

Milton's *Areopagitica* and the Modern First Amendment

by Vincent Blasi

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The traditional liberal argument for free speech is now under fire from several directions. Critics from the left, the center, and the right find simplistic the claim that unregulated expression promotes the search for truth, the project of self-government, the autonomy of individuals, or the control of concentrated power. Even if free speech does serve these values to a considerable degree, critics say, there are costs associated with liberty that are not sufficiently recognized or valorized in the standard liberal accounts. Liberalism is seen as too doctrinaire, too optimistic about human capacities and intentions, too complacent, too inattentive to questions of responsibility and virtue. It is condemned, moreover, as elitist in its regard for intellectual inquiry and disregard for faith, affection, tradition, security, and sense of place. The liberal view of the First Amendment is said to ignore the badly skewed distribution of communicative power, the impact of technology, and the harm speech can do to a person's or group's civic standing and self-esteem.

Some or all of these criticisms may be true, but we cannot evaluate them if the liberal tradition regarding free speech is known only in its reductionist version, stripped of its moorings in actual historical struggles, flattened out by accumulated summation and extraction.

Few liberal arguments for free expression have suffered more from this reductionism than John Milton's 1644 tract, *Areopagitica*. In some respects the foundational essay of the free speech tradition, *Areopagitica* is a subtle, richly textured polemic that displays not only the wit, eloquence, and dense, evocative imagery one expects from its author but also considerable political and theological sophistication, as well as cunning and passion born of Milton's active engagement in the revolutionary struggles of his day. Yet modern lawyers encounter the essay primarily in two of its passages:

And though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do injuriously by licensing and prohibiting, to misdoubt her strength. Let her and Falsehood grapple; who ever knew Truth put to the worse, in a free and open encounter?

* * *

I mean not tolerated popery, and open superstition, which, as it extirpates all religions and civil supremacies, so itself should be extirpate, provided first that all charitable and

compassionate means be used to win and regain the weak and the misled....

Together, these excerpts can be read to encapsulate much of what seems wrong with the liberal case for free speech: both an undue faith in the value and power of reason and a smug, unacknowledged intolerance at the root. But Milton's tract is more complicated than this, and so is the tradition it helped to spawn.

A fuller acquaintance with the *Areopagitica*, particularly with its context and some of its neglected themes, can bring to the fore certain arguments for freedom of expression that have not been given their due in recent years, and push to the rear other arguments that have received excessive attention from defenders and critics alike. Of course, no matter how perceptive and how astute, no seventeenth century pamphlet will answer all the objections that critics writing in the 1990s can muster. Such a work nevertheless can interrogate a later age. It can ask modern critics of the free speech tradition to confront, as by and large they have yet to do, some of the enduring concerns about censorship that Milton expressed.

When King Charles I was forced by financial exigencies to convene the Long Parliament in November of 1640, he set in motion a political dynamic that led to civil war less than two years later and his own beheading within the decade. One of the first actions of the new Parliament was to abolish the Court of Star Chamber, the infamous offshoot of the King's Privy Council which had served as the principal forum for calling to account political opponents, religious dissenters, and those who defied crown-granted monopolies of the printing trade. The abolition of Star Chamber meant, in effect, suspension of the licensing system that had been in operation for over a century, a regulatory hiatus that was more a byproduct of the attack on royal prerogative than a deliberate policy in favor of a free press.

The immediate result was a flourishing of political and religious ideas the likes of which England had never before experienced. Tudor and early Stuart licensing had been variable though sometimes draconian, often corrupt, and usually porous. The elimination in 1641 of the institutions of press control caused a dramatic increase in both the volume of advocacy and the range of views expressed. By one count, the number of pamphlets published during the year 1640 was 22; in 1642 it was 1,966.

In this atmosphere of excited disputation among antiroyalist factions, King Charles raised his standard at Nottingham in August of 1642. Civil war was at hand. The royalist prospect was by no means bleak. Throughout the year 1642, as various schemes for accommodation failed, about two-fifths of the House of Commons and most of the Lords chose to side with the King. The early skirmishes of the war were indecisive. In mid-1643 the parliamentary armies suffered serious setbacks. Those who believed the parliamentary cause to be the work of divine providence began to have doubts.

Concerned both about disunity in its own ranks and the effectiveness of Crown propaganda, Parliament in June of 1643 decided to reinstate government control over printing. A small number of master printers was authorized to operate presses. Those who held printing patents were enlisted, through their trade organization the Stationers' Company, to search out and bring to justice all who printed without a license. The economic self-interest of monopoly privilege was thus united with the demand for religious and political conformity.

Specialized licensers were appointed to examine writings in specified categories. Four censors were named, for example, to scrutinize law books, three for books of philosophy and history, one for "mathematics, almanacks, and prognostications." Parliament served as the enforcement agency, usually through its committees. Not only

miscreant authors and printers but also licensers who had been too permissive were subject to imprisonment.

During the period of low military morale when the Licensing Order was enacted, the leaders of Parliament decided they could no longer postpone coming to grips with the volatile religious issues they had to that point shrewdly kept off the agenda for fear of dividing the antiroyalist coalition. Now, however, they needed a Scottish alliance. In return for lending their military resources to the parliamentary cause, the Scots wanted a religious settlement in England along strict Presbyterian lines, a prospect that drew mixed reviews among the rank and file in Parliament. Though many members considered themselves Presbyterians, most were unsympathetic to the severe Calvinist theology and the theocratic subordination of secular institutions that were features of Scottish Presbyterianism.

In the hope of generating a mutually acceptable religious settlement, Parliament created the Westminster Assembly, a convocation of 120 English clerics, thirty laymen from the Lords and Commons, and eight Scottish representatives. Debate in the Assembly proceeded continuously for months at a high level of piety and prolixity. Intense and bitter disagreements persisted, however, on such issues as congregational autonomy and toleration. The fierce disputes within the Assembly spilled over into the House of Commons, the pulpits, the army camps, and the streets, and generated some notable essays on the subject of religious toleration. Several of these were published in violation of the Licensing Order of 1643.

