



Freedom, we have lately been reminded, is a "problem."¹ It is, moreover, a difficult problem, and one that is no less difficult to "solve" when, turning our attention away from what we may call freedom in general, we state it in terms of particular freedoms (e.g., freedom of thought, freedom of speech, freedom of religion, etc.). Each of these turns out to be a problem, too, bearing no simple relation to the others, and likely to require special handling—different symbolization, vocabulary and theoretic procedures.² We may, for that reason, speak properly of a *literature* of the problem of freedom of thought and speech, one easy to identify in the sense that most scholars in the field of political theory, regardless of their views on that problem (if more than one view there be), would name the same list of "must" items dealing with the problem, and cite those items over and over again when they address themselves to the problem. All these items, we might add, are generally regarded as "pro" freedom of thought and speech (whether rightly or wrongly, we need not attempt to say here, except for that one of them that is the topic of the present article).³ These items are: Plato's *Apology* and *Crito*, Locke's *Letters concerning Toleration*, Spinoza's brief

¹See Walter Berns, *Freedom, Virtue, and the First Amendment* (Baton Rouge, 1955), *passim*. Professor Berns sometimes seems to forget that virtue also is "a problem."

²Mill, for example, when he turns to the topic of liberty of expression, drops the whole conceptual apparatus he has announced for his book, including that self-protective principle which, he has begun by telling us, is going to extricate us from all our difficulties concerning liberty in general. He proceeds to rest the case for freedom of expression on grounds so unexpected, in the premises, that one might question the propriety of his having included the relevant chapter, without apology, in one and the same book with the remaining chapters. For a curious attempt to have it both ways in this regard, see David Spitz, *Democracy and the Challenge to Power* (New York, 1958), where freedom of expression is assimilated to the other freedoms the author is concerned about (they are all good because they are part and parcel of "democracy" which is good in turn because it rests on consent, which is good for reasons that we are left to guess), but the familiar arguments from Mill, who certainly would not have been attracted by Spitz's, are brought in at the end—presumably to make assurance doubly sure.

³The openly "anti" freedom of thought and speech literature, of the modern period at least, is admittedly very small. My point, for the moment, is merely that books thought of as "anti" freedom of thought and speech (e.g., a certain famous reply to Mill's *Essay*) have not received enough attention from recent scholarship to be classified as part of the literature in the sense intended.

discussion of the problem in the *Tractatus*, Milton's *Areopagitica* and, above all (in the two-fold sense that it is the item that comes most readily to mind, and that experts deem it the crowning achievement of the literature), Mill's *Essay on Liberty*.⁴

Now, the present article is written out of the conviction that at least one of these items, the *Areopagitica*, has got itself on the list only because people have not been reading it carefully; and that it is high time we did it justice by moving it across the line that divides the "pro" literature from the "anti"—to take its rightful place among the political treatises we have all been brought up to deplore and avoid. To that end, however, we shall need to have before us a statement of the "pro" position which, as the present writer understands it, is generally regarded as having "emerged" from the literature; and become the prevailing view among political theorists.

Brief Excursus on the Prevailing Doctrine

The major assertions involved in the contemporary doctrine concerning freedom of thought and speech (or freedom of thought and freedom of speech),⁵ are that in the good—that is, progressive—society all questions, unless perhaps the question whether all questions are open questions, must be treated as open questions;⁶ that in such a society there must be no orthodoxy (religious, political, social, economic), or, failing that, that everyone must act, at least in his public capacity, as if there were no orthodoxy; and, by implication, that there are a number of simple tests by which we can discover

⁴Leo Strauss' *Thoughts on Machiavelli* (Glencoe, 1959) gives to the defenders of freedom of thought and expression a surprising new ally, namely, Machiavelli himself. When the word gets around, the *Discourses* will no doubt be added to the list.

⁵There are formidable difficulties about this, especially in view of the current tendency, observable wherever the eye turns, to assume that freedom of thought will take care of itself if only freedom of speech be made safe, and so to treat freedom of thought and freedom of speech as reducible to a single freedom—which they clearly are not. Locke, as the present writer tries to show in another place, addresses himself to the problem of freedom of thought, and hardly seems aware that there is a problem of freedom of speech. Plato, by contrast, is clearly interested in both thought and expression, but should not lightly be accused of having been interested in "freedom" in any sense of that term likely to be intelligible to most readers of the current literature of the problem (or problems).

⁶I shall not, in this section, burden the reader with documentation. It is an attempt not to summarize a literature, but to catch up in a few paragraphs a climate of opinion with which we are all familiar.

whether a given society is living up to its obligation ("obligation" is the *not juste*) to be a progressive society.

These tests may be fairly put in the form of a series of questions. Are the citizens of the society free to challenge any so-called truth, any received opinion, that they wish to challenge? Are they free, having challenged such a truth or such an opinion, to re-think it—first within their own minds, then aloud in the forum of public discussion? Are they free to "think things out for themselves," to reach their own conclusions in their own way, and thereafter to speak their minds, whether aloud or on paper, with a view to persuading others of the correctness of those conclusions? Are they *really* free to do these things—that is, are they so situated in fact as not to be blackmailed or goose-stepped into accepting this or that foreordained conclusion, and not to be placed at hopeless disadvantage when they seek to exercise their liberty to win others over to their point of view? Are there, for example, authorities (of whatever kind) who can in one way or another penalize a point of view whose tendency they dislike, and so—in Gerhart Niemeyer's felicitous phrase—give the "inside run" to points of view they find congenial? If there are such authorities, the position asserts, then utterance is not really free, and soon thought will not be really free either.

Secondly, is there diversity—of opinion, of valuation, of *Weltnschauung*—among the citizens? Does the diversity *in fact* extend to a wide variety of matters? Are numerous points of view *in fact* represented in the forum of public discussion? If not, the position asserts, then the freedom extended to the citizens must be merely formal, and not real: universal agreement within a society, unless about trivial matters like the right of the road, is a sure sign that human spontaneity, which automatically expresses itself in conflicting points of view, is somehow being repressed—is, in any case, an unhealthy state of affairs in and of itself. (This is one of the points on which exponents of the position are most likely to cite the *Areopagitica*, which contains many phrases that do indeed seem to come in handy: a "muddy pool of conformity and tradition,"⁸ for example; and "There be who

⁸See his "A Reappraisal of the Doctrine of Free Speech," *Thought*, XXV (June, 1950), 251-274, which, in my opinion, merits a place of honor beside Stephens' masterpiece.

⁹In preparing the present article I have used Professor George H. Sabine's convenient little *Areopagitica and Of Education* (New York, 1951), which is a turning-point in the publishing history of the essay (to say nothing of the history of our culture) because it recognizes that we are getting on to a moment when run-of-the-mine

... make it . . . a calamity that any man dissents from their maxims . . . [and] neither will hear with meekness nor can convince, yet all must be suppressed which is not found in their syntagma."⁹

Exponents of the position are, let us notice finally, fully agreed as to its rationale: that is, that the "value" at stake is Truth and the process by which truths are arrived at. The search for truths, they hold, is a cooperative enterprise, in which by definition two heads are better than one, and three better than two, so that the more numerous the participants the better the chances of success, and, at the same time, it is an "on-going" enterprise (like an expanding imperialism, it is always discontented with its conquests to date, and is always, therefore, pushing forward into new territory or moving vigorously to consolidate territory already gained). And the search proceeds precisely by way of the *testing against one another of opposing positions*, that is, by way of *debate* between searchers who disagree—so that, in the nature of the case, it proceeds the more rapidly the more numerous the opposing positions being tested against one another, and the more vigorously these positions are pressed.

We never know, the position holds, what man or even what manner of man will, by striking out on a new path which everyone else regards as not worth exploring, make the next significant contribution to the search for truths. All would-be participants in the search are, therefore, to be welcomed, encouraged and, above all, listened to. And if, *per impossibile*, someone is to be excluded, let it never be on the grounds that the other searchers think he is wrong. For so long, indeed, as one lone human being takes issue with a so-called truth, the search with respect to that truth must go on, in recognition that the withholding of assent by that one human being establishes a presumption against that truth. Moreover, nothing that the participants suppose themselves to know at any given moment can be asserted more than tentatively, since even the propositions they today regard as least open to question may tomorrow have to be con-signed to the dustbin. *Absolute* freedom of thought and *absolute* freedom of utterance¹⁰ are both dictated by the very nature of the

undergraduates are ignorant of the language in which it is written. For purposes of citing the *Areopagitica*, however, I have adopted the simple procedure of numbering the paragraphs and referring the reader to them, not to pages (e.g., *Areopagitica*, 15th paragraph, becomes A, 15).

⁹A, 68.

¹⁰A venerable and learned friend takes vigorous exception to the use, in this context,

quest. Any interference with either defeats the latter's purpose, attenuates its pace, and impoverishes both the searcher interfered with and those who interfere with him (on behalf of some alleged truth that they would like to situate beyond challenge). The would-be interferer cannot be sure that his truth is true, cannot be sure even that he understands what his truth means, save as he subjects it to constant and never-ending testing and retesting.

