

“none of the princes of Italy or Lorraine ever did homage or acknowledged Alexius as suzerain.” King Amaury (p. 129) died in 1173, before, not after, Nureddin. The battle of the Zab, which resulted in the final overthrow of the Omeyyad Dynasty (p. 225) was not fought till 750; and Hasan, son of Aly, reigned in 661. Many will be inclined to look upon the author's estimate of Richard himself and of what he accomplished in Palestine as much too favorable. On p. 381 mention might well have been made of the Egyptian “caliphs,” who kept up the tradition of the caliphate until the title was passed over to the Osmanlis.

The index of the work under consideration occupies about fourteen pages, but could be extended with advantage. It is by no means a complete register of persons, places, etc., mentioned in the body of the work, and the arrangement is not in all respects a happy one. For example, if one wants to find what is said about Frederic II., he must look under the heading German Emperors. It is to be hoped that in another edition the index may be improved.

Two maps, one of Syria about 1180 A. D., and one of Western Palestine, 1189, showing the Latin fiefs, are a valuable addition to the work.

The work, like all those published by the Palestine Exploration Fund, is well printed on excellent paper and forms an attractive volume.

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*Cromwell's Place in History.* Founded on Six Lectures delivered in the University of Oxford. By SAMUEL RAWSON GARDINER, D.C.L., Ford's Lecturer in English History, 1896. (London, New York and Bombay: Longmans, Green and Co. 1897. Pp. vi, 120.)

THE conclusion to which Mr. Gardiner seems to come in this very able and deeply interesting series of lectures is that the work of Cromwell was mainly negative.

“What, then, is Cromwell's place in history? If we regard the course of the two centuries which followed his death, it looks as if all that need be said might be summed up in a few words. His negative work lasted, his positive work vanished away. His constitutions perished with him, his Puritanism descended from the proud position to which he had raised it, his peace with the Dutch Republic was followed by two wars with the United Provinces, his alliance with the French monarchy only led to a succession of wars with France lasting into the nineteenth century. All that lasted was the support given by him to maritime enterprise, and in that he followed the tradition of the governments preceding him” (pp. 112, 113).

So it was. But how would it have been had Cromwell left an able son, or had the army chiefs seen and followed their own interest instead of cutting their own throats? Mazarin apparently looked upon the Protectorate as established and Monk seems to have thought that Richard, if he would follow good advice, might hold his own. Booth's Royalist rising was put down with the greatest ease. The counter-revolution after

all was not against the Protectorate, but against the military anarchy which followed its overthrow.

Mr. Gardiner's definition of negation is surely somewhat wide. It includes victories as negations of victory on the other side. Our information about this period, especially as regards the Protectorate, is meagre and uncertain, even when gathered and sifted by the admirable industry of Mr. Gardiner. Yet can we doubt that Cromwell was the great force and the ruling spirit? The resultant of the political forces which had been brought into play on both sides was the Revolution of 1688. Did not Cromwell go for something more than a power of negation in that settlement? We should have been glad to know William's opinion of the Protector.

"It is beginning," says Mr. Gardiner, "to be realized that many if not all the experiments of the Commonwealth were premature anticipations of the legislation of the nineteenth century." This is the point. The sun of a government for the whole people broke for a moment out of the lingering clouds of medieval privilege. The clouds soon gathered round it again, and the reign of privilege returned with its court, its aristocracy, its Anglican hierarchy, its Test and Corporation Acts, its Eldonian Chancery, its life-long imprisonment for debt, its press-gang, its corn-laws, its hundred and sixty capital punishments for the crimes of the poor. Yet the sun had shone. Mr. Gardiner calls Cromwell the typical Englishman. He was rather the typical New Englishman, somewhat out of place in Old England and decidedly before his time. His statue, which Westminster refuses, ought to stand at Washington or Boston if the Irish would let it. His place is in general, as much as in English, history.

The constitution embodied in the Instrument of Government never got a fair trial, because the men who had been elected under the Protector's writ refused to acknowledge the legality of his power and drove him to an arbitrary rule for which, Mr. Gardiner allows, he had no predilection, and from which he was always struggling to get back to constitutional government. They had been fighting for political republicanism; he for religious Puritanism, not for political revolution. The Instrument of Government cannot be discussed here, otherwise we might have something to say for it against the system of cabinet government which Mr. Gardiner, as we gather from some expressions in his great work, regards as the grand solution, but which after temporary success due to special circumstances in England is now generally in a state of apparent dilapidation.