For more than two years, John Milton did not participate in these fundamental debates. True, in 1641, at the age of thirty-two, he did put on hold his carefully prepared career as a poet and joined in the pamphlet warfare that swirled around him, sacrificing what he termed his "calm and pleasing solitariness" to embark in "a troubled sea of noises and hoarse disputes." He became a controversialist, however, only to attack the pretensions, ignorance, venality, and laziness of the Anglican bishops. The five pamphlets he devoted to that worthy cause certainly display a poison pen and a capacity for animus, but show no deep interest in the theological questions that were tearing apart the Westminster Assembly and the wider Puritan nation. Once the Church of England was disestablished and its bishops expelled from the House of Lords, Milton turned his attention instead to an issue of small general but immense personal concern: the legitimate grounds of divorce.

In Oxford in the summer of 1642 he had met and quickly married the vivacious, attractive teen-age daughter of one of his father's debtors. Mary Powell, seventeen years Milton's junior, was accustomed to a large household and an active social life. She seems to have had little in common with her studious, devout, and brilliant husband. Her family was royalist. After a month or so of living with Milton in London, she deserted him and rejoined her parents. War broke out shortly thereafter, and Mary remained in the royalist stronghold of Oxford for the next three years.

This was a shattering experience for a man of Milton's pride and idealism, particularly because an important strain of Puritan theology viewed marital love as a manifestation of the love of God. Although his wife eventually returned and bore four children by him (dying in childbirth with the last), Milton's travail prompted him to examine whether a marriage could properly be terminated for incompatibility alone, without the adultery required by law and almost everyone's understanding of the Scriptures. James Holly Hanford nicely summarizes the thesis of Milton's 1643 pamphlet *The Doctrine and Discipline of Divorce*:

His main plea is that incompatibility of temper is a more vital impediment to the higher objects of marriage than any other, and that the will of the parties should therefore be admitted as decisive for the continuance or dissolution of the bond. . . . The principle is in perfect accord with Milton's whole philosophy. It was because he thought nobly

of marriage as a spiritual rather than a merely physical union that he resented the common idea that it was dissoluble only on physical grounds. The idea of an external compulsion, binding two human beings together when mutual love and sympathy had departed, was repellent to his reason and excited him to eloquent and passionate denunciation.

In the course of his divorce analysis, developed over the next two years in a much expanded second edition as well as three subsequent tracts, Milton produced arguments concerning the nature of truth, the grip of custom, and the principle of consent that he would draw upon in his later polemics, including *Areopagitica*.

The immediate consequence of his effort, however, was to mark him in the eyes of English and Scottish Presbyterians as a dangerous radical with licentious sympathies. One minister went so far as to make these accusations the subject of a sermon preached before the House of Commons. The boldness and singularity of Milton's views on divorce cannot be denied, but the sexual innuendo was manifestly unfair and deeply hurtful to him. Whatever else one might wish to accuse Milton of, a lack of personal discipline or an affinity for others who succumb to their impulses is surely wide of the mark. His views on divorce derived from his idealism and sense of Christian duty, not any form of libertinism. The calumny that his divorce pamphlets engendered almost certainly contributed to Milton's conclusion, at the heart of *Areopagitica*, that the newly ascendant Presbyterians in the Westminster Assembly and Parliament were as bigoted and potentially oppressive as the hated Anglican hierarchy whose overthrow had been the first priority of the Puritan revolution. As he later put it in a sonnet: "New Presbyter is but Old Priest writ large."

Milton apparently tried to get *The Doctrine and Discipline of Divorce* licensed for publication. When approval was denied, he published his tract in defiance of the law. Only one of his subsequent [divorce pamphlets](#) appeared with a licenser's imprimatur. It is possible that his experience with the censor prompted his polemic against licensing. It is also possible that he wrote *Areopagitica* at the behest of the journeymen printers of the City of London. This politically active group, with whom Milton was in contact, saw its livelihood threatened by the prospect of strict enforcement of the Licensing Order for the benefit of the limited number of master printers favored by Parliament with monopoly privileges. The argument of *Areopagitica* seems to reflect both of these influences, as well as Milton's growing interest in church-state relations and toleration.

The *Areopagitica* is addressed to Parliament and adopts the form of an oration, written rather than spoken, following the rules of classical rhetoric. In his choice of title Milton alludes to an analogous written oration of Isocrates presented in 355 B.C. to the Athenian Ecclesia, advocating a return of certain powers to the aristocratic Council of the Areopagus. Abiding by the precepts of rhetorical form, Milton announces the four divisions of his argument urging Parliament to reconsider its decision to censor. He will first trace the idea of licensing to its inventors, "those whom ye will be loath to own." Second, he will discuss "what is to be thought in general of reading, whatever sort the books be." His third point will be that the Licensing Order cannot possibly achieve its intended objective, such are the practical barriers to effective implementation. Fourth, he will assess the costs of this scheme to learning and to national religious and political renewal.

Milton's primary goal in tracing the lineage of licensing is to identify the practice with Roman Catholicism. He contends that except for one period during the later Roman Empire, the regulation of speech in ancient and medieval times was infrequent, irregular, and never comprehensive. Only in 1418, with the Vatican's campaign to suppress the writings of Wycliffe and Huss, precursors of the Reformation, did systematic censorship begin,

culminating some years later in the infamous persecutions of the Council of Trent and the Spanish Inquisition. Playing further on the anti-Catholic sentiments of his audience, Milton observes that even as carried over to England and implemented by Anglican bishops, licensing was "so apishly Romanizing, that the word of command ['the imprimatur'] still was set down in Latin."

In addition to establishing the Catholic connection, the historical narrative serves a variety of purposes. Licensing is portrayed as a relatively recent expedient, eschewed throughout history by enlightened states, and always characterized by selective enforcement for ulterior ends. Papal censors, for example, did not "stay in matters heretical" but asserted authority over "any subject that was not to their palate."

Milton's second point concerns the value of reading. Early in the essay he calls books "the purest efficacy and extraction of that living intellect that bred them." Later he describes how Moses, Daniel, Paul, and the great theologians of early Christianity profited from reading heathen authors. In response to the objection that bad ideas will extend their influence if allowed to circulate freely, he argues that heretical notions can always find ways to spread without reliance on the written medium. What checks the spread of sin is the strength and will of the populace, fortified by knowledge, including knowledge of evil gained by reading. Throughout the tract Milton speaks of how the freedom to encounter a wide range of ideas can strengthen the character and improve the judgment of the reader.

In developing his third point, that the Licensing Order cannot possibly achieve its desired end, Milton adopts the posture of a modern pragmatist. The licensing of books must be seen for what it is, a partial and thus necessarily ineffectual effort to prevent wrongdoing. For control to be effective, all the sources of sin must be addressed: songs, dances, lutes, whispers at balconies, food and drink, wanton clothing, temptations to idleness. Parliament's gesture in licensing books resembles "the exploit of that gallant man who thought to pound up the crows by shutting his park gate."

