

剑桥政治思想史原著系列（影印本）

CAMBRIDGE TEXTS IN THE HISTORY OF POLITICAL THOUGHT

宫廷仪轨

Court Maxims

Sidney

西德尼

Edited by

HANS W. BLOM,

ECO HAITSMA

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RONALD JANSE

中国政法大学出版社

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SIDNEY
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丛书编辑

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在政治理论领域，“剑桥政治思想史原著系列”作为主要的学生教科丛书，如今已牢固确立了其地位。本丛书旨在使学生能够获得从古希腊到 20 世纪初期西方政治思想史方面所有最为重要的原著。它囊括了所有著名的经典原著，但与此同时，它又扩展了传统的评价尺度，以便能够纳入范围广泛、不那么出名的作品。而在此之前，这些作品中有许多从未有过现代英文版本可资利用。只要可能，所选原著都会以完整而不删节的形式出版，其中的译作则是专门为本丛书的目的而安排。每一本书都有一个评论性的导言，加上历史年表、生平梗概、进一步阅读指南，以及必要的词汇表和原文注解。本丛书的最终目的是，为西方政治思想的整个发展脉络提供一个清晰的轮廓。

本丛书已出版著作的书目，请查阅书末。

CAMBRIDGE TEXTS IN THE
HISTORY OF POLITICAL THOUGHT

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Preface

In recent years, republican political thought has attracted much scholarly interest, in particular as an outcome of the publications of J. G. A. Pocock. Although the Anglo-American branch of republicanism has predominated in this line of scholarship, other varieties have not escaped attention, especially under the influence of the like-minded writings of Quentin Skinner on republican liberty. The concomitant publication of modern editions of pivotal texts, like those of Neville and Moyle, Harrington, and recently of the *Discourses on government* of Algernon Sidney, confirm this tendency. Sidney's *Court maxims*, written some twenty years before the *Discourses*, has never had an edition either contemporary or modern, and was only recently saved from perennial oblivion by the Oxford historian Blair Worden, who discovered it in Warwick Castle in the 1970s. Written in 1664–5, during his stay in Holland, this manuscript is of the greatest importance for the study of the international ramifications of seventeenth-century republican thought.

The editors express their gratitude to Blair Worden for his encouragement. Jonathan Scott deserves our recognition for his generous consent to hand over the assignment of the edition, and above all for the great support discussions with him as well as his unsurpassable biography of Sidney so abundantly provided. Thanks are also due to the staff of the Warwickshire County Record Office and to John Hogan of the University of Warwick for their generous assistance during the process of transcribing the manuscript.

The manuscript, which is now part of the Greville of Warwick Castle archive (reference CR 1886/unnumbered) is owned by and

Preface

located in the Warwickshire County Record Office. We kindly acknowledge the permission of Christopher Jeens, County Archivist, Warwickshire County Record Office, to publish this edition.

Ronald Janse has prepared the transcript and the annotations. Hans Blom and Eco Haitsma Mulier wrote the introductory material. The final result is a collective one.

Note on the text

The manuscript is known to us from one copy only. This is now part of the Greville of Warwick Castle archive (reference CR 1886/unnumbered) and owned by and located in the Warwickshire County Record Office. Its 211 pages are not in Sidney's own hand, but by two different copyists with corrections in again two other hands. The first 96 pages must date from the late seventeenth century and could possibly have been copied by Sidney's friend and one-time host Benjamin Furly (1636–1714), merchant, quaker and man of letters in Rotterdam. The second part is in eighteenth-century handwriting, possibly prepared at the request of the second earl of Warwick, who may have made some of the corrections. Although much more legible than the first half, it has unfortunately been bound slightly too tightly. Consequently a few words had to be interpolated, as accounted for in the footnotes.

This first edition is not a scholarly one. It intends to present a readable text. To that purpose names and other references have been modernized and standardized, and modern punctuation provided. The original division of paragraphs has been retained, exceptions being made where paragraphs would run on too long.

Although it has been argued that the original order of the chapters of the manuscript has been tampered with by the copyists, we have refrained from following Scott's suggestions to re-order them. For purposes of reference, the page numbers of the manuscript are given in the margin of the text. Although in the second part the numbering restarts, it has been numbered through to prevent misunderstandings. This conforms to the practice adopted by Scott.

