

## THE POLITICAL CAPACITY OF THE FRENCH

UNTIL very recently it would have been a somewhat sensational thing for one to say of the French that they were a reasonable people, with a settled government and a history worthy of emulation. There is a widespread impression that the French are a distinctly inferior race. The nation is said to be in decline. The people are said to be effeminate, trivial, excitable, unreasoning, irreligious, immoral when not unmoral, with an impure literature and art, an unstable and tottering government and a diminishing birth-rate. These charges are confirmed by many observers. Travelers returning from a summer abroad find little difficulty in producing orthodox impressions—and reminiscences. Estimable ladies or enterprising artists describe the “true Paris” or “France as it really is,” basing their descriptions upon an experience of the Avenue de l’Opéra, the Bon Marché or the Latin Quarter. Anglo-Saxon Puritanism stands aghast at the realism of French literature. English and American caricature adds its degenerate Alphonses and Gastons, and editors make sport of French politics, speaking of it with that condescension which Lowell once found so irritating in the attitude of foreigners toward ourselves. And so we understand the French!

Nations, like individuals, have reputations, and they are for the most part in the keeping of their enemies or rivals. As there is an innate tendency in all of us to attribute evil motives to our opponents, few nations escape calumny. In the middle ages a heretic was always regarded as vicious and debased; so Tacitus regarded the Christians; so the uninformed regard all socialists today. Between nations this unreasoning animosity is kept alive by mutual ignorance and difference in manners and customs, and it is heightened by demagogues and the yellow press. Anyone at all familiar with Canada knows how absurd are its ideas of the United States: they are drawn largely from the habit of its own respectable journals of copy-

ing the most sensational scandals of our lower press and presenting them to an unsuspecting public as samples of our ideals and morality. We have inherited a similar mistrust of France from English misconceptions, due to centuries of rivalry and of insularity. Then our German-trained professors have spread the influence of an Anglo-Teuton political science, deriving all the blessings of liberty and representative government from the Teutonic peoples and leaving to the French only a few reigns of terror and a tendency to despotisms.

Some French writers, as well, have contributed to this view by pessimistic comments upon their fellows. One finds such comments frequently in the writings of those who are in opposition to the government for the time being, or of partisan historians who find solace for the unwelcome triumph of democracy in the glorification of the past. Chateaubriand once said: "There is plenty of *esprit* in France, but reason and sound common sense are lacking; a couple of phrases intoxicate us." The German historian, Wilhelm Müller, copies this sentence in his *Political History of Recent Times*, adding: "It is certainly harder to rule such a nation than a nation of sober, sensible men." The sentence should of course be completed "like us Germans." Müller's history is highly recommended to our colleges by no less an authority than Andrew D. White. A "couple of phrases" can apparently intoxicate outside of France.

Leaving aside for the present the wider topic of national morality—a field so little understood and so slightly investigated, where prejudice reigns, consecrated by religion—let us examine this decrepit political structure, the French state. Here we are face to face with facts, and it is merely a matter of seeing. Yet even seeing is an art—when one wears a monocle. Voltaire once said that the foreigner could only see the façade of a nation. Certainly the foreigners have seen only the façade of the political system of France. Few have really concerned themselves with the interior structure, unless it is to point out that its plan does not fit the façade, which was an importation, largely of English make. The architectural lines of this inner political structure, with its interplay of thrust and counter-thrust, its nice adjustments, its use of native material cemented

by common oppositions or welded together in the fires of national crises—these escape our attention. Judged by English standards the politics of modern France are in a bad way. During the nineteenth century there have been three republics, two kinds of royalty and two empires. The Third Republic spent ten years of uncertainty as to whether there was to be a republic or one of three kinds of monarchy. Since the republic has been under republicans, from 1879 to the present time, no less than thirty-six cabinets, with about 175 different cabinet ministers, have been cast up and dissolved like foam on the parliamentary waves. Surely such a nation is unable to govern itself. Its political architecture must be most insecure and likely to crash about one's ears at any moment.