The last and longest of the four parts discusses the "manifest hurt" that licensing causes. Here Milton makes several claims, many of which depend on the proposition that vigorous disputation is good for both the individual soul and the elect nation. He is particularly concerned that religious and intellectual energy not be stifled, for he viewed passivity and its twin, conformity, as vices of the first order. Licensing, he feared, would encourage both. "Hereafter," he laments, "the only pleasant life" will be "in higher matters to be ignorant and slothful."

His desire to maintain disputational vigor leads Milton to what is perhaps his boldest claim. Rather than treating the recent effusion of radical religious ideas as a threat to the Reformation, he asserts that the sectaries have much to contribute to the collective search for salvation. He describes London as "the mansion house of liberty" filled with "pens and heads . . . revolving new notions and ideas . . . reading, trying all things, assenting to the force of reason and convincement." Where the Presbyterians discern "fantastic terrors of sect and schism," Milton sees "the earnest and zealous thirst after knowledge and understanding which God hath stirred up in this city." Despite the intensity of his own religious convictions, he seems actually to celebrate disagreement: "Where there is much desire to learn, there of necessity will be much arguing, much writing, many opinions; for opinion in good men is but knowledge in the making." He views the sects as deserving of more than toleration and respect. He accords them a vital role in the nation's religious renewal: "There must be many schisms and many dissections made in the quarry and in the timber, ere the house of God can be built."

Among those salutary "many schisms and many dissections" Milton does not, of course, include Catholicism. He does not consider that belief system to be among the "strong and healthful commotions," the "neighboring differences" that "need not interrupt the unity of spirit." The limited range of his tolerance, disconcertingly narrow

to the modern reader, Milton justifies by the necessity of civil order. He notes that Catholic doctrine does not accept "civil supremacies" and does not tolerate other religions. Twenty-nine years later, in his last pamphlet, he was still railing about how the Pope "absolves the people from their obedience to [civil rulers]" and sends his "spies and agents, bulls and emissaries . . . to destroy both king and parliament."

Milton's apologists remind us of a nightmare that gripped large numbers of Englishmen for much of the seventeenth century. The unspeakable carnage of the Thirty Years War on the Continent (in its twenty-seventh year in 1644) they feared could be merely a prologue to the militant Counter-Reformation's designs on the sceptered isle. Prominent among the object lessons they studied was the Venetian Interdict of 1606, by which the Vatican formally asserted civil authority over the political community many English republicans took as their model. The leader of the Venetian resistance on that occasion, Fra Paolo Sarpi, Milton extols as "the great unmasker" of papal persecution. (Sarpi's disparaging history of the Council of Trent was much acclaimed in England at the time.) Milton also recounts in *Areopagitica* how during his journey to Italy in the late 1630s he had the opportunity to speak with a good friend of Sarpi's whom the redoubtable Venetian friar had tried to protect from the reach of Rome. "There it was," says Milton, "that I found and visited the famous Galileo, grown old a prisoner to the Inquisition, for thinking in astronomy otherwise than the Franciscan and Dominican licensers thought." The Guy Fawkes conspiracy to blow up Parliament in 1605, the aborting of which is commemorated in England to this day, was yet another source of anxiety over a potential Catholic takeover.

It would be a mistake, however, to view his attitude toward Catholics as wholly grounded in national security concerns. Milton denied toleration to Catholics because he thought that they had nothing to contribute to the quest for spiritual truth. He believed in progressive revelation. "The light which we have gained was given us," he tells his countrymen, "not to be ever staring on, but by it to discover onward things more remote from our knowledge." "Searching what we know not, by what we know . . . closing up truth to truth"--this is how he describes the process that religious liberty is meant to foster.

"By what we know." For Milton, one thing "we know" is the utter falsity of Roman Catholic teachings. Those who reject the supremacy of Scripture and affirm the authority of an earthly spiritual hierarchy, those who insist on "crowding free consciences and Christian liberties into canons and precepts of men," those persons cannot possibly be a part of what Milton calls the "brotherly search after truth."

He does not claim to have found the true way to worship God. In fact, he derides the liturgical certitude emanating from the Westminster Assembly. "Anyone," he says, "who thinks we are to pitch our tent here, and have attained the utmost prospect of reformation that the mortal glass wherein we contemplate can show us . . . that man by this very opinion declares that he is yet far short of truth." But Milton does claim that progressive revelation has shown some beliefs to be false, and they include the fundamental tenets of the Catholic religion. As Ernest Sirluck, editor of the Yale Press edition of *Areopagitica*, concludes: "We may think Milton's proscription of Roman Catholicism unnecessarily severe, but we cannot think it is inconsistent with the principles upon which he based his plea for toleration."

Both grounds for the Catholic exception, the civil and the religious, make the *Areopagitica* seem especially dated. So what does this seventeenth century polemic have to say to a modern world no less divided and confused than Milton's, and a good deal more complicated due to technological, demographic, and intellectual developments he could hardly have imagined? Specifically, what part of the liberal tradition that we have inherited, and now must evaluate, can be clarified by attending to Milton's arguments and characterizations?

In attempting to answer this question, I want to begin with an important and extended admonition: We must not try to secularize Milton. Religious conviction was central to his thought and to that of his audience. And I do not mean the type of rationalistic, latitudinarian religious conviction that may explain the tolerationist positions of later thinkers such as Jefferson and Madison, and perhaps even John Locke. Milton read the Bible (in Hebrew and Greek) for several hours every day. He wrote an ambitious theological treatise. When his political world lay in ruins at the Stuart Restoration, a regression welcomed by the very English people in whom he had once placed so much trust, Milton's undespairing response was to complete the Christian epic for which he is best known, to "assert eternal providence, and justify the ways of God to men." Those of us who do not share his profound theological convictions may be able to profit from some features of his thought, and perhaps even employ them for our own purposes. But such a venture in intellectual scavenging must be undertaken with caution and awareness.

Let me specify three significant ideas in *Areopagitica*--the list could be much longer--that a modern reader might be tempted to draw upon in fashioning a secular argument for the freedom of speech but would be wrong to do so. In each instance, the meaning of the idea and the source of its appeal in Milton's day was so much a function of its religious underpinnings that the secular counterpart can draw no sustenance from Milton's thought.