At the roots of the position, then, lies a series of propositions about Truth, about the nature of the process by which Truth is discovered and about the rules to which truth-seekers must subordinate themselves lest they bring the process to a stop. These constitute what we may fairly call a *model* of the truth-seeking process; and for those who hold the position this model, demonstrably, is logically prior to the model of the free society on which they base their recommendations concerning freedom of thought and speech. Nay, more, the second model is constructed *in the precise image of the former*, so that the position presupposes a *methodological* premise; namely, that we may properly move, and move in a quite simplistic one-one manner, from a model of the truth-seeking process to a model of free society that we may with confidence urge upon our fellows. And the position as a whole, I contend, is no stronger than the case that can be made out for that (in my opinion, uncriticized) methodological premise.

Let me, in order to guard against any possible misunderstanding, restate the point: The prevailing position on freedom of thought and speech involves a series of recommendations as to how society ought to be organized. These recommendations are based upon a model of free society that, it is contended, any and all actual societies should be made to approximate. That model, in turn, presupposes a model of the truth-seeking process, which it reflects like a mirror. In order to criticize the position, then, we must raise the following questions, and in this order: Is its view of Truth and of the truth-seeking process

of the word "absolute," pointing out that Mill himself authorizes certain types of interference with liberty of expression. At the risk of appearing stubborn, I continue to assume that Mill meant what he said when he wrote: "... there ought to exist the fullest (that is, an unlimited?) liberty of professing and discussing, as a matter of ethical conviction, *any* doctrine, however immoral it may be considered" (italics indeed mine). Mill chose, curiously, to bury this passage in a footnote (it depends from the first paragraph of the celebrated second chapter of *On Liberty*), but it states admirably the conclusion to which his arguments in fact point. Those who do not like the conclusion should abandon the arguments.

one that a thoughtful man can accept? Assuming that it is, can we properly move from a model of the truth-seeking process to a model of free society, making of the latter a mere mechanical reproduction of the former? In doing so, to what tacit premise or premises do we, willy-nilly, commit ourselves?

The latter point, I contend, is the crucial one, and for this reason. *The* tacit premise to which the procedure commits us is that Truth is the *supreme* good of society, and the search for it society's central activity. In the absence of such a premise we have no explanation for taking the model of the truth-seeking process as our point of departure. To put it otherwise, the effect of the procedure is to subordinate all other goods in society to the quest for Truth (which the prevailing model certainly does)—that is, to overlook the patent fact that the good society is good because it is the custodian of many goods, all of which it seeks indeed to maximize, but each of which, alas, is of such character that it can sometimes be maximized only at the expense of the others, and none of which, accordingly, it can elevate to the status of an absolute value. And we have here, I contend further, the reason why actual societies never act upon the recommendations in which the position eventuates—and why proponents of the position spend their unhappy lives thinking up reasons to justify *their* not acting upon the recommendations themselves.

One final point. The procedure is, of course, all the more unwarranted if the relevant model of the truth-seeking process is itself at fault—as, in my opinion, that involved in the prevailing position demonstrably is. Even if we posit a community ready to make the quest for truth its supreme good (as, one likes to think, the communities that are the carriers of the various scholarly disciplines are always ready to do), and thus to act upon the recommendations, the latter would produce not truths, but sheer confusion. That is to say, the recommendations are a blueprint for bedlam, and the world would be a more pleasant (and a quieter) place to live in could they be recognized as that. And the reason, I contend, lies partly in the fallacies concerning the nature of Truth that are built into the first of its two models.

The *Areopagitica*

One thesis of the present article is that current misunderstandings of the *Areopagitica* are as the sands of the sea; and we may profitably pause, before entering upon the main body of the argument, to notice certain peculiarities about the work that partially explain the critics' failure to read it correctly.

(1) The *Areopagitica*, like many other masterworks of political philosophy, deals with, over and above the question with which it purports to deal, a wide range of other and far more important questions that are for the most part merely answered rather than posed. Indeed, the essay would hardly deserve our attention if it attempted nothing more ambitious than an answer to the question it most conspicuously asks. It puts itself forward as merely a reasoned plea for the repeal of a parliamentary order requiring prior censorship of books and pamphlets. Milton not only so describes it at the very beginning,¹¹ but again and again ties his argument back specifically to the issue of prior licensing. As he proceeds, however, the "answer" actually being offered broadens and deepens, mostly without warning to the reader moreover, to deal with the whole problem of liberty, especially intellectual liberty, in organized society. (As to whether Milton intended *ab initio* to state a position on these broader questions and deliberately passed off an essay on liberty as a pamphlet on licensing, or found himself forced into the broader questions by the forward inertia of his argument, is an interesting side-issue that I shall not pursue.)¹² Now, Milton certainly answers the narrower question (as he promises to) in a manner congenial to what I have called above the prevailing contemporary doctrine; that is, he is "against" a particular interference with liberty of expression, namely, prior licensing of books and pamphlets, and thus to that extent "for" a "free" press. He even uses, with respect to that issue, lines of argument that do seem, to some extent, to anticipate those of Mill and his epigones. The hasty reader may, accordingly, stumble into either of two errors demonstrably fatal to an understanding of Milton's teaching. First, he may simply not notice that Milton, who certainly seems to state

¹¹A., 3, 4.

¹²But see *infra* (p. 456), the discussion of the verses quoted at the very beginning, close reading of which shows that Milton puts the reader on notice that he has something to say about issues far more important than that of prepublication licensing of books and pamphlets.

clearly enough the business he is about, is in fact dealing with broader problems and, therefore, have no reason to take into account the passages relating to them. In other words, he may read the essay selectively, and subsequently seek to infer from Milton's clear libertarian position on the narrower problem the position he should have adopted on the broader ones—would it not be natural to suppose that Milton would oppose the prohibiting of books *after* publication as well as before? Second, while noticing that the discussion addresses itself to the broader issues, he may, because of prior conditioning by the secondary sources, dismiss the passages that seem inconsistent with Milton's "known" position as *obiter dicta*. The very structure of the *Areopagitica*, in a word, invites misunderstanding by readers who are in haste.

(2) The essay abounds in passages, highly quotable because of their intoxicating rhetoric,¹³ which when wrenched from context do indeed seem to commit Milton to the libertarian "side" on the freedom of thought and speech issue. Take, for instance, the familiar sentence: "Give me the liberty to know, to utter, and to argue freely, according to conscience, above all liberties."¹⁴ Read it with the emphasis with which we are accustomed to read Patrick Henry's "Give me liberty or give me death," that is, with the stress on "give" and almost no stress on "me." Take the further small liberty of assuming that Milton means by "liberty" what Mill and his epigones mean by it, and Milton does indeed sound like a precocious early exponent of modern open-society doctrines. When the sentence is placed in context, however, it needs to be read with a quite different emphasis. I, Milton has just been saying in effect, am not a man to kick up a fuss about taxes and suchlike matters, which I am more than content to

¹³*Cf.* A., 87: "... [I] would be no unequal distribution... to suppress the suppressors themselves." A., 86: where he pleads for "gentle meetings and gentle dismissions" with those who are allegedly in error, and asks why "we debate not and examine the matter thoroughly with liberal and frequent audience... [N]o man who hath tasted learning but will confess the many ways of profiting by those who, not contented with stale receipts, are able to... set forth new positions..." A., 84: "[I]f it come to prohibiting, there is not aught more likely to be prohibited than truth itself..." *Cf. ibid.*: "And what do they tell us vainly of new opinions, when this very opinion of theirs, that none must be heard but whom they like, is the worst and newest opinion of all others..." A., 82, where he denounces a "gross conforming stupidity, a stark and dead congealment of 'wood and hay and stubble' forced and frozen together..." A., 79, where we learn that it is "hurtful" and "unequal to suppress opinions for the newness or the unsuitableness to customary 'acceptance...' " *Cf.* A., 61.

¹⁴A., 78.

leave to others. That is, he is distinguishing between two kinds of men, himself and persons like himself, the learned, who are concerned with the quest for Truth, and those members of the community who become exercised over tax problems. It is in speaking for the former that he writes, "Give me [that is, us] the liberty [what I want for *myself*, what I am prepared to do battle for, is *my* liberty and that of other learned men] to know, to utter, and to argue freely, according to conscience" (*italics added*); and not necessarily, moreover, that of all learned men. Entirely apart, therefore, from any difficulties as to what Milton may have meant by "liberty" (the "according to conscience" is warning enough that difficulties there are), we see at once that this is not, like Patrick Henry's, a generalized plea regarding public policy concerning freedom of speech, but a particular demand put forward in a particular situation and, as we shall see, by no means necessarily libertarian in tendency.

