

Skinner and Liberty

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Quentin Skinner, *Liberty as Independence*, Cambridge University Press, 2025.

Colin Kidd's review of *Liberty as Independence* in the *London Review of Books* classes Quentin Skinner alongside Tony Wrigley and Keith Thomas as the three greatest, or most influential, British historians of the last sixty years. Well, I do not want to read Wrigley, and I have never succeeded in reading Thomas: perhaps we could say that Wrigley is important but not interesting, whereas Thomas is interesting but not important. But Skinner found the subject that is both interesting and important, or one subject that is: the history of political thought. As all the latest theorists of that art are coming to say (Bourke, Blau et al.)—even though it was obvious as long ago as Oakeshott's lectures in Cambridge of a century ago—politics cannot be understood one way. Kidd says that Skinner might have damaged the study of political history. No, he has not. For Skinner, like most of us, thinks that the history of politics is something, but not everything: anyhow, he has never tried to contribute to it. Instead he has written in an idiom invented by Acton, Maitland, Figgis, C. N. S. Woolf, Ernest Barker and developed by many others: an idiom which enables us to write about a *literature* rather than about *constitutions* or about *policy*.

Literature might seem a lesser thing than Stubbs's constitutions or Seeley's policy, but it is not. For literature includes history itself, including the histories of constitution and policy, and also philosophy. And the literature on politics is a literature, which, if we want to consider it at the highest possible level, requires us to engage in the valiant art of steering our ship between the Scylla of history and the Charybdis of philosophy in search of the Holy Grail of politics. And the history of political thought is we have to admit a strange literature: a high literature, a recondite literature, a sort of habit of compilation of a subject matter in terms of chronological sequence but also in terms of various arguments here and there, some of which fade out almost immediately, some of which return again and again—for instance, about the status of law in relation to the powers that be—and also in terms of contexts, including the contexts of the historian who is writing and summoning his or her own argument, whether unconsciously, as most historians do, or consciously, as Skinner does.

Skinner is one of the gods of the subject. He conquered the history of political thought as Caesar conquered Gaul, and made the subject refer to him in the third person. He will be deified like Caesar. Though, alas, as Rene Girard commented in one of his books, 'Gods begin to exist as gods, at least in the eyes of men, only after they have been murdered'. For every great writer there are, alas, critics, commentators and cavillers; and the great Caesar must always be aware that even the supplicants come with daggers concealed in toga. I have read *Liberty as Independence*: indeed, did so some months ago, but in preparation for writing this review I looked at a few reviews by others (Bourke in *The Literary Review*, Skjonsberg in *Law and Liberty*, Douglass in *Intellectual History Review*, Kidd in *London Review of Books*), not only to see how men murder their gods, but also to see if there is something like a critical consensus already. Well!

The consensus seems to be that Skinner is godlike in his architectonic but human-all-too-human in his use of history to serve an argument and perhaps excessively political in his argument. If I repeat some of these views, I hope I at least do so with more joy and, dare I say, liberty than most of the regicides.

Let me say something about the book before I say something about the sources, and then something about the argument.

1.

The book is arranged in five parts, like a Shakespeare play. Skinner is, of course, the author of *The Forensic Shakespeare*: a book that extracted from the works of Shakespeare an intelligence about law and trials as derived from Roman rhetorical traditions. I was only disappointed by this book in that Skinner entirely accepted the standard ‘Stratfordian’ view that the author of Shakespeare was a mean and half-illiterate man from Stratford, rather than the noble-born and Oxford-and-Cambridge educated lord and head of a *scriptorium* containing Lyly, Marlowe, Greene et al that he is very likely to have been. But the great secret of Skinner is that although he is associated in the undergraduate mind with ‘context’—something badly encouraged by the *Ideas in Context* series—he has always disavowed context. In his classic 1969 article on historical methodology he suspended himself between ‘text’ and ‘context’: and this is how we should understand him. He is not interested in Shakespeare; he is not interested in *Venus and Adonis*, the *Sonnets*, or *Lear*: for he is interested in coming to Shakespeare with his own dagger to carve and hack through the ideological and scholarly arras in order to make sense of something that exists at a far longer range and over a far longer time than any mere man or work. Skinner is concerned with arguments, and is interested to see how arguments are explicated and rebutted and also exhumed in time: and so it in this book: Skinner is concerned not with John Stuart Mill, or William Blackstone, or Marchamont Nedham, but with their arguments about liberty. Skinner does not want to argue about liberty himself, not directly: so he is contributing to an indirect literature: but he is interested in arguments about liberty, and, like the actors in a Shakespeare play, is willing to momentarily dress up as liberty-as-the-silence-of-the-law or liberty-as-independence or some other character, and play its part. And all of this is arranged in five acts, as if it is *Hamlet*, a comedy or tragedy that will come to some necessary end: as if liberty will end married to something else, or, perhaps, will die.