One idea is that truth is strong and will prevail without the help of the censor's coercive assistance. This is the point of the famous "winds of doctrine" passage with its striking, if unfortunate, wrestling metaphor. Elsewhere in the tract Milton proclaims that truth "needs no policies, nor stratagems, nor licensings to make her victorious; those are the shifts and the defenses that error uses against her power." Surely his assertion regarding the likely consequences of freedom was an important part of his case, but we must realize that Milton's sweeping generalization about the strength of truth was not offered in the spirit of empirical demonstration, nor even of didactic history. Milton was simply affirming, once again, his faith in divine providence.

"For who knows not," he says, "that Truth is strong, next to the Almighty." He concedes that in turbulent times "false teachers are then busiest in seducing." Not to worry: "God then raises to his own work men of rare abilities and more than common industry . . . to go on some new enlightened steps in the discovery of truth." Even the limits of human understanding he attributes to the divine plan: "for such is the order of God's enlightening his church, to dispense and deal out by degrees his beam, so as our earthly eyes may best sustain it." Truth in Milton's cosmos is destined to prevail in due time, for a reason that can have no secular analogue.

A second feature of Milton's thought that First Amendment votaries have no business using concerns what may be the most significant step in any truth-based argument for the freedom of speech. This is the claim that the endeavor of seeking to know the truth--or to put it in less grandiose terms, to improve one's understanding--has special priority. Modern liberals are often challenged on this point, and some have not resisted the urge to enlist Milton in their defense. Several of the most eloquent passages of the *Areopagitica* exalt the importance and dignity of learning. With his absurd yet endearing exuberance at full throttle, Milton describes authors as "laboring the hardest labor in the deep mines of knowledge." He asserts that "a good book is the precious life-blood of a master spirit embalmed and treasured up on purpose to a life beyond life." He calls truth "our richest merchandise." Nor is Milton's admiration for truth seekers confined to rare persons with unusual gifts like his own. In the London of 1644, he exults, "all the Lord's people are become prophets." He plays the patriotism card in a revealing way. "England," he says, "is a nation . . . prone to seek after knowledge," a "nation . . . acute to invent, subtle and sinewy to discourse."

Like his faith in the strength of truth, Milton's belief in the priority of truth seeking derived from his theology. The

great project that summoned the matchless talents of the English people was, in his words, "the reforming of Reformation itself." Recall his picture of London, the "mansion house of liberty" with its citizens "sitting by their studious lamps, musing, searching, revolving new notions and ideas." In the very same sentence, Milton specifies why these energetic thinkers are so hard at work: "to present, as with their homage and their fealty, the approaching Reformation." Individually no less than collectively, the virtue of "fearless scouting into the regions of sin and falsity" is to discover God's will and to do God's work, to achieve salvation, to run "for that immortal garland," to experience the spiritual struggle of "the true warfaring Christian."

I do not claim that Milton's prodigious intellectual curiosity had no secular dimension. He was a man of the Renaissance as well as the Reformation. The finest Latinist in England, he knew Virgil and Ovid almost by heart. His interest in the astronomical discoveries of his age was keen and even finds expression in the pages of *Paradise Lost*. He wrote a lengthy history of England and a brief history of Russia.

But much as Milton valued many forms of secular knowledge, the argument of *Areopagitica* is for a purposive liberty: the Christian Liberty of the Puritan saint searching after God's partially revealed truth. Milton was a Christian perfectionist, not a utilitarian. "God sure esteems the growth and completing of one virtuous person," he says, "more than the restraint of ten vicious." That is why for Milton the search for understanding is not to be balanced against the material harms it may cause--harms he fully acknowledges.

A third idea in Milton that has achieved some undeserved modern currency is that exposure to falsity is conducive to the appreciation of truth. Erroneous opinions he characterizes as "dust and cinders" that "may yet serve to polish and brighten the armory of truth." A "discreet and judicious" reader can use bad books "to discover, to confute, to forewarn, and to illustrate." More than two hundred years after Milton wrote, John Stuart Mill was to build his *Essay On Liberty* around a secular reformulation of these notions.

I have no doubt of the validity of this line of argument. In fact, I regard as possibly the two most important pages I have ever read the passage in *On Liberty* in which Mill argues, from Cicero, that a person should strive to understand his opponents' ideas with greater imagination and sympathy than he devotes to knowing his own. If every advocate and every scholar would only reread those pages before entering the lists, the world would be a better place.

The thought is magnificent, but it is not Milton's. However important falsity may be to the search for truth, or foolishness to the search for wisdom, or exaggeration to the search for accuracy, or radicalism to the search for moderation, Milton's argument in *Areopagitica* provides scant reason for a secular appreciation of uncongenial ideas. For Milton was not in pursuit of either capacious sensibility or dialectical facility, though in fact he possessed both. What he valued was the ability to resist temptation. Self-discipline in the service of God, an integral component of Christian Liberty, is for him the overriding objective of the freedom he urges upon the English nation. "That which purifies us is trial," he says, "and trial is by what is contrary." "[B]ooks freely permitted" are means, he asserts, "both to the trial of virtue and the exercise of truth." That is why "the high providence of God . . . gives us minds that can wander beyond all limit and satiety." "Trial" and "exercise"--the imagery is physical, even martial. Milton's concern here is Christian discipline and fortitude, not intellectual curiosity.

I could, if necessary, demonstrate further how thoroughly Milton's conception of truth is bound up in his religious convictions--how, for example, his emphasis on the fallibility of human judgment, rooted in the fallen condition of postlapsarian man, has little in common with modern skepticism, or how his temperamental respect for radical, seemingly bizarre ideas derived from his belief that in millennial times the Word of God can emanate from the

most unlikely sources. My principal point should be clear: Those parts of Milton's argument in *Areopagitica* that rest heavily on his claims and assumptions regarding truth--its nature, its strength, its function, its importance--cannot rightly be employed to make the secular case for the freedom of speech. Furthermore, the limits Milton recognized to the principle of toleration, so much a product of his view of truth, cannot inform the modern project of defining the boundaries of expressive freedom.

So what is left? Can the *Areopagitica* help us at all as we struggle to interpret the modern First Amendment? I think so.