(3) The *Areopagitica* is peculiarly susceptible to misunderstanding by the type of critic who repudiates the scholar's obligation to understand the past as it understood itself, and imposes upon it his own canons of logic. Take, for instance, the following familiar line of argument: Milton makes a strong plea for "toleration," as in the sentence: "Yet if all cannot be of one mind—as who looks they should be?—this doubtless [but note the reluctant "doubtless," and how our historicist's eye, if we have one, leaps over it] is more wholesome, more prudent, and more Christian: that many be tolerated rather than all compelled."¹⁵ Milton, however, refuses to "follow through" with the idea, as witness his proceeding at once to specify what groups are not to be tolerated, and some that are to be "extirpate."¹⁶ Why did Milton not see, as *we* do so clearly, that the very logic with which he supported his plea for that amount of toleration he did countenance must commit him to a still greater amount of toleration, and certainly to the toleration of Catholics? Similarly, why did Milton "stop" at prior censorship, when he should have seen that the arguments he uses are equally valid as applied to other types of censorship? The temptation to play that sort of game with the *Areopagitica* is very great, because the essay lends itself to the game; but yielding to the temptation can lead only to a perverse misreading of the text. For the critic who tries to understand Milton as Milton understood himself, it is easy to see where such critics go wrong: Milton con-

¹⁵ A., 83. This is another sentence that must be read in context.

¹⁶ *Ibid.*

structs in the *Areopagitica*, as Mill does in the *Essay*, a model of the free society; but the essential meaning of that model is to be found in the fact that within it certain persons are *not* to be tolerated; that is, as we shall see later in detail, that the relevant population are to be in such full agreement about important things that, without the remotest danger to the goods they value, they can well afford to be "tolerant" of one another (to ask them to "tolerate" is to ask nothing of them except, in effect, that they tolerate themselves). The "principles" that should have "led Milton on" to demand a still broader toleration are simply not there. So, too, with the matter of prior censorship: the essence of the model lies in the fact that it involves appropriate means for preventing the free circulation from hand to hand of any published book of a malicious or harmful tendency, but at the same time seeks to stimulate the flow of books by releasing them from prior censorship; and the "inconsistency," or failure to "follow through," lies, in both cases, in Milton's having conceded perhaps more than we should expect him to to the open-society position, not in his not having conceded more than that. The fact that we do not like what the *Areopagitica* in fact says does not justify us in ignoring what it in fact says.

The Models (A)

Turning now to the critical schema we have outlined above, what, first, are Milton's views on our complex of issues concerning Truth? Let us notice, to begin with, that he employs in the *Areopagitica* a number of metaphors about Truth (some his own inventions, some culled from literature with which he was familiar) that do seem to place him with the proponents of the open society. Concretely, the metaphors do stress the cooperative¹⁷ and on-going character of the search for Truth,¹⁸ and the dangers, from the standpoint of that search, of artificially-imposed unanimity. In what context, however, and for what purpose, let us not try to say until we have examined the metaphors.

Truth, Milton reminds us, is according to Divine Scriptures a

¹⁷ Cf. A., 71.

¹⁸ Cf. A., 85: "For such is the order of God's enlightening his church, to dispense and deal out by degrees his beam. . . . Neither is God appointed and confined, where and out of what place these his chosen shall be first heard to speak. . . ."

“streaming fountain”; its waters “sticken into a muddy pool of conformity and tradition” if they do not flow in a “perpetual progression.”¹⁹ Our “faith and knowledge,” that is to say, “thrives by exercise”; the man who does not keep a firm grasp upon the grounds of his truths will find that the “very truth he holds becomes his heresy.”²⁰ Again: Truth is like light: we who possess it have good reason to boast of it; but if we merely “stare” upon it, if we “look not wisely” at it, if we use it not to “discover onward things more remote from our knowledge,”²¹ it will smite us into “darkness.” Those who would have us look no further, those who are determined that the “cruse of truth shall run no more oil,” those who think “we are to pitch our tent here, and have attained the utmost prospect of reformation,” have stared at Zwingli’s and Calvin’s blaze so long that they are “stark blind.”²² Moreover, we must bear all this in mind not only within the church, but also where what is in question is the “rule of life both economical and political”;²³ not merely, that is to say, in matters theological, but in matters pertaining to society and government as well.

Still again: Truth is a “virgin,” who “once came into the world . . . [in] a perfect shape, glorious to look upon”; she remained in the world throughout the ministry of Jesus; then, after “He ascended,” she fell victim to a “wicked race of deceivers,” who “hewed her lovely form into a thousand pieces and scattered them to the four winds”; since when her “sad friends” have gone “up and down gathering up limb after limb as they have found them.” They have not, however, yet found all the pieces, and will not find all of them until the Second Coming of the Master, who will bring them all together and “mould them into an immortal feature of loveliness and perfection.” Our task, meantime, is to “continue seeking,” to “continue to do our obsequies to the torn body of our martyred saint”; and none must be permitted to “forbid” and “disturb” the search²⁴—as they do who “think it a calamity that any man dissents from their maxims”;²⁵ they neither help “unite those dis severed pieces” nor

¹⁹ A., 59.

²⁰ *Ibid.*

²¹ A., 67.

²² *Ibid.* The two preceding quotations are from A., 58 and A., 65 respectively.

²³ A., 67.

²⁴ A., 66.

²⁵ A., 68.

permit others to do so. We must always be “closing up truth to truth as we find it,” in the knowledge that the body of Truth is “homogeneous and proportional,” and that the truths we close up one to another will finally fit together.²⁶ That is the “golden rule in theology as well as arithmetic,” because it “makes up the best harmony”—as contrasted with the “outward union of cold and neutral, and inwardly divided minds.”²⁷ We must become a “knowing people, a nation of prophets and sages”; and what is wanted for that is “pens and heads . . . sitting by their studious lamps, musing, searching, revolving new notions and ideas, . . . others as fast reading, trying all things, assenting to the force of reason and conviction.”²⁸ For “Where there is much desire to learn,” there is of necessity “much arguing, much writing, many opinions; for opinion in good men is but knowledge in the making.”²⁹

Finally: God Himself it is who stirs up the “earnest and zealous thirst after knowledge and understanding.”³⁰ All that prevents us from uniting together in “one general and brotherly search after truth” is that we do not exercise a “little forbearance of one another, and some grain of charity.”³¹ that in our attempts at “crowding free consciences and Christian liberties into canons and precepts of men” we forget that the temple of the Lord is built by making “many schisms and many dissections . . . in the quarry and in the timber,” by having “some cutting, some squaring the marble, others hewing the cedars.”³² For when the stones have been laid “artfully together,” they cannot be “united into a continuity,” since they are not “all of one form.” The perfection of the finished work will rather consist precisely in its “goodly and graceful symmetry,” which arises out of “many moderate varieties and brotherly dissimilarities that are not vastly disproportional.”³³ Let us, then, be “more wise in spiritual architecture,” and Moses may see his “glorious wish” fulfilled: not merely seventy elders but “all the Lord’s people . . . become prophets.”³⁴ They are wrong who fear that “divisions and subdivisions will

²⁶ *Ibid.*

²⁷ *Ibid.*

²⁸ A., 71.

²⁹ A., 72.

³⁰ *Ibid.*

³¹ *Ibid.*

³² A., 73.

³³ *Ibid.*

³⁴ A., 74.

undo us."³⁵ Especially wrong is the "adversary," those "malicious applauders of our differences," who tell themselves that "when we have branched [ourselves] . . . into small enough parties," they will have their hour. They do not know the "firm root out of which we all grow," and "will not beware"—not until "our small divided maniples" cut through at "every angle of [their] . . . unwieldy brigade."³⁶

The Models (B)

We have conceded that the above metaphors do—we may add now, *at first glance*—seem to range Milton on the side of the exponents of open-society doctrines. Our next task, then, as that way of putting it implies, is to take notice of the fact that when looked at a second time, and in abstraction from what we have been brought up to expect to find in the *Areopagitica*, they do nothing of the kind.

For example, Milton indeed says that our truths become heresies if we fail to keep a firm grasp upon them, and Mill no doubt picked up the idea from the *Areopagitica*. But in Milton's hands, as he reveals to us by one turn of phrase after another, it has a very different meaning from that which Mill is to impose upon it. Milton, our second glance shows us, is clearly committed to the view that our major concern is with *our* truths, those which we possess already, opposed to which there are heresies, that is, *untruths*, which we speak of as untrue not merely because they conflict with what we happen to think (that edges over in the direction of relativism, of which there is not a whisper in Milton), but because they conflict with Truth itself. Our truths, moreover, are to be preserved,³⁷ which is to warn us that the function of the model Milton is developing is by no means merely that of discovering new truths, but also, and at least equally, that of enabling us to cling fast to old ones, and to keep the latter alive and strong.

Milton does indeed tell us that we are not to content ourselves with the old truths—that is, that we can stare too long at the "blaze" of Calvin and Zwingle. But his language makes it clear that what we are

³⁵ *Ibid.*

³⁶ *Ibid.*

³⁷ A. 57: "This Order . . . will be a stepdame to Truth; and first, by disenabling us to the maintenance of what is known already" (italics added).

urged not to stare upon too long really is, for him, a "blaze," a "light," which we are to use confidently as we go about the discovery of things that lie beyond our present knowledge; so that there is no whiff of a suggestion that the blaze may turn out to have been an optical illusion, the light to have been darkness. It is to Mill,³⁸ and not to Milton, that we must go for the notion that our whole present corpus of knowledge may well turn out to be erroneous. For Milton, the search for Truth is a "searching what we know not by what we know";³⁹ the model maintains a neat balance between the preserving of what we know and the discovery of what we know not; insofar as it subordinates the one to the other it subordinates the latter to the former (as we shall see more clearly below).

