Newspaper Writings

by JOHN STUART MILL

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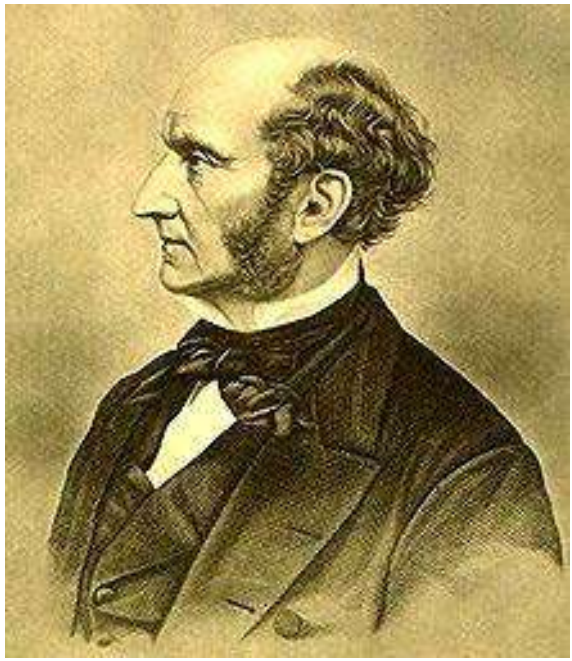
January 1835 – June 1847



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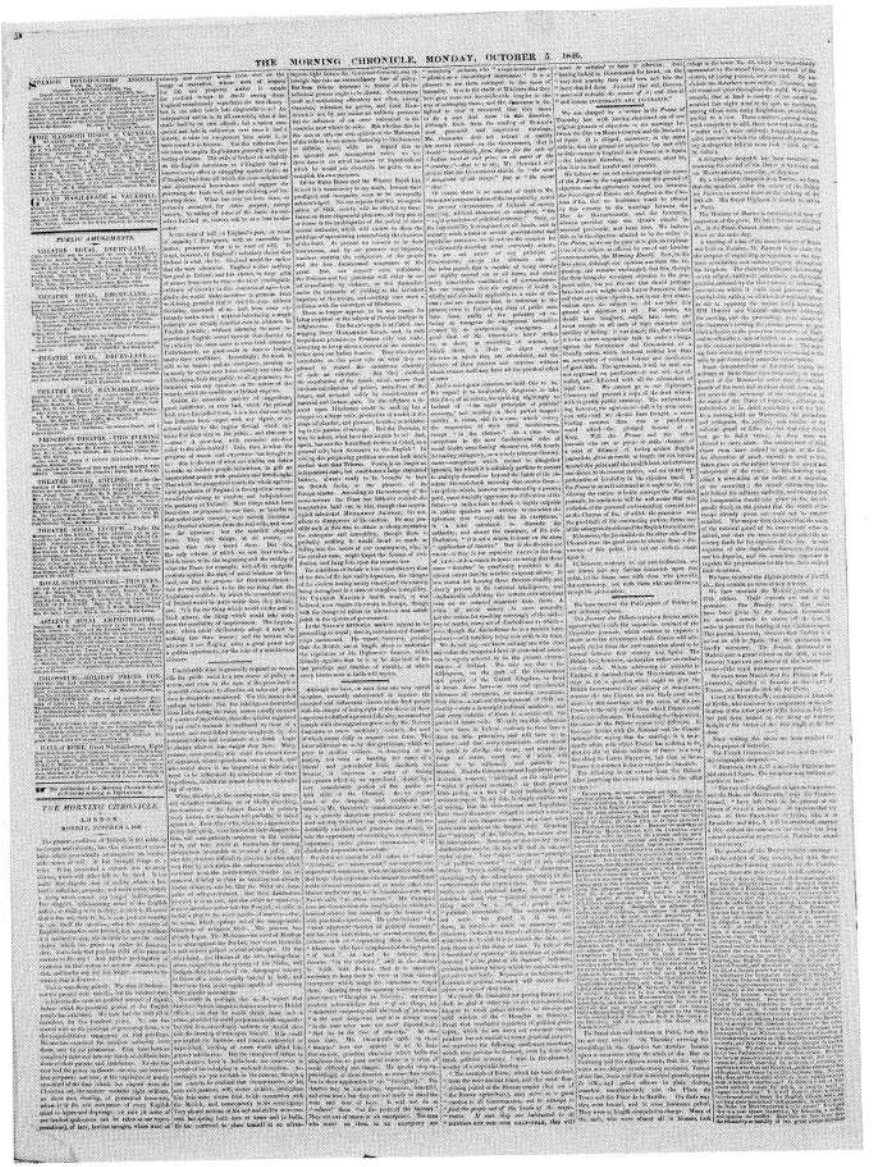
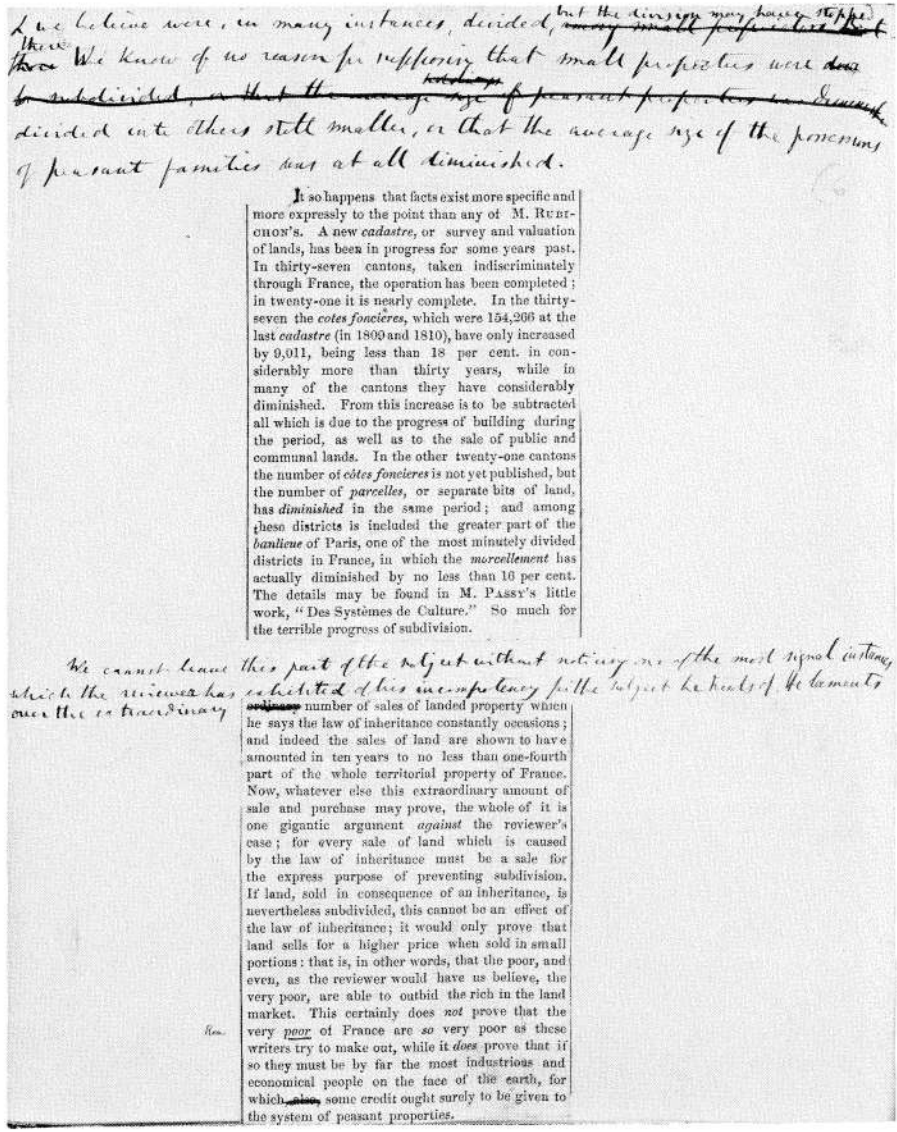


THE MORNING CHRONICLE, MONDAY, OCTOBER 5, 1846.

The Condition of Ireland [1]
Morning Chronicle, 5 October, 1846, p. 4
The British Library Newspaper Library



Like believe were, in many instances, divided, ~~many small properties~~ but the division may happen stopped there. We know of no reason for supposing that small properties were ~~does~~ to subdivided, or that the ~~average~~ size of peasant properties in France is divided into others still smaller, or that the average size of the possessions of peasant families does at all diminished.

It so happens that facts exist more specific and more expressly to the point than any of M. RUBICHON'S. A new *cadastre*, or survey and valuation of lands, has been in progress for some years past. In thirty-seven cantons, taken indiscriminately through France, the operation has been completed; in twenty-one it is nearly complete. In the thirty-seven the *cotes foncieres*, which were 154,266 at the last *cadastre* (in 1809 and 1810), have only increased by 9,011, being less than 18 per cent. in considerably more than thirty years, while in many of the cantons they have considerably diminished. From this increase is to be subtracted all which is due to the progress of building during the period, as well as to the sale of public and communal lands. In the other twenty-one cantons the number of *côtes foncieres* is not yet published, but the number of *parcelles*, or separate bits of land, has *diminished* in the same period; and among these districts is included the greater part of the *banlieue* of Paris, one of the most minutely divided districts in France, in which the *morcellement* has actually diminished by no less than 10 per cent. The details may be found in M. PASSY'S little work, "Des Systèmes de Culture." So much for the terrible progress of subdivision.

We cannot leave this part of the subject without noticing one of the most signal instances which the reviewer has exhibited of his incompetency for the subject he has undertaken to discuss. The ~~ordinary~~ number of sales of landed property which he says the law of inheritance constantly occasions; and indeed the sales of land are shown to have amounted in ten years to no less than one-fourth part of the whole territorial property of France. Now, whatever else this extraordinary amount of sale and purchase may prove, the whole of it is one gigantic argument *against* the reviewer's case; for every sale of land which is caused by the law of inheritance must be a sale for the express purpose of preventing subdivision. If land, sold in consequence of an inheritance, is nevertheless subdivided, this cannot be an effect of the law of inheritance; it would only prove that land sells for a higher price when sold in small portions: that is, in other words, that the poor, and even, as the reviewer would have us believe, the very poor, are able to outbid the rich in the land market. This certainly does *not* prove that the very *poor* of France are *so* very poor as these writers try to make out, while it *does* prove that if so they must be by far the most industrious and economical people on the face of the earth, for which ~~also~~ some credit ought surely to be given to the system of peasant properties.

Rev.

MS, *Principles of Political Economy*
Appendix incorporating No. 356
Pierpont Morgan Library, MA 968–70, f. 3v, Mill

· · · January 1835 to June 1846 · · ·

272. SENIOR'S ON NATIONAL PROPERTY [1]

SUN, 3 JAN., 1835, PP. 2-3

The "crisis" Mill refers to in the first sentence was precipitated by the elevation of Spencer (Lord Althorp) to the Lords on the death of his father in November 1834. The Whigs had already been weakened by the resignation in May of Stanley and Graham over the proposed transfer of Irish Church revenues to secular purposes, and by Grey's resignation in July over Irish coercion. Rather than see Russell succeed Spencer as leader of the House of Commons, William IV chose to replace Melbourne and called upon Sir Robert Peel to lead a minority Tory government; it lasted only until April 1835. The anonymous pamphlet, discussing possible ministerial policy, was by Nassau William Senior; it was published in London by Fellowes in 1835. See also No. 275, on the 2nd ed. of the pamphlet. The unheaded item is described in Mill's bibliography as "A leading article on a pamphlet (by Senior) entitled 'On National Property, and on the Prospects of the Present Administration and of their Successors'; in the Sun of 3d January 1835" (MacMinn, p. 43).

A PAMPHLET has just appeared, well deserving of the attention of electors, and of all who can exercise any influence over the *dénouement* of the present extraordinary crisis; while, at the same time, it stands broadly distinguished from any mere party production, and from works of temporary interest, by containing views and principles applicable to all time, stated and enforced with unusual energy and precision. The title of the pamphlet is, *On National Property, and on the Prospects of the Present Administration, and of their Successors*.—"The subjects of our title-page," says the author, "may appear, at first sight, to be totally distinct. It will be found, however, that they are intimately connected." [P. 3.] In this he is not mistaken. The present Administration, as he powerfully argues, cannot stand, mainly because they will not, and cannot with honour, take such measures as the public voice imperiously demands, on the subject of the "National Property," namely, the endowments of the Church, the Municipal Corporations, and the Universities. Nor can Sir Robert Peel's "successors," whoever they may be, have the slightest chance of maintaining themselves in power, unless they are prepared to deal in the manner this author inculcates, with that great subject.

The pamphlet is evidently from the pen of a practised writer, and one well accustomed to the treatment of political questions. It would be well if we could

hope to hear his topics discussed in the ensuing Session of Parliament, in the same tone of thought and in the same manly and popular style.

The writer begins by one of the very best statements which we have seen, in a small number of pages, of the philosophical argument for the right of the State to control all endowments. This right, according to him, extends so far, as to empower the Legislature, when the lawful claims of existing incumbents shall have become extinct, to dispose of the property at its own absolute will; guided of course by the same views of public expediency to which the whole of its conduct ought to be subservient, and under the further restriction of not divesting what was intended for all generations, to the temporary purposes of one.

The cant of "spoliation"[1] is disposed of in the following passage:

> Some deny the right of the State to deal with the income of property held in mortmain, on the ground that, what they call the church, as distinct from the existing clergymen, is the owner of what they call church property; that the episcopal lands belong to the bench of bishops, not for the lives of the existing bishops, but for ever; and that to declare that no bishop shall in future be appointed, and that the revenues of the sees as they become vacant shall be applied to the support of hospitals, would be an act of spoliation, even although it could be demonstrated that such an application would be more useful, not only at present, but permanently, than the present one. The answer to these reasoners is, that to every spoliation there must be two parties, the spoiler and the person despoiled. Now who, under these circumstances, would be the persons despoiled? Our posterity? No; for the argument assumes that they would be benefited. The existing Bishops? No; for they are untouched. The persons who now have the power to appoint bishops? Their consent must of course be obtained. If the bishopric of Sodor and Mann had still belonged to the Athol family, their right to appoint a bishop could not have been suppressed without compensation.[2] But, in the present case, the persons who have the right to appoint bishops are the government, and their consent is pre-supposed. The persons who might hope to be made bishops? They have no vested interest susceptible of valuation; and, therefore, on the grounds already laid down, cannot be heard. They have no more right to protest against the suppression of bishoprics than subalterns have to oppose a reduction of the number of field officers. Bishoprics no more belong to the church, as an imaginary entity, distinct from the existing churchmen, than pay and allowances belong to the army, as an equally imaginary entity, distinct from the existing soldiers.
>
> Others again contend that this property, having been originally given to ecclesiastical purposes, cannot be diverted from them without improperly violating the wills of those deceased persons who so dedicated it. In Scotland, where a right of perpetual entail is admitted, this argument might have some plausibility. In England and Ireland, where the

[1]For an early use of the term, see Charles Watkin Williams Wynn (1775-1850), lawyer and M.P. for Montgomeryshire, Speech on Irish Church Property (13 May 1833), *PD*, 3rd ser., Vol. 17, col. 1156.

[2]For nearly a hundred years, the sovereignty of the Isle of Man held by the Dukes of Atholl, of the Scottish house of Murray, had been the source of much friction with the British Government, even though the reign of the Atholls over the Island had been officially terminated in 1765. As late as 1814 the then Duke of Atholl appointed his nephew, George Murray, Bishop of Sodor and Man.

law "abhors perpetuities,"[3] it is almost too absurd for refutation. Our ancestors have had their full swing of posthumous power. Their wills have been obeyed for centuries; in some cases, without doubt, most beneficially; in others, more or less mischievously. And will any one, out of a sentimental regard to their memory, maintain that we have not now the right, or that, having that right, we are not now bound to inquire, how far this obedience is now beneficial, how far it is mischievous? or that we have not now the right, or that, having that right, it is not our duty to make such changes as may augment the benefit and remove the mischief?

If this argument were successful, the land would indeed belong not to the living, but to the dead. Every successive generation would find itself more and more confined by testamentary enactments; in many instances the result of vanity, caprice, or ignorance; in others, framed to meet the wants of an obsolete state of society, but in all cases immutable as the laws of the Medes and Persians. One testator might direct his estates to lie fallow for 10,000 years; another that they should be cropped alternately in thistles one century, and in nettles the next; and a third might order, as indeed has been done, that the successive life-owners should for ever be chosen by lot. [Pp. 15-18.]

The right of Legislative interference with endowments, which existed in all cases whatever, our author considers it expedient, and therefore the bounden duty of the Legislature to exercise, in three instances. The first is, the reduction of the temporalities of the Irish Church, to the amount adequate to the wants of the Protestant population, devoting the surplus to the education, not of Protestants, but of the whole people. [Pp. 23-37.] The second is the reform of Municipal Corporations, and the employment of the property now under the control of those bodies, for such purposes as after inquiry and mature deliberation shall be deemed most useful. [Pp. 37-9.] The third is, the admission of Dissenters to the Universities. [Pp. 39-42.]

We do not think it requisite to extract any of the passages in which our author advocates these measures. Of their propriety, as soon as the right is allowed, every rational mind is already satisified. We pass to his observations on the present Ministry. After stating the obvious grounds on which neither the reforms for which he has been contending, nor any other of these demanded by public opinion, can be expected from the Peel-and-Wellington Cabinet, he urges the following cogent reasons why, even were they to become Reformers to the fullest extent which could be required, they ought, nevertheless, to be driven from office, and with disgrace:

But let us admit, merely for purposes of argument, that all this is mere trick,—that the address to the electors of Tamworth is a counterpart of the letter to Dr. Curtis,[4]—and that in the course of the next two months, Sir Robert Peel will discover the justice, or at least the expediency, of carrying all that he now declares he cannot consent to.

[3]Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, 8th ed., 3 vols. (London: Strahan, 1796), Vol. II, p. 85 (Bk. III, Chap. ii), drawing on Blackstone, *Commentaries*, Vol. II, p. 174.

[4]Peel's *An Address to the Electors of the Borough of Tamworth* (London: Roake and

It may seem that this is all which those who are not partisans, those whose object is good government, without caring from whom they receive it, can require; and, therefore, that although such an attempt would deprive Sir Robert Peel of the aid of the Tories and of Lord Stanley's friends,[5] it ought to give him that of all the independent Members of the House. The obvious objection to this view, and it appears to us a decisive objection, is, that it would countenance a degree of political immorality, which in no state of society it would be safe, and in our own it would be fatal, to sanction. It would sanction the opinion that, in political warfare, faith is not to be kept with the country, with enemies, or even with friends: that even among the leaders, on one side at least of the House, the debates are a solemn show, in which the *actores fabulae* wear the dresses and repeat the speeches which the nature of the plot, and the rules of the stage, require; but as soon as a new piece begins, have nothing to do with the characters which they supported in the former one. It would proclaim, that a man making the strongest protestations of his sincerity, may oppose, as a sacred duty, measures which he knows to be not only expedient, but essential; may drive, by his opposition, a part of the country to the brink of civil war; and, the instant he has succeeded in turning out the proposers of those measures, may introduce them himself, and then receive, from the very persons whom he has forced out, support and power as his reward. No nation could hope for public spirit, or even common honesty, from its servants, if it were thus to remunerate falsehood and faction. [Pp. 47-9.]