The book is high art, and extremely confounding to read. I read the book, underlined it here and there, took some notes, and they struck me, on looking over them, as giving me no idea of what the book had tried to do: I had received much stimulation, and saw the argument, but had no sense of the story. So I returned to the book, and attempted to summarise the story in its five acts. What follows is a simplification, but it is truer to what I think Skinner was trying to do than anything I have seen in the other reviews, which have tended to take up Skinner’s on aspects only of his scholarship, or his argument. Now, as I say, Skinner’s book comes in five acts. In his great study of the shapes of stories, published some twenty years ago, *Seven Basic Plots*, Christopher Booker explained that well-ordered stories—of the type dominant between the Greek drama and the American film (though anything but dominant in the psychologically broken modern novel of Stendhal, Hawthorne, Kafka, and almost all modern literary novels)—always tend to come in the form of five acts.

- There is an initial situation, which is less than ideal as it contains a problem,
- then there is an attempt to escape the problem,
- followed by early success,
- followed by a setback and ultimate crisis,
- which is overcome in such a way that there is a restoration of the ideal version of the original situation.

Skinner's story is tragic rather than comic, as his Lear—liberty as independence—goes mad, wanders in the wilderness, and dies. The only twist is that Skinner is a Cordelia who survives to tell the tale and to suggest that Lear could live again.

In Act One we encounter the hero. The time is the Glorious Revolution of 1688. The hero is an argument: and what we see in Act One is a recollection of its ancestry. The argument is that slavery = subjection to the will of another, and therefore that liberty = independence of the will of another. This heroic argument is found in the writings of Cicero, Sallust, Livy, Polybius, and Tacitus, but also is found in one interpretation of the *Lex Regia* (the law by which *imperium* was granted to the emperor by the people): this is the interpretation of Azo, which was ignored until the publication of *Vindiciae contra Tyrannos* in 1570. The heroic argument is, therefore, a Roman argument. It is found in Bracton in the 1260s, Fortescue in the 1460s, and Sir Thomas Smith in the 1580s: it is pushed hard by Marchamont Nedham and John Milton along the same lines as the *Vindiciae* during the Commonwealth; and it is manifest in the Bill of Rights of 1689.

In Act Two the argument comes into conflict with history. Arguments in books are one thing, but actual political events are another. Clear arguments are compromised by the need to fit them to a situation. And in 1689, and immediately afterwards, the situation is that some want to say the Glorious Revolution had been justified, while others want to say it had not been justified. The court Whigs want to defend the idea that the Revolution is about independence and that England had achieved liberty-as-independence. This is, needless to say, a hypocritical argument: and Skinner does not conceal this. Others, sometimes Tory or Jacobite, argue against the logic. And yet others, who are also Whig, but 'real Whigs', accept the logic but deny that it had been established in England. They are purists who wanted to hold onto the ideal of liberty-as-independence and not use it ideologically, as we have been inclined to say in our time, to support a particular establishment, namely the eventual Walpolean establishment of the 1720s.

