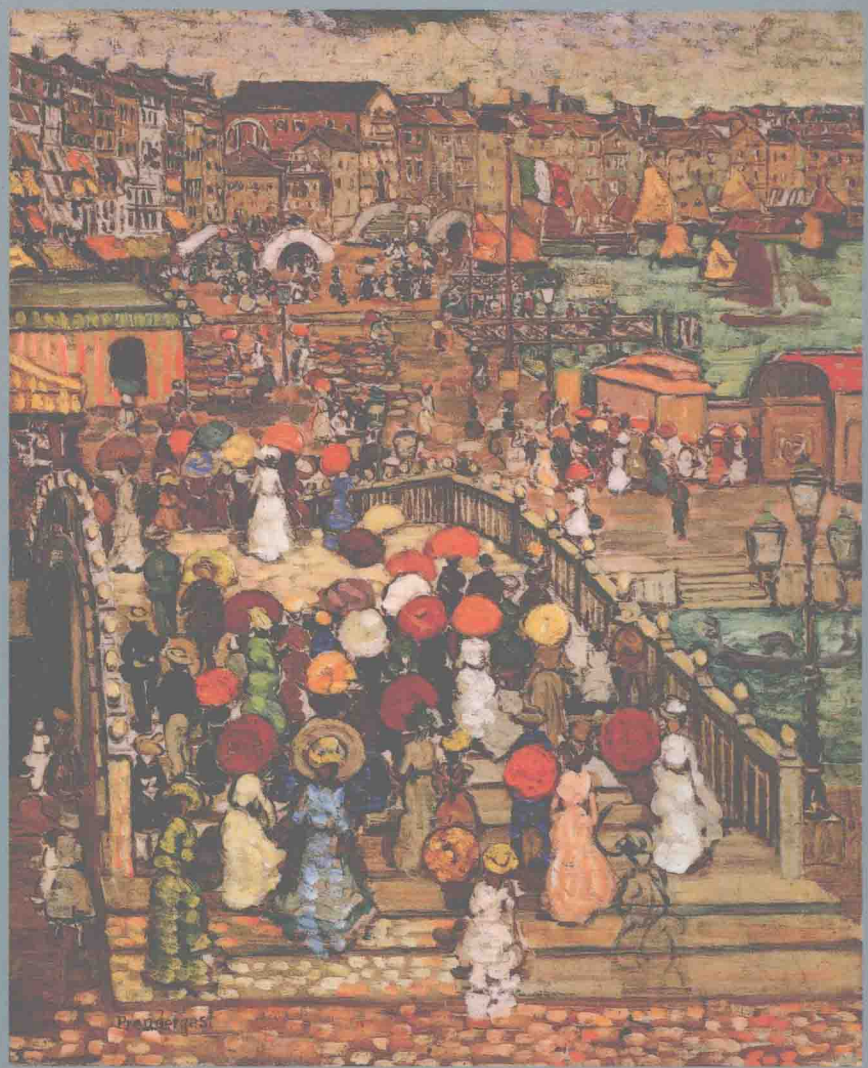
Readings for Western Civilization
From the *Ancien Régime* to the Present

Sources of the West

Volume II

Second Edition



Mark A. Kishlansky, Editor

SOURCES OF THE WEST

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Second Edition

VOLUME II

FROM THE ANCIEN RÉGIME TO THE PRESENT

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Sources of the West

Preface

Sources of the West is a collection of documents designed to supplement textbooks and lectures in the teaching of Western civilization. The use of primary materials is an essential component of the study of history. By hearing the voices of the past, students come to realize both the similarities and the differences between their society and previous ones. In witnessing others ponder the same questions that rouse their own curiosity, students feel a connection between the past and the present. Moreover, by observing the ways in which such questions and experiences are worked out and described, they come to an understanding of and respect for the integrity of other cultures. By confronting the materials of the past, students exercise an imagination that is at the heart of the teaching and learning of history.

Historical sources are the building blocks from which instructors and textbook writers have ultimately constructed their accounts and their explanations of Western historical development. It is essential that even beginning students learn that the past does not come to us prepackaged but is formed by historians who exercise their own imaginations on primary materials. Historical thinking involves examining the ideas of others, understanding past experiences on others' terms, and recognizing other points of view. This process makes everyone, student and instructor alike, a historian.