Now, strangely enough, that was what Frenchmen in Voltaire's day thought of England. That land where, we have been taught to believe, "freedom slowly broadens down from precedent to precedent," whose institutions, copied the world over, are regarded as the product of a majestic, regular and inevitable process, seemed to French observers of the age of Louis XIV to be the home of civil discord, mob violence and dangerous radicalism. Voltaire himself shared the common belief in the variable temper of Englishmen. They are morose when the east wind blows; party feeling is stronger than common sense, and is less the expression of consistent political views than of class and clique prejudices. He asks his readers:

Is it easy to define a nation which cut off the head of Charles I because he wanted to introduce the use of surplices in Scotland and exacted a tax which the judges declared belonged to him, while the same people saw without a murmur Cromwell chase out its parliaments, lords and bishops, and destroy all the laws? Imagine that James II was dethroned partly because he insisted on giving a place in a college to a Catholic pedant, and then recall that Henry VIII . . . changed the religion of the country because he wanted to marry a courtesan, whom he afterwards sent to the scaffold; that he wrote a bad book against Luther in favor of the pope, then made himself pope in England, hanging those who denied his supremacy and burning those who did not believe in transubstantiation—and all that gaily and with impunity! A spirit of enthusiasm, a furious superstition seized the whole

nation during the civil wars; a mild and easy immorality succeeded this period of stress under the reign of Charles II.

That is how everything changes and seems to contradict itself. What is praised at one time is an error at another. The Spaniards say of a man: He was brave yesterday. That is about how one must judge nations—and especially the English. One ought to say: They were so and so such a year and such a month.<sup>1</sup>

This was not the view of Voltaire alone. As he says elsewhere, it was the common belief in France in his day that the government of England was stormier than the sea which surrounds it. The Marquis de Torcy, diplomatist and minister of France under Louis XIV, gives the same impression in his memoirs. We are apt to forget that until very recently the uncertainty of England's foreign policy kept alive in Parisian journals an epithet of dishonor—"perfidious Albion." In the light of these reminiscences it may not be amiss to inquire whether we have not confused the French political façade with the inner structure.

The nineteenth century was to France what the seventeenth was to England—a period of political re-adjustment. The political revolution which began in 1789 ended only in 1879, when the monarchist MacMahon resigned the presidency in the face of a Parliament that had slowly and steadily grown republican. One must understand the Revolution if one is to understand subsequent French history, and this has been possible only within the last few years. Carlyle, from whom most readers of English literature derive their impressions of it, misconceived it altogether. The gigantic tragedy which he so wonderfully depicts was not the main content of the Revolution. There were really two revolutions in one: a social revolution of the summer and autumn months of 1789, in which the whole social structure of France was overturned, and a political experiment, which has taken almost a century of adjustment. The social revolution, so long obscured by the dramatic occurrences which

<sup>1</sup> *Lettre à M<sup>me</sup>*, 1727. Over two centuries earlier Louis XI regarded England as the country of revolutions. He counted upon this uncertain character of English politics to check Edward IV by supporting Queen Margaret in England.

followed, was the real event of 1789. The old régime with its inequalities, its oppression, its injustice, disappeared forever from France. But political reconstruction proved a long and difficult task. The first republic was forced upon the country by a band of enthusiasts; it is doubtful if the republicans ever had a majority throughout the country before 1877. In the long interval France gave up monarchy slowly and reluctantly, and various monarchic or aristocratic forms of government were tried. A second nominal republic was even established; but except for the opening months, February to June, 1848, when it was faced by the insistent demands of the laboring class, it was merely a continuation of the conservative Orleans monarchy, minus the king. Finally, after Sedan, all the possible forms of government were presented side by side to the nation for its choice. After seven years it finally chose the republic. Two years later every branch of the government was in republican hands. The long political revolution was over.

The history of the Third Republic therefore properly begins in the autumn of 1879. What of the stability of its government? During the last eighteen years there have been on an average no less than two premiers every year! To one looking merely at the façade, this seems an absolute condemnation of French political capacity. Has this long evolution produced only a sort of opera bouffe, in which the main interest centers in the entrances and exits? Each time a new premier has been announced, our editors have sharpened their pens and our political theorists have commented upon the pathetic spectacle of a nation that does not know its own mind. In reality a change of cabinets in France has not the significance it would have in England. It does not mean a reversal of policy. Generally it means more efficiency in carrying out the same policy. The new cabinet takes up the burden where the last one lays it down. Behind them all stands Parliament, absolute master of the whole situation, ready to dismiss the new ministers as soon as they show weakness or commit a blunder. The passing of French ministries is rather a sign of stable policy than of variability, as would be the case in England.