"If it were seriously asked," begins Milton's pamphlet *The Doctrine and Discipline of Divorce*, "and it would be no untimely question . . . who of all teachers and masters that have ever taught have drawn the most disciples after him, both in religion and in manners, it might be not untruly answered Custom." Were Milton pressed to name the second most esteemed teacher through the ages, almost certainly he would have said Authority. *Areopagitica* is about more than religious truth: Milton's case for free expression depends in no small degree on his observation, repeated throughout the tract in a variety of figurations, that vitality is the defining quality of a political community, and that vitality cannot be maintained--stagnation will inevitably set in--if the prescriptions of Custom and Authority are allowed to go unchallenged. Milton's theology may be dated, or at least unconvincing to most moderns, but his grasp of political dynamics should command our attention.

Milton is often thought of as a dreamer, but he valued highly the art of shrewd observation. He was a close student and admirer of Machiavelli and adopted the Florentine as his mentor on the subject of how to write history. The *Areopagitica* is couched in the argot of political realism: "to sequester out of the world in Atlantic and Utopian polities which can never be drawn into use will not mend our condition," Milton states. Instead, he urges his countrymen to "ordain wisely . . . in this world of evil." In Book VIII of *Paradise Lost*, the angel Raphael counsels Adam: "be lowly wise . . . Dream not of other worlds."

The lowly wisdom of *Areopagitica* is considerable. Milton insists, for example, that the policy of licensing cannot be assessed without taking into account the capacities, incentives, working conditions, loyalties, and temperaments of the persons who will serve as licensers. "There cannot be," he says, "a more tedious and unpleasing journey-work, a greater loss of time levied upon [a man's] head, than to be made the perpetual reader of unchosen books and pamphlets, oftentimes huge volumes . . . and in a hand scarce legible, whereof three pages would not down at any time in the fairest print." With such a job description, "we may easily foresee what kind of licensers we are to expect hereafter, either ignorant, imperious, and remiss, or basely pecuniary."

Milton asserts the inevitable futility of censorship and notes the pressure for more severe measures that such futility begets. Each failed regulatory venture will lead, he predicts, to additional such attempts "as will make us all both ridiculous and weary, and yet frustrate." Moreover, the effort to suppress dissident speakers often backfires, for as Bacon remarked, the "punishing of wits enhances their authority."

Still another practical feature of licensing he identifies is how responsibility for the censorial decision is often divided and accountability thereby evaded--a problem, we might believe, that also plagues the modern administrative state. "Sometimes," Milton says, "five imprimaturs are seen together dialogue-wise in the piazza of one title-page complementing and ducking each to other with their shaven reverences, whether the author, who stands by in perplexity at the foot of his epistle, shall to the press or to the sponge." This metaphor employs Catholic allusions--elsewhere he describes licensers as "glutton friars"--and so might be read to state only a

particular grievance. It is important to the argument in *Areopagitica*, however, that Milton accuses the new Presbyterian censors of being as overweening and unaccountable, as "puffed up" as he puts it, as their precursors in Rome, Madrid, and Canterbury. "The episcopal arts begin to bud again," he laments, sounding like no one so much as Lord Acton.

Milton's observations concerning the corruptions of power deserve to be as numbingly familiar as they now are. No less valid, though less commonly acknowledged in the free speech controversies of our day, is his point that public order, public morality, and mutual respect among citizens cannot be achieved by coercive legislation alone. Effective control of evil and disorder, says Milton, must depend heavily on "those unwritten, or at least unconstraining laws of virtuous education, religious and civil nurture." These, as Plato recognized, are "the bonds and ligaments of the commonwealth, the pillars and sustainers of every written statute." A government that looks down upon its citizens, that dares "not trust them with an English pamphlet," will see those bonds and ligaments atrophy. The new Parliamentary censorship Milton calls a reproach to the common people, treating them as "giddy, vicious, and ungrounded . . . in such a sick and weak state of faith and discretion as to be able to take nothing down but through the pipe of a licenser."

Some modern critics might respond that whether or not the people on the streets of London in 1644 were indeed "an unprincipled, unedified laic rabble" likely to stagger at "the whiff of every new pamphlet," as Milton berates the Presbyterian censors for assuming, the targets of today's demagogues answer well to that description. Never before, such critics might add, have the technologies of mass communication made the susceptibilities of audiences so dangerous. These objections have some force, I do not doubt. We must remember, however, that this is exactly the argument that gripped the regulators of Milton's day. Then the new technology of mass communication was the unlicensed pamphlet, printed in bulk, in the vernacular, no longer confined to abstruse theological disquisitions. The new audience consisted of Hobbes' masterless men, many of them previously illiterate sectaries apparently receptive to the most disruptive religious and civil nostrums. The guardians of public order doubted whether a war could be fought and the Reformation completed if the masses were subject to such unscrupulous manipulation. Milton believed, on the other hand, that the war could be won and the Reformation advanced only by permitting the unsettling free thinking to flourish.

The disagreement was basic but it was not really empirical. Nor has it been in its many reenactments since Milton's time. There will always be demagogues; there will always be gullible masses; there will usually be new technologies; there will often be urgent and vulnerable social projects. How we resolve the great issues of freedom will not turn on how we calibrate the costs and benefits. The decision to embrace the freedom of speech is, as Milton well recognized, a decision to embrace a future that cannot be controlled or computed. In fact, observes Stanley Fish, the most incisive Milton scholar of our age but no kindred spirit in these matters, the future we embrace by protecting free speech we cannot even *describe*.

What we *can* say, and this seems to me the crux of *Areopagitica*, is that without a robust commitment to free-wheeling disputation, without a public culture permeated by the clash of opinions, it is impossible to sustain a vigorous, adaptive, resilient society, capable when occasion demands of acting on high purpose. Like Machiavelli before him, Milton was preoccupied with the question of political energy. He saw individual character as the key to collective energy. He valued strength of will, acuteness of perception, ingenuity, self-discipline, engagement, breadth of vision, perseverance; he detested rigidity, stasis, withdrawal, timidity, small-mindedness, indecision, laziness, deference to authority. "I cannot praise," he says, "a fugitive and cloistered virtue, unexercised and unbreathed, that never sallies out and sees her adversary."

Responding to his adversaries who were asserting the need for more order, more standards, more authority, more closure in the realm of religious inquiry, Milton scornfully describes the "fruits which a dull ease and cessation of our knowledge will bring forth among the people." "How goodly and how to be wished were such an obedient unanimity as this, what a fine conformity would it starch us all into! Doubtless a staunch and solid piece of framework as any January could freeze together." "[F]aith and knowledge," he asserts, "thrives by exercise." Truth he likens "to a streaming fountain; if her waters flow not in a perpetual progression, they sicken into a muddy pool of conformity and tradition."

