CHAPTER I

Introductory: the French Prelude to Modern Historiography

This book has been written in an attempt to throw light upon one aspect of the rise of modern historiography, a movement whose beginnings in general may with some assurance be dated from the sixteenth century. For it was then that the historian’s art took on the characteristic, which has ever since distinguished it, of reconstructing the institutions of society in the past and using them as a context in which, and by means of which, to interpret the actions, words and thoughts of the men who lived at that time. That this is the kernel of what we know as historical method needs no demonstration; that it distinguishes modern from ancient historiography may be seen by means of a comparison with the historical methods of the Greeks and Romans. The ancient historians discovered and brilliantly developed the art of constructing an intelligible narrative of human affairs; they described contemporary societies alien to their own and noted the varieties of human conduct and belief that arose in the context of different climates and traditions; but they did not quite reach the point of postulating that there existed, in the past of their own civilization, tracts of time in which the thoughts and actions of men had been so remote in character from those of the present as to be intelligible only if the entire world in which they had occurred were resurrected, described in detail and used to interpret them. Nor did Greco-Roman historians assert that there existed a distinct and satisfactory method of doing this. The histories that they wrote, therefore, consisted of narratives of military and political affairs, or of comparative political analysis; they did not consist of researches into the past, conducted on the assumption that the past was a special field of study, to be understood only by the discovery of its own laws and the develop-
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ment of an appropriate technique of investigation.¹ Yet this is so much the dominant characteristic of modern historiography as to have taken precedence over the older art of constructing narratives; when (but only when) the historian has completed his researches into a past stage of society, he faces the problem of incorporating his conclusions into a narrative, the theme of which will be not only the actions of men and governments, but the never-ceasing changes in the structure of society—and the interactions between these two aspects of his subject. To discover how the notion of re-constructing the past began to dominate the minds of historians and compete for their attention with the older claims of history conceived as a narrative art is, then, of prime importance to the historian of historiography.

The Greco-Roman historians did not develop a special technique for the exploration of the past because—paradoxical though it may seem in the pioneers of historiography—the past as such was not surpassingly important to them. This is not the place to discuss the problem of spatiōn historianōrum, of the boundaries of the historical and the mythical in their vision of the past,² but one point can be made which is essential to the present argument. The Greeks and Romans were not conscious, as medieval and modern Europeans have alike been conscious, of an organized civilization existing in their immediate past and affecting the whole range of their life through the survival of its institutions, its ideas, its material remains and its documents. There was no past world which they felt the need, or possessed the evidence, to explore; and their historical sense was

¹ The peculiar shrewdness of Thucydides’ comments on the past history of Hellas (Book 1, ch. 1) underline rather than modify the point made here. There is no past civilization for him to reconstruct from its documents; and if, in the absence of written material (other than recorded tradition), he shows a keen sense of the importance of such things as the size and site of towns, the date of their construction, the development of sea power and the fertility of the soil, neither he nor the other Greek historians founded a science of handling this sort of evidence. Modern historiography depends on the survival of a great many documents from a past state of society, and on a deep sense that these are important in the governance of the present.

² Some comments on this question are made in an article, ‘Spatium Historicum’, by W. von Leyden, in the Durham University Journal, xliii, no. 3 (n.s. xi, no. 3), June 1930, p. 89.
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developed in the exploration of their own world and its comparison with contemporary alien societies. But the sense that Rome is a past world ever present to us, and the need to understand it and define our own relation to it, have been cardinal facts in the thoughts of Europeans both medieval and modern; and if the desire to conduct researches into the past is a distinguishing mark of modern European historiography, it is surely in Europe’s sense of indebtedness to the ancient world that we should look for its rise and origins.