Milton does indeed remind us that the friends of the virgin Truth, who go about gathering up limb after dis severed limb, have not found all of them yet. But if we are expecting to be told that the dis severed limbs already brought together may not really be limbs at all, or that, worse still, they may be the limbs not of the virgin Truth but of some nameless young woman whose morals were no better than they ought to have been, Milton can only disappoint us; the notion is not present, even by implication. Further, Milton clearly believes that "we" possessed the entire body of Truth during Jesus' incarnation; and we are obliged to notice that Truth is associated in Milton's mind mainly with religious truths (when he wishes to call to mind other kinds of truth, he puts their names to them—as in the phrase, which we have already noticed, "the rule of life both economical and political," or his references to "arithmetic"), and also, that he deems Revelation to be the major and most authoritative source of such truths. Here again we are oceans apart from Mill, and from the positivistic scientists who are forever citing him.

Our task, Milton indeed insists, is to close up truth to truth wherever we may find it, and to do so unceasingly, indefatigably. But (we

³⁸ Mill does indeed conduct part of his discussion on the assumption that the received opinion, that which might serve as the grounds on which another and different opinion is to be suppressed, is correct—that is, the truth. Careful examination will show, however, that the assumption is an assumption *arguenda*: the received opinion's being true is merely one of three theoretical possibilities that would-be suppressors in the name of truth must, on their own showing, take into account: the received opinion is true, it is partly-true partly-false, it is untrue. He is prepared to show that in each case nothing is to be gained by suppressing a novel opinion; but he seems to me quite careful not to commit himself to the view that there are in fact situations where the received opinion is "the Truth."

³⁹ A. 68.

repeat ourselves, but the metaphors are themselves repetitious) it is clear that the truths that he would have us close up one to another are "true" truths (the idea is by no means that of closing up tentative hypothesis to tentative hypothesis)—capable of elaboration, certainly, but as far as they go true, and not destined to be set aside. Similarly, he would indeed have us be suspicious of the outward union of inwardly divided minds, and we are indeed tempted to detect here an appeal for the kind of "diversity" for which Mill is to plead—and the more when our eye falls upon that sentence about the necessity for much arguing, much writing, many opinions. But our second glance will enable us to notice the numerous warnings that we are in a realm of discourse entirely different from Mill's; God Himself—and when Milton says "God" he leaves us in no doubt that he means God, a God upon whom he *believes*—stirs up the much arguing, the much writing, the many opinions, for purposes that are His Own; and, in any case, the "many" opinions that accompany the desire to learn are, we see now, many in the sense of numerous rather than many in the sense of widely-divergent (for all that it seems "natural" to some of us to understand the phrase in the second sense). Milton's concern, it becomes clear, is with the crowding of free consciences and *Christian* liberties, not *free* consciences and *Christian liberties* (which is how we tried at first to read it)—that is, for men who think and act out of conscience, which is to say, for Christians. Finally, the arguing turns out to be arguing amongst men who do not disagree profoundly with one another (as we shall notice again and again); the many opinions, which are the blocks that are to be combined together in the symmetry of the house of God, do differ from one another, but we perceive now that the difference is a matter—again we have merely to shift the emphasis—of *moderate* varieties, not moderate *varieties*, of *brotherly* dissimilitudes, not *brotherly dissimilitudes* and that Milton has driven the point home by adding "not vastly disproportional." We do not overburden the passage when we attribute to Milton the view, which evidently is *not* Mill's, that the search for truth thrives best in situations of *consensus*, that is, where the participants are like-minded men. And, finally, we notice now that what prevents us from uniting in "one general and brotherly search after truth" is that we do not exercise a *little* forbearance of one another, and *some* grain of charity.

We shall fail to grasp the true character of Milton's model of the

Truth-seeking process unless we raise questions about the persons he has in mind when he speaks of "we" (we are tempted to read the "we" as shorthand for "mankind," which it is sometimes, but by no means always). For one thing, the *Areopagitica* is above all a message addressed by an Englishman to compatriots of his, so that "we" as often as not means "we here in England," "we Englishmen"⁴⁰—that is, Milton plus his addressees, so that often where he seems to be paying tribute to the discussion process as such, the praise is in fact intended for the discussion process as he sees it going forward in England. This means that the model has "in it" a whole series of tacit or near-tacit assumptions about the character, the mutual relatednesses, the traditions and the qualities of the "people" in whose bosom the search for Truth goes forward. Or, to put the point differently, we must ask, in connection with such passages as those in which we find the words "much arguing, much writing, many opinions," or the words "opinion is . . . only knowledge in the making," or the words "pens and heads" musing beside "stridulous lamps," whether Milton, like Mill, means us to understand: Let *any* people that would be a "knowing people," and possess Truth, devote itself to intensive and unlimited debate, or rather, Given a society made up of men of a certain type (with, we can safely add, such and such traditions),⁴¹ the search for Truth will profit from intensive and unlimited debate. It seems clear to me that we torture the passages in question when we seek in them, as we do well-nigh instinctively, a meaning akin to that of the *Essay* (where the "Given a society made up of men of a certain type" is precisely what is most conspicuously lacking). The emphasis, then, as our second glance reveals, is less on the "much arguing, *etc.*" than on the identity and quality—the *goodness*—of the arguers;⁴² and whatever Milton is urging about the vir-

⁴⁰ Cf. A., 69: "Lords and Commons of England, consider what nation it is whereof ye are . . . : acute to invent, subtle and sinewy to discourse, not beneath the reach of any point the highest that human capacity can soar to. Therefore the studies of learning in her deepest sciences have been so ancient and so eminent . . ." Cf. A., 72: ". . . a nation so plant and so prone to seek after knowledge." Cf. A., 50: with its proud reference to the "invention, the art, the wit, the grave and solid judgment which is in England. . . ."

⁴¹ Cf. A., 78: "That *our* hearts are now more capacious, *our* thoughts more erected to the search and expectation of greatest and exactest things, is the issue of your own virtue propagated in us" (italics added). (The "Give me the liberty to know" passage soon follows.) Cf. A., 14: ". . . *our* English, the language of men ever famous and foremost in the achievements of liberty" (italics added).

⁴² Thus the "opinion is . . . but knowledge in the making" turns out to read "opinion

tues of "free expression," it is misapplied when extended to situations in which the presuppositions he has in mind are not fulfilled.⁴³

In the second place (a similar but different point), if we would understand the *Areopagitica* we must not beg the question, What persons, even within the society embodying his presuppositions, does Milton think of as actually participating in the quest for truth? Does his model, like Mill's, abstract from or ignore the differences in quality among the individual members of the society, and in consequence, anticipate the democratical and egalitarian tendency of the Mill model? Mill's one lone dissenter, who must be convinced before the question on which he dissents can properly be regarded as closed (and then only until another dissenter turns up), and who contributes to the search for Truth by the mere fact of his dissenting, is, clearly, just anybody not a minor or an idiot; there is no test of intellectual or moral excellence that he must meet in order to be taken into account. When Milton speaks of the "whole people, or the greater part, more than at other times taken up with the study of highest and most important matters to be reformed . . . reasoning, reading, inventing, discoursing, even to a rarity and admiration, things not discoursed or written of," we do seem (leaving aside the above question as to what kind of "people" we are speaking about) to be standing in the presence of an idea not unlike Mill's. (So, too, when we read "not only our seventy elders but all the Lord's people become prophets.")⁴⁴

Our answer here must be that to overlook the *aristocratic* character of Milton's conception of the Truth-seeking process is to ignore one of the major emphases of the essay, one moreover that is driven home to us at the very beginning. The lines from Euripides that precede Milton's opening sentence read:

in good men is but knowledge in the making" (italics added), the Mill-trained eye having slipped over the "in good men."

⁴³Including, of course, the presuppositions as to the persons excluded from the debate, because of which, as noted elsewhere, the debate is really not unlimited at all. Milton was highly knowledgeable about the relation between policy recommendations and their presuppositions, as witness: "Plato . . . fed his fancy with making many edicts to his airy burgomasters . . . [He] seems to tolerate no kind of learning but by unalterable decree. . . . [But] Plato meant this law peculiarly to that commonwealth which he had imagined, and to no other. . . . [He] knew that this licensing of poems had reference and dependence to many other provisos there set down in his fancied republic. . . . [The course he recommends], taken apart from those other collateral injunctions, must needs be vain and fruitless" (A., 33).

⁴⁴A., 74.

This is true liberty, when free-born men,
Having to advise the public, may speak free,
Which he who can, and will, deserves high praise;
Who neither can nor will, may hold his peace;
What can be juster in a State than this?