Milton's regard for the active life was not just a cultural preference. He saw the stakes as greater than that. Political energy, he realized, is a sometime source of progress but also a frequent cause of strife and oppression. His crucial move was to conclude that harm, even the harm that flows from malignant political energy, can best be contained and repaired by a citizenry that is energized in a countervailing way: intellectually independent, morally engaged, politically astute, not afraid to speak out or to stand up. His views in this matter were shaped by his lifelong study of the problem of evil. As the creator of Satan in *Paradise Lost*, probably the most brilliant and destructive demagogue in the whole of English literature, Milton can hardly be accused of failing to appreciate how words can do harm. He did not believe, however, that the discovery of evil necessarily justifies the regulation of speech. In fact, Milton thought evil so pervasive, insidious, and perdurable a force in human affairs as to demand in response something more than the blunt instruments and formal gestures of the law. Evil can be combated, he was convinced, only from within: by the vigilance of a population accustomed to challenging authority; by the ingenuity and integrity that a licensing regime is bound to discourage; by the hard work of discerning, confronting, refuting, and choosing that censors seek to disburden citizens from having to undertake. "The greatest menace to freedom is an inert people." The statement comes not from Milton's pen but from Justice Brandeis' remarkable opinion in *Whitney v. California*. It would nevertheless fit perfectly in the *Areopagitica*.

This emphasis on character is at once the most distinctive and the most pervasive feature of Milton's argument for the liberty of printing. However, many proponents of the regulation of speech likewise invoke concerns relating to character. They regard liberty as an invitation to license, a source not of self-discipline but self-indulgence. We must, therefore, look more closely at Milton's conception of the relationship between character and censorship.

When Milton identifies the costs and risks of licensing, his choice of terms is revealing. He calls censorship a "discouragement," an "affront," a "dishonour and derogation to the author," a "servitude," a "disparagement," a "reproach," a "thralldom," "a particular disesteem," an "undervaluing and vilifying of the whole nation." He objects that every author is "mistrusted and suspected," made to "trudge to his leave-giver," and then, if all goes well, to "appear in print like a puny with his guardian," displaying "his censor's hand on the back of his title to be his bail and surety that he is no idiot or seducer." No doubt an author of his skill and dedication must have felt particular umbrage at having to submit to "the fearfulness or the presumptuous rashness of a perfunctory licenser." But whatever the role personal pique might have played in provoking Milton's challenge to the Licensing Order, there can be little doubt that he considered censorship to be corrosive of character because it places the government in the position of condescending to its citizens.

Exactly how, we might ask, is character threatened by the fact that a political regime distrusts its citizens and requires them to behave as supplicants? To Milton's mind, censorship undermines character by encouraging individuals to shirk their civic and religious responsibilities. The imagery of childhood is employed repeatedly in the *Areopagitica*. A writer forced to run the censor's gauntlet must thereby appear to his readers "a pupil teacher," an instructor "under the wardship of an overseeing fist." For a community to maintain its tenets and taboos by means of "law and compulsion" rather than "exhortation" is "to captivate under a perpetual childhood

of prescription." "What advantage is it," Milton asks, "to be a man over it is to be a boy at school" if "serious and elaborate writings" are examined like "the theme of a grammar-lad under his pedagogue." Citizens who are treated like children will behave like children, he implies, and one thing we know children do surpassingly well is to let adults take on the unpleasant chores.

In an age so notable for its polemics, as well as for its exhilarating scientific and philosophical formulations, can it be that inquiry and disputation were seen as burdensome chores that many persons might seek to evade? Milton certainly thought so. Consider religion. Perhaps the most extended figure in the whole tract is that of the man who "finds religion to be a traffic so entangled, and of so many piddling accounts" that he "resolves to give over toiling, and to find himself out some factor to whose care and credit he may commit the whole managing of his religious affairs." To this surrogate the shirking principal "resigns the whole warehouse of his religion, with all the locks and keys, into his custody; and indeed makes the very person of that man his religion." Milton is unsparing in his satire of this evasion of religious responsibility:

He entertains him, gives him gifts, feasts him, lodges him; his religion comes home at night, prays, is liberally supped and sumptuously laid to sleep; rises, is saluted . . . his religion walks abroad at eight, and leaves his kind entertainer in the shop trading all day without his religion.

Preachers, too, are at risk of shirking their duties, living off old notes, "the gatherings and savings of a sober graduateship." By "forming and transforming, joining and disjoining variously, a little bookcraft and two hours meditation," the "easily inclinable" clergyman can cobble together a passable sermon, assisted as he might also be by "interlinearies, breviaries, synopses, and other loitering gear." However, "if his back door be not secured by the rigid licenser," if "a bold book may now and then issue forth and give the assault to some of his old collections in their trenches," such a preacher may have to do his own work, if only to "set good guards and sentinels about his received opinions." Even this would represent progress, according to Milton. "God send," he pleads, "that the fear of this diligence which must then be used do not make us affect the laziness of a licensing church."

Milton opposed censorship in large part because he placed legal regulation in the same category as reliance on factors and cribs: an effort to free ordinary citizens and worshippers from the salutary if onerous duty of ceaseless inquiry. If "the men be erroneous who appear to be the leading schismatics," he asks, "what withholds us but our sloth, our self-will, and distrust in the right cause, that we do not give them gentle meetings and gentle dismissions, that we debate not and examine the matter thoroughly with liberal and frequent audience; if not for their sakes yet for our own?"

Another character flaw nurtured by restrictions on free printing is "precipitant zeal," the impulse to rush to judgment. We "make no distinction," Milton complains, when encountering persons whom we fear "come with new and dangerous opinions." We "forejudge them ere we understand them." No other sentence in the *Areopagitica* has so much the quality of a personal plea: Milton's own opinions on divorce were forejudged, badly mischaracterized, and used to hold him up to ridicule. Being treated most unfairly as a licentious and irresponsible radical was very likely a formative experience for this exceptionally serious and disciplined young man. On the subject of forejudgment, he knew of what he spoke.