Besides this, there is another reason, which hitherto has not been sufficiently insisted upon, and to which we invite, in the strongest manner, the attention of all friends of good government, or of the ancient doctrines of the Constitution:

But even supposing none of these insurmountable objections to exist, and the new Ministry to be personally unexceptionable, there are circumstances connected with their appointment which must deprive them of the support of those who wish to consult the permanent interests of the country.

It has for many years been admitted, that a Minister, though appointed by the Crown, and nominally subject to be dismissed *mero motu regis*,[6] without warning or explanation, really holds his office at the will, not of the Crown, but of the two Houses of Parliament. He might be disliked by the Court, he might be unpalatable to the King, it might be his duty, indeed, to take steps which would necessarily produce one or both of these results: but while he retained the confidence of the Houses of Parliament, he was, according to the doctrine which prevailed until the 15th of last November, secure. And the necessity of this

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Party, 1834), commonly known as the "Tamworth Manifesto," outlining the principles of the new, liberal Conservative party, was delivered on his accession to office and published on *18 Dec., 1834. The Duke of Wellington's letter of 11 Dec., 1828, intended to be* private, but published in *The Times* (26 Dec., 1828, p. 2), and stating that, although he believed a solution to the Catholic question should be found, the time was not yet, was followed within months by the proposing of Catholic Emancipation by the Duke's Government. For the private letter of 4 Dec., 1828, of Patrick Curtis (1740-1832), Roman Catholic Archbishop of Armagh, and the Duke's reply, see *Despatches, Correspondence, and Memoranda of Field Marshall Arthur Duke of Wellington*, ed. by his son, 8 vols. (London: Murray, 1867-80), Vol. V, pp. 308 and 326.

[5]Stanley had refused Peel's offer to join the Ministry, but had agreed to support him in the Commons.

[6]The phrase (in the form *ex mero motu*, "of his own will") was first used for grants of land under 4 Henry IV, c. 4 (1402).

principle is obvious. If a Minister held office at the caprice of the Court, the Court, not Parliament, would be the field on which the battles for power would be fought. The arts which succeed in Courts, and the measures which please Courts, would be the arts and the measures adopted. Despotic governments and constitutional governments have each their peculiar merits and their peculiar inconveniences; but this would be a mode of uniting the faults of both: the slow and cumbersome machinery of the one, and the ignorance, prejudices, corruption, and vacillation of the other. Even in despotisms, where public opinion has acquired any force, deference to that opinion prevents any capricious change. "C'est moi," said Louis XV, "qui nomme les ministres, mais c'est la nation qui les renvoie."

Those whom this reasoning does not convince, may, perhaps, yield to the authority of Mr. Burke. That acute observer, after dwelling on the necessity that a Minister should be connected not only with the interests, but with the sentiments and opinions of the people, adds, in words which we might now adopt, "These are considerations which, in my opinion, enforce the necessity of having some better reason in a free country and a free Parliament for supporting the Ministers of the Crown, than that short one, '*That the King has thought proper to appoint them.*' There is something very courtly in this; but it is a principle pregnant with all sorts of mischief, in a constitution like ours, to turn the views of active men from the country to the Court. Whatever be the road to power, that is the road which will be trod. If the opinion of the country be of no use as a means of power or consideration, the qualities which usually procure that opinion will be no longer cultivated. And whether it be right in a State so popular in its constitution as ours, to leave ambition without popular motives, and to trust all to the operation of pure virtue in the minds of Kings, and Ministers, and public men, must be submitted to the judgment and good sense of the people of England. . . . When a Ministry rests upon public opinion, it is not indeed built upon a rock of adamant; it has, however, some stability; but when it stands upon *private humour*, its structure is of stubble, and its foundation is on a quicksand. I repeat it again—he that supports every administration subverts all government. The reason is this: the whole business in which a Court usually takes an interest goes on at present equally well in whatever hands, whether high or low, wise or foolish, scandalous or reputable; there is nothing, therefore, to hold it firm to any one body of men, or to any one consistent scheme of politics. Nothing interposes to prevent the full operation of all the caprices, and all the passions of a Court upon the servants of the public. The system of administration is open to continual shocks and changes upon the principles of the meanest cabal, and the most contemptible intrigue. Nothing can be solid or permanent. All good men at length fly with horror from such a service. Men of rank and ability, with the spirit which ought to animate such men in a free State, while they decline the jurisdiction of dark cabal on their actions and their fortunes, will, for both, cheerfully put themselves upon their country. They will trust an inquisitive and distinguishing Parliament, because it does inquire and does distinguish. If they act well, they know that in such a Parliament they will be supported against any intrigue: if they act ill, they know that no intrigue can protect them. This situation, however awful, is honourable. *But in one hour, without any assigned or assignable cause, to be precipitated from the highest authority to the most marked neglect*, is a situation full of danger, and destitute of honour. It will be shunned equally by every man of prudence, and every man of spirit."[7]

[7]Edmund Burke, *Thoughts on the Cause of the Present Discontents*, *Works*, Vol. I, pp. 447, 491-2. The preceding quotation, attributed by Senior to Louis XV, has not been located.

It is to be added, that if this principle is to be abandoned; if the king is to be at liberty, merely because he thinks his own opinion better than that of the nation speaking through their representatives, to dismiss a government which enjoys the full confidence of the House of Commons; if he is at liberty to do this at his own personal pleasure; this absurdity follows, that his Majesty can act without a responsible adviser in one point, and on one point only, that point being the most important one which he ever can have to consider. The question, who is responsible?—for some one must be responsible for the sudden and total dismissal of a ministry,—has not been decided since our Constitution assumed its present form, because in fact it has not been necessary to raise it. A parliamentary vote or a resignation has preceded every previous change. It has now been raised, and painful as the discussion is, it must be decided. It must be decided with reference not merely to the present emergency, not as a party or temporary question, but as one of permanent constitutional law.

The king of course is not responsible. Royal responsibility is inconsistent with monarchical government. Of course, too, it would be absurd to fix the responsibility on those persons who may be supposed to have had private access to his Majesty's ear. The country does not recognise such advisers, either for good or for evil. The domestic comfort and privacy of the sovereign require that those who, filling no political office, are familiarly about his person, should be considered to be, as in reality it is their duty to be, unconnected with politics. The persons on whom this responsibility falls most naturally and most usefully, are those who are to profit by the act in question, the immediate successors of the dismissed administration. If it be once understood that, whether really consulted or not, they are to be considered as having advised the measure which, by their acquiescence they have adopted, and that no administration, for whom a vacancy has been made by a court intrigue, or by mere personal predilections or dislikes, or by caprice, or, in short, on any ground of which Parliament does not recognize the sufficiency, however personally eligible, will receive parliamentary support, we shall return to our established system, and the events of last November will be a warning instead of a precedent.

It may be asked then, what was the Duke of Wellington to do when he was summoned from the hunting-field at Strathfieldsay, and the King threw himself on his loyalty?[8] Was he to refuse to aid the King in his difficulties?

Unquestionably it *was* his duty so to refuse.

It was his duty to say, not in words, but in substance, "Four months ago, your Majesty appointed Lord Melbourne your minister. The country approved of the choice, and nothing has occurred to diminish its approbation. I cannot be a party to any change which has even the appearance of having originated in intrigue, or caprice, or in any personal feelings whatsoever."

It will be the duty of the houses of parliament to say, "We will not bind on our necks, and on those of our posterity, a yoke from which the country has worked itself free. We will not abandon the trust which the practice of the Constitution has reposed in us of deciding by what party the government shall be carried on."

It is now the duty of the electors, since Sir Robert Peel is blind enough to appeal to them, to proclaim, "We will return those men, and those men only, who will maintain their station as representatives of the people. We have not broken the chains of an oligarchy to put on those of a court. We will not sanction a single step towards a return to those unhappy times, when the sovereign was the real minister, and placed and displaced at pleasure, the puppets who bore the name." [Pp. 50-9.]

[8]William IV had summoned Wellington from his Berkshire estate on 15 Nov. to offer him the Premiership.

Considering it as certain that the present Administration cannot stand, the author proceeds to examine what ought to be the conduct of their successors. And first, on what terms ought they to take office? On this point the writer is most explicit. A creation of Peers (in his opinion Peers for life), sufficient to re-establish harmony between the two Houses, ought to be an *absolute condition*. This he shows with great force and spirit. [Pp. 64-71.] And if, as there is reason to believe, his pamphlet speaks the sentiments of a part at least, if not the whole, of the late Administration, so strong a declaration on this point is highly important.

The writer thinks, and, in our opinion, for unanswerable reasons, that Peers should be eligible to the House of Commons, otherwise the creation of so many popular Peers might for ever exclude from the other House a large proportion of those who would be its most valuable members. [P. 69.] And what Reformer does not wish that Earl Spencer, the Earl of Durham,[9] or Lord Brougham, could again make themselves heard in that assembly in which the direction of public affairs, now and hereafter, does and will mainly reside?

To the observations contained in the pamphlet on giving official seats to Ministers [pp. 72-81], on paying the Catholic Clergy [pp. 87-110], on Secondary Punishments [pp. 110-13], and other important subjects, we can only call the reader's attention. He will find them well worthy of perusal and consideration.

273. FLOWER'S SONGS OF THE MONTHS [2]

EXAMINER, 4 JAN., 1835, P. 4

Having in No. 248 (20 Apr., 1834) noticed the publication of the first four of Eliza Flower's *Songs of the Months*, Mill here seizes the opportunity to eulogize the separate publication of the completed series. He almost certainly refers to this review in asking Fonblanque on 25 Dec., 1834: "Could you insert the enclosed in your next paper?" (*EL*, *CW*, Vol. XII, p. 246.) It appeared in the "Music" section of the Examiner, headed: "*Songs of the Months*. A Musical Garland. [London:] J.A. Novello, and Charles Fox. [1834.]" The songs for May to December are: "A May Day Memory" (May; words by Alexander Hume); "A Summer Song for the Open Air" (June; words by Catherine Partridge); "The Wanderer's Lullaby" (July; words by Sarah Flower Adams); "The Harvest of Time" (August; words by Harriet Martineau); "An Autumn Song" (September; words by Mary Howitt); "Falling Leaves" (October; words by Sarah Adams); "'Come to My Home'" (November; words by Sarah Adams); and "Winter Minstrelsy" (December; words by Charles Pemberton). It is described in Mill's bibliography as "A notice of Miss Flower's 'Songs of the Months' in the Examiner of 4 January 1835" (MacMinn, p. 43). There is no bound volume of the *Examiner* in Mill's library after that for 1834.

[9]John George Lambton (1792-1840), 1st Earl of Durham, a leader of the Radical Whigs.

THIS IS A REPUBLICATION of the beautiful songs which have appeared in the successive numbers of the *Monthly Repository* for the year now closed; and the first four of which we noticed on a former occasion. As now reprinted, they form one of the most agreeable of Christmas presents to a lover of music.

The words of the songs (except those for July and August) are characteristic of the months to which they belong; and the music is in all cases characteristic of the words. The song for "March" (formerly noticed by us) and that for "August," are among the most impressive and elevated compositions which have recently appeared, and only require to be generally known, in order to assume, at once, in the estimation of all judges of the art, the high rank which belongs to them. "July," "October," and "November," each of consummate beauty in its kind, are easier of execution, and likely to be greater favourites with the more numerous class. "May" is a sweet and simple ballad. We have expressed our high admiration of "February" in a former paper. "September" is an elegant and graceful duet. "June" (also intituled "A Summer Song for the Open Air") is a chorus for children's voices.

We cannot with justice omit to observe that the songs are more truly *songs*, that is, better adapted for music than almost any which have appeared since those of Scott, the great master in this (and perhaps in no other) kind of poetical composition.[1]

We hope that the sale of this "musical garland" will afford an ample remuneration to the conductor[2] of the excellent and perpetually improving periodical in which both the poetry and music originally appeared.

274. THE WORD "DESTRUCTIVE"

GLOBE AND TRAVELLER, 6 JAN., 1835, P. 2

Here Mill returns to the *Globe and Traveller* for the first time since 1823. This unheaded leader is described in Mill's bibliography as "A leading article on the word 'Destructive' in the Globe of 6th January 1835" (MacMinn, p. 43).

IT IS AMUSING TO SEE how invariably, in one age after another, party frenzy frustrates its own purposes in the self-same manner. Not only there is no variety in its weapons, but it invariably uses all of them so indiscriminately as to blunt their edge. One of its most universal devices is calling bad names. "Give a dog a bad name and hang him," might be taken for its motto. But the bad names do not

[1] In his *Autobiography*, writing of his boyhood, Mill says that he did not care for any of Dryden's poems except *Alexander's Feast*, "which, as well as many of the songs in Walter Scott, I used to sing internally, to a music of my own: to some of the latter indeed I went so far as to compose airs, which I still remember" (*CW*, Vol. I, pp. 19-21).

[2] W.J. Fox.

long remain bad; for as they are presently applied to all, without distinction, who are obnoxious to the party coining the names, they are soon shared by so many persons of the highest public and private worth, that no one is either ashamed or afraid of a reproach borne in common with such men, and the names originally opprobrious are in a short time avowed and even boasted of. "Whig" and "Tory" were originally terms of abuse, levelled exclusively at the lowest populace.[1] Every one remembers the name "Gueux," or beggars, applied in derision by the partisans of the Duke of Alva to the first Flemish insurgents, and very soon adopted by themselves as a title of honour.[2] Whoever is old enough to remember the first invention of the term "Radical,"[3] and the terror with which almost every person above the rank of a working man deprecated the application of it to himself, will be at no loss for a modern instance similar to these ancient ones.

The same game is now played over again with an abusive epithet of more recent coinage, and, as we already begin to see, with the same result. When the term Radical had ceased to terrify any one, the word "Destructive" was invented to supply its place;[4] and for a short time a distinction was kept up—many persons were called Radicals who were not called Destructives, and at first nobody was willing to confess himself a Destructive. But this term of opprobrium has run its course more rapidly than any similar term ever did. Already every person is called a Destructive who is not a Tory, who is not willing to be governed by Tories. The majority of the last parliament, the majority of the parliament which is to come, the enormous majority of the electors, and of the middle classes generally, a large portion of the landed and the largest portion of the commercial aristocracy of the United Kingdom, are all Destructives. There are but two parties now, Destructives and Conservatives. The consequence is, that no one who does not call himself a Conservative will feel the least objection to being called a Destructive, and we may soon expect to see even addresses to electors from persons calling themselves "Rational Destructives."

In the meantime, if we may be permitted to put the question, pray what is meant by calling all the Reformers, except those after the fashion of Sir Robert Peel, Destructives? What does the word signify?

If it means people who are for the destruction of property, there are no such

[1]The origins of both terms are obscure. *Whig* is probably a shortening of *whiggamer* or *whiggamore*, which in the late seventeenth century became associated with those who supported the Settlement of 1688 and the Hanoverian succession. *Tory* is probably from an Irish word for "a pursued or persecuted person," hence an "outlaw," and by extension a supporter of the Stuarts.

[2]Ferdinand Alvarez de Toledo (1508-82), Duke of Alva (or Alba), Spanish general and statesman, had conquered the Netherlands.

[3]In the late eighteenth century the word began to be applied to those favouring fundamental political reforms.

[4]For the origin of the term, see No. 216, n25.

people. At no time, in no country, not even in France during the height of the Revolution, were there more than a handful who wished even to reform, much less to destroy, the laws of property.

If it means people who are for the abolition of monarchy and the House of Lords, and the establishment of an American republic, very good and wise men have thought that this would be desirable; but even of these we never saw or heard of one who wished the experiment tried in this country in defiance of the old and deep-rooted national attachments to those institutions. As for mere adventurers and demagogues, these are the last objects *they* would choose, because the last which would hold out any hopes of successful agitation. The people of England are not led by words. They carry even to a fault their indifference to abstract principles. The only change which they desire, or even tolerate, is the reform or removal of something which is doing them positive and visible harm. They make no alterations for the sake of symmetry; when an institution works well, that contents them. They want a House of Commons fairly chosen by the people, and a House of Lords so composed as to assist and not thwart the purposes of such a House of Commons. Give them these, and they do not fear that the King will ever make himself an obstacle to the deliberate wishes of two such houses, backed by the opinion of the nation.

Who, then, are the Destructives? The *Times* says they are all who are for the ballot, for the separation of church and state, for the repeal of the union, and, it has the modesty to add, for an "equitable adjustment" with the fundholder.[5] (By this last test Sir James Graham, the *Quarterly Review*, and full one half of the Tory county members, are Destructives.) To the above catalogue the *Standard* adds all who are for corporation reform, or for the repeal of the corn laws.[6] The *Times* has not yet come to this; but, fair and softly, it soon will—*nous l'attendons là*. The *Standard* is in the right, and we will add a few more categories to the list. All who wish the reform bill to be made effectual by the improvement of the registration clauses, by disfranchising the corrupt freemen of such places as Norwich and Liverpool, and by getting rid of such of the smaller constituencies as have already become, beyond hope of redemption, close or rotten boroughs—all who wish that taxes should be taken off the necessaries of the poor instead of the luxuries of the rich—all who wish for local courts, or any other substitute for the irresponsible and incapable jurisdiction of the county magistracy—all who wish to see any measures introduced for the relief of the Dissenters but such as the Dissenters will indignantly reject—all who wish to see

[5]The immediate cause of this article would appear to be the leader on "The Destructive Party," in *The Times* of 1 Jan., 1835, p. 2, but Mill seems also to have in mind the leaders of 12 and 26 Dec., 1834 (p. 2 in each case), especially the former. The phrase "equitable adjustment" is Cobbett's; see No. 203, n1.

[6]*Standard*, 2 Jan., p. 2, and 5 Jan., p. 4.

the Universities reformed: those places where the sons of English gentlemen are steeped in the foulest mire of Toryism, and then sent forth to govern a country which has cast forth Toryism with disgust—all who wish to see the church of England reformed, and all rational persons who do *not* wish to see it destroyed—all who wish to see the church of Ireland reduced to reasonable dimensions, and the national property, which it has so long misused, employed for the benefit of the unhappy oppressed Irish people, whom by combined injury and insult it keeps always on the very verge of rebellion—and, finally, all who will not endure that a dignitary of something calling itself a Protestant and English church shall go forth with armed men and assassinate the children and neighbours of a poor widow because she will not any longer give to him of her scanty substance the wages of a degrading tyranny.

These are the Destructives; for these are the enemies of the present ministry. Electors of the United Kingdom, let such Destructives, and none but such Destructives, have your votes.

275. SENIOR'S ON NATIONAL PROPERTY [2]

MORNING CHRONICLE, 6 FEB., 1835, P. 2

See No. 272 (3 Jan., 1835) for Mill's review in the *Sun* of the 1st ed. of Senior's pamphlet; the 2nd ed. (London: Fellowes, 1835), from which Mill here quotes, had quickly followed on its heels, and there were two further editions in 1835. The unheaded leader is described in Mill's bibliography as "A leading article in the Morning Chronicle of 6th (?) [*sic*] February 1835, on the 2nd ed. of Senior's pamphlet" (MacMinn, p. 43).