Here also, to be sure, we are beset by very considerable temptations: (a) To let the eye skip the words "having to advise the public" and read "This is true liberty, when free-born men . . . may speak free"—which we must not do, since the words "having to advise the public" are strictly *defining* (*ie.*, they tell us *what* free-born men in the justest State may speak free). (b) To fail to read closely the following two verses, which, strictly construed, establish a distinction, logically prior to what they assert, between two types of free-born men: first, those who "can, and will [advise the public]," and second, those who "neither can nor will [advise the public]"—which "reads out" for us the dichotomy implicit in the defining phrase "having to advise the public." (c) To overlook the *asymmetry* of what the two verses end up asserting, which is that men of the first type "deserve high praise" (as why should they not, since they "can" advise, that is, are capable of advising, and "will," that is, are men who are willing to shoulder the responsibilities that go with their liberty?); and that men of the second type, who "neither can nor will," "may" hold their peace—where the absence of the symmetrical "does not deserve high praise" or "deserves contempt" (which is what we should have expected) rather emphasizes than obscures this point; as the absence of "may not hold his peace" (which is what we should have expected if we had read the verses backwards) rather emphasizes than obscures *that* point. The assertion, in other words, is far more complex than, at first glance, it appears to be, and it becomes: We have true liberty, and the maximum of relevant justice, where those who have something to say that is worth hearing *both* are in position to "speak free" and actually do so, thus deserving (and being recognized as deserving) high praise, and where those who do *not* have something to say both do not deserve (and are recognized as not deserving) high praise, and "may" remain silent. Nor must we permit the irony of the "may" to elude us (we seldom think of a man's being *permitted* to hold his peace as a liberty; and, in any case, it is only those who have nothing to say that, according to the verses, possess it); and if we take

the irony into account we may fairly understand: "*do* hold their peace." In short, we look in vain for the democratical-egalitarian assertion (which our secondary sources would dispose us to expect) that those who cannot (are not capable) and those who will not (some of whom perhaps *are* capable) are entitled to speak freely. The "true liberty" in question is that of an aristocracy, whose excellence is *both* intellectual and moral.⁴⁵ (d) To fail to notice the implicit distinction between "true liberty," which we have just seen to be as much a matter of limitations and responsibilities as of absence of limitations, and false liberty, *and* the manner in which it is "picked up" and developed in the peroration. "True liberty" there becomes that "utmost bound of civil liberty" which "wise men look for";⁴⁶ Milton is suggesting what that "utmost bound" in fact is;⁴⁷ and we must not permit our over-weaning interest in the answer he seems to offer to obscure the nature of the question, its presuppositions and the way in which they color the answer. We have that "utmost bound," he assures us, where "complaints [but remember from whom] are freely heard, deeply considered, and speedily reformed." Wise men, the form of the question teaches us, do not seek *more* liberty than is consistent with "true liberty"—that is, for the implication is surely present, more liberty than they can have and still have liberty at all. There is an "utmost bound" beyond which liberty cannot be pushed without the pushing of it becoming folly: so that *the* question to ask about liberty is, in the first instance, How much? (along with, we repeat, For whom?). And the question does color the answer: "Complaints" does not estop questions about what complaints; "freely heard" does not estop further questions as to how freely; nor does "deeply considered" estop further questions as to how much time should be devoted to the considering, nor "speedily

⁴⁵ I have not attempted to go into the question whether the Greek original warrants this construction, since we have here the rare case where what matters is precisely the translation—the more certainly since the translation is Milton's own. See John Milton, *Prose Works* (London, 1839), Vol. I, "Introductory Review," where Robert Fletcher writes: "... the motto is taken from [Milton's] ... favourite Euripides, and happily translated by himself." It is a matter of more than passing interest that the Everyman edition, whose introduction is cited *infra*, unaccountably omits the motto.

⁴⁶ A, 2.

⁴⁷ Cf. Boswell's *Life of Johnson* (Oxford, 1931), p. 422: "He went with me, one Sunday, to hear my old Master, Gregory Sharpe, preach at the Temple. In the prefatory prayer, Sharpe ranted about *Liberty*, as a blessing most fervently to be implored, and its continuance prayed for. Johnson observed, that our *liberty* was in no sort of danger—he would have done much better, to pray against our *licentiousness*."

reformed" further questions as to how speedily and what we are to mean by "reformed." Milton, in his first two pages, does all that properly needs to be done to seal us off from the major fallacies of the *Essay on Liberty*. And to read him otherwise is to misread him.

Milton moves, then, from aristocratic premises: that the distinction between good men and bad men is knowable, meaningful and applicable in human affairs; that theorizing about liberty must as a matter of course be rooted in that distinction (and in the conception of goodness itself that it presupposes); that liberty (unless the liberty of publishing pamphlets and books without prior censorship, and perhaps not even that liberty) is for good men and not for bad men. All the apparently democratical and egalitarian emphases in the essay must be read in the light of those premises; and when so read, as it seems to me, prove to be entirely consistent with them. Thus, the passages in question turn out to contain no suggestion that "the [whole] people, or the greater part,"⁴⁸ as contrasted with "learning and learned men," might play an independent and creative role in the search for Truth. The role of the former in the model is that of *learners*, who, because they have been well-taught by their proper teachers,⁴⁹ can now be trusted, within the limits we shall soon be noticing, to choose their own reading-matter.⁵⁰ Where the *pursuit* of Truth is foremost in Milton's mind, the emphasis is invariably, as it should be, upon scholarship and scholars; and we may be sure that Milton, no more than Burke after him, would have wished to put ordinary men, even in England, to trade upon their private stock of reason. Those who "can, and will" become, in due course, "the free and ingenious sort, of such as evidently were born to study and love learning for itself, not for lucre or any other end but the service of God and of truth, and perhaps that lasting fame and perpetuity

⁴⁸ A, 75.

⁴⁹ Cf. A, 29: "... the learned (from whom to the common people whatever is heretical... may quickly be conveyed)...". Cf. A, 87, the reference to "teaching the people to see day." And cf. A, 42, with its reference to a "man above the common measure, both studious, learned, and judicious."

⁵⁰ Cf. p. 456 *supra*, where it might be argued that the presence of the word "inventing" in the list of things ("disputing, reading, [etc.]") destroys the point. But cf. the following paragraph (A, 76), where the "people" are spoken of as merely bestowing *attention* on the "solidest and sublimest points of controversy and new invention." The two passages are not necessarily inconsistent: a "whole people" can "invent" through the good offices of that "part of them" that is capable of inventing.

of praise which God and good men have consented shall be the reward of those whose published labors advance the good of mankind."⁵¹

The Models (C)

We come now to certain frequently-quoted passages, apparently highly inconvenient to the thesis of the present article, that seem to throw Milton's weight behind the curious notion that History is somehow on the side of Truth, that in a free "market of ideas" good money can be counted upon, in accordance with a Gresham's Law in reverse, to drive out bad, and that interference in the market on behalf of Truth is certain to be self-defeating.⁵² " . . . [Who] knows not," Milton certainly demands, "that Truth is strong next to the Almighty? She needs no policies, nor stratagems, nor licensings to make her victorious"—the latter being, rather, "the shifts and the defenses that error uses against her power."⁵³ We must, therefore, "give her . . . room, and . . . not bind her when she sleeps, for then she speaks not

⁵¹A., 45. He is not, he makes clear, concerned about the liberty of the "mercenary crew of false pretenders to learning"; and there is one passage in which he seems to imply that scholars may properly be asked to "win their spurs" before entering upon the full liberty of their calling: ". . . if . . . no years, no industry, *no former proof of his abilities*, can bring him to that state of maturity as not to be still mistrusted and suspected . . ." (A., 46; italics added). Cf. especially, A., 86, with its reference to "those whom God hath fitted for the special use of these times with eminent and ample gifts." Others (that is, such others as are being tolerated at all) seem to be present for these to sharpen their wits on (cf. A., 84: ". . . [God] raises to his own work men of rare abilities and more than common industry, not only to look back and revise what hath been taught heretofore, but to gain further and go on some new enlightened steps in the discovery of truth"). Cf. also, A., 71, where he appeals to the "general instinct of holy and devout men, as they daily and solemnly express their thoughts"; A., 57, with its emphasis on "learned and religious men"; and A., 63, where the implicit plea for freedom is for a "man judicious, learned, and of a conscience," and for those "whose business and profession it is to be the champions of truth." Cf. finally, A., 55, with its reference to "those who had prepared their minds and studies above the vulgar pritch, to advance truth in others and from others to entertain it . . ." (italics added), and A., 47, with its question: "And how can a man teach with authority, which is the life of teaching, [*etc.*] . . .?" its sarcastic reference to the "pupil-teacher" (a meaningless notion unless there be such a thing as a "teacher-pupil"), and the phrase, "what is vulgarly received already."

⁵²There is a difficulty here: Mill expressly disclaims any such notion, and recognizes that persecution is sometimes successful. Despite the disclaimer, however, Mill's position is one of great optimism as to how truth *will* fare in the free market, and the very frequency with which his epigones quote the Milton passages we are about to notice testifies to the fact that some such notion is implicit in the prevailing doctrine.

⁵³A., 81.

true, . . . [and] turns herself into all shapes except her own."⁵⁴ Stranger still, "Let . . . [Truth] and Falsehood grapple; who ever knew Truth put to the worse in a free and open encounter?"⁵⁵ Or: "Her confuting is the best and surest suppressing."⁵⁶

These passages constitute a problem of a quite different order from that of the apparently libertarian passages we have considered above; *i.e.*, they cannot be disposed of simply by reading them with a different emphasis, or by restoring them to their immediate context; they do appear to add up to a plea for an "open society"; and they do not merely appear in the *Areopagitica* but bear upon their face the evidence that Milton channeled into them the very best of his unequaled rhetorical skills. What, since the *Areopagitica* really advocates quite drastic limitations upon the free market of ideas, are we to make of them? Must we conclude that Milton indeed believed that which they appear to say, and failed to grasp their seemingly unavoidable implications—that is, that Milton was "inconsistent" if, having written them, he did *not* go ahead and adopt a position like Mill's? And that, accordingly, the *Areopagitica* is indeed the remote source of the "prevailing doctrine"?