I have observed a number of principles in selecting the materials for this collection, which is designed for beginning-level college students. I believe strongly in the value of primary sources and feel that they should be made as accessible to contemporary students as possible. Thus I have preferred to use up-to-date translations of many texts despite the costliness of acquiring their rights. Many of the late-nineteenth-century translations that are commonly used in sourcebooks present texts that are syntactically too complex for modern students to comprehend easily. I have also chosen to present longer selections than is usual in books of this type. Unlike works that contain snippets of hundreds of documents, *Sources of the West* presents a sizable amount of a small number of sources. It therefore allows students to gain a deeper feeling for authors and texts and to concentrate their energies and resources. No selection is so long that it cannot be easily read at a sitting and none so short as to defy recall. Each selection raises a significant issue around which classroom discussion can take place or to which lectures can refer. Some may even stimulate students to seek out the complete original works.

Two other principles lie behind the selections I have made. The first is that a steady diet of even the greatest thinkers of the Western tradition is unpalatable without other varieties of social and cultural materials. For this reason I have tried to leaven the mass of intellectual history with materials that draw on social conditions or common experiences in past eras. These should not only aid students in making connections between past and present but also introduce them to the varieties of materials from which history is re-created. Second, I have been especially concerned to recover the voices and highlight the experiences of those who are not always adequately represented in surveys of Western civilization. The explosion of work in social history, in the history of the family, and in the history of women has made possible the inclusion of materials here that were barely discovered a decade ago. While this effort can be clearly seen in the materials chosen for the modern sections, it is also apparent in the more traditional selections made from older documents.

By providing longer selections and by expanding the scope of the materials to be incorporated, I have necessarily been compelled to make some hard choices. There exists a superabundance of materials that demand inclusion in a collection such as this. I have chosen the principal texts that best illustrate the dominant themes of Western civilization. Because Western Civilization is a basic course in the curriculum of most colleges and universities, it must carry the primary responsibility for introducing students to dominant historical events and personalities. But it is my conviction that it is the experience of using primary materials—more than the identity of the materials—that is vital. Thus I have tried to provide a balance among constitutional documents, political theory, philosophy, imaginative literature, and social description. In all cases I have made the pedagogical value of the specific texts the prime consideration, selecting for significance, readability, and variety.

The feature "How to Read a Document" is designed to introduce students to a disciplined approach of working with primary sources and to encourage them to use their imaginations in their historical studies. No brief introduction can pretend to be authoritative, and there are many other strategies and questions that can be adopted in training students to become critical readers. It is hoped that this introduction will remove some of the barriers that usually exist between students and sources by walking them through a single exercise with a document in front of them. Any disciplined approach to source materials will sensitize students to the construction of historical documents, their content and meaning, and the ways in which they relate to modern experience. Individual instructors will easily be able to improve upon the example offered here.

In preparing this new edition of *Sources of the West,* I have been aided by innumerable suggestions from both adopters and users of the book. Letters from course heads and even some from students have helped me in choosing new documents for this edition and eliminating some that were less successful. The result, I hope, will be a stronger, more balanced, and more up-to-date collection. I have had the opportunity to include a number of works in the mod-

ern period that now seem to have greater relevance than they did when the first edition was compiled. I have also been able to substitute better editions of documents in the earlier parts of the first volume. I would like to thank Dan Gordon, Brendan Dooley, and Brennan Pursell for their aid and advice. I would also like to thank Carol A. Devlin of Marquette University, Thomas S. Edwards of Westbrook College, Gary J. Johnson of the University of Southern Maine, and William Stockton of Johnson County Community College for their thoughtful reviews of the first edition. Carol Einhorn shepherded the manuscript through the editorial process, and I am grateful to her. Victor Stater was, again, an indispensable assistant in reworking texts, consulting on new choices, and helping to edit the many new documents in this edition.

MARK A. KISHLANSKY

How to Read a Document

Do you remember the first time you used a road map? After struggling to unfold it and find the right side up and the right way around, you were confronted by an astonishing amount of information. You could calculate the distance between places, from towns to cities, or cities to cities, even the distance between exits on the toll roads. You could observe relative population density and identify large and small places. You could even judge the quality of roads. Most likely, though, you opened that map to help you figure out how to get from one particular place to another, to find the best route for the trip you were making.