It seems to have escaped most critics that the only real test

of a government is what it accomplishes. Critics of France have been so blinded by the Anglo-Teuton tradition that they seldom take the trouble to inquire what this nondescript governmental machine of France has been able to do. Now if one looks back over the history of the Third Republic since it has been under republicans, one will find a more logical development of reform, a more regular and consistent line of legislation, than can be matched where the English system prevails. One searches in vain for those headlong party measures which the next election nullifies. There is no senseless swinging of the pendulum from extreme conservatism to extreme radicalism. Variations occur, it is true, but not with chaotic abruptness. The choice is not between Gladstone, with home rule and anti-imperialism, and a Salisbury waiting to undo and mar all that Gladstone has done, nor between Republicanism and Democracy as these two parties have faced each other in the past in our political arena. It has not been a choice between opposite poles, but between more or less of the same thing. The extremists have always been excluded from power, since the Republic has been governed by republicans.

A glance at the product of the French Parliament since 1879 shows that France today, as well as England, is a land where "freedom slowly broadens down," if not from precedent to precedent, at least from statute to statute. To be sure freedom is a larger thing than acts of legislatures, but it is also larger than decisions of judges. Reforms of abuses which the state can prevent constitute merely those definite stages in the advance of freedom which the historian can register as indices of the nation's purpose. Yet here the work of the Parliament of the Third Republic will bear comparison with that complex and often hidden line of progress to be traced in England through law courts, local government and Parliament. A country which seems a paradise of anarchy when one reads of its shifting ministries exhibits upon examination a surprising degree of regularity, where year by year the scope of reforms is enlarged, the democratic bases of the republic are strengthened and its enemies in army or church suppressed. The roll of these laws fills too many pages to be repeated here.

They are mainly directed toward the three chief problems of our day in Europe—militarism, clericalism and social reform. The first of these, drawing its life out the wrecked hopes of the monarchists and the unhushed memory of national disaster, fought savagely, but without honor, through Boulangism and the Dreyfus affair. It has at last been subdued by a law of which few out of France have so much as heard—the law which obliges rich men's sons to share the hardships and the dangers of the poor recruit; a measure which closed many a fashionable school and made the imperialist expansionist and the chauvinist aristocrat less ready to press for war with its attendant horrors. Clericalism was ousted from the common schools twenty years ago in a hard-fought battle. Now the first generation taught in those secularized schools has become an important part of the French electorate, and the interference of the clergy in politics has been ended by their emphatic renunciation of the concordat. The political rôle of the clergy is over; it has fought savagely, and not always honorably, to maintain its ancient prerogatives in a nation which had passed out of its tutelage. The struggle has been long and not always upon the surface; the breaking of the concordat is only one of its forms. But from the day when Gambetta unmasked the clericalism supporting MacMahon and his monarchists—“*le clericalisme, voilà l'ennemi*”—until Briand gently commiserated the church he had overthrown, the republicans never ceased in their warfare with its disciplined forces. Social reform has been less persistent. It has been sidetracked several times by the other questions. Yet it has no such era to record as that black and stagnant period when England was ruled by Balfour, relying on a majority won from a nation's agonized interest in the Boer War. Jules Ferry tried in vain to hush discontent by schemes of oriental empire. Clémenceau, then the eternal voice of rebuke, overturned ministry after ministry which was too weak to face the problems of social reform. Less bravely than when fighting army or clergy, but still continually attacking one or another social or economic evil, the Parliament of France has pushed ahead, growingly radical in temper, until even the conservatives upon its right would be accounted radical in our Congress.

This output seems all the more remarkable when we recall that it has been accomplished by a Parliament almost lacking ministerial direction. Even for their relatively short terms of office the ministers are continually on trial. They are watched by Parliament with as keen an eye as were the generals of the reign of terror by the "deputies on mission." An interpellation is waiting for them in case of failure or weakness in office, and Parliament becomes at once a sort of political tribunal, passing sentence in its vote of confidence. This distrust of ministers is an ancient tradition in France. It dates from before the Revolution. The jealousy which foiled Mirabeau's plan for a constitutional monarchy with himself as prime minister rose again to mock Gambetta almost a hundred years later. It is not altogether unreasonable in a country so highly centralized. The minister of the interior, for instance, is like a general in command of a vast civil army. From the telegraph station at his office he can keep in touch from hour to hour with every prefect. They are his generals of divisions, posted in every department of France to carry out his will to the letter. How much more thoroughly he has the country in hand than even a Louis XIV, who had to wait weeks for an answer while couriers went riding over the miry roads with commands to his intendants! Nor are there any provincial estates to oppose his will today. The control of Louis XIV over France was not to be compared with that of Clémenceau. It is natural that Parliament should hold such a minister strictly to account and unlikely that it will ever lessen its jealous control.