An obvious field in which to make our inquiries is that subtle change in the techniques of classical scholarship—in, that is to say, the method of approach to the ancient world—which we denote by the name of humanism. It has long been a commonplace that phrases like ‘the revival of classical antiquity’ are meaningless as applied to humanism, unless modified in the light of the fact that medieval thought was fully as obsessed with the importance of classical antiquity as was the thought of the Renaissance, and that the two differed only, if profoundly, in the methods which they adopted in order to understand it better. Medieval and Renaissance men alike sought to model themselves upon antiquity, to accept its teachings and its canons as authoritative so far as they could: but the methods adopted by the synthesizing and allegorizing mind of the Middle Ages were such on the whole as to lead to an imaginative conflation of the life of antiquity with the life of the contemporary world. Hector and Alexander were knights; Christ’s trial before Pilate was imagined as taking place according to the forms of feudal law; and, on a more serious and practical level of scholarship, the terminology of Roman law was unhesitatingly applied to the governance of medieval Europe. It lies beyond the present writer’s competence to determine how far, if at all, medieval men were conscious of what they were doing in this respect; some sense that Rome was not Christendom there obviously was; but it seems sufficiently clear that no need was felt to distinguish, to point out in what respects the life of the past differed from that of the present, or to found a systematic science of doing so. This came about, however, as a result of the new approach to the past initiated by the humanists; but it came about accidentally, indirectly and paradoxically.
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Humanist thought insisted, even more strongly than medieval, on the need to take the ancient world as a model, but it expressed vehement dissatisfaction with the presentation of antiquity by medieval learning. It pointed out that the supposedly authoritative ancient texts had been overlaid with many layers of commentary, allegory and interpretation, and that often it was the commentary and not the text which was being studied. It called for a return to the pure text—such a cry had been raised before—and it claimed continually to understand the text better than the commentators had—a claim which increased source-material and improved techniques often enabled it to make good. At this point, however, we encounter what is at once the paradox and the true importance of the humanist movement, viewed from the standpoint of the history of historiography; for it is not too much to say that in making these claims and demands the humanists were calling for a return to the ancient world 'as it really was'—and we cannot express their programme in these words without realizing that we stand on the threshold of the modern historical consciousness. And the paradox which was to complete the transition was this: the humanists aimed at resurrecting the ancient world in order to copy and imitate it, but the more thoroughly and accurately the process of resurrection was carried out, the more evident it became that copying and imitation were impossible—or could never be anything more than copying and imitation. That which was ancient belonged to the ancient world, was bound up with and dependent upon innumerable things which could not be brought back to life, and consequently it could not be simply incorporated with contemporary society. A recent study\(^1\) has traced anew the way in which the humanist endeavour to return to the language and grammar of classical Latin ended with Latin a dead language, one which could no longer be freely and naturally used as part of every-day European life. It became, says the author, something of merely historical or even antiquarian interest, part of a vanished world important only to those who cared to study it for its own sake. But he also shows how this process was accompanied by the growth of new branches of study aimed at describing the world

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in which Latin authors had lived, sometimes even at seeing it through their own eyes, and at interpreting their writings as part of that world.¹ In short, the humanists, going far beyond their original purpose, relegated Greco-Roman wisdom inescapably to the past and robbed it, in the end, of all claim to be applied immediately and directly to modern life; but at the same time they called attention to the problem of the past as an independent field of study and began vigorously to perfect techniques for its exploration. If research into the past conceived as a distinct science is the mark of the modern historian, it was the humanists who laid its foundations.² Nor was this all. They showed that Greco-Roman civilization formed an independent world, a world of the past, but they did not, indeed could not, rob the European mind of its sense of being deeply and vitally affected by the fact that the past, in some way, still survived. Thus their work raised the whole question of the relation between past and present. Was the past relevant to the present? was there any point in studying it? what was the status of its survivals in the present? and, perhaps above all, how had it become the present? The problem of historical change, conceived as more complex and universal than ever before as new researches into the character of ancient civilization were undertaken, was affecting European thought well before the end of the sixteenth century. It is, then, to the paradox of humanism that we should look for the beginnings of modern historiography.

The humanist contribution was to institute a historical outlook and the rudiments of a historical technique in many branches of European scholarship. But the importance of this movement does not seem to have received the attention it deserves in our histories of

¹ Bolgar, op. cit. pp. 376–7. The auxiliary studies he mentions are geography, botany, literary criticism, archaeology and chronology, all in application to classical antiquity.