To let the map tell you that, you had to know how to ask the right questions. It all seems so obvious now: You put one finger on the place where you were and another on the place you wanted to get to, and then you found the best and most direct roads between them. But in order to do something this simple, you made a lot of assumptions about the map. First, you assumed that the map was directionally oriented—north at the top, east to the right, south and west opposite. Next, you assumed that the map was to scale—that the distance between places on the map was proportional to their distances in reality. Third, you assumed that intersections on the map represented intersections on the ground, that roads that appeared to cross on paper actually would cross when you reached them. These assumptions allowed you to draw conclusions about your route. Of course, if any of them were not true, you found out soon enough.

Learning to read a historical document is much like learning to read a map. It is important to ask the right questions and make the right assumptions. But unlike the real journey that the map makes possible, the journey that is made with a historical document is one of the imagination. It is not so easy to put your finger on the past. You will have to learn to test your assumptions and to sharpen your ability to ask questions before you can have any confidence that you are on the right road. As with anything else, mastery of these skills takes concentration and practice. You will have to discipline yourself to ask and answer questions about the document on three different levels. At first you will need to identify the basic components of the document itself: who wrote it, when, and for what purpose. Then you will want to understand its form and content. Finally you will want to know the ways in which it can be interpreted. At the beginning, you will be asking questions that you can answer directly; by

the end, you will be asking questions that will give full play to your imagination and your skills as a historian. Let's take an example.

Read this document slowly and carefully.

To the King's Most Excellent Majesty

Humbly show unto our sovereign Lord the King, the Lords Spiritual and Temporal, and Commons in Parliament assembled, that whereas it is declared and enacted by a statute made in the time of the reign of King Edward the First, commonly called "The Statute of No Taxation Without Consent," that no tallage or aid shall be laid or levied by the King or his heirs in this realm, without the goodwill and assent of the Archbishops, Bishops, Earls, Barons, Knights, Burgesses, and other the freeman of the commonalty of this realm: and by authority of Parliament holden in the five and twentieth year of the reign of King Edward the Third [1352], it is declared and enacted, that from thenceforth no person shall be compelled to make any loans to the King against his will, because such loans were against reason and the franchise of the land; and by other laws of this realm it is provided, that none should be charged by any charge or imposition, called a Benevolence. . . . Your subjects have inherited this freedom, that they should not be compelled to contribute to any tax, tallage, aid, or other charge not met by common consent in Parliament.

Yet nevertheless, of late divers commissions directed to sundry Commissioners in several counties with instructions have issued, by means whereof your people have been in divers places assembled, and required to lend certain sums of money unto your Majesty, and many of them upon their refusal so to do have had an oath administered unto them, not warrantable by the laws or statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your Privy Council, and in other places, and others of them have been therefore imprisoned, confined, and sundry other ways molested and disquieted; and divers other charges have been laid and leveled upon your people in several counties, by Lords Lieutenants, Deputy Lieutenants, Commissioners for Muster, Justices of Peace and others, by command or direction from your Majesty or your Privy Council, against the laws and free customs of this realm.

And where also by the statute called "The Great Charter of the Liberties of England," it is declared and enacted, that no freeman may be taken or imprisoned or be disseised [dispossessed] of freeholds or liberties, or his free customs, or be outlawed or exiled; or in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land:

And in the eight and twentieth year of the reign of King Edward the Third [1355] it was declared and enacted by authority of Parliament, that no man of what estate or condition that he be, should be put out of his lands or tenements, nor taken, nor imprisoned, nor disinherited, nor put to death, without being brought to answer by due process of law.

Nevertheless, against the tenor of the said statutes and other good laws and statutes of your realm to that end provided, divers of your subjects have of late been imprisoned without any cause showed, and when for their deliverance they were brought before your justices, by your Majesty's writs of Habeas Corpus, there to undergo and receive as the Court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your Majesty's special command, signified by the Lords of your Privy Council, and yet were returned back to several prisons, without being charged with anything to which they might make answer according to the law.

And whereas of late great companies of soldiers and mariners have been dispersed into divers counties of the realm, and the inhabitants against their wills have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievances and vexation of the people:

And whereas also by authority of Parliament, in the 25th year of the reign of King Edward the Third [1352] it was declared and enacted, that no man shall be forejudged of life or limb against the form of the Great Charter, and the law of the land and by the said Great Charter . . . no man ought to be adjudged to death, but by the laws established in this your realm . . . : and whereas no offender of what kind soever is exempted from the proceedings to be used, and punishments to be inflicted by the laws and statutes of this your realm: nevertheless of late divers commissions under your Majesty's Great Seal have issued forth, by which certain persons have been assigned and appointed Commissioners with power and authority to proceed within the land, according to the justice of martial law against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or other outrage or misdemeanor whatsoever, and by such summary course and order as is agreeable to martial law, and is used in armies in time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death according to the law martial:

By pretext whereof, some of your Majesty's subjects have been by some of the said Commissioners put to death, when and where,

if by the laws and statutes of the land they had deserved death, by the same laws and statutes also they might, and by no other ought to, have been adjudged and executed:

And also sundry grievous offenders by color thereof, claiming an exemption, have escaped the punishments due to them . . . by reason that divers of your officers and ministers of justice have unjustly refused, or forborne to proceed against such offenders according to the same laws and statutes, upon pretense that the said offenders were punishable only by martial law. . . .

They do therefore humbly pray for your Most Excellent Majesty that no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or such like charge, without common consent by Act of Parliament; and that none be called to make answer, or take such oath or to give attendence, or be confined, or otherwise molested or disquieted concerning the same, or for refusal thereof; and that no freeman, in any such manner as is before-mentioned, be imprisoned or detained; and that your Majesty will be pleased to remove the said soldiers and mariners, and that your people may not be so burdened in time to come; and that the foresaid commissions for proceeding by martial law, may be revoked and annulled; and that hereafter no commissions of like nature may issue forth to any person or persons whatsoever, to be executed as aforesaid, lest by color of them any of your Majesty's subjects be destroyed or put to death, contrary to the laws and franchise of the land.

All which they most humbly pray of your Most Excellent Majesty, as their rights and liberties according to the laws and statutes of this realm: and that your Majesty would also vouchsafe to declare that the awards, doings, and proceedings to the prejudice of your people, in any of the premises shall not be drawn hereafter into consequence or example: and that your Majesty would be also graciously pleased, for the further comfort and safety of your people, to declare your royal will and pleasure, that in the things aforesaid all your officers and ministers shall serve you according to the laws and statutes of this realm as they tender the honor of your Majesty, and the prosperity of this kingdom.

Now what sense can we make out of all of that? You have just read a historical document known as the Petition of Right. It was presented to King Charles I of England by his Parliament in 1628. In order to understand this document, you are going to need to find answers to a series of questions about it. Start at the beginning with a number of questions that might be designated "level one" questions.

Level One

The first set of questions that need to be addressed are those for which you should be able to find concrete answers. The answers to these questions will give you the basic information you need to begin the process of interpretation. Although "level one" questions are seemingly straightforward, they contain important implications for deeper interpretation. If you do not consciously ask these questions, you will deprive yourself of some of the most important evidence there is for understanding documents. Train yourself to underline or highlight the information that will allow you to answer the following questions.

1. Who Wrote This Document?

In the first place, you need to know how this document came to be created. Written historical records were created by individuals in a specific historical setting for a particular purpose. Until you know who created the document you have read, you cannot know why it was created or what meanings its author intended to impart by creating it. Nor is it enough simply to learn the name of the author; it is equally important to learn about authors as people, what social background they came from, what position they held, to what group they belonged. Although you will learn the identity of the author from the headnotes, you will learn much about that person or group from the document. In the case of the Petition of Right, you know that the document was written by the Lords Spiritual and Temporal and the Commons assembled in Parliament **(line 2).** This document is the work of a political body rather than of an individual, and you probably know from your own experience that such a document must have been written by a committee and revised and amended by the rest of the body before it was completed. Such authorship, unlike the work of an identifiable individual, suggests a wide degree of support and probably more than one compromise between those who wanted a stronger statement and those who wanted a weaker one. You will need to learn as much as you can about the authors of a document to help you answer more complicated questions.

2. Who Is the Intended Audience?

Identifying the intended audience of a document will tell you much about its language, about the amount of knowledge that the writer is assuming, even sometimes about the best form for the document to take. The relationship between author and audience is one of the most basic elements of communication and one that will tell you much about the purpose of the document. Think of the difference between the audience for a novel and that for a diary, or for a law and for a secret treaty. In each case, knowing the intended audience determines your view of what to expect from the document. Knowing the audience

allows you to begin to ask important questions, such as, "Should I believe what I am being told?" In the Petition of Right, you know that the intended audience was the king of England **(line 1).** This knowledge helps you to establish the relationship between authors and audience, from which you can learn many things. In the Petition of Right, this relationship helps you understand the kind of language that is being used. You would expect Parliament to "most humbly pray" **(line 110)** when addressing the king. If you were reading a shopkeeper's bill to a customer or a mother's letter of advice to her daughter, you would be surprised by such language and alerted that something unusual was going on. The relationship between author and audience provides you with reasonable expectations, and it is well for you to ask if these are fulfilled. Is there language in the Petition of Right that is not appropriate to the relationship between a king and his parliament? Finally, you must remember that the writer may have intended to address more than one audience. Here you might wonder if the Petition of Right was not also intended to be read by government officials, lawyers, and even the educated public. How would such multiple audiences affect the nature of the document?