As executive officers the cabinet ministers have enormous power. They are like a committee of sovereigns, presiding over the machinery of state—haunted forever, of course, by the shadow of an interpellation. They are the official heads of the vast civil and military hierarchy of the state. It is in this capacity that they appear most frequently before the public: at functions in the provincial towns, decorated with orders and the tri-color scarf, saluted by garrisons and acclaimed by functionaries. Parliament cannot take away these prerogatives of immediate executive control. Indeed it tends to strengthen and increase them. Nine-tenths of the laws of this country would



be merely administrative ordinances in France. English laws and most of our own are so framed as to try and meet every contingency. We are however learning that, no matter how carefully a law is made, a lawyer and a judge can find their way through or around it. The French saw this long ago, and they make their laws hardly more than statements of general principles, leaving to the government the duty of carrying them out in the spirit in which they were passed. Thus Parliament throws the responsibility for the carrying-out of its intentions upon the ministers, to an extent undreamed of here or in England.

This is an efficient administrative machinery. The question at once arises, is it not too efficient? Personal freedom is endangered where the state can enforce the will of a majority too directly, and withhold redress of grievances from those who must give way before it. This is the point at which the most intelligent attack has been made upon the French system. The republicans have not always treated their opponents as fellow-citizens under the protection of a common law, but at times, especially in crises, as enemies of the state and therefore subject to outlawry. Police power, that general power of self-defense which all governments use in times of domestic danger, is employed in France in a way which would not be tolerated in England. It is invoked in the name of the state to get rid of unwelcome agitators, by exile or by imprisonment, and there have been cases which suggest memories of *lettres de cachet* and the Bastille. The republicans of the Third Republic still seem to feel that they are on the war footing with monarchists or militant socialists. The danger from the former is now so remote that it is doubtful if the future will see any more exiles bearing the pageant of their bleeding hearts at foreign chateaux. Such punishment is not without some compensations to a mere journalist. But the war with the socialists has just begun, and a sentence of five years in the prison of La Santé will not quench the ardor of the leaders of anti-militarism. What we are considering here, however, is not a question of policy, but the organized safeguards of personal liberty. Yet it seems impossible absolutely to separate the two; for the exercise of the police power must be conditioned by the need, *i. e.*, by the circum-

stances under which it is applied. It is hard to say what would happen here or in England in case the state were really threatened so seriously as has been the case with France. There, by the propaganda of the anti-militarists, the defensive power was rendered nerveless—or, what amounts to the same thing, the people thought it was—at a time when German statecraft, backed by an army much more powerful than that which forced its way to Paris was brutally and openly thwarting French foreign policy. We have no Germany on our frontiers; yet, with no cause for general alarm, our police have been permitted to ride down those who gather to complain of the economic conditions which make political liberty a mockery. Moreover, when our state is seriously attacked, the war powers of our executive broaden out over the field of danger as effectively as in any land that has not heard of *habeas corpus*. Looking back over our own past, it is hard to say how safely our liberty would be guarded by our constitutional guarantees, if we were wedged like France into the map of Europe. Peace and the confidence that peace will be maintained are the indispensable conditions of personal liberty.

Moreover, apart from the question of personal liberty, the private rights of an individual, and especially his property rights, are most carefully and adequately protected by the French courts. Government officials may not encroach upon private property without granting compensation, as may be done in this country through the exercise of the police power, as that power is interpreted by the courts.<sup>1</sup>

But let us return to the Parliament. We have seen that it does not intrude into the field of administration, except to watch and investigate. But that powerful administrative head, the cabinet minister, has relatively little part in the making of law. Let him attempt to initiate legislation with the confident insistence of an English premier, and he will find that here he is face to face with his master. The measures he advocates are examined cautiously and critically, even when they are prepared to

<sup>1</sup> In this connection my attention has been called by Professor F. J. Goodnow to an article upon the law for the protection of public health in the *Revue générale de l'administration* for July, 1902.

meet the demands of Parliament itself. In legislation Parliament remains supreme.