IN OUR PAPER of the 2d January[1] we gave several extracts from an able pamphlet recently published, *On National Property, and on the Prospects of the Present Administration, and of their Successors*. The second edition of this important tract has just appeared. It contains much additional matter, in no way inferior either in thought or style to what preceded; and we recommend the whole pamphlet as a text-book to the liberal Members of Parliament—a compendious statement of many of the principles and arguments which will be their strongest weapons, both of offence and of defence, in the approaching conflict with all the remaining strength of the Tory party.

The right of the State to employ what is called Church and Corporation Property for whatever purposes of public utility it deems most expedient—that

[1]Leading article on unity among the Reformers, *Morning Chronicle*, 2 Jan., 1835, p. 2. The reference may be thought to imply that the leader was by Mill, and there are some resemblances (including one long passage quoted from Senior) between it and his review of Senior in the *Sun* on 3 Jan. (No. 272), but it is not listed in his bibliography.

principle, involved in Mr. Ward's famous resolution,[2] and the dread of which, in high quarters, has raised the present Ministry to its "little brief authority"[3]—is stated and enforced in the pamphlet, calmly, philosophically, and uncompromisingly, as a deduction from the very nature and tenure of property itself. The utter incompatibility, both with the principles of the Constitution and with all good Government, of the strange proceedings which we have lately witnessed, the dismissal of one Ministry, and the appointment of another, *ex mero motu regis*,[4] is powerfully shown; and the hack sophisms of the Conservatives to justify this stretch of authority are triumphantly demolished.

We quote from the new matter of the present edition, the following notice of an article in *The Standard*,[5] in which our Contemporary takes off the mask, and avows the intention of its party to take back in one form those powers of misgovernment which, by the passing of the Reform Bill, they have lost in another:

> If the present attempt is acquiesced in, it will be a precedent, and a precedent of more than even its apparent force. It will be a precedent which will at least *begin* by bringing us back to the times of the Stuarts. The organs of the present Ministry have been forced to speak out on this subject; they have been forced to declare, that "although before the Reform Bill, the House of Commons did in practice apparently exercise a veto upon the appointment of the Ministers of the Crown, the Reform Bill," (by diminishing the influence of the Crown and the aristocracy in the House of Commons) "has brought us back to the theory of the constitution, *the power of the King in choosing his advisers as unrestrained as that of the House of Commons in arranging the order of its proceedings*[6]—the reciprocal independence of the three branches of the Legislature."
>
> This, then, is the manner in which the Tories propose to work the Reform Bill. This is Sir Robert Peel's "final and irrevocable settlement of a great constitutional question."[7] The influence given to the people in the House of Commons is to be neutralized, indeed, much more than neutralized, by depriving that house of all control over the other branches of the Legislature. The King is to have the same unrestrained, unquestioned power of appointing, dismissing, and changing the whole body of public functionaries which the House of Commons has of deciding whether it will take motions or petitions for its twelve o'clock sittings. We are to return to the reign of prerogative. The King is, of course (for that is equally within the forms of the constitution), to refuse his assent to any Bill which

[2]Henry George Ward (1797-1860), advanced liberal politician, M.P. for St. Albans from 1832. His famous resolution, later moved annually, was first presented on 27 May, 1834: "That the protestant episcopal establishment in Ireland exceeds the spiritual wants of the protestant population; and that (it being the right of the State to regulate the distribution of church property in such a manner as parliament may determine), it is the opinion of this House that the temporal possessions of the Church of Ireland, as now established by law, ought to be reduced" (*PD*, 3rd ser., Vol. 23, col. 1396; quoted by Senior, pp. 34-5).

[3]Shakespeare, *Measure for Measure*, II, ii, 118; in *The Riverside Shakespeare*, p. 561.

[4]For the origin of the term, see No. 272, n6.

[5]Leading article on party names, *Standard*, 12 Jan., 1835, p. 2.

[6]Senior's italics.

[7]Peel, *An Address to the Electors of the Borough of Tamworth*, p. 8.

may displease him. The Commons (for that is also the theory of the constitution) are to commence the session by a statement of their grievances, and postpone the grant of supplies until his Majesty has been pleased to redress those grievances. The three branches are to act independently. The great edifice of parliamentary government, which it has taken centuries to build up, and which we fondly thought that the Reform Bill had rendered complete, but which even without that bill, was supposed to be, at least, secure, is to be destroyed, because that bill has diminished the influence of the Crown and the aristocracy in the House of Commons. When the anti-reform majority of the House of Lords allowed, by their secession, that bill to pass, the country little thought what was their mental reservation. Without relying much on their prudence, it still did not suspect them of so insane a scheme as that of making amends for the Reform Bill by setting up prerogative against the people, and throwing us back, by a recurrence to what they choose to call the theory of the constitution to the state of things which preceded the events of 1643.

In justice to our adversaries, we must admit that this desperate defence is forced upon them. They would have much preferred that, instead of addressing the King "on the exercise of his undoubted prerogative," they had had no such congratulations to offer. They felt the danger of assuming such a position, and evaded it, as long as evasion was possible, by every sort of artifice and falsehood. First, they declared that Lord Melbourne resigned; then that he admitted the impossibility of going on; then that, at least, he confessed that his administration was falling to pieces through internal dissensions. And it is only when these pretences have been swept away, that they take refuge in the Gothic citadel of prerogative, and turn against the country, and in the nineteenth century, the weapons forged by the Tudors and the Plantagenets. [Pp. 66-9.]

The following passage on the theory of "political inconsistency" is also new:

When a statesman supports a measure which he formerly opposed, his conduct may be accounted for on any one of the three following suppositions:—1. An intervening change in public affairs. 2. Error. 3. Interest. It may happen, and indeed must happen frequently, that such a change has occurred in public affairs, since the period of his opposition, as to render beneficial what would previously have been injurious. When no such change in the circumstances of the case has occurred, the supposed alteration of conduct must necessarily be attributed to more personal causes. It must be attributed either to Error, or to Interest. He may admit that his former opposition was a mistake, and that he has been subsequently convinced, by facts of which he was not then aware, or by arguments which he had not then sufficiently considered. But if this explanation be not offered, or be not accepted, the only remaining solution is, that interest (using that word as comprehending not only pecuniary interest, but the acquisition or retention of power, or fame, or popularity, or the gratification of party friendship, or of party enmity), was the motive, either of the former opposition or of the present advocacy.

A change of conduct, which is accounted for by the first of these three suppositions, namely, by a change in the circumstances of the case, cannot be called an inconsistency. The real inconsistency would lie in persisting in a course for which the motive had ceased. With respect to the second supposition, the degree in which a public man's reputation, for knowledge and intelligence, ought to suffer from his defending his present conduct, by acknowledging that he was formerly mistaken, is subject to no general rule. If the matter was not one of such importance as to have required his earnest attention, or the facts or reasonings which now show him to have been in error were not then before the public, he is readily excused. Lord Grenville did not sink in public estimation when he confessed that the support which, during the whole of his political life, he had given to loans for the

purpose of supporting a Sinking Fund, was founded in error.[8] That it was so founded, has been demonstrated; but it was not suspected by any one, when that most absurd system of finance was first adopted. But if the question at issue was of great importance, and if all the facts and arguments, necessary for its decision, were notorious, a statesman who is forced to acknowledge that he erred from ignorance of those facts, or neglect or incapacity of understanding those reasonings, may make a useful subaltern, but can scarcely maintain the post of a leader. The last of the three supposable cases, namely, that the measure in question was formerly opposed, or is now supported, from interested motives, is one which few men will venture to avow. In a sound state of public morality, such conduct would exclude from confidence and from power every person convicted of it. In the present state of feeling in England such an imputation, though always felt as an objection to the man who is stained by it, is not considered a decisive objection, unless the matter with respect to which it occurred was one of great public importance. So much latitude is allowed to faction, there is so much sympathy with party affection and party hatred, so little of public spirit is hoped for from public men, that in comparatively trifling measures, when introduced by a political adversary, to have knowingly opposed what was right, is considered a venial offence. But, loose as our morality is, we have not yet gone so far as to sanction such conduct with respect to those few questions on the right decision of which the welfare of the community depends; and as public morality is, on the whole, improving, we believe that it never will be sanctioned. If our belief were otherwise, we should indeed despair of the prospects of the country. The conduct which only disgusts in a demagogue would be ruinous in a Minister.

We will now endeavour to apply these principles to the subjects immediately before us. The great questions which we have been considering, are matters of the utmost importance, not only to the welfare, but to the existence of the empire. No event has taken place since they were last before Parliament in the slightest degree affecting them. Nothing new has been discovered respecting either the facts of the case, or the inferences to be deduced from them. If Sir R. Peel should now support those measures which, in the last session, he so resolutely resisted, he cannot plead, in justification, that the circumstances of the case are changed, or, in mitigation of punishment, that he was formerly mistaken. He had before him all the materials for coming to a right decision, and no one imputes to him mental deficiency. It must be admitted, tacitly or expressly, that either his former reluctance, or his subsequent concession, was founded on interest; that he knowingly, and intentionally, and on matters of the utmost importance, sacrificed the country to his party or to himself. And we repeat, that to sanction such conduct would be fatal. [Pp. 52-6.]

We conclude in the forcible words of the author of the pamphlet:

It appears, therefore, that under any combination of circumstances, the present Administration cannot stand. It can stand only on these suppositions. First, that the present Ministers are willing to sacrifice all the reputation and the self-respect which alone can render the toils of office endurable: secondly, that the country is willing to sanction a degree of political profligacy, which even the tools of a despotism would not venture: and, thirdly, that the monstrous doctrine is to be admitted, that no one is responsible for the most dangerous of all possible exertions of the royal prerogative, the unforeseen and total,

[8]William Wyndham Grenville (1759-1834), Baron Grenville, long a prominent government official, head of the Ministry of "All the Talents" (1806-07), a supporter of the Sinking Fund from its establishment in 1786, published in 1828 an *Essay on the Supposed Advantages of a Sinking Fund*, in which he reversed his previous position.

and, unless indeed its popular measures were the provocation, the unprovoked, dismissal of a popular Administration. Any one of these objections would be fatal. What then must be the effect of their combination? [Pp. 70-1.]

276. BRIBERY AND INTIMIDATION AT ELECTIONS

GLOBE AND TRAVELLER, 12 FEB., 1835, P. 2

This unheaded leader is described in Mill's bibliography as "A leading article in the Globe of 12th February 1835 on the bribery and intimidation at elections" (MacMinn, p. 43).

THE BRIBERY AND INTIMIDATION which have been practised during the late elections,[1] to an extent almost exceeding former example, must engage the attention of parliament immediately after its meeting. The members may be assured that upon the spirit in which this subject shall be taken in hand by them not a little of the future history of their country, and very much of their own prospects as public men, will depend.

The ways of an unreformed parliament ought not to be those of a reformed one. Before the Reform Bill there never was any serious purpose of checking bribery or intimidation: they were the two props on which the system rested, and no one wished to see them weakened. Whether a member had been elected by honest or by wicked means was a question between him and his competitor, not between the culprit and the State. If the rival candidate, after having thought it worth while to spend some thousand pounds for a first chance of getting into parliament, thought it worth while, on the failure of that, to spend as much more for the second, he petitioned. If he did not, no one else did, nor could. If some perverse person, unwilling to lose the excitement of a contest, or to confess himself beaten, by dint of expense and trouble accomplished what none but an eccentric man would attempt, and none but a very fortunate man could succeed in—namely, actual proof of illicit practices, before a Committee of the House of Commons, ministers and public men in general made an edifying display of virtuous indignation against the one case which was proved, and decently ignored the six hundred and fifty-seven which were not proved. All this was in the spirit of the former system—was all right enough, if the end was to uphold that system, by whatever means: it was among what Burke called "the shameful parts of the constitution,"[2] part of the filth out of which grew, and on which was fed the stately umbrageous tree to which British society has often been admiringly compared. But the fruit of that tree smacked of the place it drew its

[1]For comments on corruption during the elections (which were held during January), see *The Times*, 13 Jan., p. 6, 19 Jan., p. 4, 21 Jan., p. 2, 23 Jan., p. 2, and 28 Jan., p. 4.
[2]Burke, "Speech on American Taxation" (19 Apr., 1774), *Works*, Vol. I, p. 575.

nourishment from, and we are minded at present not to cultivate any tree but one which will grow in clean ground.

It is so obvious as to be hardly worth stating, that the reform is no reform if the majority of the members are to be nominated, as they were before, by a small number of powerful families. It is equally evident that the majority will be so nominated if bribery can purchase or intimidation command the votes, and neither be detected and punished. The far greater part of the house are returned by bodies of electors the great majority of whom are not beyond the influence either of corruption or of coercion. Two hundred members at least are elected by constituencies varying from two to four hundred persons—the very number which, under the old system, produced Penryn, East Retford, and all the most rotten of the rotten boroughs. In the counties the influence of the squirearchy cannot be permanently resisted. Already we see the strides which have been made towards recovering the ground which the oligarchy had lost by the Reform Bill. Nothing but intense political excitement can inspire the poorer electors with courage to resist the temptations of sums of money invaluable in their circumstances, or to offend landlords or customers who can cut off at a stroke half their income. Shall there, then, be no other check to bribery and intimidation under the new system than there was under the old? If so, as soon as the remaining enthusiasm (in its very nature temporary) produced by the existing events of the last four years shall have subsided, we shall be landed exactly where we were before, except that political demoralization will have spread farther, will have reached a much larger and hitherto purer class than the wretched freemen and burgage tenants of the old "glorious constitution."

But this will not, must not be. Let any member of the new parliament, who fears the reproach of innovation, ask himself the simple question whether those who really wish to prevent a great evil will probably be directed to the best mode of setting about it, by the precedents of those who wished that the evil should *not* be prevented? And when he has answered this question, let him ask himself another, viz., in what manner a person, who really wished that the election of members of the House of Commons should be free and pure, would attempt to secure that object? What means would such a person adopt? Would he throw all kinds of impediments in the way of proving illicit practices? or give it all kinds of facilities? Would he leave it wholly to a particular individual to bring the question to trial, according as he feels personally interested in it or not, and is willing to spend an intolerable sum of money upon it or not? Would he confide the functions of a court of justice to a committee appointed for the nonce—a committee chosen by lot, and the brains knocked out of it (actually the phrase in common use!) by the power which the two parties have of striking off, without any reason assigned, a proportion of the number? a committee deliberating in secret, and whose decisions are notoriously governed in almost all instances not by justice, but wholly by political considerations?

That the members of the house should be duly elected is the concern of the house itself and of the nation; not of any individual, in the house or out of it. There should be a special tribunal for deciding such cases, and special officers for investigating them. *All* disputed elections should be referred to *one* committee, selected at the commencement of the session, composed of but few members, chosen for their unquestionable fitness, and *paid*. There should be no fees to officers of the house, no expenses but those which are absolutely unavoidable, and even these should be repaid by the public to the successful party. The investigations should be *public*, open to all the world, and *one* proved instance of bribery by authorised agents should vitiate the election.

At the opening of the last parliament, Mr. Charles Buller placed on the order-book of the House of Commons a series of propositions which, if adopted by the house, would have effected a salutary change in the forms of proceeding in cases of disputed returns. The motion was never discussed; we know not if it was even nominally brought on and entered on the Journals.[3] The first session of the reformed parliament was the most suitable time for breaking through the mischievous rules and practices of the unreformed house. But, unhappily, "no innovation," or as little of it as possible, was at that time the order of the day. The Whigs made the mistake (which by this time they have had ample reason to correct) of imagining that the danger to be apprehended was from the friends of too rapid movement, not from the enemies of all movement whatever. That opportunity, therefore, was lost; but it is never too late to retrieve the error. We trust that Mr. Charles Buller, or some other Reformer, will bring this subject to the serious consideration of the house immediately after its meeting.

277. THE LONDON REVIEW ON MUNICIPAL CORPORATION REFORM

GLOBE AND TRAVELLER, 17 APR., 1835, PP. 2-3

While there can be no question about Mill's interest in municipal reform, the occasional cause of this account (see the opening sentence) is surely the publication of the first number of the *London Review*, of which he was the editor and Sir William Molesworth (1810-55), a wealthy Radical politician, M.P. 1832-41 and 1845-55, the proprietor. In 1836 Molesworth was to buy the *Westminster Review* for £1000 and unite the two under Mill's editorship as the *London and Westminster Review*. Though Mill (himself here anonymous, of course) promoted a policy of semi-identification of authors in the *London Review*, he here speaks of the "reputed author" of "Municipal Corporation Reform," *London Review*, I (Apr. 1835), 48-76, which is signed "J.A.R.," not a very thick disguise for John Arthur Roebuck, then M.P. for Bath. The article, headed "Corporations—*London Review*," is described in Mill's bibliography as "A notice of the Article on Munici-

[3]Buller's propositions are not in *PD*, but are in *Journals of the House of Commons*, LXXXIX (1834), 10 (5 Feb., 1834).

pal Corporation Reform in No. 1 of the London Review: in the Globe of 17th April 1835" (MacMinn, p. 44).

AMONG VARIOUS INTERESTING and well-timed articles in the first number of the *London Review*, just published, is one on the great practical question of the day—municipal corporation reform—to which we invite the attention of all our readers. Without entering into the *minutiae* of corporation abuses—which, if not already sufficiently known to every one, are amply exhibited in the commissioners' report[1]—the article addresses itself at once to the practical question, how to frame the required measure of reform. The writer has brought to the examination of this question the best lights of the political philosophy of the age, along with a just estimate of the modifications required by existing opinions and impediments. And we venture to affirm that if either the proprietor of the *Review*, or the reputed author of the article, will promulgate its doctrines from their places in parliament in the approaching debates on corporation reform, they will contribute not a little to the satisfactory settlement of that vital question, and lay the basis of no ordinary political reputation for themselves.

After briefly stating the uses and conveniences of a local or municipal government, the writer says—

> It is unnecessary here to dwell upon the history of our own corporations, or those of Europe generally. Whatever were the circumstances which gave rise to the municipia of ancient, or the corporations of more modern times, the convenience of local governments, as above explained, alone justifies, in the present condition of this country, the existence of these petty jurisdictions. Their olden form will doubtless influence the changes which may hereafter be made; but this influence will, for the most part, be mischievous. Antiquated rules, and foolish customs sanctioned by time, though opposed by reason, will often prove stumbling blocks to the reformer of municipal corporations, if he attempt to remodel the many various systems of corporate government which now exist in England. One uniform system ought to be established, framed with reference to the present condition of the people; and to do this, the whole mass of ancient rubbish should be completely swept away. [Pp. 48-9.]

He proceeds to show that if utility alone were consulted, these local governments would not be confined to the precincts of single towns, but would be extended to districts, spreading over the whole country, by which the whole of the present ill-contrived and ill-administered apparatus of local judicature and local taxation would be superseded. This, however, being a greater innovation than public opinion would at present sanction, the writer contents himself with recommending that if the corporation government cannot be extended beyond the town in which it is situate, it shall at least include the *whole* town, which at present is rarely the case.