Note on the text

Abbreviations have been extended and interpolations, required by the intended readability of the text, are added between asterisks. Moreover, the often incorrect Latin quotations and titles have been checked where possible, corrected where necessary, and translated in the footnotes. Modern translations have been followed where available. In cases where a Latin quotation could not be traced in the text referred to by Sidney, an indication is given of the passage Sidney may have had in mind, preceded by 'Reference to'. The quite freely paraphrased quotations from the Bible have been left unchanged, but their references are provided. Additional historical information on Sidney's ample use of ancient, modern, and contemporary history is given in the footnotes, as well as clarifications of his allusions to and paraphrases of political thinkers. For all Sidney's often remarkable opinions, we have abstained from adding qualifying or correcting comments. Footnotes are provided on the first occurrence in the text of the annotated item.

Introduction

Three crucial elements influenced Sidney's political writings: his extraordinary career, his bold character, and no doubt his particular cultural background. *Court maxims, discussed and refelled* was written while Sidney was in his forties and experiencing a large measure of adversity during his self-inflicted exile to the Continent. Sidney intended this text to unite English republicans, and possibly their Dutch counterparts as well, into an effort to re-establish the Commonwealth in England. But it would be inappropriate to look at it as just a 'work of propaganda' (Blair Worden, 'The commonwealth kidney of Algernon Sidney', *Journal of British Studies*, 24 (1985) 1-40, p. 10). A remarkably uncompromising text, it contains 'a more complete exposure of the assumptions behind, and the tensions within, Sidney's thought as a whole' (Jonathan Scott, *Algernon Sidney and the English republic, 1623-1677* (Cambridge, 1988), p. 7) than his later *Discourses concerning government* which, in more direct response to the actual circumstances of the 1680s, was to be published in 1698. The *Court maxims* abound with classical and biblical references, side by side with machiavellian themes and reverberations of Sidney's own education as a squire, providing the context for his view of English history and the nature of politics. The tragedy of the *Court maxims*, however, was that its author was already in the process of losing ground as a politician among English exiles on the Continent because of his abrasive character, while the shifting political situation made its publication inappropriate and left it gathering dust in the archives for more than two centuries.

Algernon Sidney was born in 1623 as the second son of the second

earl of Leicester. His mother was a Percy, her father being the earl of Northumberland. Algernon's great-uncle was Sir Philip Sidney, the famous soldier, poet and humanist, who in 1586 died fighting the Spanish army during the siege of Zutphen in the Dutch republic. Algernon's family background was an ancient aristocratic one, his father's family having risen in Tudor times, that of his mother during the Middle Ages. Algernon's father had collected an important library at his house Penshurst in Kent, and his interest in classical and renaissance culture is well known. Unlike his elder brother Philip, Algernon inherited his father's bent for scholarly and literary activities. Moreover, he definitely showed his family's distinctively vehement and quick-tempered nature, which regularly brought him into quarrelsome conflicts of all kinds. However, Algernon also continued the family's ancient political and military tradition. In 1636, after a short embassy to Copenhagen, his father had been appointed ambassador to Paris where his sons received a great part of their education. In addition, Algernon may also have studied at the huguenot Academy in Saumur. In 1641, Charles I appointed the earl of Leicester lord lieutenant of Ireland, and Algernon joined under the command of his brother in the violent suppression of the Irish uprising. As a younger son of noble birth he had little choice but to follow a military career. With the tension between king and Parliament rising rapidly during these years, Algernon decided to join the parliamentary army and in 1644 he was heavily wounded in the battle of Marston Moor. In opting for the parliamentary side, Algernon did not share his father's political indecisiveness, for reasons unknown to us.

In 1645 Sidney was appointed military governor of Chichester and in the next year he obtained a seat in Parliament. He stood firm in defence of Parliament's position against presbyterian attempts to reform the parliamentary army. Subsequently he was appointed governor of Dover, but did not hold that position for long, because parliamentary activities were to take up most of his time. Unwavering against compromises with the king, he nevertheless also opposed the radicals and denied Parliament, whether purified or not, the right to sentence the king, which attitude brought him Cromwell's enmity. Although it is unknown whether he took the required oaths on the new government following the execution of Charles I, Sidney nevertheless continued to sit in what by then had become the Rump

Parliament. Ending his governorship of Dover by way of conflict, his role in politics cannot have been unnoticed, although he did not attend Parliament very regularly (Worden, 'Commonwealth kidney', p. 7). Sidney now started to associate with a political grouping around Henry Neville and Thomas Chaloner, both members of befriended families predisposed to republican ideas who shared an ethos of resistance to the growing power of Cromwell's army. From 1652 onwards, Sidney was a devoted republican and became a member of the Council of State. As a senior government figure for Irish affairs, he outlined legislation for the purpose of the colonization of Ireland, and also took part in the project to integrate Scotland into the Commonwealth. Most remarkable was Sidney's involvement in the foreign affairs of the Commonwealth. Together with his political friends he promoted an aggressive policy, culminating in the outbreak of the first Anglo-Dutch war in 1652. This foreign policy was more informed by economic interests than by the apocalyptic puritanism of the preceding years, and the previous political ambition of a union of protestant nations was replaced by a head-on attack on England's commercial rival, symbolized as a Carthage to be destroyed by a new Rome. But 1653 saw Cromwell disperse the Rump Parliament by armed force, and during these proceedings Sidney himself was physically threatened. From then on, Sidney regarded Cromwell as the incarnation of the vices of monarchical power and tyranny.