Licensing--indeed all regulation of speech--must employ forejudgment to some degree. It proceeds by categorization and incomplete characterization. Problems of proof distort judgment further. Speakers, moreover, have mixed and easily misunderstood motives. Ideas have layers and textures that resist legal classification. They have the capacity to breed but also a vulnerability to misappropriation, qualities that bedevil even well-intentioned

efforts to predict their consequences. In his pragmatist mode Milton argues that the inherently indiscriminate nature of licensing invites both partisan abuse and rash judgment.

Because the regulation of printing typically is imbued with imprecision and futility, the act of licensing also has the character of a formal gesture, a regulatory show. Central to Milton's thought in several domains--religion, poetry, politics, education, marriage--was his disdain for reliance on forms. Those who would regulate writings judge them superficially for several reasons, but important among them is the fact that most of the time the censorship of ideas is not really meant to be a discriminating gesture. It is intended rather to be a formal discharge of regulatory responsibility or a public affirmation of conventional forms of authority and thought. This was Milton's understanding of the true nature of licensing and a major source of his contempt for the practice.

Milton saw formalism as a means of avoiding the challenges of a complex, changing, often deceiving and dispiriting world. If obeisance were an adequate means of coping and of seeking salvation, the avoidance implicit in formalism might not be a matter of the highest concern. But Milton believed that both survival and salvation require of humankind active choice. False appearances abound in life. Taken at face value, they will mislead. They are most likely to mislead a people not experienced at getting beneath formal surfaces and exercising the capacity for critical choice. Milton's poetry repeatedly forces the reader to make hard choices and tempts her to make wrong choices. Famously signaling his break with Calvinism, he asserts in *Areopagitica*: "Many there be that complain of divine Providence for suffering Adam to transgress. Foolish tongues! When God gave him reason, he gave him freedom to choose, for reason is but choosing; he had been else a mere artificial Adam, such an Adam as he is in the motions [puppet shows]."

That Milton built his argument for free printing around the importance of choice does not mean that he held an exalted view of the power of human reason. In 1644 the world seemed to him more complicated and inscrutable than he had previously appreciated. Apparently, he was experiencing disillusionment during this period as a result of his own poor judgment in choosing a marriage partner, the obtuseness and prejudice he encountered during the divorce controversy, and more generally the dashing of his hopes for a swift, decisive Reformation. Abandoning the apocalyptic tone of his earlier antiprelatical tracts, Milton says in *Areopagitica*: "It is not the unfrocking of a priest, the unmitring of a bishop and the removing him from off the presbyterian shoulders, that will make us a happy nation." Much more than such changes of form will be required, he now realizes. Only perseverance amid the temptation to despair, the courage to choose in the face of doubt and indeterminacy, will advance "the slow-moving reformation which we labour under." In the penultimate book of *Paradise Lost*, the archangel Michael explains to Adam why fallen man must endure so much suffering and injustice:

. . . good with bad
Expect to hear, supernal grace contending
With sinfulness of men, thereby to learn
True patience. . . .

Milton considered licensing a policy driven by impatience with complexity and difference, and as such a threat to the character of the English people. He embraced the freedom of speech so that his fellow citizens might hear "good with bad . . . thereby to learn true patience."

The virtue of patience belongs disproportionately to those who are capable of thinking in historical terms, as Milton most assuredly was. One of the reasons for valuing the freedom of speech is that it nurtures a nation's sense of history. When permitted a hearing and a place in the historical record, dissenting currents of thought can shape the future. When exposed to independent scrutiny in the court of history, even the most powerful rulers do

not have a free hand. History, of course, will exist with or without the freedom of speech. But how a nation understands and uses its history is a vital dimension of the historical process itself. A people afraid of new ideas, trustful of censors and hostile to bold thinkers, will be left behind, he suggests, by the sweep of history. Such a people will lack both vision and the ability to learn from experience. Patriot (and historian) that he was, he did not want this to be the fate of the English nation, as he thought it had been in the fourteenth century when the nascent reformation offered by John Wycliffe was thwarted by the deadly combination of timidity, ignorance, and censorship.

Perhaps the most important aspect of Milton's historical imagination is his emphasis on the process of renewal. With his command of ancient, patristic, and medieval sources, he viewed both the Reformation and the parliamentary challenge to Stuart tyranny as efforts to recover forgotten wisdom and dissipated energy. The *Areopagitica* is replete with images of decay and reinvigoration. The process of renewal feeds, Milton believed, off the sense of purpose and possibility that "much arguing, much writing, many opinions" can help to engender. In this view, free speech is not primarily a mechanism for deliberation and persuasion so much as a phenomenon shaping the character and aspirations of the population. Contrary to the common scholarly assumption, *Areopagitica* may not have been written with the ambition, seemingly quixotic, of persuading the Long Parliament to repeal the Licensing Order. Milton knew the reigning Presbyterian faction to be intransigent on the issue of censorship and ill disposed to him because of his views on divorce. The tract may instead have been aimed primarily at the Cromwellian Independents in Parliament and the army, in the hope that future agents of renewal would not lose their enthusiasm for toleration once they gained the reins of power.

Although in 1644 Milton already might have seen himself as writing for a more propitious future time, it was not until 1660 that events tested to the utmost his resolve to embrace the historical perspective. In none of his writings does he better express his belief in the importance of speech than in the closing words of *The Ready and Easy Way To Establish a Free Commonwealth*, a pamphlet written in anguish to protest the headlong rush of the strife-weary English people to restore the Stuart monarchy. Blind, betrayed by his countrymen and even by his erstwhile hero Cromwell, eligible for execution on account of his polemics in defense of the regicide, his great epic poem nowhere near finished, Milton remained unbowed. Risking his freedom and possibly his life, he challenged the ascendant royalists by issuing an uncompromising indictment of monarchical government. As other republicans were busy trimming to protect their positions against the impending Restoration, Milton defiantly reaffirmed his commitment to the "good old cause," finding succor in the prospect of eventual political renewal:

Thus much I should perhaps have said though I were sure I should have spoken only to trees and stones, and had none to cry to, but with the prophet, "O earth, earth, earth!" to tell the very soil itself what her perverse inhabitants are deaf to. Nay, though what I have spoke should happen . . . to be the last words of our expiring liberty. But I trust I shall have spoken persuasion to abundance of sensible and ingenuous men, to some perhaps, whom God may raise of these stones to become children of reviving liberty.

Whether speaking of responsibility, fore-judgment, the worship of form, perseverance, the courage to choose, impatience, or renewal, Milton emphasizes the inner person. Censorship, he says, leads only to "the forced and outward union of cold and neutral, and inwardly divided minds." More than the ideas lost or the causes squelched, such minds were for him the chief casualty of licensing.