² A similar process is described by some students of the revolutionary changes that have come about in Confucian scholarship in China during the last half-century—see e.g. Ku Chieh-kang, The Autobiography of a Chinese Historian (Leiden, 1931), translator’s preface by A. W. Hummel. It would be interesting to have some comparative studies of the effects which the transmission and scrutiny of authoritative texts have produced upon historical thought in different civilizations.
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historiography. Many causes may be assigned for this apparent neglect. The movement was extremely slow—its full effects were not felt before the early eighteenth century—and it was often helped on its way by scholars unaware of the full import of what they were doing, who continued to believe that the past should be studied for the sake of moral instruction, as a storehouse of examples to be imitated or avoided. This cardinal principle of humanism, as is often pointed out, hindered, or at least did not favour, the development of historical thought; yet it is not the whole story about the history of historiography in the sixteenth and seventeenth centuries, and the mistake should not be made of writing as if it were. The development of historical thought can be shown to have continued, in a multitude of diverse ways, in spite of the humanist bent for moralizing. But the neglect of historians can be further accounted for by the fact that this development was so various and diffuse. Its history is not a simple question of one or two distinct and easily recognizable sciences evolving rapidly and carrying others along with them—as mathematics, physics and astronomy provide the central theme in the history of the scientific revolution—but of a historical approach developing accidentally and perhaps marginally upon the fringes of innumerable departments of scholarship, and evolving in each case a historical technique appropriate to that branch of study. The history of historiography cannot therefore be written as the study of a single evolution; all that can be done, at least for the present, is to trace the growth of the historical outlook in some of the fields where it most plainly manifests itself.

But it is one of the great facts about the history of historiography that the critical techniques evolved during the sixteenth and seventeenth centuries were only very slowly and very late combined with the writing of history as a form of literary narrative; that there was a great divorce between the scholars and antiquarians on the one hand, and the literary historians on the other; that history as a literary form went serenely on its way, neither taking account of the critical techniques evolved by the scholars nor evolving similar techniques of its own, until there was a kind of pyrrhonist revolt, a widespread movement of scepticism as to whether the story of the past could be reliably told at all. The character of this revolt has been
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studied by Paul Hazard; the eyes of its leaders were plainly fixed upon history in the sense of literary narrative, to the exclusion of the critical methods of determining the reliability of facts about the past which were being rapidly developed by scholars such as Mabillon. If they had paid closer attention to such men, the intensity of their pyrrhonist despair might have been less. But a rather similar error seems to have been made by modern historians. The history of historiography has been studied as if it could be identified with the history of those literary works which bear the title of histories, and in consequence a one-sided view has arisen which ascribes not nearly enough importance to the work of scholars who did not write narrative histories. The late Johan Huizinga, for example, wrote on one occasion that of all the modern sciences history owed least to the medieval university. With this one exception, he said, the modern sciences had evolved by a process of budding-off from one or other of the three great faculties of theology, medicine or law, or from one of the lesser arts of the trivium or quadrivium; but if history figured in the medieval curriculum at all, it was as a sub-department of rhetoric, as a mere form of declamation without critical purpose or method, and consequently its evolution into a critical science had occurred outside the university altogether.

Now this is a judgment which can be maintained only if we are resolved to identify history with the literary form bearing that name. Once we are rid of that obsession, we shall remember the fact—perfectly well known from a variety of standard works—that non-

1 In ch. 2 of La Crise de la conscience europémie (Paris, 1935), 'De l’ancien au moderne'. See also A. Momigliano, Contributo alla storia degli studi classici (Rome, 1935), pp. 79-94.

2 Marc Bloch's Métier d’histoire brings out most clearly the contrast between Mabillon’s critical method and any sort of pyrrhonism.


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narrative historical work of the highest originality and complexity was being carried on in the French universities of the sixteenth century—a time when their organization and curriculum were certainly still medieval—and that this historical thought had developed in the faculty of law. The historical school of Renaissance jurists furnishes the subject of the remainder of this chapter, but one further point remains to be made. Text-book accounts of the history of historiography tend to produce the impression that, when the contribution of the sixteenth- and seventeenth-century scholars came to be reunited with narrative history to produce major historical writings recognizably like those of the present day, it amounted to little more than a vast accumulation of more or less verified facts, of which giants like Robertson or Gibbon could make use. This is not altogether so, as will be seen. The earlier scholars were more or less consciously engaged in returning facts to their historical context and interpreting them there, and it has already been suggested that this was bound to present complex problems for historical reflexion; problems concerning the relation of the past to the present, and its survival in the present. With the lawyers this was peculiarly the case, because the data they were assigning to a past context were simultaneously the principles on which present society was endeavouring to govern itself. The historical problems with which a sixteenth-century scholar found himself concerned could therefore be adult, practical to the point of urgency, and even philosophically profound. His thought about them might be of great importance to himself and his generation, and might permanently affect the historical understanding of his civilization. Thought of this kind therefore forms a real and significant part of the history of historiography.