The issue is worth restating in the following generalized terms: What are we to do when we have before us a book clearly written to support such and such readily-identifiable conclusions, in which, nevertheless, we find passages that, on the face of them, militate against those conclusions? Our minimum obligation, I suggest—one does not lightly plead a writer of Milton's stature guilty of contradicting himself in so brief an essay⁵⁷—is to ask ourselves whether the trouble perhaps lies in ourselves. We are required to go back to the text and see what happens when we try to read the apparently peccant passages in the light of and as colored by the major argument (not, in fairness to the author, the other way 'round). When, in other words, we give to the words in the peccant passages *meanings appropriate to the major arguments*⁵⁸—which, in the *Areopagitica*, is that

⁵⁴*Ibid.*
⁵⁵A., 80.

⁵⁶*Ibid.* Cf. A., 31: "Truth, . . . when she gets a free and willing hand, opens herself faster than the pace of method and discourse can overtake her."

⁵⁷Another easy way out of the difficulty, which we shall also avoid, would be to point out that Milton shows himself to know better: "revolutions of ages do not oft recover the loss of a rejected truth, for want of which whole nations fare the worse" (A., 6).

⁵⁸The full force of the point can best be grasped with reference to the crucial "I mean not tolerated" passage (A., 83). Milton can write: ". . . it is not possible for men to sever the wheat from the tares, the good fish from the other fry; that must be the

there is an "utmost bound" of liberty that wise men seek, and that a free society is *not* an open society.

"[Truth] needs no policies, nor stratagems"? We do indeed have a difficulty, if we assume that "policies or stratagems" includes the common-sense measures a society adopts in order to protect and perpetuate the truths it believes itself to embody, but the difficulty disappears if we are generous enough to let Milton have a distinction between these measures and "policies or stratagems." We must "give . . . [Truth] room, and . . . not bind her when she sleeps"? The difficulty is again of our own making: the words "give Truth room" by no means estop the question, How much room?, or exclude the particular answer to that question the essay provides; nor do the words "not bind her when she sleeps" estop the question whether, *e.g.*, the suppressing of malicious books, to which Milton certainly had no objection,⁵⁹ is or is not a "binding" of Truth. "Let . . . [Truth] and Falsehood grapple?" . . . [Who] ever knew Truth put to the worse in a free and open encounter?" But the sentence does *not* say, Let Truth and Falsehood grapple in just any set of circumstances, among just any kind of people—that is, it leaves Milton entirely free to raise and answer in his own way the question, In what circumstances, among what kind of people, can Truth and Falsehood in fact grapple? As for "free and open encounter," the interesting questions, as Milton is there to teach us, arise only when we ask what *is* a "free and open encounter"—*how* free and *how* open can the encounter be and remain "free" and "open," that is, remain an encounter in which Truth can grapple with Falsehood, and tell itself with confidence that it will not be "put to worse"? Besides which, the whole series of passages takes on a different meaning when we remind ourselves that Milton, unlike those who today cite the passages in question, supposed himself to know what *is* the Truth—so that "Truth," for him, angels' ministry at the end of mortal things. Yet if all cannot be of one mind—as who looks they should be?—this doubtless is more wholesome, more prudent, that all should be tolerated rather than all compelled." And go on to say in the same paragraph: "I mean not tolerated popery and open superstition, [*etc.*]." To speak of "contradiction" or "inconsistency" here obviously will not do, unless we go further and assume we are dealing with a writer who is feeble-minded. We have learned to read the *Areopagitica* only when we can read this passage and *not* find in it any inconsistency. *Cf.* A., 82: "How many other things might be tolerated in peace and left to conscience, had we but charity, and were it not the chief stronghold of our hypocrisy to be ever judging one another!" "We" here is clearly shorthand for "we who agree on fundamentals." "Fundamentals" is Milton's own term (*ibid.*).

⁵⁹But see below, pp. 465-471.

is shorthand for "our Truth," and the purpose of the "grappling" is, quite simply, the confuting of error, not the finding out what *is true*.⁶⁰ We have, I repeat, indeed been creating the difficulties for ourselves; concretely, by reading into phrases like "free and open encounter" a meaning that we could have learned only from Mill, and that Milton could not possibly have intended. For the model of free society which emerges in the course of Milton's argument, and which is full of what Mill would regard as "policies and stratagems," *is* the "free and open encounter" of which he speaks.

The Models (D)

The *Areopagitica*, correctly read, is on one side a plea for the removal, within a certain kind of society, of a particular restriction upon freedom of expression—that is, the prior censorship of books and pamphlets. On another side it is an impassioned defense of a *status quo*⁶¹ which, save in that one regard, Milton is clearly ready to identify with "true liberty," which he clearly regards with great satisfaction, and which (as already intimated) is *presupposed* in his demand for a press free from prior censorship. The contention that he uses arguments against prior censorship that should have "led him on" to advocate an open society like Mill's, or that are in any case applicable to all forms of censorship, is, therefore, nonsensical; for his purpose in advocating that degree of openness involved in freeing books and pamphlets from prior censorship is merely to eliminate, from a society the essence of which is that from a Millian point of view it is "closed," what he regards as an absurdity.

As he proceeds, Milton reveals for us and praises the major characteristics of the kind of society of which he approves, and these we may fairly speak of as constituting the model of free society as Milton understood it. Those major characteristics are:

(1) It is a society that regards itself as founded upon *religious truth*—as not only living under God for a purpose that is His, not merely its own, but as especially favored by God,⁶² and as having in conse-

⁶⁰*Cf.* A., 65: "[We] are to send our thanks . . . to Heaven, louder than most nations, for that great measure of truth which we enjoy, especially in those main points at issue between us and the Pope. . . ."

⁶¹*Cf.* A., 78. Also A., 75, 76.

⁶²*Cf.* A., 2, where he argues that if we have regained our "liberty . . . , it will be

quence an obligation to protect and propagate a certain corpus of religious doctrine.⁶³ As intimated above, its highest good (as we should have expected Milton to say if we had not been taught to misread the *Areopagitica*), is not "the pursuit of truth" in the Mill sense, but the living and propagation of an expanding revealed religion.

(2) It is a *homogeneous* society, in which very far from there being a cult of diversity there are *at most* "neighboring differences, or rather indifference, on some point of doctrine or discipline"; it is, moreover, a homogeneous society because it *wills* itself to be homogeneous, that is, because, though "tolerant," it does *not* tolerate "popery and open superstition" ("it"—not "they," but "it"—should be "extirpate," because "it extirpates all religions and civil supremacies"); nor does it tolerate "that which is impious or evil absolutely, either against faith or manners."⁶⁴ (Milton does not tell us what he means by "extirpate"; perhaps he would have contented himself with banishing the papists.) The *big* issues concerning doctrine and discipline, those between Protestants and Catholics, are regarded as closed—that is, not as proper topics for discussion. And the society Milton approves of, because founded on an initial act of intolerance and exclusion, is appropriately closed too.

(3) It is a structured, that is, *hierarchical*, society, where "honor . . . [is] done . . . to men who [profess] . . . the study of wisdom and eloquence" so that they are heard "gladly and with great respect";⁶⁵ that is, where the "common people" know their place over against their intellectual and moral betters.

attributed first, as is most due, to the strong assistance of God, our deliverer."

⁶³ Cf. A, 70, where he argues that but for the "prelates," the "glory of reforming all our neighbors had been ours."

⁶⁴ A, 83. That, he goes on, "no law can possibly permit that intends not to outlaw itself." To put it otherwise: the whole position rests upon a distinction between that which does and that which does not "interrupt the unity of spirit" between "neighboring differences" and differences that are *not* "neighboring"; and we do not dispose of the point by saying that subsequent experience has proved Milton wrong as to whether the differences between Protestants and Catholics are "neighboring" in the sense intended (especially as subsequent experience is not over yet). The teaching: unity of spirit is a precondition of our free society, and of the discussion process that goes forward within it. For the present writer, what subsequent experience shows is that the discussion process does break down where such unity of spirit is absent. Cf. A, 79, where Milton cites Lord Brooke as teaching that we must "hear with patience and humility those, however they be mis-called, that desire to live purely, in such a use of God's ordinances as the best guidance of their consciences gives them, though in some disproportion to ourselves" (*italics mine*).

⁶⁵ A, 4.