As a result, Sidney retired to his family estates in self-imposed internal exile. He set out to settle the family's financial affairs but without much success and his attempts in this direction led to a deterioration of his relationship with his father and elder brother alike. Amidst these events, he sat down to write a treatise *Of love*, glorifying love as a platonic quest for beauty. Cromwell's death, however, and the subsequent removal of his son from the Protectorate left Sidney free to retake his seat in the restored Rump Parliament. By the following month he was already leading the embassy to Scandinavia to restore peace between Denmark and Sweden. These countries were struggling for the exclusive control of the Sound, but England's interests required that it have some influence on the final settlement of this question too. The Dutch had interests similar to those of England and they sought to promote them by sending their navy. Now Sidney's embassy entered the field and practised the principles of

gunboat diplomacy (Scott, *Sidney and the English republic*, p. 129). Not in the least disturbed by the subtleties of diplomatic practice, Sidney managed in particular to irritate Charles X Gustavus of Sweden. He did not improve matters by his famous inscription in the new visitors' book of the University of Copenhagen: 'Philippus Sidney, manus haec inimica tyrannis, ense petit placidam cum libertate quietem' (this hand, hostile to tyrants, seeks by the sword the tranquil peace of freedom) (see also A. C. Houston, *Algernon Sidney and the republican heritage in England and America* (Princeton, 1991), p. 34, and note 76), reference made to his famous great-uncle Philip as well. This not only gave Charles X something to chew on, but the newly restored English king Charles II was also acquainted with this impertinence by his court. So Sidney was less than eager to return to England. His pride forbade him to request mercy, or to concede any mistakes, as the king demanded. Moreover, he strongly doubted his safety even if guaranteed.

Thus seventeen long years of exile became his lot. Three years were spent in Rome, where he frequented the papal court, its learned cardinals and clerical nobility. In 1663 Sidney was prompted into action by his financial problems and also by the unsettled situation in England, by the execution of the regicides as well as that of his former combatant Vane, and by the first signs of religious persecution. Sidney's impatient and surly mode of conduct alienated his companions in distress whom he met during his incessant travels through Switzerland, Germany, the Spanish Netherlands, and the Dutch republic. More than once he felt the threat of the royalist assassins. It was during these years that Sidney must have written the *Court maxims*, in which the English defeat off Guinea by the Dutch admiral De Ruyter at the end of 1664 is mentioned (177 MS, p. 175), but the outbreak of the second Anglo-Dutch war on 22 March 1665 is not. One may surmise that Sidney wrote this tract in order to promote his project of launching a joint attack on England. The Dutch grand pensionary Johan de Witt, however, turned his proposal down; he was probably afraid of possible adverse consequences for the Dutch republic in the case of a failure. Nor were Sidney's compatriot republicans eager to make common cause with the Dutch, among other reasons because the Republic had recently not prevented the abduction of three regicides from Dutch territory.

Sidney spent much of this period in Rotterdam with the learned English quaker Benjamin Furly, who may have introduced him to Dutch intellectual circles. A last attempt was made, by the intermediary of the French ambassador to the Republic, to engage the recent Dutch ally Louis XIV in an invasion of England. Although the king provided a small sum, Sidney's subsequent offer to lead French troops into England was declined and the project came to nothing. This was the temporary end of Sidney's political activities among republican exiles. He withdrew to the huguenot southern part of France, from where he made frequent, protracted trips to Paris. His contacts with French aristocratic families who had only just lived through the Fronde intimate the social milieu sought by this extraordinary republican.

Sidney, however, could not acquiesce to continued exile. In 1677 he obtained a permit to take care of his financial estate in England and to visit his father. But this visit brought serious complications to Sidney's life. He was imprisoned for debt for some months and became involved in endless legal proceedings with his brother about their legacy. These purely private matters were overshadowed by political ones, however, in the wake of the crisis in the government of the royal minister Danby and the discovery of the Popish Plot. According to Sidney, Danby was the prime culprit in the new policy of religious and political repression, while the Popish Plot was a scheme to promote Charles's catholic brother James to the throne. Putting financial support by the French ambassador to use, Sidney strove to weaken the growing bond between the Orange and Stuart dynasties, as he had done fifteen years earlier by writing the *Court maxims*. He repeatedly, but unsuccessfully, attempted to get elected to Parliament, and took part in several projects to exclude James from the succession. In *A just and modest vindication of the proceedings of the two last parliaments*, written jointly with William Jones in 1681, he contested the right of Charles II to dismiss the last two Parliaments.