Milton's extraordinary linking of energy and character might be viewed as still another product of his religious convictions. Active, alert, introspective, unremitting spiritual struggle was a fundamental tenet of Puritanism in all of its many varieties. Strength of will and personal integrity were high on the list of Puritan virtues. Religious ritual was problematic for Puritans because they thought that idols, shrines, and ceremonies encouraged too formal and passive an approach to spiritual engagement. Moreover, the controversy over free printing may have captured Milton's imagination because many of the most theologically probing, eloquent Puritan preachers of his day had to publish their sermons in order to support themselves, having been blocked by the ecclesiastical hierarchy from enjoying the financial security of a congregational assignment. A religiously deracinated Milton, if such a creature can even be imagined, might have valued initiative and integrity and connected those qualities with free speech, but this is idle speculation of the sort Milton eschewed and derided. Unquestionably, he gained his regard for both energy and character from his experience as a devout Puritan living during what he perceived to be a pivotal stage of the Reformation.

A scavenger of *Areopagitica* looking for ideas to inform a secular interpretation of the First Amendment need not discard the notions of energy and character simply because of their religious provenance in Milton's mind. Unlike his view of truth, so dependent on the backstop of divine providence and so intertwined with the postlapsarian quest for purgation, Milton's concern for the maintenance of energy has meaning and urgency quite independent of its religious underpinnings. His judgment that collective energy derives from individual strength has direct secular application, as does his perception that individual strength seldom flourishes in a culture dominated by deference, fear, or the exaltation of form.

Milton was not shy about applying to the realm of secular politics his observations regarding energy and character. *Areopagitica* both begins and ends with the observation that while "errors in a good government and in a bad are equally almost incident," what distinguishes a wise ruler is the ability to perceive and correct errors, to accept criticism and to change. The epigraph, loosely translated from Euripides' *Suppliant Women*, proclaims that advice from private citizens can contribute to the process of governmental adaptation and self-correction. That he should accord a pagan author such prominence is noteworthy.

A modern proponent of grass-roots democracy, an Alexander Meiklejohn perhaps, might want to draw from Milton's reference to political accountability a view of free speech as a fundamentally democratic procedure. That would be a mistake. Milton's interest in the forms of civil governance was no deeper than his interest in the forms of church governance, which is to say not deep at all. He favored whatever form he believed at the moment would most respect the principle of toleration. This might be in turn a mixed constitution in the ancient mode, a supreme Parliament broadly representative of the gentry class, a distinctly unrepresentative regicide Rump, or a Lord Protector with a New Model Army. He was not a democrat, except in the peculiar sense that he believed each citizen must exercise sovereignty over his own mind and must use that mind to help energize the society and hold its leaders accountable. In one of his regicide pamphlets, *The Tenure of Kings and Magistrates*, Milton does indeed argue that political authority derives from the consent of the governed. That hardly brands him as a devotee of participatory democracy, as the slightest acquaintance with the controversial literature of his day makes plain.

But could a latter-day defender of the principle of free speech build upon Milton's ideas to urge that something like "democratic deliberation," with all of its modernist implications of participation and equality, now be seen as the way to preserve energy and build character? Were this line of reasoning followed, freedom of speech would not be justified by its direct contributions to individual character and social dynamics. Rather, it would be considered valuable to the degree, but *only* to the degree, that it facilitated participatory democracy. Such a

conception would make Milton's argument in *Areopagitica* congruent with modern efforts to justify freedom of speech in an age more concerned with democratic identity than with the fear of tyranny or the mismanaging of the Reformation.

The derivation is not incoherent but neither is it ineluctable. Thoughtful persons could debate to a standoff whether the dynamics and virtues that Milton prized are more served than disserved by mass political participation. Certain experiences of democratic involvement give large numbers of persons the opportunity to exercise public responsibility, which may promote strong character and collective energy. On the other hand, the heavy reliance on symbolism that pervades modern mass politics tends to foster impatience with complexity and difference. Moreover, regular and rapid grass-roots mobilization, now made easier by new technologies, can diminish the role of broad-based mediating institutions such as political parties and civic associations. Those institutions traditionally have functioned as major sources of historical perspective, critical judgment, and perseverance. With respect to Milton's particular concerns relating to character, any attempt to update the *Areopagitica* to make it more supportive of participatory democracy must be considered procrustean. Those who seek to derive First Amendment freedoms from the requisites of democracy would do better to proceed directly, treating speech as an essential political medium rather than a shaper of character or culture. And if freedom of speech can be justified as a procedure integral to democracy, the argument gains nothing from a strained Miltonic genealogy.

Conversely, to yoke Milton's case for free speech to the ideal of the egalitarian polis--the town meeting writ large--would hold his analysis hostage to the enduring failures of modern democracy: populist myopia, factional and financial leverage, the myriad distorting influences of any campaign process. Milton should not be squandered so. He should not be ripped from his Machiavellian roots and made to perform as an idealist. The importance of the *Areopagitica* today is precisely that it does not rely on the idealistic conceptions of rationality, autonomy, and self-government that have dominated modern First Amendment debate. In building an argument for free speech that emphasizes strength of character, distrust of authority and convention, and the danger of stagnation, Milton offers good reasons to believe in free speech even in a world suffused with irrationality and injustice and destined to remain so.

To find in Milton wisdom that can help us give meaning to the modern First Amendment, we need not turn him into a skeptic or a democrat. It is enough that we appreciate him for what he was: a gifted and courageous writer, sympathetic to an aristocracy of merit, who explained in unforgettable prose how the freedom of speech can serve as a powerful force against rigidity and abuse. Milton has little to teach us about truth or democracy but much to teach us about corruption, accountability, character, and vitality.

The liberal case for free speech has suffered in recent years from misplaced emphasis. Contemporary critics have rightly punctured extravagant claims for expressive liberty made in the name of truth and democracy. Some of these critics, flushed with forensic success, have produced their own "Atlantic and Utopian" schemes for regulating speech anew, this time on the side of the angels. The *Areopagitica* reminds us, however, that one would have to "sequester out" of "this world of evil" to believe that the power to censor will ever be employed other than in a partial and vindictive spirit. It maintains also that political and social enervation--the collective weakening of aspiration, will, and taste for controversy--is the risk most to be feared from the regulation of speech. Those messages of Milton's dated polemic are timeless.

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