The reviewer next proceeds to inquire what should be the *powers* of the local

[1]For details, see No. 220, n7.

government, and in what manner the persons exercising these powers should be *nominated*.

The powers are partly powers of judicature, partly of administration, partly of local legislation. The points for which the reviewer contends are chiefly the three following:—

1st. That the administration of justice should be *entirely separated* from the powers of administration and legislation, and confided not to ignorant *amateur* aldermen, but in every town to *one* duly educated judge (or more than one if required).

2d. That this judge should have power to adjudicate in all causes, civil and criminal, subject to appeal to a central court in the metropolis.

3d. That the powers of local taxation, local legislation, police and other branches of administration, should be vested in or placed under the control of a *town-council*, periodically elected by all rate-payers, or at the lowest by all ten pound householders; and that this town-council should appoint the local judge.

For the fuller statement of these views, and for the argument by which they are supported, we must refer our readers to the article itself. We content ourselves with extracting a few, not of the most striking passages, but of those which will best admit of being separated from the context.

On the vices of the administration of justice in corporations as at present constituted:

The recorder now is, in many places, a mere nominal officer; in others he really does adjudicate the matters within his jurisdiction; but this is done only a few times in the year. He is usually in these cases a barrister, practising in London, and running down for a few days to the seat of his jurisdiction; his business is dispatched with hurry, so that he may run back again, and lose no chance of profit in his profession. This ought to be wholly reformed. The recorder should, in all cases, be made a permanent judge—residing in the town, administering justice from day to day, and pursuing no other avocation whatever. He should be, what judges are not now (excepting those of the Courts of Westminster), a person possessing the confidence and respect of the people. At the present time the greater part of the business of administering the law is performed by persons whom the mass of the people bitterly hate, and oftentimes contemn. All corporation magistrates, as now chosen, acquire, from the mere fact of their being of the corporation, the ill-will, and even the suspicion, of the persons within their jurisdiction. The body of persons by whom such judges are chosen are looked upon by the people as men living by dishonest peculation. Whether this suspicion be correct or not, matters nothing. It is the necessary consequence of the system of monopoly and secrecy which belongs to all our present corporations. A judge, administering justice with this odium attached to him, cannot so administer the law as to make the people yield a cheerful obedience to it; no matter how just his judgments, the losing parties, having no confidence in the judge, will never be content with his decision. Instead of accommodating their minds to acquiescence, a surly spirit of rebellious opposition arises within them. They do not, as they would do had the judge their confidence, doubt their own opinion, and yield up their passions and their opposition. Where the judge is respected, the opinion of the world also leads men powerfully to this obedience;—when a man sees that his neighbours all believe that he has had justice done, he begins involuntarily to believe it himself; finding no sympathy in his

gall and bitterness, he is quiely compelled to put up with his condition. How different is the situation of a man condemned by a judge whom all suspect, and none love! At every turn the disappointed suitor finds countenance, and sympathising auditors; he charges his judge with unfairness, and they agree with him. Suspicion and hate grow together. The administerer of the law is first hated—then the law; and bitter are the feelings of animosity created in the minds of the multitude by the belief that for them justice is but a name, and law but a cruel step-mother. [Pp. 54-5.]

On the mode in which English statesmen are accustomed to legislate, the mode recommended by "practical men" and by the haters of "philosophy" and "theory:"

Much care and knowledge would be required to make an accurate and scientific classification of the rights to be conferred, and the obligations imposed on the municipal governments; so that a general rule might be framed, and put into the form of a law. To draw correctly and distinctly the line between these various small jurisdictions and the general government, would demand no ordinary proficiency in the science of legislation; that is, so to draw it, that a complete conception of the whole field of their jurisdiction could be attained by an instructed man on a perusal of the law. It would be easy to perform the task in the ordinary, clumsy mode of English legislation, in which difficulties are avoided only by putting them off to be settled by expensive and doubtful judicial decisions. Any English act of parliament which shall regulate the extent of corporation jurisdictions will, doubtless, contain a confused, illogical, and incomplete list of the powers conferred; an attempt at an enumeration will be made, and appended to it will be a drag net to catch any forgotten or stray right which may have escaped the detail, in a shape, perhaps, like the following: "And all other rights, powers, privileges, or immunities necessary to the due and proper discharge of the several functions above enumerated." What "rights, powers, privileges, &c." may be so necessary, will lie hidden in the womb of time till a judgment of a court of law shall give them birth, so that we shall never come to the end of the list. The decisions of the courts will never do more than settle the matter immediately in dispute, and, on every fresh emergency, a new suit, and new decision, will be requisite. To avoid these mischiefs by a previous, complete, and exhaustive classification of the rights and obligations necessary to the end in view, will, we fear, never suggest itself to those whose business it will be to prepare a bill for the consideration of the legislature. To do so would appear too much like the conduct of a philosopher; and a philosopher, as every blockhead is supposed to know and always asserts, is not a practical man. The practical men are the drag-net framers—men to whom nothing suggests itself but what a narrow experience teaches—men who never use thought to learn what *may* happen, but who are content to task their own memory to remember what *has* happened. They put down a confused list of particulars in the order in which their memory supplies them, and then complacently crown their work by the capital contrivance of a wide generality, which, as it distinctly specifies nothing, may, upon occasion, be made to signify anything. After this manner have all our laws hitherto been fashioned. Would that we could reasonably hope that, in the case of corporation reform, science was about to assume its proper function, and order and logic to occupy the place of a confused and disorderly enumeration! [Pp. 58-9.]

In the following passage the defects of the bill formerly proposed by Lord Brougham, for giving corporations to the new boroughs,[2] are forcibly exposed.

[2]For details, see No. 220.

Lord Brougham, we are sure, has long been completely alive to the faults of that hastily concocted measure:

We are not inclined, in any case, to be very solicitous about names merely, but instances do occur in which the effects of a name are of great import. The matter in hand appears one of these. Instead, therefore, of retaining the old, and in themselves unmeaning designations of corporate officers, it would be wise to choose new and significant ones. The designation to which this remark chiefly applies is—*aldermen*. We propose to do away entirely with the name alderman, and for this reason; aldermen in almost all instances have hitherto been chosen for life. As in the army, once a colonel always a colonel, so in corporations, once an alderman always an alderman. It is deemed not so much an office as a dignity, and to deprive a man of a dignity once attained is contrary to usage and feeling. The idea of permanency is so indissolubly connected with the name, that we see little chance of getting rid of the one without the other. The name, if it now point to any, points to one only, and that an insignificant one, of the many circumstances which should determine the choice of the elector. Alderman, or elder, is one whom, from being old, people believe to be experienced. Now age is but a faulty index to experience—and experience alone is not enough to constitute a good servant of the public. Honesty is an essential quality, and this, unfortunately, has no necessary connexion with experience.

Having got rid of the insignificant name alderman, one difficulty will be removed from our way, when endeavouring to apportion to each officer the business he will have to perform. To each will be affixed a significant name—a name that will distinctly point to, and, in some measure, mark out the duties of his office; while with these appellations no mischievous associations of permanency or dignity will be allied. There is more importance in this matter than inexperienced observers would, at first sight, be inclined to attach to it.

Amongst other offices which we propose to abolish is that of mayor. The aggregate of duties now attached to that office are heterogeneous, and ought in no case to be exercised by one and the same individual. While, on the other hand, there is no need of creating anew any head to the body corporate. Under the proposed system the mayor would not act as judge or magistrate, for these duties would be performed by the regular judge; he would have no administrative office, for all that class of duties would be specifically apportioned to their respective officers. All the members of the town-council to be hereafter spoken of would be equal, and elect their own chairman. To retain a mayor under these circumstances would be to retain a useless incumbrance. [Pp. 70-1.]

The following passage well deserves the attention of Repealers and anti-Repealers, as the reviewer points out the only rational "adjustment" of the repeal question would be to give Ireland a local legislature for *local* purposes exclusively, and to give to all other parts of the empire the same advantages:

Much has been said—much more will be said, and perhaps something eventually done—respecting the union of Ireland and England. The remedy—the only effectual one for the evils of which the Irish people justly complain, lies in the due application of the corporation system. They complain that their interests are judged of and controlled by persons at a distance, and ignorant of their affairs. In order to remedy this mischief, it has been proposed to do away with the supreme authority of the imperial legislature. This would certainly avoid the evil complained of, but might entail upon both countries others of still greater magnitude. When there is no higher authority to settle differences between

contending governments, war is the arbiter; and between nations so nearly allied as England and Ireland, it behoves us to find, if possible, some means of avoiding so direful a calamity as war. The remedy is at hand, and easy of application. The evil complained of is, that the concerns of the Irish people are administered by persons at a distance, and ignorant respecting them: to obviate this, grant to the people corporation governments. Bring, by this means, the government of their concerns home to their very doors; give large and liberal powers to these subordinate governments, but keep them still subject to the general legislature, and let their limits, under the law, be determined by the judicature. Thus on the one hand we obviate the existing ills, and avoid those that are dreaded in consequence of a separation. [Pp. 72-3.]

278. SENIOR'S PREFACE TO THE FOREIGN COMMUNICATIONS IN THE POOR LAW REPORT

GLOBE AND TRAVELLER, 22 JUNE, 1835, P. 2

This article is in response to the separate publication of Senior's Preface to App. F of the "Report from His Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws" (see No. 239), under the title, *Statement of the Provision for the Poor, and of the Condition of the Labouring Classes, in a Considerable Portion of America and Europe: Being the Preface to the Foreign Communications Contained in the Appendix to the Poor Law Report* (London: Fellowes, 1835). The unheaded leader is described in Mill's bibliography as "A leading article, in the Globe of 22d June 1835, on Senior's Preface to the Foreign Communications (Poor Law Report)" (MacMinn, p. 44).

THE VALUE of the recent poor law inquiry has not been confined to the important changes which it has been the means of effecting in our pauper legislation. In itself, and considered merely as an investigation of facts, it is eminently useful. It has afforded almost the first authentic and accurate information ever yet possessed on a subject which has so long been a theme of acrimonious controversy, and which must always be of the deepest interest—the condition of our labouring population. To the facts which the inquiry has elicited on this subject public attention has been forcibly drawn by the subsequent legislative proceedings; but it is not yet so generally known that the evidence taken by the commission affords an equally interesting collection of information on the pauper management and condition of the poor throughout the greater part of the civilized world.

In the year 1833, Lord Palmerston, at the suggestion of the poor law commissioners, issued to all his Majesty's diplomatic agents in foreign countries a very full and carefully framed set of queries, calculated to elicit complete and clear information on the nature and practical operation of the legal provisions existing in those countries severally for the relief of the poor.[1] The answers to

[1] *PP*, 1834, XXXIX, 3.

these inquiries, together with some valuable communications made by private individuals to the commissioners, have been printed as one of the appendices to the poor law report, and form a large volume. Mr. Senior, to whom his country and mankind are already so largely indebted for his wise and zealous exertions on this subject,[2] has, in a preface to the volume in question, exhibited an abridged view of the most important part of its contents; and we are much pleased to see that this preface has been published as a separate volume (of 238 pages), to which we earnestly invite the attention of all who feel interested in a subject, one of the most interesting which ever occupied the thoughts of a statesman or a philosopher.

From the evidence presented by Mr. Senior it appears that the principle of the English poor laws, that of the legal right of every human being to relief, is recognized by nearly half the nations of Europe; and that wherever it exists, the abuses also which have been supposed to be peculiar to England have crept in, but generally to a very moderate extent; and nowhere, except perhaps in the canton of Berne, in Switzerland [pp. 74-84], has the laxity of poor law administration, and the consequent degradation of the labouring classes, reached a height at all comparable to what was nearly universal in this country before the late poor law act. In the very able statement which the government of Berne did not think it troublesome or beneath their dignity to frame and communicate to his Majesty's Consul, Mr. Morier,* the reader will see a picture of evils very closely resembling those we see here, and, what is more remarkable, a government which understands and is capable of explaining their nature and origin.[3] In Berne, accordingly, and in general wherever the abuses have reached a formidable height, measures are in contemplation for repressing them; and chiefly by the very means which have been recently adopted in this country—the establishment of a central control; for the countries where no such control exists are uniformly those in which the abuses are greatest.

For the most part, however, the principle of compulsory relief has not produced in foreign countries evils at all comparable to those which have been engrafted on it here; and Mr. Senior is even of opinion that "in the majority of the nations which have adopted it, the existing system appears to work well." [P. 84.] He then points out with remarkable good sense and discrimination the circumstances which in those countries have operated as checks to abuse. After mentioning, 1st, that in some of the countries in question the labouring classes are still serfs (which entirely alters the state of the question in regard to them); and 2ndly, that in most of the others the compulsory system is still in its infancy

[2]See, e.g., Senior's *A Letter to Lord Howick, on a Legal Provision for the Irish Poor* (London: Murray, 1831).

*The government of Wirtemburg deserves a similar praise.

[3]David Richard Morier (1784-1877), diplomat, Minister Plenipotentiary at Berne to the Swiss Confederated States 1832-47. See Senior, pp. 76-84.

[pp. 84-5], Mr. Senior proceeds to give further highly important details of the points of difference which exist in the state of the labouring population in this and other countries [pp. 85-94], which we extract elsewhere at some length, under the head of "Contemporary Press."[4] We have preferred to give these valuable particulars in Mr. Senior's words rather than in our own.

In that part of the volume which relates to the countries which recognise no legal claim to relief (in most of which, however, there is extensive pauperism, and an organised system of public charity) the reader will find much interesting information. We would direct his attention particularly to the account of the much-vaunted "Home Colonization" system of Belgium and Holland, which, from the facts here stated, plainly appears to be, what from general principles one might have predicted that it would be, a miserable failure.[5]

279. FIRST REPORT OF THE POOR LAW COMMISSIONERS

GLOBE AND TRAVELLER, 8 SEPT., 1835, P. 4

This unheaded leader, a comment on "First Annual Report of the Poor Law Commissioners for England and Wales," *PP*, 1835, XXXV, 107-359, is described in Mill's bibliography as "A notice of the First Report of the Commissioners under the Poor Laws Amendment Act, printed as a leading article in the Globe of 8th September 1835" (MacMinn, p. 45).

THE FIRST ANNUAL REPORT of the Commissioners[1] for carrying into effect the Poor Laws Amendment Act has just been laid before parliament, and we are glad to learn that Lord John Russell has directed that, like the report of the Commissioners of Poor Law Inquiry,[2] it shall be printed in an octavo form and rendered accessible to the public at large.

So great a reform in the details of the administration of so important and complicated a branch of the institutions of a great country—a reform, too, which, both before and since its passing, has stirred up such a mass of prejudiced or interested hostility—was likely, in the commencement, to be attended with many difficulties. The difficulties, however, appear in this, as in many other cases, to have vanished as soon as they were steadfastly looked at and boldly

[4]"Poor Laws, British and Foreign, from Senior's Statement of Provisions for the Poor, etc.," *Globe and Traveller*, 22 June, 1835, pp. 1-2.

[5]Senior, *Statement*, pp. 109-17 (Holland) and 148-54 (Belgium). The Société de Bienfaisance, after the famines of 1816 and 1817, founded poor colonies on the heaths of Holland, raising money by subscription to pay the initial expenses; in 1823 the same society founded similar colonies in Belgium.

[1]For their names, see No. 265, n2.

[2]See No. 239.

encountered. It is truckling, it is a timid and wavering policy, which creates difficulties. Those who court opposition, by showing that they fear it, always meet with plenty of it. The authors of the Poor Law Bill were masters of their subject, and therefore knew that they were right; and knowing the right they dared do it, and relied upon the good sense of the nation for bearing them through. Nor were they disappointed. The Commissioners for executing the act have followed in the steps of its framers, and have carried the provisions of the act into effect through a great portion of the most pauperised parts of England, with a facility which scarcely any of the supporters of the bill expected, and already with a good effect which gives the most complete confirmation to all their predictions.

Before we extract for the benefit of our readers any part of the information contained in the report, we must remark how admirable a precedent has been introduced into our legislation by that provision of the act to which this report owes its origin;[3] and how much it were to be desired that not only a Board merely created for a special purpose, like the Poor Law Board, but that all public offices, new or old, should be required to lay before parliament annual reports of their proceedings during the year, with full statements, such as the present report contains, of the reasons of any of those proceedings the grounds of which are not obvious. Such a regulation would not only afford encouragement and reward to a good administration of the several departments, while it imposed a salutary restraint upon bad, but it would be a check upon the Ministers of the Crown in the distribution of patronage; it would compel them to place able and efficient men at the heads of departments, because ignorance, incapacity, or negligence, not to mention worse faults, would be at once detected by the necessity of an annual statement and vindication of all the proceedings of the department, and by the discussions to which those statements would give rise.

The Commissioners have, during the first year of their administration—

1. Corrected numerous misunderstandings of the intention of the act, and diffused through the whole country a better knowledge of its purposes and provisions.

2. Occasioned a very general substitution, by the parishes themselves, of relief in kind for relief in money; the effect of which has been a very considerable reduction of the amount of out-door pauperism. It is remarkable that in the only cases in which any local disturbances have been produced by the operations of the Commissioners, the provocation has consisted not in the refusal of relief, the introduction of the workhouse system, &c., but in the substitution of bread for money; thus showing clearly the real origin of the dissatisfaction.

3. They have effected unions of parishes throughout a large part of the most pauperised counties, placing each union under a representative body, or Board of

[3]By Sect. 5 of 4 & 5 William IV, c. 76 (1834), the Poor Law Act.

Guardians, elected by the rate payers. The consequences of this change have already been most salutary. It is not only the sole means by which the grand remedy of poor law evils, the introduction of the workhouse system, can be effected, but it is also the only system by which local jobbing and peculation can be arrested, and an agency, as well superior as subordinate, obtained of adequate respectability and skill.

4. They have facilitated (what under the old law of settlement[4] was virtually impossible) the migration of labourers and their families from the parishes where they were superabundant, to the manufacturing towns where there was a pressing demand for new hands.

5. They have formed rules to be observed by the Boards of Guardians in conducting their business, and for the management of workhouses.

The number of parishes which have already been formed into unions are 2,066, constituting 110 unions; their population forms one-tenth of the population of England and Wales; their rates one sixth of the amount for the whole kingdom. In the unions which have been formed for a sufficient length of time to allow of a comparison, a very great reduction of rates has already been effected. A statement furnished in p. 26 of the report shows a reduction of 4,384*l.* on a total of 13,889*l.*, or about 30 per cent. The effect on the labourers themselves has been admirable. Wherever the allowances in aid of wages have been discontinued, wages have risen, and the whole of the able-bodied paupers have found employment, generally within the parish. We shall find room to-morrow for such extracts from the report itself as may best illustrate and confirm our foregoing observations.[5]

The Commissioners have expounded the principles upon which they act, with a degree of clearness and precision which will give confidence to the late Commissioners of Inquiry,[6] and supporters of the act, that the measure will not be injured in the execution by acting upon partial views, or without that knowledge of sound principles, and confidence in their operation, which is essential to the success of such an undertaking. The determination announced of applying general rules to the un-united parishes, and of enforcing one uniform system of accounts, is a subject of especial congratulation. If the Commissioners complete their task with the same attention to general principles, with the same firm yet cautious perseverance which they appear to have exercised at the commencement of their duties, the country will owe them a debt of gratitude second only to that which is due by the country to the late Commissioners of Inquiry by whom the measures were prepared.