3. What Is the Story Line?

The final "level one" question has to do with the content of the document. You now know enough about it in a general way to pay attention to what it actually says. To learn the story line, you must take some notes while you are reading and underline or highlight important places in your text. The more often you ask yourself, "What is going on here?" the easier it will be to find out. No matter how obscure a document appears at first, deliberate attention to the story line will allow you to focus your reading. In this document, the story seems to be simple. Parliament has identified a number of violations of the laws of the realm. In their opinion, the king has attempted to raise taxes without partliamentary consent **(line 18);** has imprisoned people without telling them the grounds for their imprisonment **(line 49);** has quartered soldiers in the homes of citizens against their will **(line 60);** and has allowed his agents to use the forms of martial law to try, convict, and punish unruly persons **(line 76).** Parliament petitions the king to recognize that these are violations of the rights of citizens **(line 111),** that they be halted at once, that they not be used as precedent for future actions **(line 95),** and that those responsible be instructed to follow the laws of the realm more fully in the future **(line 119).** While this is undoubtedly the "story" this document tells, you will soon see that while the story may be simple, its meaning may be very complicated. Notice how in trying to find the story line you were not concerned with the thick details of the document—those complicated facts and arguments that seemed so imposing when you first read it. It doesn't yet matter in which year in the reign of Edward III laws were passed **(line 41),** what a writ of Habeas Corpus is **(line 50),** or who the Lords of the Privy Council might have been **(line 54).** At this point you want to know what this document is about, and unless understanding these thick

details is absolutely essential to making any sense out of it at all, you are not going to be put off by them.

LEVEL TWO

If "level one" questions allow you to identify the nature of the document and its author, "level two" questions allow you to probe behind the essential facts. Now that you know who wrote the document, to whom it is addressed, and what it is about, you can begin to try to understand it. Since your goal is to learn what this document means, first in its historical context and then in your current context, you now want to study it from a more detached point of view, to be less accepting of "facts" and more critical in the questions you pose. At the first level, the document controlled you; at the second level, you will begin to control the document.

1. Why Was This Document Written?

Everything is written for a reason. You make notes to yourself to remember, you send cards to celebrate and sympathize, you correspond to convey or request information. The documents that historians traditionally study are more likely to have been written for public rather than private purposes, but not always. Understanding the purpose of an historical document is critical to analyzing the strategies that the author employs within it. A document intended to convince will employ logic; a document intended to entertain will employ fancy; a document attempting to motivate will employ emotional appeals. In order to find these strategies, you must know what purpose the document was intended to serve. The Petition of Right was intended to persuade. The case for the abuses of which Parliament was complaining is set out logically with clear examples. By the end of the petition, the case seems irrefutable, though, of course, there was undoubtedly another side to the story.

2. What Type of Document Is This?

The form of a document is vital to its purpose. You would expect a telephone book to be alphabetized, a poem to be in meter, and a work of philosophy to be in prose. The form or genre in which a document appears is always carefully chosen. Genre contains its own conventions, which fulfill the expectations of author and audience. A prose map of how one travels from Chicago to Boston might be as effective as a conventional map, but it would not allow for much of the incidental information that a conventional map contains and would be much harder to consult. A map in poetry would be mind-boggling! Here you have a petition, and even if you don't know much about the form of a seventeenth-century petition, you can learn more than enough about it from the presentation itself. This document is obviously very formal and written in legal

language. It specifies certain laws **(lines 5, 34)** and then asserts that they have been violated **(line 46).** It takes the form of a request, "humbly praying" that the king, "your most Excellent Majesty" **(line 110)**, will grant the desires expressed in the petition. You can learn a variety of things from the petition form: the relationship between Parliament and king, the powers of the king, the role of a parliament, the way in which the legal or legislative process works.