In Act Three the argument is restored in its purity and the hypocrisy of the use of the argument to support the Whig establishment is exposed. Here we find figures who appealed to the purity of the argument, and who themselves argued that if we were to believe that liberty meant independence from the will of others then we could not have liberty under an establishment which had slavery, which oppressed women, or which made John Wilkes an outlaw. We are shown not only pamphlet and sermons, but also the novels of Fielding, Richardson and Smollett, which labour to expose the myths of the establishment by revealing the lies and deception by which it claims it is free when it is not. Attention is also drawn by writers to standing armies and the public debt, both of which seem to be evidence that everyone is less free in the middle of the eighteenth century than the Whig settlement wanted to claim. Finally, the pure argument is also raised in America by the rebels who argue that Whig England does not live up to its Whig ideals. There should be no taxation without representation. No one in America is free, say the American Founders, using Whig arguments in their original, pure, Roman form.

In Act Four we reach the Shakespearian crisis. This is where a new argument is heard clearly in history for the first time: a rival claimant to the throne (a Macbeth?). It, too, was an older argument. A century or two before, some had opposed *Vindiciae Contra Tyrannos* by saying that any transfer was, by Roman Law, irrevocable. This argument was stated with absolute clarity by Hobbes in *De Cive*, and taken up by Pufendorf and others. For them liberty is nothing to do with status or slavery and, in fact, since liberty \neq restraint or coercion, it follows that liberty = absence of restraint or coercion. The argument, which Skinner himself always associates with Hobbes—Hobbes is not the hero but a composite Claudius/Fortinbras figure in this story—enters English controversies in the mid-eighteenth century. It is restated as if it is central by Blackstone in the 1760s, also by Johnson, Bentham, Ferguson, Paley and many others, also including some who write against the slave trade: they argue that it was wrong to oppose liberty and slavery in theory, because actual chattel slavery is much worse than loss of liberty. If slavery is control of life, and not liberty, then it is an exaggeration to theorise liberty as if it is existentially antithetical to slavery. This simply makes it, as Burke sometimes alleged, a justification for a revolutionary politics, which it should properly not be. Burke does not say, but others say, that if such liberty is a justification for revolu-

tion, then so much the worse for this pure old idea of liberty: we shall have the Hobbesian one instead. So out with liberty-as-independence and in with liberty-as-absence-of-restraint.

This is quite possibly the most exciting sequence in the story. Skinner brings in Richard Price's *Observations on the Nature of Civil Liberty*, published in 1776, as work that everyone argues against: and so we see in succession, John Lind, Richard Hey, John Gray, Thomas Gisborne, William Paley, John Wesley, Jeremy Bentham, Adam Ferguson, Joseph Tucker, all arguing against Price. By this stage, we seem to have three rivals for the throne. The first is the original pure idea of liberty as independence: the King Amfortas, badly wounded. The second is the dark shadow equivalent of this, the Klingsor that wounds Amfortas, the hypocritically Whig position that adopts the logic of the first but claims falsely that it can be found in the English system. The third is the new one, one which is already called 'liberal': this, decisively, entirely rejects the logic of the first and second, and asserts its own logic: though, in terms of the story, we are meant to suppose that though this avoids the hypocrisy of the second it is not, alas, Parsifal. It simply lacks the Parsifal purity of the original ideal.

In Act Five we have the final tragic defeat of the argument. Many want to defend something like the old idea, figures like Price, Mackintosh and even Adam Smith and Burke, but many more write against it, especially after the Roman argument is discredited by the French Revolution, the Terror and the Napoleonic Wars: and the relentless writing against the old argument, whether reactionary and submissive, or moderate, culminates in the pure statement of the Hobbesian position in John Austin's *Province of Jurisprudence Determined*, published in 1832, which says: 'Liberty can mean nothing else but exemption from restraint.' This is the end. The liberal view is now dominant. It will be taken for granted by Mill, Spencer and Sidgwick and everyone afterwards.

If I am right about this being the shape of the story, then it is a remarkable one. One thing I should say emphatically here is that I have used the present tense throughout, in my explication of the plot, because that is what Skinner does. Odd as it may be for a historian—Pocock always tended, for instance, to use the past tense, except for himself and the reader whose 'We' moved through the subjects in the present tense while the subjects themselves moved in a past tense contraflow—Skinner writes like a Shakespearian critic, as if he has a text in front of him, and he excerpts arguments which are alive at the point of excerption. This certainly adds to the sense of drama.