(4) It is a society that thinks of itself as both entitled and obligated to see to it that both "church and commonwealth . . . have a vigilant eye how books demean themselves as well as men; and thereafter to confine, imprison, and do sharpest judgment on them."⁶⁶ "[I] they be found mischievous and libelous, the fire and the executioner will be the timeliest and the most effectual remedy that man's prevention can use."⁶⁷ And: ". . . [I] . . . [any man's intellectual offspring] be proved a monster, who denies that it was justly burnt or sunk into the sea!"⁶⁸

Is it, then, a society which, though it is to have no *prior* censorship of books and pamphlets, will maintain arrangements for suppressing them after publication? That, certainly, is what at first glance the passages seem to suggest; it is also what many of our critics, while pointing out that many of Milton's arguments against prior censorship are *prima facie* equally good arguments against any censorship at all, have accused him of advocating, or at least being prepared to contemplate, and so of having been blind to the implications of his own argument. There are, however, at least two reasons, over and above the patent applicability to posterior censorship of some of the arguments, especially the strongest ones, against prior censorship, why we should fight shy of any such reading of the *Areopagitica*, namely: (a) The fact that Milton, who here as elsewhere is nothing if not prolix, and is if anything too attentive to detail, at no point gives us any hint as to the machinery that a free society might establish for confining and imprisoning and doing sharp judgment on "mischievous" books; and (b), the presence within the *Areopagitica* of lines of argument clearly intended to prove that we do great hurt, alike from the standpoint of virtue and from that of Truth, when we forbid our fellows access to *any* book on the grounds that it is heretical or of malicious tendency. Worse yet, as he develops these arguments, he repeatedly lets the prior censorship issue slip through his fingers altogether (though as noted above he "ties back" to it with great frequency),⁶⁹ and develops them precisely as arguments against cen-

⁶⁶ A, 6.

⁶⁷ A, 88.

⁶⁸ A, 15.

⁶⁹ Cf. A, 5, where in a single sentence he moves from the *prior* censorship issue ("the inventors of it be those whom ye will be loath to own") to the broad issue of "what is to be thought in general of reading," then back to the prior censorship issue. By no means all the arguments against prior censorship, we may notice, are simultaneously

sorship *tout court*; and if in the context of those arguments, which we must now pause to notice, Milton was prepared to contemplate post-publication censorship, we do indeed stand in the presence of an intellectual blunder about which we are entitled to speak condescendingly.

The major arguments of this character are the following (he is answering the question whether "books, *whatever sort they be*,⁷⁰ "promiscuously read,"⁷¹ do more "benefit . . . or harm").⁷²

"To the pure all things are pure; . . . all kind of knowledge whether of good or evil; the knowledge cannot defile, nor consequently the books, if the will and conscience be not defiled."⁷³ . . . [Best] books to a naughty mind are not unapplicable to occasions of evil."⁷⁴ "[Bad] books . . . to a discreet and judicious reader serve in many respects to discover, to confute, to forewarn, and to illustrate."⁷⁵ " . . . [All] opinions, yea, errors, known, read, and collated, are of main service and assistance toward the speedy attainment of what is truest." God "left arbitrary the dieting and repasting of our minds; as wherein every mature man might have to exercise his own leading capacity."⁷⁶ God "uses not to captivate under a perpetual childhood of prescription, but trusts [man] . . . with the gift of reason to be his own chooser." " . . . [The] knowledge of good is [deeply] . . . involved and interwoven with the

arguments against posterior censorship: e.g., the argument that the best and wisest commonwealths of the past, Athens (A, 7), Sparta (A, 8), Rome (A, 9, 10, 11, 12) had no prior censorship ("books were as freely admitted as any other birth; no envious Juno sat cross-legged over . . . [their] nativity . . ."). The evidence cited regarding the best and wisest commonwealths shows that they *did* do sharp judgment on books: Athens on writings that were either "blasphemous or atheistical"; Sparta on compositions in a higher strain than their own soldierly ballads and roundels; Rome on "libelous books and authors," and that which was "impiously written against their esteemed gods" (although "not so often had as good books were silenced"). The Christian emperors "prohibited, or burnt" the "books of those whom they took to be grand heretics," and interdicted "heathen authors" who wrote "plain invectives against Christianity" (A, 11). Prior censorship, Milton concludes, was invented by the "most anti-Christian council and the most tyrannous inquisition that ever inquired" (A, 15), by the "falsest seducers and oppressors," and precisely to "obstruct and hinder the first approach to reformation" (A, 16), though he later accuses Plato of having invented the idea (A, 33).

⁷⁰ A, 16, (italics added).

⁷¹ A, 25.

⁷² A, 16.

⁷³ A, 20.

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

⁷⁶ A, 21.

knowledge of evil . . ."⁷⁷ He that can apprehend and consider vice with all her baits and seeming pleasures, and yet abstain, and yet distinguish, and yet prefer that which is truly better, is the true wayfaring Christian."⁷⁸ And, the strongest statement of them all: "Since therefore the knowledge and survey of vice is in this world so necessary to the constituting of human virtue, and the scanning of error to the confirmation of truth, how can we more safely and with less danger scout into the regions of sin and falsity than by reading all manner of tractates, and hearing all manner of reason?"⁷⁹

Moreover: If we start "removing" or "prohibiting" books, for fear that "infection . . . may spread," the first book to go must be the Bible, which "oftimes relates blasphemy not nicely, [and] . . . describes the carnal sense of wicked men not unelegantly . . ."⁸⁰ " . . . [Those] books . . . which are likeliest to taint both life and doctrine . . . cannot be suppressed without the fall of learning and of all ability in disputation . . ."⁸¹ " . . . [A] wise man . . . can gather gold out of the drossiest volume, and . . . a fool will be a fool with the best book . . ."⁸² So that "there is no reason . . . [to] deprive a wise man of any advantage to his wisdom, while we seek to restrain from a fool that which being restrained will be no hindrance to his folly."⁸³ "[E]vil manners are as perfectly learned without books a thousand other ways which cannot be stopped . . ."⁸⁴ To some men, books containing "vice and error"⁸⁵ are not "temptations nor vanities, but useful drugs and materials wherewith to temper and compose effective and strong medicines . . . The rest, as children and childish men, who have not the art to . . . prepare these working minerals, well may be *exhorted to forbear*, but hindered forcibly they cannot be . . ."⁸⁶ It is pointless to suppress books unless we are to take "equal [care] to regulate all other things of like aptness to corrupt the mind . . ."⁸⁷ "They are not skillful considerers of human things, who imagine to remove sin by removing

⁷⁷ A, 23.

⁷⁸ A, 24.

⁷⁹ A, 25.

⁸⁰ A, 26.

⁸¹ A, 29.

⁸² A, 30.

⁸³ *Ibid.*

⁸⁴ A, 29.

⁸⁵ A, 30.

⁸⁶ A, 31 (italics added).

⁸⁷ A, 34.

the matter of sin . . . "88 " . . . [How] much we thus expel of sin, so much we expel of virtue."⁸⁹ "Why should we then affect a rigor contrary to the manner of God and nature, by abridging or scanting those means, which books freely permitted are, both to the trial of virtue and the exercise of truth?"⁹⁰

Why, indeed? But how then can any book ever be justly burnt, and why should church and commonwealth keep a vigilant eye on how books behave themselves, to confine and imprison and do sharpest judgment upon them? And if that last, will not church and commonwealth each need twenty imprisoners and confiners, who would be open to the same objections as twenty licensors? To which the answer is, we are again making the difficulties for ourselves; the intellectual blunder is ours, not Milton's, and in making it we are blinding ourselves to Milton's teaching, which emerges clearly enough when we cease to patronize him.

Let us, in order to clarify the matter, speak of the principle involved in the passages cited at the beginning of this section as the "book-burning principle," and state that principle, in the context of the foregoing arguments, as follows: There *are* good books and there *are* bad books, books that teach good and books that teach evil, books that teach truth and books that teach error. A society that denies these distinctions, which are correlative to the distinctions between good and evil and truth and falsehood themselves, *or* that, while recognizing them, denies itself the capacity to intervene when and how it sees fit to prevent the harm that bad books can on occasion do, is *no* society. Now: we start out from the fact that Milton asserts the book-burning principle, deems it axiomatic ("who denies?"), and puts it forward as an integral part of his teaching; but he in effect adds (by mentioning no machinery, and, as we have just seen, by arguing plainly that there must be none, if by machinery we mean a censorship), to our great surprise: But no book-burners! To which *we* reply, out of our superior wisdom: Either book-burners, or no book-burning principle; you must choose. To which Milton rejoins: I refuse to choose; I shall have the book-burning principle, and no book-burners; the connection between the two exists only in your own minds. If we

⁸⁸ A., 37.

⁸⁹ A., 38.

⁹⁰ *Ibid.*

have book-burners, then our society loses the benefits that bad books, properly used, can confer. If we do not have the book-burning principle, we place ourselves at the mercy of the harm that bad books, improperly used, and good ones, too, can on occasion do. Society can afford neither of these luxuries.