It was at that time that Sidney most probably started writing his famous *Discourses*, a forthright rebuttal of Sir Robert Filmer's *Patriarcha* published in 1680, but written more than forty years before. Sidney did not just intend a point-by-point rejoinder to Filmer's argument on patriarchal government. His targets were evidently to promote a revolt in England, to re-establish the credibility of

Parliament after its virtual abrogation by Charles II, and to urge the obligation of the people to undo or kill its tyrant. It is not, however, known beyond doubt whether Sidney actually was involved in the Rye House Plot to kill Charles. But we are reasonably sure that he played a role in the attempts of the Whigs to stage a general uprising in England (Worden, 'Commonwealth kidney', p. 12). Thus, while John Locke was in the process of articulating his principles of revolution, as an elaboration of the political thought of the Interregnum, in Sidney's *Discourses* another defence of the old cause was at hand. On 26 June 1683 Sidney was arrested and an accusation of high treason brought against him. Parts of the *Discourses* were seized and used in court as proof of his treacherous behaviour, although he denied authorship. An insecure government was determined to eradicate its enemies, and the unlovely treatment of Sidney by Chief Justice George Jeffreys was only to be expected under these circumstances. His defence, which Sidney undertook to deliver himself, suffered from his characteristic verbosity and was curtailed again and again. The death sentence was imposed, and notwithstanding others' attempts to obtain clemency for him, his execution followed on 7 December 1683.

The *Court maxims* addressed a particular audience and had a particular political purpose. The 'godly English', predestinarians and excited millenarians of the mid-sixties as well as the more sedate Restoration dissenters, had to be inspired to act together with other opponents of the Stuarts, including if possible the Dutch. For this very practical reason, Sidney went a long way in his defence of religious and political liberty. Drawing on the language of liberty characteristic of the international world of learning, rather than restricting himself to its local English variety, his tract thus reached a high level of abstraction uncommon for an ordinary pamphlet. He opted for the dignified literary form of the dialogue, following an ancient genre established by Plato and Cicero. Had Sidney's inspiration been found in the Italian renaissance or in his reading of Lipsius? At times his character showed when his zeal for the right cause made him forget authorial distance and fall into vehement and worldly language.

Fifteen dialogues present us with fourteen maxims of the court, as discussed by Eunomius, the commonwealthsman, and Philaethes,

'a moral, honest Courtier and lover of state truth'. The latter naively expounds the schemes of the absolute monarch to put people and country to his own, private use. Situated in a shady garden, the two debaters meet after working hours and continue till late at night, adjourning the discussion once or twice to another day. Their argument develops along the following lines.

Philalethes requests Eunomius to recount the ancient 'virtue and piety' unknown to him as a courtier who is aware only of raging self-interest. Eunomius replies that the English people are discontented with the king, who has cheated them during the Restoration with the help of courtiers and bishops. Rebutting the argument that God established monarchy from the first family onwards, Eunomius explains that government by one man is no necessity. Republics are prosperous and parliamentary monarchies are also known to have thrived. A king ought therefore to be maintained only in so far as men's interests require it. This had been the practice in England's own history. Nevertheless, in republics a more profitable use of power is to be found. *There we see come to fruition the principle that God gave man reason so that he could establish civil society and live happily.* In republics the 'variety of nature in the individuals [is] rendered useful to the beauty of the whole'. By 'the work of a prudent lawgiver ... [e]veryone, in his own way and degree, may act in order to the public good and the composing of that civil harmony in which our happiness ... does chiefly consist' (19 MS, p. 23). Only by subduing his vices does a man stop being a slave and encounter happiness in this virtue, as Aristotle said, since thereby he finds the freedom that embraces justice. Hereditary kingship produces only vice and hatred, and runs against the principles of reason. Even worse are women on the throne, as exemplified by the rule of Elizabeth, leading to the rise of the Stuarts. Indeed, the Old Testament shows that the Jewish people was already ruled by a mixture of aristocracy and democracy, at times even without a king, or at any rate the king was elected by the patricians.

In present times, however, kings scheme to make the nobility weak and effeminate and turn them into shameless flatterers at court, whereas the ancient nobility, whose heroic exploits under the Plantagenets still call forth so much admiration, is reduced to impotence. The people do not fare any better. They live in poverty and without a say; trade is obstructed. This is a far cry from the situation in the