2.

The sources are formidable and even surprising: I can think of no aged scholar who has managed to read through so much new literature with so much vitality and intrepidity: the style is that of an expert swordsman, still capable of despatching most of his rivals, even among younger men. Whereas Pocock settled amongst the eighteenth-century greats, and their ancestors, in his six volumes on Gibbon, Skinner has ventured almost as far as J. C. D. Clark into obscure sermons and boring treatises written by the middling sort. Colin Kidd says that even after decades of reading in the eighteenth century he found that Skinner had conjured up names of which he had never heard. And it is surprising, after a lifetime of Machiavelli, Hobbes, More, Milton and Shakespeare, to find Skinner dusting down, for instance:

1792. Robert Nares, *Principles of government deduced from reason, supported by English experience and opposed to French errors*

1792. William Agutter, *Christian Politics, or the origins of power and the grounds of subordination*.

1792. Jerome Alley, *Observations on the government and constitution of Great Britain*. Dublin.

1793. Robert Nares, *Principles of government adapted to general instruction and use*

1793. *The two systems of the social compact and the natural rights of man examined and refuted*

1793. Thomas Somerville, *The effects of the French Revolution*.

1793. Charles Sheridan, *An essay upon the true principles of civil liberty and free government*

1793. John Oswald, *Review of the constitution of Great Britain*

1793. Charles Weston, *The authority of government and duty of obedience*, Durham.

1794. William Hales, *The scripture doctrine of political government and political liberty*.

1794. James Wemyss, *A scriptural view of kings and magistrates*.
 1795. [Thomas Spence], *The end of oppression*
 1795. Robert Willis, *Philosophical sketches of the principles of society and government*
 1796. Charles Watkins, *Reflections on government*
 1796. Thomas Wood, *Essay on civil government and subjection and obedience*, Wigan.
 1797. Roger James. *Essay on government*

to mention only a few from a period of five years. I should say that Skinner's bibliography is one of the most impressive bibliographies I have seen. I have only one criticism, which is that Skinner should have imitated what J. C. D. Clark did in his recent book on *Enlightenment*, and arranged the bibliography chronologically rather than alphabetically. Clark's bibliography is a work of historical criticism in its own right. I spent a happy hour or two copying out some of the works Skinner cited and arranging them into a chronological list (hence I am able to supply the above exemplary list).

It may also be necessary to say that the vast array of authors complicates the story until it is almost beyond comprehension as one reads it. Skinner is not concerned with his authors, but with signs and continuities of argument: and we know that in any such bravura exercise there will be errors and exaggerations along the way—Skjensberg says Skinner is wrong about Hume, and Douglass says he is wrong about Hobbes and Locke too—but when the works quoted are in the hundreds it is almost impossible to do anything but listen to the liturgy and marvel at the shapes of the controlling arguments and the story into which Skinner, with great difficulty, impeded as he is by the various concerns and contexts of his myriad authors, inserts them.

3. The argument, or arguments, are perhaps where criticism is most necessary. One can admire Skinner the historian, or, if I am right, Skinner the Shakespearian author of a vast drama out of his archives of matter: but one should criticise Skinner the philosopher. It is Skinner the philosopher who simplifies the arguments so that he can tell a story about them, and Skinner the philosopher who even, as he should probably not do, takes sides in his story: who, finally, and perhaps originally, always takes the side of the original hero, the notional Amfortas before his wound, or Amfortas after Parsifal heals him, or even Parsifal himself. And this is where I want to argue, and argue very simply.

The standard literature on liberty is vexed. Isaiah Berlin made a mess of things when he simplified everything down to two concepts of liberty. These two concepts of liberty—though called negative and positive—were never equal and opposite. Negative liberty was more or less absence of restraint, or independence in the ordinary sense. But positive liberty was sometimes the opposite of negative liberty, and sometimes its corollary: and ranged around from being a system of ruling and being ruled to being a fully paradoxical condition in which one achieved liberty by being a slave, whether religious or secular-totalitarian. Skinner came along to rescue the situation with a 'Third Concept of Liberty', and was dragged into dealing with Philip Pettit's similar and rival theory of liberty-as-non-domination, and Pettit's suggestion that this liberty was not only republican but a better republicanism than anything found in Aristotle, Rousseau or Arendt. Skinner wanted nothing to do with republicanism: since, as a historian, he found men who would never have called themselves republicans using his argument. And Skinner wanted nothing to do with liberty-as-non-domination, preferring his own suggestion that it should be called liberty-as-independence.