Anyone who sleeps himself in the two sets of passages—that enunciating the book-burning principle and that which states the case against censorship—can imagine Milton's going on to say (a little impatiently, perhaps): The crucial passage for understanding my position is that in which I speak of "children and childish men," and say that "they may be exhorted to forbear, but hindered forcibly they cannot be." Now: either the "children and childish men," when they are "exhorted to forbear," *do* forbear, or they do not. If they do forbear, society will have "burnt" the book in question far more effectually than ever it would have burnt it through the good offices of any twenty book-burners,⁹¹ and with none of the adverse effects that (as I point out) those good offices would have produced. But note that the exhorting to forbear—an exhorting by society's proper teachers to their proper pupils—presupposes the book-burning principle: an insistence upon the validity of the distinction between good and bad books, and on the necessity of taking appropriate action, on occasion, with respect to bad ones. My main point is that the appropriate action is never, or almost never, coercive; or, to put it a little differently, that the solution to the problem of how to use good and bad books lies in the channeling of both into the hands of those who will use them properly, and in the keeping of both out of the hands of those who will misuse them. As for the machinery, the healthy

⁹¹ Those to whom this point seems far-fetched might set out tomorrow, anywhere in Europe, to try to purchase a copy of that book which is by common consent the *worst* book of our age, namely *Mein Kampf* (of which a few years ago there existed millions of copies). Having failed to find one, they may then ask themselves: Who did the burning, and burning of what kind?

It must be emphasized, however, that Milton's position would not exclude, or even discourage, all government intervention with the sale and distribution of literature; on the contrary. But it stands as a warning, wholesome in my view, that such intervention does not get at the real problem (the necessity for it is evidence that the proper relatedness between society's proper teachers and society's proper learners has broken down), that it is in the nature of the case clumsy and full of dangers, and in any case (as suggested by Milton's analogy) actions against books and pamphlets should be assimilated to actions against persons who have allegedly committed crimes or misdemeanors.

society, in and of itself, in virtue of its spontaneous and voluntary hierarchical relations, is itself a great machine for the continuous sifting of books and ideas, for distinguishing the good ones from the bad ones, and for "burning" the bad ones in the sense that I hope I have now made clear. Thus, to go back, if the childish men do *not* forbear, the difficulty will be found to lie in the relatedness between society's proper teachers (who must then learn to be better teachers) and society's proper pupils (who must be taught to be better-behaved).⁹²

Here, then, as elsewhere, we find that when Milton's teaching coincides with modern open-society doctrines (as it certainly does with regard to coercive censorship, prior and posterior), what we have is at most a recommendation for a largely-closed society that, within itself, will and can afford to *act like an open society*, but precisely because it does not assert the opposite of the book-burning principle (the distinction between good and bad books is meaningless, society has no business taking any action with respect to bad books). It is as if Milton had anticipated, and written for, an age when the censorship issue would be torn loose from the only presuppositions⁹³ upon which it can be discussed.

(5) It is a society which deems itself entitled and obligated to inculcate in its members "positive" notions concerning the good and the true—that is, a society based upon "those unwritten or at least unconstraining laws of *virtuous education, religious and civil nurture*, which Plato . . . mentions as the bonds and ligaments of the commonwealth. . . ; these they be which will bear chief sway in such matters as . . . [censorship], . . . when all licensing will be easily eluded."⁹⁴ And Milton's teaching becomes: the censorship issue arises only where free society fails to discharge its educational responsibilities, which involve the converse of the book-burning principle (the insistence on the distinction between good books and bad books, and on the need for appropriate action on behalf of the teachings of the good books).

⁹²See R. G. Collingwood, *The New Leatathan* (Oxford, 1945), *passim*, for a full discussion, in terms of an analogy between "parents" and "nursery," of the relation in question. Cf. again, A., 87, with its reference to "teaching the people to see day."

⁹³Again see A., 33, for Milton's own warning that proposals in politics are inseparable from their presuppositions.

⁹⁴A., 36 (italics added).

The Relation, if any, Between the Models and the Generalized Teaching

It remains to inquire (1) where Milton seems to stand on the methodological issue we have posed above, and (2) whether we are entitled to ascribe to Milton any teaching whatever, with respect to freedom of thought and utterance, on the level of generality on which Mill's recommendations are projected.

(1) I hope to have shown that Milton does develop a model of the Truth-seeking process, and how different it is from (and how much more likely to commend itself to those who value Truth than) Mill's. I hope to have shown also that Milton develops, as he goes along, a model of free society, which also differs profoundly from that of Mill. I hope to have made clear, finally, the extent to which the model of free society involved in the "prevailing doctrine" is derivative from, and subordinate to, its model of the Truth-seeking process: the requirements of the Truth-seeking process, it argues, being such and such, society must be organized thus and thus, this may be done and that may not be done—the effect being, as I have indicated, to posit the pursuit of Truth, new truths especially, as free society's *summum bonum*. And we are now asking, Are the Milton models related to one another in this manner?

I find no passages in the *Areopagitica* that might support an affirmative answer to this question. Milton is indeed concerned about Truth, both the preservation and the pursuit of it; he does indeed show that the process by which Truth is preserved and expanded thrives best in the absence of formal restraints upon intellectual liberty; he does indeed argue that free society should not impose such restraints. But (as I have implied frequently above) the sequence of ideas in Milton is always the reverse of that in Mill; his thought about the character of free society is clearly prior to and independent of his thought about the preservation and pursuit of Truth; insofar as either model is subordinated to the other (which for the most part neither is, Milton's problem being precisely that of how to accommodate the two models to *one another*), it is the model of the Truth-seeking process that is subordinated to that of free society. To put it otherwise, Milton's point is always precisely that his kind of intellectual freedom will serve the *purposes of society*, especially the Reformation; and it is not too much to say that he would have made no

sense of Mill's procedure at all. Concretely, he is not prepared (though on Mill's procedure he would have to be) to move from his arguments concerning intellectual freedom to a re-opening of either of the two questions the essay answers most flatly, namely: What is the status within our free society of the Reformation? (Milton's answer, in effect: It is a *public truth*, an *orthodoxy*, which free society as a matter of course places beyond question, and conceives of itself as serving.) And what is the status within free society of those who deny or flout that orthodoxy? (Milton's answer: They have no status within free society; having been "extirpate," they are not even present, and so pose no problems.) That is, it does no good to argue: Milton *should* have seen that, *e.g.*, spokesmen for "popery and open superstition" could play with respect to the "proving all things," the same role as bad books, or, *e.g.*, that all arguments for treating all questions as open questions, for proving all things, in the republic of learning,⁹⁵ are equally valid arguments for a *society* that treats all questions as open questions. This, for Milton, is to reverse the proper order of business, and misconceive the relation between the republic of learning, which like all else in free society is subordinated to certain public truths, and to free society itself.

(2) This brings us to our second remaining question, which we may now put thus: Are we to understand Milton as teaching, then, that in all societies everywhere the dominant group is entitled to proclaim its truths as the public orthodoxy, to which all things, including the republic of learning, may properly be subordinated; that just as we here in England are entitled, before we begin "proving all things" together, to eliminate all unbrotherly dissimilitudes, so, *e.g.*, in Spain the bearers of "popery and open superstition" are entitled to "extirpate" those who disagree with them on "important points"? Is Milton, like Mill, prepared—once we follow him to the deepest and most prior levels of his political thought—to assert that which we find him teaching (eliminate unbrotherly dissimilitudes, then eschew restraints on intellectual freedom) as a general prescription for organized society? The answer is, of course, in the negative (though we might conceivably extract from him a generalized teaching concerning the unprofitability of reasonable discourse among men whose differences are "vastly disproportional"). That would be to mistake

⁹⁵Which is not to concede that Milton goes so far, even with respect to the republic of learning.

his entire animus: For the reason why "we" are entitled to extirpate Papists is that we are right and they are wrong; that God has revealed Himself to us, not to them, and that we must be about Our Father's business.⁹⁶ That is the context in which the problems of politics and intellectual freedom arise for Milton; and he does not pursue those problems in the *Areopagitica* beyond the point of asking what "we"⁹⁷ should do about them.⁹⁸ One feels confident, indeed, that had Milton faced the question: What should societies toward which "the love of Heaven . . . is [less] propitious and propending"⁹⁹ than towards us, do about politics and intellectual freedom?, he would have given an answer analogous to Voltaire's about how to found a religion: First you get yourselves the Reformation. That is why all the attempts to make of Milton (who on the crucial issues is the soul of intolerance)¹⁰⁰ the remote source of modern doctrines of toleration and the open society,¹⁰¹ must proceed by ignoring not only certain crucial passages but the very sequence of ideas in the essay, and must, like the "exploit of that gallant man who thought to pound up the crows by shutting his park gate,"¹⁰² fail.

⁹⁶*A. passing*, in order to document the statement we should be obliged to cite half the paragraphs in the essay.

⁹⁷Meaning (at most) those countries that possess the Reformation.

⁹⁸Perhaps the nearest he comes to a generalized teaching about politics is in those themes of the *Areopagitica* that have received the least attention from the critics; that is, the teaching about the book-burning principle and that concerning the "utmost bound of freedom." But we do not easily imagine Milton recommending that the works of John Knox be burnt in Spain.

⁹⁹*A.*, 70.

¹⁰⁰We are not concerned here, of course, with the merits of the issues between Milton and those whom he would not tolerate.

¹⁰¹*Cf.* C. E. Vaughan, "Introduction," in Ernest Rhys (ed.), *Areopagitica* (London, 1927): "It has sometimes been regretted that the only one of Milton's prose works [now] widely read . . . should be that which enforces a commonplace so universally accepted as that of toleration."

¹⁰²*A.*, 29.