[4]13 & 14 Charles II, c. 12 (1662).
[5]"Poor Law Report—Union of Parishes," *Globe and Traveller*, 9 Sept., 1835, p. 3.
[6]For their names, see No. 265, n3.

280. THE HOUSE OF LORDS [1]

GLOBE AND TRAVELLER, 9 OCT., 1835, P. 3

Leaders on the House of Lords had appeared on p. 2 of the *Globe and Traveller* on 29 and 30 Sept., and 1, 2, 3, 7, and 8 Oct., 1835. The British Upper House attracted Mill's attention as well as the public's at this time; see his letter to Tocqueville in September (*EL*, *CW*, Vol. XII, p. 272), his "Postscript: The Close of the Session" (*CW*, Vol. VI, pp. 312-17), and, continuing his argument, No. 281. This letter is headed as title, with the subhead: "To the Editor of the Globe." It is described in Mill's bibliography as "A letter signed A. on the Reform of the House of Lords, in the Globe of 9th October 1835" (MacMinn, p. 45).

SIR,—I am about to address you on a subject which is at this moment engaging the attention of the whole nation, which will never again cease to engross all minds until it shall be set at rest, and which has been treated by none of the organs and directors of public opinion with so much judgment and wisdom as by your journal. I need not say that I mean the Reform of the House of Lords. And I could not help beginning by expressing the admiration which I feel for the spirit in which you have discussed this question, because I am about seriously to controvert some of the opinions which you have recently put forth in regard to it.

You have very wisely deemed it to be no longer a question whether any reform is needful in the Tories' house, nor whether that reform should amount to a thorough change in its constitution. These are now evident. We are free to constitute our second chamber in the best manner; and we have only to inquire what the best manner is—conformity to received ideas and feelings being of course one of the elements of which the excellence of this, as of any other political institution, is composed, but by no means the sole, or even the principal element.

Various plans have been proposed for so improving the composition of the Upper House that it shall no longer make a practice of thwarting all the popular measures of the Lower.

The first is, a large creation of Peers. But this seems to be at length generally given up. It would swell the house to a bulk altogether unsuitable for deliberation; and as the new members would, from the very moment of their elevation, be placed in exactly the same misleading position as their predecessors, the remedy would have to be repeated at every new advance of the public mind, and would therefore be altogether nugatory.

All other plans seem to resolve themselves into one or other of these two:—To make the House of Lords a senate for life, named by the King; or to make it a representative body. You, Sir, have suggested, as preferable to either, a scheme which (pardon the expression) appears to offer an infelicitous combination of both.

You propose that the Upper House should consist of 200 members—one

hundred to be named for life by the King, the other hundred to be elected for a term of years by the Peers themselves, as the representative Peers of Scotland and Ireland are now chosen by the collective peerage of those ancient kingdoms.[1]

You have proposed arrangements which would prevent the Tory majority of the Peerage from engrossing the whole of the representative portion of your proposed Upper Chamber.[2] The Whig minority would obtain a certain number of representatives, but of course nothing like a majority.

On the first introduction of your plan it would, no doubt, if the Whigs remain in office, effect the desired change in the politics of the body. The Tories would indeed have a large majority of the hundred representative Peers; but a still larger majority, or the whole of the Peers for life, named by a Whig ministry, would of course be Whigs.

Suppose, however, either of two things: It is generally believed that the Tories, now and at all times, are only prevented from making a fresh trial of the people's patience by their own conviction that the opportunity would be of no service to them. But suppose that immediately after the passing of the House of Lords' amendment act, the Tories should be brought into power for the sole purpose of selecting the 100 Peers for life out of their own body. The Tories would then become even more predominant in the House of Lords than at present. They would nominate the whole of the life Peers, and a large majority of the representative ones.

Or, dropping this hypothesis, let us suppose that no such unfortunate occurrence of circumstances takes place, and that the Whig ministry obtain the nomination of the whole 100 Peers for life. What kind of persons will they be likely to nominate?

I maintain that they will nominate almost exclusively the most aristocratic and least popular among the considerable members of the Whig party. In the first place, the nomination of such persons is most conformable to the received idea of a Second Chamber, which, it is always understood, ought to be of a more Conservative character than the Lower House, whose supposed democratic and innovating tendencies it is intended to restrain. In the next place, it is a supposition probable in itself, and borne out by experience in a neighbouring country, that a ministry will usually nominate to the Upper Chamber those among their adherents who have least chance of being elected to the Lower. Those who can find seats in the House of Commons are for the most part likely to be of more use to their party there than elsewhere; especially if they be men of popular talents. In France, a peerage is the ordinary consolation tendered to a ministerial deputy who has lost his seat and sees no probability of getting another.

[1] *Globe and Traveller*, 1 Oct., p. 2.
[2] *Ibid.*, 7 Oct., p. 2.

I am, therefore, entitled to assume that the Peers for life would chiefly consist of that portion of the Whig party who have most in common with the Tories—who on questions on which their party is divided, such as the corn laws, the taxes on knowledge, the ballot, triennial parliaments, and many others, would be most likely to take the unpopular side; and who, on any schism which, on these or other questions, might take place in the Whig party, would be most likely to join the Tories. If the reform of the House of Lords on a plan similar to yours had taken place two years ago, the men most likely to have been selected would in great part have belonged to the class of public men who have since been called the Waverers.

For these reasons, it appears to me inevitable that a time would soon come when a large majority of the Peers for life, by whatever ministry nominated, would be again in open opposition to the spirit of the Lower House. Another modification, therefore, in the House of Lords would be necessary; and your plan does not provide any means by which an adequate one could be made.

On your plan the number of Peers to be named by the Crown is limited to a hundred. This list would of course be filled up immediately. No means, therefore, would exist of modifying the spirit of this part of the body, except by the slow process of supplying the vacancies caused by death or resignation. The Crown and the House of Commons could only break a hostile majority by operating upon the other half of the body, the representative portion.

Now, of this portion, while the peerage is Tory, a very large majority would consist of Tories. The only means, therefore, of restoring harmony between the two branches of the legislature would be to create new Peers equal in number to almost the entire British Peerage augmented by that of Scotland and Ireland.

It is true, that to so extensive a creation the objection would no longer exist of its rendering the Upper House too numerous for deliberation. The creation of Peers would then be a creation of electors only, not of representatives. But though free from this objection, would not so great an addition to the body, liable also to be continually repeated, so lower the value and importance of the peerage, that no minister, with the feelings and opinions of nearly all the present generation of public men, would choose to have recourse to it?

And besides, this remedy, even if resorted to, might not accomplish the desired object. On your plan the *minority* of the peerage would have the power of returning some portion of the representative Peers; indeed, if not, the show of representation would be a mockery; the representatives would either represent the present Tory body exclusively, or the Crown exclusively. Let us say, then, that even after so large a creation of Whig Peers, the Tory body, who now predominate in the peerage, would still be represented by a portion, say one-third of the representative peerage; all, therefore, which ministers would have accomplished by even so great a change in the composition of the collective British peerage would be to get two-thirds of the 100 representative Peers on

their side. Now, if it should happen, which it very well might, that from any of the causes to which I have already alluded, more than two-thirds of the Peers for life, who compose the other 100, should turn against them, they would not, even by such a strong measure as that which I have supposed, have obtained a majority of the whole body.

For these and other reasons, I conceive that the plan which you propose for the re-organization of the Upper House could not be permanent, and would only prove the commencement of a series of successive modifications, which would end in leaving us without any Upper Chamber at all. As it is the second blow which makes the quarrel, so it is the *second* change which destroys confidence in the permanency of what is established, and creates general instability. It is therefore of the greatest importance that when we once touch an institution we should mend it thoroughly, so that it shall not require to be touched again.

In a future communication I will, with your permission, state the reasons I have to urge in favour of the plan which, of all yet proposed for the reform of the House of Lords, appears to me the most likely to be capable of being permanently adhered to.

I have the honour to be, Sir, yours respectfully,

A.

281. THE HOUSE OF LORDS [2]

GLOBE AND TRAVELLER, 16 OCT., 1835, P. 2

For the context and the heading, see No. 280. The letter is described in Mill's bibliography as "A second letter signed A. on the Reform of the House of Lords, in the Globe of 16th Oct. 1835" (MacMinn, p. 46).

SIR,—In a former communication I have attempted to explain the objections to which it occurred to me that the particular scheme which you had suggested for the reform of the House of Lords was justly liable. I will now propound that which seems to me at once the most effectual, and the least exceptionable which could be suggested, for effecting such a change in the composition of that house as shall render it at once efficient for the ends which are commonly regarded as requiring the existence of a Second Chamber, and unlikely to set itself in opposition to what is good in the acts and purposes of the First.

I must begin by observing, that in proposing a scheme for present adoption I regard myself as precluded from recommending any which should interfere with existing names, or radically alter the associations at present connected with those names; the House of Lords, reformed, must still be a House of *Lords*—not another House of Commons; its members must be drawn from the Peerage only, and the Peerage must, as heretofore, be recruited solely by the crown. I say this

not from any superstitious reverence for ancient usages, nor from a belief that an Upper Chamber composed of a titled and privileged class is in itself the best which could be constituted. I say it because, in a government which is to be (as it is necessary that all governments should now be) essentially popular—and in which, therefore, even the barriers which we erect to restrain the unenlightened or incautious exercise of the people's will must be such barriers as the people themselves will voluntarily forbear to overstep—in such a state of things we cannot afford to lose any hold over the people's minds which existing names, historical recollections, traditional attachment, custom, and imagination already give to the institutions which are designed to serve that purpose. Give us a good Upper House, and if you can call it a House of Lords the people will tolerate in that house a greater degree of independence in the exercise of its constitutional authority, than they will bear from a body created but of yesterday, with a new name and composed in a completely new manner. Now, no one will doubt that it is desirable that the Upper House, being just so constituted as to have no interest in abusing its powers, should then be allowed as much latitude for the conscientious exercise of them as the people can be induced to permit. It should therefore remain a House of Lords.

But although the question for our consideration is not what would be the best Upper House if we were making a new constitution for a new people, but how we can best remodel the present House of Lords without taking away its character as such—yet, in considering this we ought to have before us an idea of the kind of Upper Chamber which is best in the abstract, in order that we may render the House of Lords as similar to that ideal Upper House as is consistent with the limits within which we must confine our innovations.

The object of an Upper House, when the Lower House is chosen by the people, is to ensure a revision of the enactments passed by the Lower. Now a revision is of no use, if made by a body no wiser than that whose acts it is to revise. The Upper Chamber, therefore, must not be elected by the same constituency as the House of Commons, otherwise it would be merely another, and probably a worse, House of Commons; and, at the best, every able man whom the people might elect to it would be an able man subtracted from the Lower House.

On the other hand, the revising body must not be so chosen, nor hold their office on such a tenure, that they shall have no motive to consult the public good; much less should they, like the present House of Lords, have the strongest motive to the pursuit of ends irreconcilable with the public good. They must not constitute a caste—they must not hold their power from themselves only, without the possibility of discharging them from their office if they misconduct themselves. There must be security, and effectual security, for their doing their duty. That security the public mind is now too much enlightened by experience, to expect from any other principle than responsibility; in other words,

removability. The members of the Upper House must be chosen, and the choice must be revocable—not indeed by the people, the objections to that I have already stated, but by some party identified in interest with the people; some party, therefore, responsible to the people, and deriving its origin from popular choice.

No such body can be thought of for this purpose, except the House of Commons.

I conceive that the best Upper House would be an Upper House chosen by the Lower; with the necessary proviso that they should not choose any of their own members.

An Upper House so chosen would be completely identified in interest with the Lower House, and with the people. They could pursue the same ends, and act on the same general principles. But they would be a wiser, a more instructed and discreet body. It may very reasonably be assumed that a select body, like the House of Commons, would be more careful and more enlightened judges of the merits of philosophers and statesmen than a numerous constituency, provided they really desired to choose the fittest men. And that they would desire this cannot be doubted, when we consider not only that they would be responsible to the people for the conduct of those whom they chose, but that they would be choosing persons to whom to entrust a veto on their own acts. This would ensure their making choice of men who they believed would aim at the same ends with themselves, and whom they believed the most fitted in point of talents and acquirements to pursue these ends skilfully. Men do not voluntarily bestow the power of controlling their own measures upon any but upon persons in whose intentions and in whose judgment they have full confidence.

One great recommendation of this measure is, that, alone among all plans that I have ever known proposed for the constitution of a popular government, it would ensure to the people (under efficient securities for good conduct) the services of those able and instructed men who are *not* known to the people, in addition to those who *are* so. The men of active habits and popular talents, or of personal influence in the constituencies, who would in general be elected to serve in the House of Commons, would look out for a different class of persons to serve in the Upper House: they would look out for men who had qualified themselves, by hard study and superior mental cultivation, to put the wishes or resolves of the people, or of the people's direct representatives, into a practicable shape; to chuse their legislative expedients, and to draw up their enactments in a circumspect and cautious manner, so as to avoid those collateral inconveniences, not sufficiently considered in the pursuit of the main object, which are apt to arise from the legislatorial attempts of purely popular assemblies. A nation which should adopt such a constitution for its Upper Chamber would do much to free itself from the greatest inconvenience of representative governments—crude and unskilled legislation.

If you, Sir, or any of your correspondents, can suggest any plan which would so completely attain the ends of an Upper House, and at the same time afford any thing like the same security against the errors to which a badly constituted Upper House is liable, I shall be happy to re-consider my opinion, and to discuss the matter further in your columns.[1]

In the meantime I have one inference still to draw. If, as I think, an Upper House chosen by the Lower, with a restriction against choosing any of themselves, be the best Upper House conceivable, it follows that when our Upper House must be constituted within the conditions of a House of Lords, the best House of Lords conceivable would be a House of Lords selected (at the beginning of every parliament) from the entire Peerage by the House of Commons. It might be advisable as a part of this scheme that either branch of the legislature should have the power of addressing the King to create any particular person a Peer; but whether this would be essential admits of doubt, as the King's minister, who would generally share the sentiments of the majority of both houses, would have a strong interest in keeping the Peerage properly recruited with eligible persons.

I throw out this plan, Sir (as you said of that which you yourself suggested), for *general consideration*.[2] I do not believe that any so simple, so easy in its working, or so efficient for all its purposes, can be found; but if it can, I trust some of your correspondents, or, what would be still better, yourself, will suggest that better plan, or point out the objections, unforeseen by me, to which it is possible that my proposition may be liable.

A.

282. GRANT'S ARITHMETIC FOR YOUNG CHILDREN AND EXERCISES FOR THE IMPROVEMENT OF THE SENSES

GLOBE AND TRAVELLER, 23 OCT., 1835, P. 3

This review, containing material important in understanding Mill's views of education, is of two books by Mill's friend, walking companion, and colleague in the Examiner's Office of the East India Company, Horace Grant (1800-59), who wrote a number of elementary textbooks of which these were the first, issued by the Society for the Diffusion of Useful Knowledge. The article, in the "Literary Examiner," is headed "*Arithmetic for Young Children*; being a series of exercises exemplifying the manner in which Arithmetic should be taught to young children. [London: Knight, 1835.] / *Exercises for the*

[1] In a leader on the same page as Mill's letter, the *Globe and Traveller* mentions the "second letter from our respected correspondent 'A,'" but implies merely that it is continuing in its views, without attempting to controvert Mill's.

[2] That the *Globe and Traveller*'s plan was intended for general consideration is implied in its leader of 29 Sept., and emphasized in those of 8 and 9 Oct.

Improvement of the Senses, for Young Children. By the Author of *Arithmetic for Young Children*. [London: Knight, 1835.]" It is described in Mill's bibliography as "A notice of Grant's 'Arithmetic for young children' and 'Exercises on the Senses' in the Globe of 23d October 1835" (MacMinn, p. 46).

UNDER THE ABOVE TITLES the Society for the Diffusion of Useful Knowledge have given to the world the first two works of a series which promises to outweigh in utility all that the Society has yet produced. The appearance of these works amounts to a reform in elementary education.

They are, in fact, the very first works which completely carry into practice, from the earliest commencement of instruction, those principles of teaching which the wisest writers on education have long inculcated, but which have mostly remained barren theories, because no one had submitted to the irksome drudgery of contriving in detail a system of means for carrying the principles into effect.

It has, for instance, been long felt that there are two methods of what is called instruction, which are as remote from each other as light from darkness. One of these is the system of *cram*; the other is the system of cultivating mental *power*. One proposes to stuff a child's memory with the results which have been got at by other people; the other aims at qualifying its mind to get at results by its own observation, experience, and reflection. One treats a child like a creature that has nothing but a memory, and loads that memory with words, trusting to Providence for enabling the child some time or other to put a meaning into those words; the other considers the child as possessing intelligence as well as memory, and believes it to be the main object of instruction to strengthen that intelligence by judicious exercise. The one (to give a sample of the whole) teaches a child the Latin language by making him learn by rote rules of syntax written in the very language which they are to help him to learn; the other does not even give rules at all till the pupil is sufficiently acquainted with the language to be able to understand them, but makes him learn the theory by seeing it at work in his own practice, and instead of beginning with abstractions, helps him to rise gradually to those abstractions through the means by which they were first arrived at, namely, through an accurate knowledge of the particular facts which they are generalizations of.

The ultimate point, the climax, of the method of *cram*, has been for the first time reached in our age; it is called the system of Jacotot,[1] and surpasses all former specimens of the *cram* method in this, that former cram-doctors crammed

[1]Joseph Jacotot (1770-1840), French mathematician and pedagogue; his views on the virtues of repetition, constant questioning, and discovery of facts found, for example, in his *Enseignement universel, langue maternelle* (Dijon: Lagier, 1823), were exposited in Joseph Payne, *A Compendious Exposition of the Principles and Practices of Professor Jacotot's Celebrated System of Education* (1830).

an unfortunate child's memory with abstract propositions in metaphysics, morals, religion, &c., which could not possibly to them have any meaning; but Jacotot, thinking it very improper to teach a child that certain propositions are truths, without giving them the reasons that prove them to be such, actually makes the unfortunate creature get by rote not only the propositions, but the reasons too!

As Jacotot, by his caricature of the cram system, has brought nobly into relief its intrinsic absurdity, so the author of the works before us (Mr. Horace Grant) has shown still more strongly than any one else the excellence of the system which considers a child as a being endowed with reason—by the admirable specimen which he has afforded of the means of bringing that reason into exercise from the earliest years.—In arithmetic, for instance, hardly any child, and not many grown persons, as at present taught, have any idea of numbers but as marks on a slate, or of the rules of arithmetic but as a set of mechanical operations more like tricks of legerdemain than anything else.