But, but, but. The problem is that I think Skinner, in his enthusiasm for this old, pure, ideal of liberty—a liberty conjugated as antithetical to slavery and indeed any dependence on the will of others—has failed to see that the liberty he likes is an ideal, whereas the liberty he dislikes is not an ideal, but simply what liberty is. I don't think Skinner sees at all clearly that the Roman argument was a claim about what liberty should be, whereas Hobbes and the Liberals spoke about what it actually is. After reading *Liberty as Independence* it seems to me as if Hobbes, Blackstone, Paley, Bentham, Austin and the rest were simply contemptuous of words of 'insignificant meaning' and 'uncertain signification'. Liberty should be this,

should be that: but, asked Hobbes, what is liberty when I experience it? What is liberty when I have a liberty? It is not a status, and to think of it as a status is to make a mistake: it is to live in the world of Roman ideals, perhaps, and certainly, consequently, of Whig hypocrisy: a world in which anything as innocent as a Mill or Hayek will seem to be a sign of tragic defeat. But this is not correct. Liberty is not a status, when taken most simply: it is an experience of not being interfered with, here and now. It is not fundamental, though it is very important. It is not fundamental, because we should have liberties in our politics, but we should not call the foundation of our politics liberty. This is simply to use language too paradoxically.

And I would argue that it is to lock the language of liberty, especially on its radical side, into possible tyrannies just as exciting as those of Price and Robespierre. Is it any surprise that the standard radicalism and liberalism of the 1960s, when they were aligned, has become, over the decades, a toxic encounter between a concretised radicalism and a bewildered liberalism? Is it any surprise that no theorist of liberty had anything critical to say about the pandemic? ('Pandemic' being, as Skinner should have known, a political word, and not a medical one.) Skinner suggests that the old pure ideal of liberty might do better work in the world: but this is to make the mistake of thinking that we can rule and be ruled. We cannot. There is no such system. Liberty should not be the name of a status, for then it will become the name of 'artificial chains': whereas Hobbes argued, as Douglass reminds us, that it was law, not liberty, that was built out of artificial chains, and liberty was what was left over for us after the law was done with us. Skinner, it seems, in his idealism, runs the risk—not of wanting to place us in chains (this would be antithetical to anything he could consciously want), but—of consciously calling us free while he unconsciously places us in artificial chains. As several other critics have noticed, his politics are a very standard politics, that favours the European Union, is critical of Iraq, and dislikes Brexit. This is not a sort of politics I admire, and one reason could well be Hobbesian: since Hobbes, at the very least, thought that liberty depended on our knowing who our sovereign was, and not seeing double. I think Skinner wants to see double, but does not know he wants to see double.

Whether we agree with Skinner or not, as a politician, what we can appreciate is that, as a philosopher, or dramatist of his subject, he has not simply sketched his own ideal: rather, he has set an ideal in a situation in which it was forced to twist itself hypocritically to an awkward establishment, suffered reactions, and was eventually displaced. Skinner's moral of the story is not quite the moral suggested by his drama: but we may say with D. H. Lawrence, that we should trust not the teller but the tale; and argue that the moral is, in fact, that liberty-as-independence was exhausted, in historical time, not only by its own purity, and hence impossibility, but also by the one great attempt to associate with an actual political establishment. This association, carried out by the Whigs, was a partial success, but an eventual literary failure, as everyone came to expose the hypocrisy and then rebut the argument and finally turn to a simpler argument that promised less, was less hypocritical, though, alas, was also less ideal—leaving Skinner to write his tragic musing on its decline and fall.