Dependence on the army was Cromwell's weakness, as Mr. Gardiner has very forcibly shown. Military rule was hateful in itself to a nation unaccustomed to standing armies, and was financially ruinous. The necessity would have diminished in proportion as the government took root, and it may be doubted whether the burden of military and naval expenditure was practically greater than it was in the time of William or Anne. Nor was there anything in the nature of things to prevent the debt being funded under Cromwell as it was afterwards under William. That the

discipline of the army was excellent adverse witnesses attest, and if there was government by the sword, there was no sabre sway.

Mr. Gardiner no doubt touches the weak point of the Protectorate in his criticism of its foreign policy. Did Cromwell, like Napoleon, seek, through military glory abroad, to secure political peace at home? If he did, he deserves a measure of the same condemnation. But war was more normal in those days than it is in ours. Spain was still the Apollyon, and by her exclusion of all nations from South American lands and seas afforded a standing cause of war. Still more manifestly was a standing cause of war afforded by the pirate states of Barbary. Of the pitch of power and glory to which Cromwell raised the country on the morrow of a civil war, or of the impression which he personally made on Europe, there can be no doubt. He did not, in Mr. Gardiner's judgment, succeed in making his army popular. Yet Pepys tells us that amidst the disgraces of the Restoration the people thought of Cromwell. Blake and the fleet may have been more popular than the army. About all this we shall hope to learn more from the coming volume of Mr. Gardiner's great work.

"Cromwell," says Mr. Gardiner, "was a soldier before he was a statesman." But, unlike Napoleon, he was a politician and an associate of the greatest politicians before he was a soldier. Religion was his leading object, as Mr. Gardiner rightly holds. The assumption of Protestant leadership in Europe, however, Mr. Gardiner pronounces out of date, the treaty of Westphalia having settled the religious question on the principle that religion was a local affair. *Cujus est regio, ejus est religio*. Yet the treaty of Westphalia did not prevent the Duke of Savoy from slaughtering the Vaudois, the French government from harassing the Huguenots, or Spain from burning all the heretics on whom she could lay her hands. It did not prevent, after this time, Louis XIV. from revoking the Edict of Nantes, from conspiring with the Stuarts to crush Protestantism in England, or from assailing Holland as a Protestant power.

For what followed, the Restoration, not Cromwell, was responsible. Neither he nor any heir of his policy would have sold England to France and thus helped Louis XIV. to ascendancy in Europe.

No one can suppose that it was in Cromwell's power to establish religious liberty and equality. His policy of comprehension went as far as was practicable at the time. Mr. Gardiner seems to think that the measure of toleration extended to Anglicanism was too scanty. But Evelyn does not seem to have had much ground for complaint. At a time of Royalist conspiracy the screw was tightened. Anglicanism was not only, perhaps not even principally, a church; it was, like Roman Catholicism, a political organization and the deadly foe of the Commonwealth and Protector. To liberal Episcopalianism Cromwell showed in the case of Ussher that he was no enemy. Milton is a pretty good witness to Cromwell's regard for liberty of opinion.