Mr. Grant has, in these works, so chosen the ideas to be presented to the child's mind, and has presented them in such an order, that the child's intellect is carried with him throughout; and at every step the child acquires not only a set of sounds, but ideas, and with those ideas the habit of really discovering truths for himself; of using his eyes, his hands, all his perceptive faculties, and his first nascent powers of judgment and reasoning. This is done, not with the absurd purpose of preventing the child from acquiring abstract notions, or inclining him to reject all general propositions of which he cannot be made to understand the evidence. That many truths must be taken upon trust from others is inevitable; but though the child must be told many things which he cannot himself investigate, still those things which he can investigate he should be taught to investigate: those things which are level to his faculties—to all our faculties—he should be accustomed not to get by rote without understanding, but to understand, and not merely to understand, but whenever possible to find out for himself.

We cannot conclude without adding, that we have had the testimonies of several intelligent mothers to the admirable adaptation of these works to the intended purposes, and the delight, as well as permanent benefit, which children derive from them.

283. WAKEFIELD'S POPULAR POLITICS

EXAMINER, 29 JAN., 1837, PP. 70-1

Mill's return to the newspapers after an absence of more than a year shows his continued interest in the views of Wakefield, especially at a time when his hopes for Radical coherence and strength were high. This review, in the "Literary Examiner," is headed

"*Popular Politics*. By Edward Gibbon Wakefield, Esq. [London:] Charles Knight. [1837.]" It is described in Mill's bibliography as "A notice of E.G. Wakefield's 'Popular Politics' in the Examiner of 29th January 1837" (MacMinn, p. 48).

THIS IS NOT A NEW BOOK, but consists of "Extracts from various publications, by the same author, all of which are out of print."[1] They are mostly from his writings on the Punishment of Death,[2] or from *England and America*—a work which, though very extensively known to be from his pen, Mr. Wakefield had not, so far as we are aware, hitherto avowed.[3]

Mr. Wakefield is one of the most vigorous and effective writers of our time. But we do not think that this little volume gives an adequate notion of his merits. It is a book of fragments, and Mr. Wakefield, whether as a thinker or a writer, shines less in parts than in the whole. As a writer, his *forte* is general effect, while the means by which he produces it will not always bear a critical inspection. His thoughts, indeed, like all thoughts of value, might be exhibited, successfully, for some purposes, in small compass: but such is not his way of exhibiting them; he rather (and it is to this he owes the great success of his works) places a principle before us, clothed in properties and circumstances, than nakedly, and in the abstract he shows us the principle actually at work, makes us see how many things it explains, and even in how wide a sphere its influence is exerted. Though his thoughts are large and comprehensive, it is by an accumulation of details that he makes them tell. If those details are exhibited partially, the effect is not produced.

The fundamental idea, for instance, of *England and America*, was, that the peculiarity in the economical condition of most old countries is a scarcity, not of labour in proportion to capital, nor of capital in proportion to labour, but of land, in proportion both to the one and the other.[4] The mode in which he proved this was by a survey of all the leading economical circumstances of English society, the condition of every particular class, and especially the uneasinesses of every particular class; and of these he gave a picture, which for graphic power and coarse vigour of colouring, has hardly ever been exceeded. Having brought these various phenomena thus vividly before the imagination, he showed that the cause he had assigned, deficiency of land in proportion to labour and capital, or excess of labour and capital in proportion to land, was at the root of them all. His conclusion was, that the resource is to remedy the disproportion; to extend our soil, partly by rendering foreign soils virtually ours, through the free admission of their produce, and partly by systematic colonization of the immense

[1]Taken from the heading of the Contents page.

[2]Including *Facts Relating to the Punishment of Death in the Metropolis* (London: Ridgway, 1831) and *The Hangman and the Judge* (London: Wilson, [1833]).

[3]It was published anonymously by Bentley in 1833.

[4]See, e.g., p. vi; the idea is developed *passim*.

uncultivated tracts of our ultramarine possessions, on the only rational plan possible—the plan which Mr. Wakefield invented, and which Parliament has adopted as the basis of the new colony of South Australia.[5]

All this is done, and done most powerfully in the book: but comparatively little of the same power is apparent in the fragments now detached from it, because the effect depends on the concatenation. Nevertheless, some of the passages are sufficiently long, and sufficiently complete in themselves, to be read with interest, and with some, though far from an adequate feeling of the author's powers. We would instance, particularly, his sketch of the middle, or, as he terms it, the "uneasy" class (pp. 26-47).[6]

The passage in which is extracted most of the marrow of the book, is that entitled "Ships, Colonies, and Commerce" (pp. 87-97).[7] Some of the passages from his writings on capital punishment, and on transportation, bear extraction better; such as that most highly-wrought description of a "Condemned Sermon:"[8] but the interest in these topics is, for the present, at least, comparatively suspended.

There are some few passages, mostly near the beginning, which we regret to see; that, for instance, which is headed "The bold Peasantry of England,"[9] to which the author has had the grace to prefix "written in 1831;" but it would have been better, we think, not to have included among his extracts a passage which the light since thrown upon the condition of the people has shown to be fundamentally erroneous. The peasantry are not, and were not, in the condition of physical privation described in that passage; and the higher classes, though chargeable with most of the other offences he imputes to them, were far from meriting the reproach implied in such expressions as "they make rates of wages, elaborately calculating the minimum of food that will keep together the soul and body of a clodhopper." [P. 7.] On the contrary they produced boundless mischief by errors on the contrary side—that of profuse distribution of relief, and misplaced humanity. Again, we altogether question Mr. Wakefield's position that gin-drinking is the effect of poverty.[10] The Poor Law Inquiry has gone far to establish that, in the towns where alone gin-drinking prevails, the wages even of the lowest class of labourers are such as utterly to preclude anything like actual

[5]See, e.g., Wakefield's *Sketch of a Proposal for Colonizing Australasia*, p. 15. The scheme was enacted in 4 & 5 William IV, c. 95 (1834).

[6]Extracted from *England and America*, Vol. I, pp. 82-105.

[7]*Ibid.*, Vol. II, pp. 84-95.

[8]Pp. 97-103; extracted from *Facts Relating to the Punishment of Death*, pp. 158-66.

[9]Pp. 2-8; extracted from *England and America*, Vol. I, pp. 48-54, where it is presented as quoted from "one of the countless pamphlets on pauperism lately written by Englishmen," in fact, from Wakefield's own *Swing Unmasked* (London: Wilson, 1831), pp. 9-15.

[10]"Cause of Gin-Palaces," pp. 8-14.

want where there is reasonable industry and economy.[11] We believe that the gin-drinking population is the vicious population, not the indigent. We have objections to make to some other passages, but we waive the invidious task of selecting the bad particles from so much good. Mr. Wakefield's fault as a writer is that of overcolouring for effect, and his tints generally require to be lowered a little to render them consistent with nature; but his outlines—always bold—are generally correct. Some of his political doctrines, we may add, require considerable qualifications.

We cannot close without expressing our great admiration of the narrative and dramatic power displayed in the historical sketch of the recent political events in England, which Mr. Wakefield has given us in his *England and America*, and which we wish he had reprinted entire.[12] The fragments of it which he has given in this volume, though sufficient to recal our fading reminiscences, can convey no adequate conception to those to whom the great original is not known. We quote, however, one passage:

> At length, on the memorable 1st of March, 1831, the Whig cabinet produced their bill, themselves alone being aware of its contents until it was laid before the House of Commons.
>
> An abstract of the Whig bill would not describe it so well as an account of its reception by the three great parties which then divided the country.
>
> The Conservatives, including those who quarreled with Wellington on account of Catholic relief, were delighted with the bill; they chuckled, and laughed, and clapped their hands. Was there ever, said they, anything so extravagant? The Whigs must be mad: thank God, they had gone far enough. Such a bill! revolutionary was too good an epithet for it. So ridiculous, so preposterous a bill would not be read a first time. The Whigs must resign; they had cut their own throats; nothing could be better.
>
> The feeling of the moderate Reformers was expressed by one of the richest men in England, a Whig, but leaning to utilitarian opinions. He declared in the House of Commons, that the bill took away his breath. Perhaps he was affected, not so much by the bill itself, as by the evidence, which the introduction of such a bill by the cabinet furnished of the force of the popular will.
>
> The decided enemies of the Constitution having examined the bill, said—It is a good first step: pass it, pass it![13]

We know not whether this passage, standing by itself, will be felt by others as

[11] See *Extracts from the Information Received by His Majesty's Commissioners, as to the Administration and Operation of the Poor-Laws*, pp. 321-4.

[12] The eight fragments beginning "The Working Classes in Our Fathers' Time" and ending "Extension of the Suffrage," which appear on pp. 54-78 of *Popular Politics*, are taken (with gaps) from *England and America*, Vol. I, pp. 150-91, where they appear in Note V (Wakefield uses "Note" rather than "Chapter"), "Political Prospects of the English," which in full runs from p. 135 to p. 208.

[13] "Reception of the Reform Bill," pp. 70-1 (extracted from *England and America*, Vol. I, pp. 175-6); Wakefield identifies in a footnote the rich Whig as John Smith (1767-1842), London banker, M.P. for Buckinghamshire, who made the remark in his speech of 4 Mar., 1831 (*PD*, 3rd ser., Vol. 3, cols. 33-5). For Russell's speech of 1 Mar.,

we feel it, who are acquainted with the whole of which it is but a minute part; but to us it seems that a history of England, written in this style, would be one of the most popular historical productions ever printed.

284. THE SALE OF COLONIAL LAND

TRUE SUN, 22 FEB., 1837, P. 3

A Select Committee on the Disposal of Colonial Lands, for which Henry Ward was responsible and which he chaired, had been appointed on 8 June, 1836. On 31 Jan., 1837, Ward gave notice in the Commons of his intention to bring forward on 21 Feb. a bill for the sale and distribution of waste lands in the British colonies to encourage and support emigration (not in *PD*; reported in *The Times*, 1 Feb., p. 3). He did not, however, present his motion on 21 Feb., nor on 2 May, as he had said on 9 Mar. that he would (again not in *PD*; see *The Times*, 10 Mar., p. 4). Mill's article, his only contribution to the *True Sun*, appears to have been written to free W.J. Fox, its editor, to write for the *London and Westminster* (Mill had need himself for relief in these busy months). On 15 Mar., 1837, thanking W.J. Fox for his "Bulwer's Tragedies," which appeared in the April number of the *London and Westminster*, pp. 247-70, Mill says: "I would gladly, whenever possible, give a good many articles to T.S. for such another" (*EL*, *CW*, Vol. XII, p. 331). The unheaded leader is described in Mill's bibliography as "A leading article in the True Sun of 22d February 1837, on Mr. Ward's intended motion respecting the sale of land in the colonies" (MacMinn, p. 48).

THE EXAMINER once speaking of the course which a Liberal Ministry and House of Commons should take with a Tory House of Lords, pithily and expressively described that course in these words: "Bombard it with good measures."[1] For the first time, the Radicals in Parliament are holding this same course towards the House of Commons itself and towards the Ministry; bombarding them with good measures. How often in every year since 1832, have the Radicals been consulted, urged, entreated to do this—and in vain; but they are bidding fair now to redeem all past errors, thanks to the spirit and energy which a few of their younger members, men who have grown up to political maturity during those years of inaction, at length seem to be infusing into the hitherto inert body of Parliamentary Radicalism.

Among the propositions about to be brought forward by Radical members, there is one, the importance of which may possibly escape notice, but which if

introducing the Reform Bill, see *ibid.*, Vol. 2, cols. 1061-89. For such Conservative reactions as Wakefield describes, see the speeches on 2 Mar. by William David Murray (1806-98), later Earl of Mansfield, and by John Walsh (1798-1881), *ibid.*, cols. 1182-87 and 1187-90, respectively, for the reaction of an "enemy of the Constitution" who thought the Bill a good first step, see the speech of 2 Mar. by Joseph Hume, *ibid.*, cols. 1156-60.

[1]Fonblanque, "The Government and the Peers," *Examiner*, 15 June, 1834, p. 369.

carried would produce a more immediate and obvious benefit to the industrious classes generally, and to the labouring class above all, than even the great constitutional changes which we are contending for. We allude to Mr. Ward's motion, for regulating the sale of public lands in the Colonies, or as it might appropriately be termed, for bridging over the Atlantic. It is, briefly, a most effectual and well conceived plan for making emigration pay its own expenses; by which, if practicable on a sufficient scale (and that it is so we have no manner of doubt) the whole labouring population of Great Britain and Ireland might, in spite of Corn Laws and the tax gatherer, very soon come into the enjoyment of American wages, as surely as they would if these two islands could actually hoist sail and cast anchor off the American coast.

The means are no other than those the efficacy of which has for years been so powerfully enforced in the various publications of the original and vigorous author of *England and America*.[2] The Government of the United States *sells* all its waste lands, and by their sale raises a revenue exceeding the entire expense of the Federal Government. The waste lands in the transmarine possessions of this country have till lately been *given*, not sold; it is proposed that they should be sold, and the proceeds of the sale appropriated by act of Parliament, towards defraying the expense of carrying out labourers to cultivate them. In order that the money may go as far as possible towards the object, it is proposed to limit the emigration to young married couples, in order that the greatest power of future increase may be carried out at the smallest expense. It is unnecessary to say that no emigration is contemplated, but such as is, in the fullest sense of the word, voluntary: nothing so monstrous being thought of, as that any persons should be compelled to emigrate, either by direct means, or by the indirect method of making the relief of their necessities dependent upon that condition.

It is well known that labour, in a new country, when aided by the means and appliances[3] of civilization, is very greatly more productive than it is in the old countries of Europe. Every party of emigrants, therefore, who go out, produce so much more by their labour in America or Australia, than they produce in England, that the surplus would probably in a single year more than repay the expenses of their passage; and thus perpetually renew the fund for carrying out other emigrants. The proposed plan, however, does not call upon emigrants to repay the expenses of their passage. It relies upon a different principle. Each set of emigrants so increases the resources and the wealth of the country in which they settle, that the means there exist of cultivating more land, and more land therefore (we may safely conclude) will be purchased. The purchase-money is to be applied to the very purpose which is most advantageous to the purchaser, namely, to providing him with the hired labour necessary for making his land

[2]Edward Gibbon Wakefield.

[3]One of Mill's favourite tags, from Shakespeare, *Henry IV, Part II*, III, i, 29; in *The Riverside Shakespeare*, p. 902.

yield the greatest net return. But while thus the colony will be not a loser but eminently a gainer by what it pays, these payments will form a perpetual, and for a long time a constantly increasing fund for defraying the expenses of emigration; since the greater the emigration the more land will be taken, and the more land is taken, the greater will be the means of further emigration.

For the calculations which have been made as to the probable amount of the emigration fund, and the immense effect which the subtraction of so many labourers, consisting exclusively of young married couples, would have upon the market for labour in this country, and especially in Ireland, the reader may refer to the various publications on the subject. But we can add our own testimony to that of Mr. Ward, when he affirms in his late pamphlet, that he has never known any sensible man who did not become a convert to these views when he could once be prevailed upon to apply his mind to the question.[4] Some striking instances of this were afforded in the last session, when a committee of the House of Commons (Mr. Ward himself was the chairman) containing some of the most able and influential men of all parties, most of whom were new to the subject, entered into a full investigation of it, and ended by almost unanimously adopting the views on which Mr. Ward's intended motion is founded.[5]

We understand that the motion will be opposed by Ministers, that is, by the Colonial Office, which like most other Governments and departments of Governments, does not like to divest itself of arbitrary power: but we believe that not only the bulk of the Radicals, but many of the most influential men of the Tories, will vote with Mr. Ward, and that the Ministry will have the almost undivided discredit of resisting, and vainly resisting, the most important proposition for the physical well-being of the working classes, which ever, perhaps, came before the British Legislature.

285. COMMERCIAL CRISIS IN THE UNITED STATES OF AMERICA

GUIDE, 29 APR., 1837, PP. 13-14

The American "Panic of 1837" in March, preceded by inflation, credit expansion, and wild speculation in public lands, was marked by bank failures and refusal to convert notes into specie. Nine States defaulted on interest due on European debts. This is apparently the only original article contributed by Mill to the *Guide*, founded on 22 Apr. by his friend Henry Cole (1808-82). It appeared in "Commercial & Housekeeper's Guide," a regular feature. The article is not listed in Mill's bibliography, but in Cole's file copy in the Victoria and Albert Museum he has written "J. Mill" at the head, as he has above an extract (in the *Guide*, 18 June, 1837, p. 68) from a review of Carlyle's *French*

[4]Ward, *The First Step to a Poor Law for Ireland* (London: Ridgway, 1837), p. 8.

[5]"Report from the Select Committee on the Disposal of Lands in the British Colonies" (1 Aug., 1836), *PP*, 1836, XI, 499-765 (*q.v.* for the Committee members).

Revolution, which Mill had already written for the July number of the *London and Westminster* (*CW*, Vol. XX, pp. 131-66; the extract is from pp. 134-6).

THE RECENT INTELLIGENCE FROM AMERICA has caused a most salutary revolution in the state of commercial confidence, and justifies us in saying that the most critical period of the mercantile pressure has now past.[1] It was feared that when the difficulties of the American houses in England became known in America, and produced their natural consequences, in a crash among the mercantile houses of the United States, those houses would satisfy their American engagements first, and their English creditors when they could. Dependent as our American houses were for the fulfilment of their engagements here, upon a speedy repayment of some portion of their advances to America, such conduct, on the part of their American correspondents, would have compelled nearly the whole of them to stop payment; and how far the ruin which this would have spread through the trading communities of England might have extended, or where it might have terminated, no one could venture to divine.

All this evil has been averted by the spirited conduct of the Bank of the United States, who, by stepping forward as the saviours of the commercial credit of their country, will have far more than re-established all the popularity of which General Jackson's determined hostility can have deprived them.[2] They immediately lent their credit to the merchants, to the extent of two millions of dollars; and granted bills to that amount to enable them to pay their debts, and specie to meet those bills is now on its way to this country. The other Banks emulated their example; and, as the engagements of the leading Banks of the United States are equal in security to cash, and bear a far higher interest than can be obtained for cash anywhere but in America, the merchants of America have met, or are enabled to meet, all their engagements here; and the pressure upon our mercantile houses, trading with America, may be considered at an end.

286. NICHOL'S VIEWS OF THE ARCHITECTURE OF THE HEAVENS

EXAMINER, 6 AUG., 1837, P. 49

John Pringle Nichol (1804-59) was a friend of Mill's who helped him in the preparation of his *Logic* (see *CW*, Vol. VII, pp. lvii-lxiii, 954-1110). Originally a clergyman, who lost his faith and became a teacher, writer, and newspaper editor, Nichol was appointed Regius Professor of Astronomy at Glasgow in 1836. Mill's review, in the "Literary Examiner," is headed "*Views of the Architecture of the Heavens. In a Series of Letters to*

[1]For news that the crisis was passing, see "American Affairs," *The Times*, 24 Apr., 1837, p. 3, and a leading article on the subject, *ibid.*, p. 4.

[2]Jackson had refused to renew the Bank's charter in 1832, and in 1833 had transferred federal funds to local banks.

a Lady. By J.P. Nichol, LL.D., F.R.S.E., Professor of Practical Astronomy in the University of Glasgow. Tait, Edinburgh; Simpkin and Marshall, London. [1837.]" It is identified in his bibliography as "A notice of Nichol's Architecture of the Heavens, in the Examiner for 6th August 1837" (MacMinn, p. 49).

