal system had the most enduring effects, reaching down to our own times. In the same way, in spite of the attention bestowed on the mediæval Church, there are omissions which are the more remarkable seeing that Dr. Cunningham has made a special study of this part of his subject, as shown long ago by his admirable monograph on *Usury*. To take one example, the rise and decay of the four orders of Friars throws great light on the social condition of the people and on the economic evils which were the principal causes of the Reformation.

It must be admitted, however, that as regards the early history, if Dr. Cunningham errs, he errs in good company, and *inter alios* Dr. Vinogradoff in his latest work on the *Growth of the Manor* has given the strongest case yet presented of the traditional view. And again, as regards the omissions, in such a vast subject the author must be the final judge in the selection of material, and the present reviewer may be inclined to lay too much stress on topics which he has found of peculiar interest. When all is said, one of the greatest merits of Dr. Cunningham's work is the strong grasp of dominant movements from age to age, and the sound sense of proportion in the presentation of the leading events and institutions. For this reason the work may be read with great advantage by the student of general and of constitutional history. And, indeed, by a curious paradox under present conditions, if anyone needs to be reminded of the value of mediæval economic history it is rather the economist than the general or constitutional historian. The modern tendency in general history is rather to

overrate the elemental economic forces and to underrate the influence of great personages and of particular political powers and authorities. Against such an attitude Dr. Cunningham has written some vigorous passages; and he has confirmed his reasonings by excellent examples, as in the estimate of the influence of the character of the Norman kings. This breadth of view, which is maintained throughout, has another great advantage: the writer never uses his history simply to illustrate pre-conceived opinions: there is neither suppression nor over-emphasis; and, after all, the great tendencies stand out all the more clearly when contrasted with a mass of variations and irregularities. As we read we feel that we are reconstructing fragments of actual life, and not merely tracing the growth of economic ideas (though this, too, is admirably done), or observing the general trend of economic progress (though this again is one of the dominant ideas of the work). It is the fashion of the moment, in some quarters, to suppose that the modern economist has nothing to learn from the mediæval period. It is surely forgotten that even in the British Empire (not to mention the Russian and Chinese) there are vast populations, which, except as regards some of its material aids to production or transport, have not adapted the economics of modern civilisation; and it is forgotten also that to appreciate the real meaning of modern institutions we must trace their gradual development—that is the one element of truth to be drawn from the analogies of biology. The keynote of economic progress in the mediæval period is the growth of the money power; it was the abuse of the money power that destroyed the mediæval church—the greatest of corporations—the most gigantic of monopolies; it was the use of that power which emancipated the English villein and laid the foundations of English commerce and manufactures. Maine's general formula of progress from status to contract finds its economic counterpart in the substitution of a money for a natural economy, and for the greater part of economic history this may be taken as the best guide. It is interesting to notice how this idea has become more and more dominant in Dr. Cunningham's work as he has incorporated year by year the results of his labours. To understand the uses and the abuses of the money power in modern states it is necessary to supplement the analytical method by the historical; and the historical method cannot be used with benefit without descending to detail. A broad description of tendencies at its best never gets beyond the deductive method with illustrations. This is in effect the moral of the essay which forms an

admirable introduction to the whole work. In this chapter exception may be taken to the distribution of emphasis in certain particulars—as in the interaction of economics and politics—but all will admit that the argument is presented, alike in style and substance, in the most forcible and at the same time judicial manner. It is unfortunately impossible, in the limits of space imposed on a review in this JOURNAL, to indicate more fully the immense labour and the keen historical insight displayed in this work; but fortunately it is no longer necessary. By common consent Dr. Cunningham is recognised as the leading authority on his subject. It only remains to add that in this edition there are numerous minor improvements, but for the student perhaps the greatest is the very full analysis which is given as a table of contents.

J. SHIELD NICHOLSON

Lectures on the Relation between Law and Public Opinion in England during the Nineteenth Century. By A. V. DICEY, K.C. (London: Macmillan & Co., Limited, 1905.)

It is safe to say that only one man in England could have written this book. In form it consists of a course of lectures, originally delivered to an American audience; and on every page it gives proof of these qualities—insight and originality in conception, and luminous clearness in exposition—which entitle Mr. Dicey's work on the Constitution to rank as a legal classic. In the hands of a master of style, the rise, the triumph, and the decline of Benthamite Liberalism are as interesting as the story of Napoleon's campaigns.

Bentham is certainly to be counted among our great men: he suggested and inspired a long series of improvements in the laws of his own country. But when Mr. Dicey asks us to accept him as "the first and greatest of legal philosophers," I cannot help feeling that the panegyric is over-strained. His qualifications for the task which he imposed upon himself were, after all, mainly negative. He led the way in correcting abuses, by virtue of his total want of respect for fictions and fallacies which were taken for granted by more learned men. On the constructive side, Bentham never rose very much above the level of the Panopticon. His model Codes are waste paper; and his theory of morals and legislation only survives because it was re-stated by John Mill, with concessions which the founder of Utilitarianism would have rejected and condemned. Like Ricardo's theory of rent, the

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