II

The historical approach to the study of Roman law was a product of humanism and shared in the characteristics, already traced, of that movement. It arose, primarily in French universities but under some Italian influence, in the form of a reaction against the methods of legal study associated with the name of Bartolus. The principal humanist criticism of the Bartolist school was that they had overlaid
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the original Justinianean text with an unmanageable wealth of glosses and commentaries, and that a return should be made to the purity of the original. But it had also been Bartolus's constant endeavour to adapt the Roman text to the world he himself lived in by applying Roman principles and definitions to contemporary phenomena—the degree of his historical awareness does not form part of the present inquiry—and this lent a peculiar importance to the legal humanists' endeavour to return, not only to the pure text of the Roman original, but to the meaning which these laws had possessed in the minds of the Romans who penned them. In the first place, it may be imagined, many of the humanists set about their task in the belief that the true principles of Roman jurisprudence, when found, would prove of such surpassing wisdom that they need only be directly imitated and applied in the present day; but they ended by achieving something much more than even a complete undoing of the work of Bartolus. They set out to establish the exact meaning of the Roman texts, and this, as they rightly saw, involved a detailed exegesis of the exact meaning of all technical or doubtful words which the texts contained. Therefore they set about comparing and establishing the various meanings which all such words bore, first in the separate legal texts which employed them, and secondly, in any other works of ancient provenance in which they might be found; and thus it was that detailed and conscious historical criticism made its appearance in the schools of jurisprudence under the name of 'grammar', the science of the meaning and use of words.1 It is the peculiar characteristic of a comprehensive system of law like the Roman that it provides a close and extensive description of the principal institutions and many of the ideas of the society for which it was formed; and the historical school—as the humanist lawyers soon became—could not translate the language of Roman law back into its original meanings without reconstructing just such a picture of the society of imperial

1 The best study of a jurist of this school at work seems to be P. E. Viard's André Alciat (Paris, 1926, for the University of Nancy). See also L. Delaruelle, Guillaume Budé (1468–1540): les origines, les débuts, les idées maitresses (Bibliothèque de l'Ecole des Hautes Etudes; Sciences Historiques et Philologiques, 166e fascicule, Paris, 1977).
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Rome. They gathered much of their evidence for this picture from the text of the law itself, but much more important was the fact that they sought to interpret the law according to the context of a reconstructed society. Inadequate, piecemeal and *ad hoc* their work may have been, but the essentials of the historical method were there and were known to be there. In this way the legal humanists came to be historians, and the full impact of their work on European thought has never yet been measured.

They had begun to study the past on principles which assumed its unlikeness to the present, and this soon brought them into contact with profound educational and practical problems. The society they were reconstructing was one which differed in all its structure from their own, and one, furthermore, which no longer existed. The law which they were studying belonged to that past world, and all its language and all its thoughts had reference to social institutions which were no longer anywhere to be found. Yet this same law was still in force over a wide, indeed an increasing area of Europe, and the world stood deeply committed to an endeavour to rule itself according to Roman principles. Were not the historical school making nonsense of that endeavour, for how should a law be obeyed which had been framed for utterly different conditions and no longer bore its original meaning? And if this question were satisfactorily answered, why then should young men spend years of their lives reducing the law to its original meanings? What was the status of ancient law in a changed world; why should it any longer be studied? The lawyers here touched unexpectedly on the problem of time, encountering it in a new and urgently practical form. There are signs of mounting discontent with the historians soon after 1560; for as France moved into an era of administrative breakdown and devastating civil war, it became more than ever necessary for her intellectuals to lay down clear principles of right and obligation, which might guide her back to order and peace. The whole medieval attitude to questions of legal and secular wisdom, the whole tradition of French governmental and political thought, predisposed her to seek such principles in Roman law. But the very possibility of this the professors of Bourges and Toulouse seemed to deny. Cujas (the story may be apocryphal), when asked to apply