PROFESSOR NICHOL is well known in Scotland as one of the most popular of all living lecturers on natural science, and especially on the subject of his present publication—Practical Astronomy. He is less generally, but still extensively, known as one of Scotland's best political writers; one of her most active and efficient champions of liberal opinions; a political economist of the first rank, as well as an accomplished mathematician; and one who has carried into physical science a sounder philosophy than most mathematicians. At present he comes before us as a popular expositor of a most captivating science, in one of its branches which has still all the attractions of novelty, and which has never yet been treated in a popular manner. Mr. Nichol is the first who has made accessible to the general reader the brilliant discoveries and speculations of the two Herschels on the fixed stars;[1] with all the extraordinary views as to the extent, constitution, and history of the visible creation, which those discoveries and speculations have opened. The perspicuity and eloquent fervour of these letters will sustain Mr. Nichol's reputation as a popular instructor. We regret that, on a subject all whose parts are so intimately interwoven, quotation is almost impossible. We select the following as one of the most quotable passages, and one which well exemplifies Mr. Nichol's style of illustration:

> Call up to your mind an Indian of that old America, when civilisation had not yet disturbed the sombre twilight of its forests; suppose him of a tribe whose wanderings had been confined far within the interior of a range of primeval pines,—how natural for his untutored thought to conceive the wood of his nativity infinite, or that space is all occupied with trees! His eye had never lighted upon one external object,—the forms of his infancy were the forms to which his manhood had been alone accustomed; trees had always environed him, and hemmed in his prospect; so that, on being informed by an instructed traveller of the existence of free and wide savannahs, he must have seemed to hear of something unintelligible and against nature, and have gazed with that very incredulity which fills our minds at the idea of the great firmament being limited like a forest—of *our* infinite being comprehended within form. But lo!—in his stray wanderings—at a time when his gods smiled upon him—the Indian arrives at a mountain, whose summit reaches beyond the heights of the gigantic pines. He attempts it, overcomes its precipices, and sees—a new world! The forest of his dwelling is mighty, and stretches far; but America is mightier, and numbers of forests, equal to his, luxuriate upon its plains. Where is *our* mountain, do you ask,—where the height which can pierce these

[1] John Frederick William Herschel (whose *Preliminary Discourse* was reviewed by Mill in No. 94) and his father William (1738-1822), born in Hanover, whose astronomical researches at Bath with his sister Caroline Lucretia (1750-1848) led to his appointment as Astronomer Royal in 1782. Nichol refers to the Herschels throughout *Views of the Architecture of the Heavens*, and especially in Letter IV, pp. 63-114.

skies? Indeed it is seldom found. Men wander through centuries, in ancient ignorance, without reaching or scaling an elevation capable of showing them beyond it; but in propitious hour, and after long preparation, genius and industry descry it, and straightway the scales fall from our sight. It was the *telescope* which, in this case, carried us into outer regions, and revealed their contents—hitherto unseen by human eye; and most splendid is the perspective. Divided from our firmament and each other by measureless intervals, numerous *firmaments*, glorious as ours, float through immensity, doubtless forming one stupendous system, bound together by fine relationships. These remarkable masses are located so deep in space, that to inferior telescopes they seem like faint streaks or spots of milky light upon the blue of the sky; but the instruments which had just been summoned into being resolve their mystery, and disclose their myriads of stars. One of these objects, perhaps the most brilliant in the heavens, is represented in Plate I: it is in the constellation Hercules. After all, how easy the belief to *its* indwellers, that a mass thus surpassingly gorgeous is infinite. What wonder, although the inhabitant of a planet revolving around one of its central suns, should have mistaken his own magnificent heavens for the universe, and needed the distant and dim vision of our firmament, appearing to his telescopes as a starry speck, to remove the veil from his mind, and give him juster notions of the majesty of creation!

These are truths which, although startling at first, are found so much in harmony with the scheme of nature, that we are soon chiefly astonished that they never occurred to us before: and I can conceive circumstances in which the Indian, after the foregoing revelation had been made to him, would not fail to descry among the *internal* aspects of his forest, not only distinct intimations of its limitude, but also of its *peculiar shape*, and even *approximate dimensions*. Think of the appearances, which would be mainly remarked by an observant man, as characteristic of his position, were the forest infinite or very extensive. In his immediate vicinity the surrounding trees would be well defined, and of the largest proportions; behind these he would see another range, smaller, but also well defined, and so on through many gradations of size and distinctness, until individual trees could no longer be distinguished, and the view would terminate in an unnamed and vague appearance, which I may be permitted to call a diffused *woodiness*. But if this peculiar background were not seen in every direction, the light of the sky appearing through the trees in different places, the conclusion would be just and manifest, *that the forest had not the characteristics of one stretching out indefinitely or even equally on all sides*, that in some directions its edges were nearer than in others, or that it was merely a *group or stripe of trees having boundaries, and of a particular and ascertainable shape*. With these fresh lights turn again to the heavens, asking what is the case with them? If we were in the interior of an infinite and regular stratum, appearances would necessarily be nearly similar all around us—the aspect of the sky on one side would be almost its picture on every other side. The same, or nearly the same number of visible bodies would, as in the infinite forest, be found everywhere; and there would come from behind in all directions, through those recesses in which no single star could be descried, something of the same amount of whitish or milky illumination, arising from the combined effulgence of luminaries individually unseen. *But this does not accord with actual phenomena*, which rather agree with the second form of our illustration. It is only when we look towards the *Milky Way*, that these bodies seem to retire indefinitely, and finally to be lost in a diffused *starriness*; and in all other places the intervals between the luminaries are nearly quite dark, *as if there we were closer on the edges of our bed of stars, and therefore saw through it into the external and obscure vacancies of space*. The opinion is thus forced on us anew, that we are in the midst of a mere *group* or *cluster* of stars, and moreover, that it is a group of peculiar configuration, *narrow, but greatly elongated in the line of the Milky Way*. [Pp. 8-13.]

287. MOLESWORTH'S ADDRESS TO THE ELECTORS OF LEEDS

SPECTATOR, 2 DEC., 1837, P. 1149, and
MORNING CHRONICLE, 4 DEC., 1837, P. 1

At the opening of Parliament on 20 Nov., 1837, the Radicals had tried to amend the Address to the Throne to include franchise extension, the ballot, and shorter parliaments. Russell had, for the ministry, replied that such legislation would undermine the stability of British institutions. Mill hoped for effective Radical cohesion in response, as he indicates in a letter to J.P. Nichol of 21 Dec., saying that he had "raved and stormed with no effect, but that of being thought an impracticable enthusiast." Mill's Radical friend Molesworth had been M.P. for Leeds since July. Mill's letter continues: "M.'s address to the Leeds people was put forward on the failure of our attempt to obtain a collective demonstration" (*EL*, *CW*, Vol. XII, p. 365). In fact, the address was Mill's, as his bibliographic entry indicates: "The whole (except a few words at the beginning and end) of Sir W. Molesworth's address to the Electors of Leeds reprinted in the Spectator of 3d December 1837 and in the Morning Chronicle of the following day" (MacMinn, p. 49). (Mill is wrong as to the date: the *Spectator*, a Saturday paper, appeared on the 2nd, and the *Morning Chronicle*, a daily, on Monday the 4th.) It seems likely that the first and the concluding paragraphs are Molesworth's. The text below is that of the *Spectator*, where it is headed "To the Electors of Leeds / 79, Eaton Square / 29th Nov. 1837"; in the *Morning Chronicle* the Eaton Square address is at the bottom. The variant readings derive from the *Morning Chronicle* (identified in the notes as MC).

FELLOW-CITIZENS,—As it appears to me most desirable that the body of Electors should on all important occasions clearly understand the conduct of their Representative, in order that, if they approve of that conduct, they may give to his voice the weight and sanction of their approbation, and he may not appear to express in the House of Commons only his own individual opinions, but those of his constituents; and as the present is an occasion on which those Members of the House of Commons who were elected to promote Reform, stand peculiarly in need not only of the tacit approbation but of the active and energetic support of all throughout the country who share their principles; I now address you, my constituents, and inhabitants of one of the first among the great manufacturing and trading communities of the empire, to claim from you that support.

For the last three years the Reformers of Great Britain and Ireland have, with signal moderation and forbearance, abstained from forcing upon the consideration of the Legislature their opinions on the extensive failure of the Reform Act, and the necessity of further measures to protect the People in the exercise of the rights which that enactment professed to give. I am persuaded that I am interpreting the motives of this forbearance rightly, when I say that it did not arise from any notion that such measures of protection could possibly be much longer dispensed with. You knew that when the party who have the great properties in their hands could recover from the shock of the first great defeat which they have ever sustained since the Revolution of 1688, they would find

that the means of corruption and intimidation which they still possess, and which they can never cease to possess under any system of open voting, are much more than sufficient to give them as sure a majority in the Reformed House of Commons as they had in the Rotten Borough Parliament. You knew this; but the danger was not yet imminent; the Tories were still in a minority, though a large one; the language of the Whig Ministers was continually giving you hopes that if bribery and intimidation continued, and could not be arrested by other means, they would become converts, however unwillingly, to the Ballot.[1] You imagined these professions to be sincere; and as the progress of events was producing every day more and more the evidences which Ministers professed to be still in want of,—as moreover, you believed what was frequently insinuated by their friends, that their hands were tied up by engagements with the late King, from which a new reign would set them free,[2]—you continued to bear, with what patience you could, the disappointment of your hopes and the tyranny of your Tory taskmasters, rather than be called by the Whig Ministers impatient, violent, and unreasonable.

By this conduct you at least showed that you did not deserve any such imputation: so much so, indeed, that it has subjected you to a directly contrary one—that of being apathetic, of being indifferent to Reform, and even of having undergone a reaction in favour of Toryism; and this, as I can inform you, and as you must have learnt from the recent speech of Lord John Russell,[3] is the language currently held concerning you at the present time, not only by Tories but by Whigs.

That the conduct which has subjected the People of England to this disgraceful accusation was wrong, it is not for me, nor have I any inclination, to assert. I address you for a different purpose,—to proclaim to you, if any such proclamation be necessary, that the season *a*for*a* this quiet, deferential, and submissive course of proceeding, has now ended. The Ministers have declared that they were not prevented from supporting the Ballot by any engagements with the Sovereign, but by their own rooted hostility to it. Lord John Russell has chosen the very time when his supporters were smarting under the persecutions they have suffered to keep him in office—he has chosen that very time to declare that they shall never, with his consent, be shielded from those persecutions. At the very opening of the last Parliament in which, unless the Ballot be made a

[1]See, e.g., Henry George Grey, Speech on the Ballot (2 June, 1835), *PD*, 3rd ser., Vol. 28, cols. 425-9.

[2]On 20 June, 1837, Queen Victoria (1819-1901) succeeded to the throne on the death of her uncle, William IV.

[3]On 20 Nov., following the Queen's first Address from the Throne, Russell set himself against further reforms (*PD*, 3rd ser., Vol. 39, cols. 65-73), thus earning the nickname "Finality Jack."

*a-a*MC of

Cabinet question, his party will ever have the majority,—and while it is still uncertain whether they will continue to have it even in this,—he has declared the fact, which for the last three years has been sedulously disguised, that the Reform Act is to him a final measure; and that if the Tories cannot be kept out without a measure to give effect to that act according to the declared intentions of its supporters, the Tories must come in.

I do not say these things for the purpose of complaint; nor do I seek to excite you to that indignation which I do not affect to deny that I think you might justly feel. My object is to impress upon you that the time is come when all temporizing—all delicacy towards the Whigs—all fear of disuniting Reformers, or of embarrassing Ministers by pressing forward reforms, must be at an end. If you wish for the Ballot,—if you wish for Triennial Parliaments,—if you wish for the Extension of the Suffrage, or its distribution so as to diminish the exorbitant and uncontrollable power of the great landholders, of the men who tax your bread and fetter your industry,—[b]*you*[b] must say it in the teeth of both the Aristocratic Factions, now avowedly united to resist [c]these[c] just and necessary improvements. You must be prepared steadily to look in the face the unfortunate but nowise astonishing fact, that not only from the House of Lords, but from a large majority of the House of Commons, you never will obtain either the Ballot or any of the other measures to which I have referred, but by such a demonstration of your will as those bodies shall not dare to resist. You must be prepared for a struggle as arduous as that which carried the Reform Bill, to extort these measures from both the parties of the Aristocracy and from both Houses of Parliament. Nothing can now be done for you within the walls of the House: your faithful Representatives have no power there but that which you give them: it is for you, by a great and simultaneous demonstration throughout the country, to enable your Representatives to speak, not with their own single voices, but with the voices of assembled millions.

If the hangers-on of the Ministry should seek, as they inevitably will, to dissuade you from this declaration of your sentiments, on pretence that it will damage the Ministry, tell them that the Ministry is already doomed. The Ministry themselves know that, without the Ballot, the Tories cannot be kept out of office longer, at the utmost, than till the next General Election. They have made their late declaration in the full knowledge of this; and would never have made it, if they had not fully determined to rest their chance of remaining in office upon being able to persuade the Tories that Tory objects can be better promoted by them than by a Tory Ministry. And, truly, I know not what objects, but Tory objects, they are likely to promote; or what those great prospects of amelioration are, which it is supposed would be injured, if we were to "embarrass the

[b-b]MC you
[c-c]MC those

Government"[4] by standing forth in the face of the world and declaring our opinions. All the reforms which they propose, are the merest trifles compared with the evils to be removed; and even those they can only propose, but cannot carry. If they ever carry them, it will be only by the terror of your voices, demanding things infinitely greater. All experience proves that unwilling rulers can be more easily induced to concede great reforms than small ones; that so long as the people are satisfied with demanding little, even that little is refused; but when they have raised their demands to something considerable, much more than the little they at first asked is eagerly thrown to them, in the hope of allaying the storm of dissatisfaction which then, for the first time, their masters are willing to consider formidable.

If the People are tired of the pursuit of good government,—if the fruits of seven years of painful struggle are now to be thrown away, and they are willing to bend their necks once more under the yokes of their former masters,—if the cry of Reform never meant any thing with them, or was raised only to please the Whigs, and is to be abandoned because the Whig placemen abandon it,—if the name only and not the substance of Popular Representation was all that the People sought,—then indeed, sincere Reformers will feel bitterly disappointed —will confess they have been mistaken in the character of their fellow countrymen—and though they may not slacken their efforts in behalf of the principles which they profess, their hopes must then be limited to keeping those principles alive for better times and for a new generation.

But if in their exertions and sacrifices for the Reform Bill, the People were contending not for a mere word, but for a reality,—if they were then, and still are, for the principle proclaimed by Lord Grey, "Representation, not Nomination,"[5]—if in demanding the Reform of the House of Commons, and in fighting and conquering under its banner, they were not the puppets of a faction, but really meant what they said—really believed they had a right to what they claimed, and are still willing to stand by their first purpose, against the Whigs if need be, with the same determination with which, at the call of the Whigs, they stood against the Tories,—then every town, every district, if possible every parish in the kingdom, ought to hold its meeting and send its petition to Parliament for the Ballot, with or without an extension *d*and*d* equalization of the Suffrage. The People, not the Whigs, carried the Reform Bill; the People, by their demonstrations throughout the country, compelled the one party to propose and the other to pass it. What they then did, they may do again. They conquered

[4]For the notion, see Anon., *Domestic Prospects of the Country under the New Parliament* (London: Ridgway, 1837), p. 41, quoted by Mill in "Parties and the Ministry" (Oct. 1837), *CW*, Vol. VI, p. 388; the notion was attacked in "Tory Facts," *Examiner*, 3 Sept., 1837, p. 563.

[5]Cf. Grey's speech of 3 Oct., 1831, col. 936.

*d-d*MC or

once, they can conquer a second time. They have only to speak, and the sound of their voice will scatter the hosts of their enemies.

'*Now*' let them make that voice heard. Now do you, citizens of Leeds, set the example. Now raise again the standard of Reform; and you will merit the eternal gratitude of your countrymen.

Your faithful Representative,

William Molesworth

288. EXCEPTION TO THE OBJECTIONS TO NOMINAL PUNISHMENTS

EXAMINER, 16 SEPT., 1838, PP. 578-9

Lord Durham, who had gone to Canada after the rebellion of 1837 as High Commissioner, had been defended by Mill in "Lord Durham and His Assailants" in the 2nd ed. of the *London and Westminster* for August 1838 (*CW*, Vol. VI, pp. 437-43). The *Examiner* had printed two replies, probably by Fonblanque himself. The first, "Lord Durham and His Assailants," 26 Aug., pp. 529-30, was a very favourable notice; the second, "Reasoning for Nominal Punishments," 2 Sept., p. 545, was critical of Mill's defence of the provision for capital punishment in Durham's "An Ordinance to Provide for the Security of the Province of Lower Canada," *PP*, 1837-38, XXXIX, 914-16. This letter to the editor, in the "Political Examiner," defends the punishment. Headed as title, with the subhead "To the Editor of the Examiner," it is signed "A.," as was Mill's "Lord Durham and His Assailants." It is described in Mill's bibliography as "A letter in defence of the last mentioned article [i.e., his "Lord Durham and His Assailants"], in the Examiner of 16 Sept. 1838" (MacMinn, p. 51).

SIR,—In the second of two very flattering notices which you have bestowed on the article in the *London and Westminster Review*, entitled "Lord Durham and his Assailants," you have animadverted rather strongly on one sentence of the article, in which, speaking of the capital penalty denounced for the violation of Lord Durham's Ordinance of Banishment, the writer says, "The penalty is capital because that is the usual penalty of state offences, and properly so, since any inferior punishment might be a premium on the offence, while, by denouncing the highest penalty of all, no necessity is incurred of actually inflicting it;"[1] and you express, in a very courteous manner, your surprise that the author of the article should have overlooked the important principle, that the law should not denounce a severer punishment than it would be proper actually to inflict, and that punishments should be mild in order that they may be certain.

As the accusation of forgetting so important a principle of criminal legislation is one to which the author of the article feels particularly sensitive, perhaps you

'–'MC Now

[1] "Lord Durham and His Assailants," p. 510; in *CW*, Vol. VI, p. 442.

will permit him to assure you that the imputation is by no means deserved, and that instead of seeing in the mode of dealing with state offences, which he defended, any infringement of that great principle, he saw in it one of the exceptions which prove the principle. The sentiment which he expressed was grounded on the recognized, and, as on reflection you will certainly feel it, the just, distinction between political and ordinary criminal offences. The principle you so justly contend for is grounded on a most cogent reason, namely, that *certainty* in punishments has a greater effect than severity; but this reason is, as all philosophic jurists have acknowledged, and as you must at once see, entirely inapplicable to what are essentially the offences of *multitudes*. Certainty of punishment is neither desirable nor possible in cases of rebellion. It is desirable that no person whatever who commits theft or burglary should escape unpunished: is it desirable that no person whatever who joins in a rebellion should escape without suffering the penalties of the law? If the principle you contend for were applicable to political offences, an *amnesty* would be the most monstrous absurdity in all legislation. Who would endure to hear of an amnesty for robbery or murder? But in the case of rebellion the most savage tyrant hardly ever thinks of punishing with the arm of the law any but a few leaders; thus completely setting aside the principle of certainty of punishment. If the penalty for treason instead of death were but a fine of one shilling, no one would think of inflicting even that upon every individual of a defeated party.