It is not very clear on what ground Mr. Gardiner condemns Crom-

well's policy with respect to Scotland. He seems to think that Cromwell was ignorant of that country. Yet Cromwell's eyes must have been constantly turned that way by the relations of his party with the Scotch. He had fought beside a Scotch army, he visited Scotland after Preston, and learned all that Argyle could tell him. He seems to have been perfectly well disposed, not of course to the Royalist party in Scotland, but to all the Scotch of whom friends could be made. Why were Dunbar and Worcester so inexpiable? Scotland brought them on herself; Dunbar by proclaiming Charles II. king not only of Scotland, but of the English Commonwealth; Worcester by invading England. Having conquered Scotland, what did Cromwell and the Council of State do with her? Did they treat her as a conquered country? They grasped the opportunity of effecting that incorporating union which all great statesmen, including Bacon and William III., have earnestly desired, which it is to the glory of the ministers of Anne to have finally brought about, and over which every one now rejoices, with the possible exception of a few fanciful persons who by flattering separation on antiquarian grounds show that the study of history does not always make a statesman. Nor does it seem that in the manner of making the Union any needless want of respect to Scotch sensibility was shown. Incorporating union necessarily put an end to the separate nationality of both parties. Mr. Gardiner's research has enabled us to form a better opinion of the provisional government which Cromwell extended to Scotland by the hand of Monk. It seems to have been very good. The heritable jurisdictions were swept away; equal law and upright tribunals, to the great disgust of the privileged and of jobbers, were introduced; order and civilization began to be extended to the Highlands, which had been fastnesses of barbarism and robbery; conscience was partly relieved from the yoke of intolerant Presbyterianism; and witch-burning ceased. Scotch religion was unmolested, though the General Assembly with its political tendencies could not safely be allowed to meet. Free trade with England brought wealth. Burnet, a Scotchman, testifies that those years were reckoned by the Scotch a time of great prosperity. For all but the aristocracy and extreme theocrats they must have been about the best years that Scotland had known. Upon the fall of the Protectorate, Scotland became again a satrapy governed, under the last Stuarts, by jobbery, thumb-screws, and dragonnades, while she was thrown back into poverty by loss of free trade with England.

In Ireland there had been a long, most hideous and most heart-rending struggle for the land between two races, of which the weaker in numbers was the stronger in everything else, and had prevailed. Cromwell could no more have given back the land to the Celt than a British commander could now give back New Zealand to the Maori. Concession was made doubly impossible by the memory of the massacre. Cromwell gave Ireland peace, law, and an advance in material prosperity which Clarendon describes in glowing terms, and which lasted in some measure through the Restoration till James II. set the hell-fire blazing again.

He gave her a good governor in his son Henry. He gave her the union, which brought both her races under imperial control, and opened to her that free trade with England for which, when it was withdrawn, she long pined. He gave the Catholics freedom of conscience, though not liberty of celebrating the mass. Both Mr. Gardiner and Mr. Lecky seem to find fault with him for want of true statesmanship in not having developed Celtic nationality on its traditional lines. But no Celtic nationality had ever existed, nor were there any traditional lines on which development would have been possible. The Celtic race was the débris of broken clans. It had never been politically united or shown any tendency to found a commonwealth. Its intertribal wars had gone on even when England was waging war upon the whole of it. May not the Celt's best chance have been political and industrial subordination under the protection of imperial power from which he would have risen in time to the level of the dominant race?

It is Mr. Gardiner's general tendency to pare down. This is better than exaggeration, but may possibly in its turn be carried too far. Mr. Gardiner has so pared down the differences of parties at the opening of the Revolution that there scarcely seems enough left to fight about. He pares down Cromwell, and the Cromwell of Carlyle will no doubt bear considerable pruning; yet if there had not been a very great man, there would not have been the Cromwell of Carlyle.

GOLDWIN SMITH.

*La Torture aux Pays-Bas Autrichiens pendant le XVIII<sup>e</sup> Siècle.*  
Étude Historique par EUGÈNE HUBERT, Professeur à l' Université de Liège. (Bruxelles: J. Lebègue et Cie. 1897. Pp. 176.)

IN the humanitarian movement of the present century, which has interposed such obstacles to the prompt punishment of crime, and has frequently evoked such diseased sentimentalism in favor of criminals, it is difficult for us to realize the arbitrary methods in vogue up to comparatively recent times. If there are any, however, whose impatience of the dilatory proceedings of the criminal law and the frequent escape of the guilty lead them to look back with regret on the sterner processes of former centuries, a perusal of Professor Hubert's work will disabuse them. It is the result of a laborious search among the records, local and general, of Belgium, and is a contribution of scientific value to the history of criminal jurisprudence. It shows that no matter what safeguards and limitations were theoretically prescribed for the administration of torture they were rendered necessarily nugatory by the discretion allowed to the judge in the inquisitorial process which had become universal in the criminal courts of the Continent.

Thus in theory torture could be administered but once, but the device was invented of "continuing" it in place of repeating it. Besides, confession under torture was valueless unless subsequently confirmed out-