Perhaps for those who do not know of Skinner, or do not know much about him, I should offer a brief sketch. He came of age in the 1960s, and was educated in the Cambridge Historical Tripos of Moses Finley, Walter Ullmann, J. H. Plumb, and G. R. Elton, but drifted into thought, perhaps by inclination—he had originally wanted to become a philosopher—and perhaps by the fortune of studying the Scottish Enlightenment with Duncan Forbes. He was unusually brilliant in an age of talented men, and received tenure without much effort, certainly without the discipline of a doctorate. He wrote about Hobbes, but could have written about anything. He eventually took up a contract to write a short history that, after a decade, became *The Foundations of Modern Political Thought*: and it was while writing this that he wrote great articles on the methodology of practising the history of political thought, acquired an audience in America, and settled on his own style: the style I have already hinted at, whereby he tended to write in the present tense, excerpting arguments from writers, not for the sake of the writers, but for the sake of the arguments: in order to see how 'state' or 'liberty' or perhaps other concepts could be seen taking shape over the centuries. At some point in the 1990s he refined an interest in rhetoric, and wrote several books and articles on that theme, including a book on Hobbes and another on Shakespeare: he showed an interest in

the history of art. This was indirect, a sort of retreat from the promise of his earlier political writing: as if, in this line, he was losing interest in politics. But his inaugural lecture as the Regius Professor of History in Cambridge on 12 November 1997, which I attended, was a twist backwards: and, on this line, Skinner engaged in the historical recovery of lost arguments about politics. There was a book based on the lecture, *Liberty before Liberalism*: and *Liberty as Independence* is the Wagnerian amplification of that original sketch.

Historians of political thought are confused by Skinner. On the one hand, he has always extolled, in Butterfield manner, proper history. But he has also, excitingly, extolled ‘thinking for ourselves’ (as he put it in his famous 1969 essay from *History and Theory*): and these aspirations have always jangled in his writing. The use of the present tense, to me, signifies a reluctance to be a mere historian: he has the mind of a critic, and something of the mind of a philosopher, though, unusually, he also has a vast repository of knowledge about arcane literatures running through Rome, Italy, France and England. *Liberty as Independence* is also, as no one has yet said, something of a reaching forwards in time. Skinner’s axis has always been the seventeenth century, ranging backwards into the sixteenth. So, interestingly, was Pocock’s: he began with Coke, Brady et al, then Harrington, in *Machiavellian Moment* ranged backwards to the same Italian Renaissance Skinner looked at in the *Foundations*, but then, remarkably, Pocock, fragmentarily, but then, in the 1980s, determinedly, began to trace a commercial argument forwards through Hume, Burke and others. Pocock reached a terminus at, say, 1800, which he called the *Sattelzeit* (Koselleck’s name for the *caesura* in the history of political thought). Skinner has never theorised such a break: and, anyhow, his writing always ended with Hobbes—until *Liberty as Independence*, which, in a sense, still ends with Hobbes, though now it ends formally in the 1790s with the arrival of a consensus, conscious or not, that Hobbes had been right all along.

Neither Pocock nor Skinner has ever ventured much beyond the Revolutionary era. Pocock tinkered with Coleridge. Skinner quoted Sidgwick and Bosanquet. But, really, the entire subject collapses at the Revolution: and Claeys and Whatmore and Nakhimovksy have not really shown how to bridge the gap. Skinner told us in a talk last year that Pocock briefly thought of writing an entire history of political thought in England. None of the gods has ever deigned to write the equivalent of a Stubbs *History* that covers everything from Cicero or Bede to the present. Isn’t it remarkable that, despite everything, our subject remains a set of fragments or themes, Vesalian ligaments? No one has written a total history since Sabine: and Sabine, as Pocock told us, wasn’t a history. Perhaps the thing cannot be done. But Skinner, less of a historian than Pocock because more of a critic, could have written one. I imagine Pocock’s unwritten long history being somewhat shapeless, since he would have followed lines of other historians. Skinner, prouder, perhaps, and always the imposer of shape on history, would have given us a stark axiological vision—a bit like G. R. Elton’s history of England that was conjured around Thomas Cromwell’s achievement. And perhaps, despite everything, this is what Skinner *has* given us: the history of thought arranged around the other Thomas, Hobbes.