Now this is just where the critic adjusts his monocle. How can this unwieldy, intractable legislature avoid confusion in its law-making? With a cabinet in subjection and a president a mere figure-head, one might expect France to be the theater of such legislative disorder as characterized the unwieldy and undirected parliaments of the Revolution. In reality it has been saved from this largely by the same device which ultimately saved it in the reign of terror—by the use of committees. These are second in importance only to the ministry. Indeed they are often in a very real sense temporary cabinets, created for a single issue and using the ministers as their agents. Besides the important standing committees, which act as the official critics of the departments of state, a special committee is created for every large question that arises. Thus the law of separation was drawn up, not by a cabinet, but by a "commission" presided over by M. Buisson, the man who had so long presided over the secularization of French public schools, and with a comparatively unknown young Socialist, M. Aristide Briand, as reporter. The passing of cabinets seldom disturbs the work of these bodies. They formulate their laws with regular and methodical persistence, whether Combes or Rouvier or Clémenceau is premier; and measures of first importance are more often their work than the product of ministers as in England. The budget itself is sometimes taken out of the hands of the minister of finance and re-made by the budget committee—the minister still retaining his post.

The English cabinet is a simple expedient, suited only to a two-party system of government, and to a country where the law-courts have so long and so august a history as the guardians of liberty that their influence not seldom surpasses that of Parliament itself. In France, the intense centralization and wide scope of the administration would make an English premier little short of a dictator. He comes near enough to that position in England. France was not altogether misled, in spite of the lament of political theorists, when in the days of Mirabeau it viewed such an importation with suspicion.

The French Parliament is a much more complicated machine than the English. It bears some external marks of English origin; but its method of work is as un-English as possible. In the first place there are no two great parties, government and "loyal opposition," facing each other across a carpeted aisle on long rows of deskless benches. The leader of the government does not look across a table into the face of a leader whose one rule of conduct is to oppose, and who accordingly opposes even good measures in order to postpone them until he himself may pass them. Instead of one disciplined party the French premier faces four or five, stretching over all shades of opinion from left to right. His cabinet rests upon a combination of two or three of these at least. How much more carefully he must trim his sails than if he were sure of a straight majority during the whole period of Parliament! Many a cabinet has gone down under full sail and in calm weather. Cabinet wrecking by interpellation has recently been less successful. Yet any member may call the ministry to account before the House upon any question at any time. The ministers practically must answer. An incident, an unhappy speech by a cabinet minister, a mistake in diplomacy or in handling a Paris mob, and the ministry is at once at the bar. There is no need to wait for a government measure to overthrow the discredited or unpopular cabinet. Over it goes at once. The vote is never certain on any measure. The parties group and re-group themselves as they deem wise. But through all this shifting, the committees of Parliament turn steadily the clogged wheels of legislation. The titular cabinets are then held responsible for the way the laws are carried out.

Such has been the rôle of the Parliament in the Third Republic. Its leaders have a genuine sense of the dynamic forces which make laws the agents of progress rather than the embodiment of old and time-worn ideals. It has been this forward look which has characterized the French since the opening of the eighteenth century, and in this they most fully represent the scientific spirit. If they are "intoxicated by a phrase" now, it is a phrase which impels to continual action, the inspiring sense of incompleteness which is not found in the doctrinaire.

JAMES THOMSON SHOTWELL.

## REVIEWS

*The Origins of the British Colonial System, 1578-1660.* By  
GEORGE LOUIS BEER. New York, The Macmillan Company, 1908.  
—438 pp.

In this and his preceding volume Mr. Beer has rendered an important service both to the history of the American colonies and to economic history. No student of this or any other period, whatever his predispositions, can fail to welcome a work which is so effective and so satisfying in its conclusions as this. It has of course always been known or felt that the commercial side of our colonial history was of great and fundamental importance; the sources abound in statements and references which relate to that side of things; the Acts of Trade were known to be a phenomenon of the greatest significance for the entire period; but preoccupation with the political and administrative history and lack of energy to undertake the labor which detailed research imposes has led until now to the neglect of this rich and perfectly accessible field. By collating all the references to colonization in America which are to be found in the writings of the Elizabethan and early Stuart periods—public acts and documents, statements put forth by the trading companies, the writings of all those who were interested in trade and discovery—Mr. Beer has been able to reconstruct the commercial policy of that early time and to trace the antecedents of the Acts of Trade. He has discovered a certain consensus of opinion, shown partly in words and partly in acts, which may properly be termed national and which takes the colonial movement from the first out of the category of merely isolated individual experiments. From the first the British nation as a whole pursued in this matter a consistent and well-balanced course of action, and by clearly showing what this was the author has thrown much light on what till now have been somewhat obscure aspects of early colonial history.

The keynote of Mr. Beer's work is struck in his preface. There he defines the term "colonial system" as he proposes to use it. "As employed in the work," he says, "it is synonymous with that complex system of regulations by means of which, though to a different extent, the economic structures of both metropolis and colony were moulded so as to conform to the prevailing ideal of a self-sufficing empire."