3. What Are the Basic Assumptions Made in This Document?

All documents make assumptions that are bound up with their intended audience, with the form in which they are written, and with their purpose. Some of these assumptions are so integral to the document that they are left unsaid, others are so important to establish that they form a part of the central argumentation. The Petition of Right assumes that king and Parliament share a legal system and that both recognize certain precedents in it as valid. This is why statutes from past realms are quoted as authorities. If the Petition of Right had been written by the English Parliament to the French king, such assumptions would be invalid and the document would be incomprehensible. Similarly, the assumption that law is binding on both king and subjects—an assumption that might have been contested in the seventeenth century—runs through the entire petition. Of course, the authors continually frame this assumption in the language of "Your Majesty's law" so as to persuade the king that the violations are as much against the king as against his subjects. Finally, the form of the petition assumes that both king and Parliament desire to eliminate the grievances of the nation. The petition would make no sense if the king could reply, "They are taking your property, imprisoning you without cause, and hanging you arbitrarily? Good! Let's have more of this efficiency in government."

LEVEL THREE

So far, you have been asking questions of your document that you can learn directly from it. Sometimes it is more difficult to know who composed a document or who the intended audience was than it has been with the Petition of Right. Sometimes you have to guess at the purpose of the document. But essentially questions on level one and level two are questions with direct answers. Once you have learned to ask them, you will have a great deal of information about the historical document at your disposal. You will then be able to think historically—that is, to pose your own questions about the past and to use the material the document presents to seek for answers. In level three, you will exercise your critical imagination, probing the material and developing your own assessment of its value. "Level three" questions will not always have definite answers; in fact, they are the kind of questions that arouse disagreement and debate and that make for lively classroom discussion.

1. Can I Believe This Document?

To be successful, a document designed to persuade, to recount events, or to motivate people to action must be believable to its audience. For the critical historical reader, it is that very believability that must be examined. Every author has a point of view, and exposing the assumptions of the document is an essential task for the reader. You must treat all claims skeptically (even while admiring audacity, rhetorical tricks, and clever comparisons). One question you certainly want to ask is, "Is this a likely story?" Are you really persuaded that the king of England does not know the laws that the Petition of Right claims to be reasserting? Doesn't it seem that the authors want to have it both ways when they complain that martial law is too severe **(line 75)** but not severe enough **(line 93)**? Testing the credibility of a document means looking at it from the other side. How would the king of England respond to the Petition of Right, and what would his point of view be?

2. What Can I Learn About the Society That Produced This Document?

All documents unintentionally reveal things about their authors and about their era. It is the things that are embedded in the very language, structure, and assumptions of the document that can tell you the most about the historical period or event that you are studying. However angry the members of Parliament are about their grievances, they believe profoundly in monarchy. Look at the way they address their king **(lines 1, 94).** Notice how careful they are to blame everything on agents rather than on the monarch himself. You might think that this is just sweet-talking, that they know it is the king who is to blame, and they have him dead to rights with all the violations of law that they have documented. But, of course, if they really believed that the king was in the wrong, why petition him to reassert their rights? What expectation could they have that he would grant these rights or respect them? Notice also the hierarchical structure of English government—the "Lords Spiritual and Temporal," the earls and the barons, and so forth **(line 7).** You can learn many things about seventeenth-century English society by reading *into* this document rather than by simply reading it.

3. What Does This Document Mean to Me?

So what? What does the Petition of Right, written over 350 years ago, have to do with you? Other than for the practical purpose of passing your exams and getting your degree, why should you be concerned with historical documents? What can you learn from them? Only you can answer those questions. But you won't be able to answer them until you have asked them. You should demand the meaning of each document you read: what it meant to the historical actors—authors, audience, and society—and what it means to your own society.

In the case of the Petition of Right, the principles of freedom from arbitrary arrest, from the seizure of property, and the assurance of due process of law in criminal matters obviously have something to do with all of us. But not all documents will yield their meanings so easily.

Now that you have seen how to unfold the map of a historical document, you must get used to asking these questions by yourself. The temptation will be great to jump from level one to level three, to start in the middle, or to pose the questions in no sequence at all. After all, you probably have a ready-made answer to "What does this document mean to me?" But if you develop the discipline of asking all your questions in the proper order, you will soon find that you are able to gain command of a document on a single reading and that the complicated names and facts that ordinarily would confuse you will easily settle into a pattern around one or another of your questions. After a few weeks, reread these pages and ask yourself how careful you have been to maintain the discipline of posing historical questions. Think also about how much more comfortable you now feel about reading and discussing historical documents.