Indeed, between state offences and all other offences there is this great difference: in the case of any other offence, to remedy the immediate evil which has been produced is a minor object, and the great purpose of punishment is *example*: but in the case of offences which arise out of the disaffection of the people with their government, and which aim at a change of government, the grand object is the *immediate* object, that of pacifying the country; punishment ought never to be carried beyond what is necessary to remedy the present evil, to prevent *the present malcontents* from breaking out again; if that can be prevented, and the country brought to a settled state without any punishment, there ought to be no punishment: there never should be any for the purpose of deterring future malcontents from future insurrections. The security against *future* discontents is the strength of the government (proved by the failure of the insurrection), and the goodness of the government (which it ought to lose no time in demonstrating by its healing measures). The rule for punishment is—for private offences punish mildly, that you may punish everybody: for offences connected with a rebellion, punish nobody, if you can tranquillize the country without punishment; but if you must punish, punish as few persons and as mildly as is consistent with that object. And on these principles all governments act more or less; all wise and humane governments altogether.

There is therefore no inconsistency in saying that for this kind of offences the severest penalty of the law should be denounced, although in most cases it ought

not to be executed. You can never be sure beforehand that you can restore tranquillity without punishing those who may attempt to disturb it afresh; and since any punishment less than death may be less than the temptation to the offence, it is necessary to reserve the *option* of inflicting the highest punishment known to the law in case it should be necessary. But, as it is not proper to inflict *any* punishment unless the state of the country require it, so it is proper to inflict the *mildest* which the state of the country admits of, although the highest of all is and ought to be denounced.

To sum up all in a few words, insurrectionary offences differ from others in this, that in all other cases *punishment*, but in this case *pardon*, ought to be the general rule—or mitigation of punishment, when pardon would be unsafe. Other penal laws are made to be implicitly executed; laws against rebellion are made *not* to be executed without the most imperative necessity.

These, Sir, are no novelties; I am merely vindicating the received doctrines of statesmen and the established practice of all civilized governments; and the principles I have laid down are so completely in accordance with the general spirit of your writings on such topics, that your concurrence in them may be confidently anticipated.

A.

289. PETITION FOR FREE TRADE

MORNING CHRONICLE, 17 JUNE, 1841, P. 6

When he drafted this petition, Mill had published nothing in the newspapers for thirty-three months; in the interval he had been busy with the *London and Westminster* and with the writing of his *Logic*. On 17 June, 1841, he wrote to Fonblanque: "The Kensington petition, printed in the Chronicle today, is of my writing, & I had a great share in getting up the public meeting, which, though in a very unpromising neighbourhood, was a very striking demonstration" (*EL*, *CW*, Vol. XIII, p. 478). The item is headed "Kensington. The following is the petition agreed to at the meeting held at Kensington on Tuesday evening," with a subhead: "To the Honourable the House of Commons." It is described in Mill's bibliography as "The Kensington Petition for free-trade, agreed to at a public meeting held on the 15th June 1841, and printed in the Morning Chronicle of June 17th" (MacMinn, p. 53). The petition is also in *CW*, Vol. V, pp. 761-3 (App. B).

THE HUMBLE PETITION of the inhabitants of Kensington and its vicinity, in public meeting assembled, sheweth,

That protecting duties, or, in other words, duties imposed on foreign commodities, not to raise a revenue, but to keep up the price of similar articles produced at home, are a tax on the whole community for the pecuniary profit of some class or classes, and are therefore an abuse of the power of legislation.

That the argument frequently urged in defence of such duties, namely, that

they encourage production and favour the national industry, is, in the opinion of your petitioners, not only unfounded, but the very reverse of the truth, inasmuch as employments which would not be carried on without an artificial high price, are by this very circumstance proved to be employments yielding of themselves a less return than that which the same amount of labour and capital would realise if left to take its natural course. A smaller production is by this means obtained through the sacrifice of a greater, and thus, in addition to what these restrictions take from one portion of the community to bestow upon another, they cause a further and commonly a still greater loss of national wealth, without benefit to any one.

That nevertheless former Parliaments, partly influenced by the class interests of their several members, and partly by mistaken views of public policy now exploded, have imposed protecting duties on almost every article of foreign produce or manufacture which could possibly come into competition with anything produced in our own country or its dependencies, thus throwing upon the public, in the increased price of the articles of their expenditure, burdens which, according to the calculations of the best practical authorities, exceed the amount of all the taxes which the people of this country pay to the state, while of this vast sum a very small portion alone reaches the coffers of the various classes of producers whom the legislature intended to benefit.

That of these burdens, the most revolting in its principle, the largest in its amount, and the severest in its pressure, is the tax on food, imposed by the present corn and provision laws.[1]

That a tax on food is the only tax from which no degree of abject poverty is an exemption, but which in its very nature falls heaviest upon the poorest class, nearly the whole of whose consumption consists of food.

That whatever makes the poor poorer, tends in the same proportion to render them ignorant and vicious, by depriving them of the opportunities and means of good education, while it strengthens and multiplies the temptations to which their condition exposes them. That the corn-laws, as producing these effects, are, in the view of your petitioners, opposed both to the first principles of morality and to the spirit of the Christian religion, as well as to the direct precepts of Scripture, which expressly declares,

"He that withholdeth corn, the people shall curse him; but blessing shall be upon the head of him that selleth it."[2]

That, as your honourable house are doubtless aware, there exists, and has for some time existed, in a considerable portion of the labouring classes, a deeply seated hostility to existing political institutions, and in the country generally a growing alienation among the different ranks of society, the causes of which,

[1]The latest corn law was still 9 George IV, c. 60 (1828).
[2]Proverbs, 11:26.

your petitioners humbly submit, demand the most serious consideration from your honourable house.

That, so far as your petitioners are able to observe, these evils originate in the persuasion openly entertained by large bodies of persons that the ruling principle in the government of this country is not the public good, but the particular interest of certain classes, who command a majority, both in the other house of Parliament and in your honourable house. Your petitioners respectfully express their conviction that nothing has so much contributed to give rise to this unfortunate impression, or has given so much colour of truth to it, as the existing commercial restrictions, and in particular the corn-laws. That by whatever arguments the supporters of those laws may justify themselves to their own minds, their reasons are not of a nature to be convincing or intelligible to persons whose small loaf is made smaller for no purpose apparent to them but that of still further enriching the rich. A bread tax for the supposed benefit of the landlords, and a people well affected to the state, are two things which, in the opinion of your petitioners, cannot easily co-exist.

That, entertaining these opinions, your petitioners have hailed with joy the announcement by her Majesty's government of a general revision of the existing import duties, and the introduction into your honourable house of measures, by which some of the most oppressive of those duties, and particularly, the most oppressive of all, the corn-laws, are considerably relaxed.[3] That although in the article of food nothing but entire freedom from taxation would be satisfactory to your petitioners as a permanent arrangement; yet, as a means of transition, to prevent too sudden a shock to existing interests, your petitioners fully subscribe to the propriety of retaining, for the present, a moderate duty on imported corn. And your petitioners are strongly of opinion that the protection thus temporarily conceded should be in the shape of a fixed duty rather than of a sliding scale. Your petitioners can scarcely imagine any mode of regulating a great branch of commerce and industry more injurious to all parties than the present variable scale of duties, under which the home grower can never know what degree of protection he has to reckon upon, nor the importer what rate of duty he will be required to pay.

That although the measures recently promulgated by her Majesty's government would have commanded, under any circumstances, the warmest support of your petitioners, they derive an additional recommendation from the

[3]The plan to revise import duties was announced on 30 Apr., 1841, in a speech on the budget by Francis Thornhill Baring (1796-1866), Chancellor of the Exchequer (*PD*, 3rd ser., Vol. 57, cols. 1304-8), and the intention was confirmed by Russell on 7 May (*ibid.*, Vol. 58, col. 16). However, having lost their majority, the Whigs abandoned the measure on 7 June (*ibid.*, cols. 1260-6), and it was left to Peel to bring in "A Bill to Amend the Laws for the Importation of Corn" (4 Mar., 1842), *PP*, 1842, I, 563-89, enacted as 5 & 6 Victoria, Sess. 2, c. 14 (1842).

particular time at which they are proposed, namely, when the approaching revision of the duties levied on our productions by several of our largest customers threatens us with retaliatory measures most ruinous to our foreign trade, while the state of our own revenue leaves us no option but either to lower the tariff, or impose new and onerous taxes upon the property or the already overburthened industry of the country.

Your petitioners, therefore, earnestly entreat your honourable house to give your most serious consideration to these various circumstances, and to adopt the measures recently submitted to you by her Majesty's government with respect to the duties on imports, and especially on foreign corn.

And your petitioners will ever pray.

290. STERLING'S THE ELECTION

MORNING CHRONICLE, 29 JULY, 1841, P. 5

In a letter dated only "Wedy" (probably 28 July, 1841), Mill wrote to John Black, his father's old friend, and still editor of the *Morning Chronicle*: "I have just been reading again that poem I told you of and I liked it so much that I could not help sitting down and scribbling off a hurried notice of it for you. Do with it as you please—I shall be glad to see either that or any other notice of the book in the Chronicle." (*EL, CW*, Vol. XIII, p. 482.) *The Election* was by John Sterling (1806-44), one of Mill's most beloved friends, whom he met in the London Debating Society as an antagonist, but soon found common ground with, in part on the basis of Sterling's admiration for Coleridge. The review, in the "Literature" section, is headed "*The Election: a Poem, in Seven Books*. [London:] Murray, 1841." It is described in Mill's bibliography as "A notice of Sterling's Poem of the Election, in the Morning Chronicle of July 29th 1841" (MacMinn, p. 53).

NOW, when the turmoil of real elections is for the present ended,[1] we may venture, perhaps, to solicit attention to a story of an election. Let not the reader look askance at the publisher's name, and ask, whether any good, on the subject of elections, can come out of Albemarle-street[2]—for this volume is a proof that even from that place may issue the most biting satire upon Toryism, when, whatever is low-minded and base on the other side of the question is satirized likewise; and when the writer, though wielding satire with the hand of a master, is capable of something better than any satire, and inculcates a still higher thing than hate and scorn of what is bad, namely, love and practice of what is noble. In

[1]The elections ended on 12 July, giving the Conservatives under Peel a majority.

[2]The firm of Murray, in its famous offices at 50 Albemarle Street, publisher of the Tory *Quarterly Review*, was headed by John Murray (1778-1843), assisted in these years by his son, the second John Murray (1808-92).

truth, this little narrative poem is equally remarkable for wisdom and high feeling, and for wit; while in versification it has had no rival in satirical poetry since Byron's *Age of Bronze*.[3]

We quote the opening passage as an average specimen:

> In some high region dwells a muse whose aid
> Helps modern geniuses to drive their trade,
> To circulating libraries imparts
> A spell commanding countless pence and hearts,
> And spreads o'er just three volumes sibylline
> The hero's coats and passions, woes and wine.
>
> Could I her influence feel, 'twere mine to show
> How lords and tailors rule this world below;
> How youths at clubs, while sipping coffee, solve
> The questions pedants through long life revolve;
> What love-sick pangs, how bravely borne, convulse
> The newest gold-flowered waistcoats made by Stultz;[4]
> How ghosts in gauze with poisoned fruit-knife stab
> E'en him who drives a coronetted cab;
> And fiends perfumed, not sulphurous, teach despair
> To souls that dine at eight in Belgrave-square.
>
> But too refined the song that scales the heaven
> Of evening breakfasts, and Hyde-park at seven,
> And dares recount what metaphysic shocks
> Invade the bright world of an opera box,
> And draws its tones of mystical delight
> From well-bred London's long Walpurgis-night.
> Not Fashion's muse in lace and pearl awakes
> My rhapsody, but one that brews and bakes;
> A dowdy goddess in a printed gown
> Records the simple tale of Aleborough town.
>
> With zealous heart I sing, but feeble voice,
> Great Britain's boast, her sage electors' choice;
> And those high days when Aleborough proudly sent
> Her man to sit in England's Parliament.
> Thou muse of shouts and speeches! goddess wise,
> By whom inspired we hit on prosperous lies,
> Inform the song with such diviner sense
> As thou canst give to hustings eloquence;
> And with that downward use of the sublime,
> By critics called the Bathos, aid my rhyme! [Pp. 3-5.]

After this introduction, the tale begins with the following passage, of which

[3]*The Age of Bronze; or, Carmen seculare et annus haud mirabilis* (London: Hunt, 1823), by George Gordon, Lord Byron (1788-1824), the Romantic poet rarely praised by Mill.

[4]Of Stulz, Wain & Co., tailors, 10 Clifford St., Bond St., London.

the first eight lines are in the best style of Pope, while those which follow remind us of Crabbe:[5]

> Cox represented Aleborough, patriot pure,
> On whose tried firmness Europe leant secure.
> But, woe to manufactures, land, and stocks!
> Europe and Aleborough could not rescue Cox.
> At London's Mansion-house, the Poultry's pride,
> Cox in his country's service dined, and died.
> One cook by turtle slew a man, whom ten
> With all their art could not revive again.
>
> The sun was setting o'er the old church tower,
> That glittered softly while it pealed the hour;
> And smoke, from many a chimney curling slow,
> Marked where the black tea-kettle steamed below:
> The aproned workman, tools in hand, sought out
> Some nook for meditation and brown stout;
> Small idle groups were chatting here and there,
> These near the Lion, those beside the Bear,
> Each heart by some grave theme alike possessed,
> The maid's new ribbons, and the man's old jest,
> The last fresh murder, and the price of hay,
> And how Ned Scroggs' apprentice ran away.
>
> Break off, ye triflers! Hark, a distant hum,
> And then a clatter, tells the coach is come.
> Two dames within, five dusty shapes above,
> A red-faced coachman, grand as thundering Jove,
> Dash through the admiring street, and crowding round
> Come ostlers, waiters, loiterers tow'rd the sound.
> Soon spreads the direful rumour unconfined—
> Cox—dead—our member! Horror strikes mankind;
> Shrugs, whispers, open mouths, and then, alas!
> Huge joy breaks out like flaring streams of gas.
> A new election! Glory to the town!
> For all there's profit, and for some renown.
> The Lion opes his hungry jaws and springs,
> And the Black Bear seems dancing as he swings. [Pp. 5-6.]

Two candidates present themselves: Mogg, the Conservative; and Vane, the Liberal. The author has worked up into the portrait of Mogg all the features of a prosperous Tory chairman of quarter sessions, of which the following, from the description of his Oxford career, is one of the most characteristic:

> Too wise to doubt on insufficient cause,
> He signed old Cranmer's lore[6] without a pause;

[5]George Crabbe (1754-1832), English poet noted for narrative power and character evocation.

[6]I.e., subscribed to the Thirty-nine Articles, based on the forty-two largely drafted by Archbishop Cranmer in 1553.

And knew that logic's cunning rules are taught
To guard our creed, and not invigorate thought,
As those bronze steeds, at Venice kept for pride,
Adorn a town where not one man can ride. [P. 8.]

The exemplifications of vice and folly on the Liberal side, are in the persons of some of the candidate's chief supporters; the candidate himself being a man after the author's own heart; and the history of his previous life, together with a love story in which he is involved, and which is not unskilfully connected with the election, form the serious interest of the tale. It would be impossible to give any just idea of this by extracts; and we shall, therefore, confine our quotations to the satirical portion of the poem, taking them chiefly from the hustings speech of the Conservative candidate, which contains, *almost prophetically*, the quintessence of most of the Tory speeches since delivered at the elections which have just concluded:

"Our boast is 'British freedom:' no one here
Need learn, work, dress, or eat, from slavish fear.
The rich their daily joint in freedom carve;
The poorest men in equal freedom starve;
And he who, naked, in a ditch expires,
Yet dies with freedom, like his freeborn sires.
Be this our pride! and be it ours to guard
The sacred rights that fools would fain discard.
I ask, has earth a spot where laws abound,
So many, curious, ample, and profound?
Where lawyers never strain their private wit
To ask what's reason, but proclaim what's writ?
Where else are all men equal, save that one
Has lands and houses, and another none?
A difference betwixt the mean and great,
Which Heaven itself forbids to violate.

"I also love the church that claims our awe
Tow'rds holy truth by force of statute law,
And helps free grace to gain the soul's assent,
And cleanse our sins by act of Parliament:
A loyal church, that keeps the rich and poor
Duly apart, nor blends the lord and boor.
'Tis sweet to witness pews nor mean nor scant
For those who pay—free seats for those who can't;
To hear a priest, too polished to be proud—
A gentleman set up to teach the crowd,
Not puffed by rabble votes to Wisdom's chair,
But by superior judgment settled there,
And so discreetly teaching all to choose
The path their betters fain would have them use." [Pp. 67-8.]

"There's one point more that must not be forborne:
My friends! *I'm not at all for foreign corn.*

Let those who like it go abroad to eat
French rolls; to me a quartern loaf is sweet;
And while my shilling helps the farmer here,
I will not try to fatten thin mounseer.
It is no doubt a taking cry to bawl
'Cheap Bread!' *But what's so dear as none at all?*
As milliners, perhaps, the French are good;
But I'll not trust them for my daily food,
Lest, when they see our bakers' empty shelves,
They keep their musty flour to feed themselves,
And poor John Bull, who left his fields unsown,
Must kneel to them for crumbs, or munch a stone;
And dying children's cries our bosoms wrench,
And beg in vain for victuals from the French." [P. 64.]

We have only room for one more extract; it is a satirical portrait of a different kind:

She well became her fortune; handsome yet,
With lineless brow, smooth cheeks, and hair of jet:
A face, that plainly told two score of years,
Had scarcely brought her eyes as many tears.
A girl accomplished, graceful, calm, and fair,
She seemed a pure wax-light in Grosvenor-square,
Until beneath St. George's fateful porch
The virgin taper blazed as Hymen's torch;
A wife in highest vogue, correct, admired,
In lauding whom the virtuous never tired;
And who, could worth be caught from looks and tones,
Had done more good than all the martyrs' bones.
In fine, a pattern, wont in all to show
Her moral right to every good below.

Once by a concert singer's drapery brushed,
The spotless heart with indignation blushed,
And dropping on the floor the cashmere woof,
Preferred self-sacrifice to just reproof.
But free from bigot pride, without a pang,
She heard the songs of love the culprit sang;
And when, at last, she left the shawl behind,
These words alone expressed her hallowed mind—
"It cost me fifty guineas: I declare
The law should make such people take more care."

Mild on the surface, though severe within,
She never frowned except at vulgar sin;
But still with soul of brass pursued her way,
Nor e'en one hasty moment went astray.
And she was cold to every wrong desire,
As Alpine ice-peak to the lightning's fire;
While, not so circumspect, the neighbouring tree
Admits the blaze and dies like Semele.

In short, Diana shone on life's frail stage
The ideal *Proper Person* of her age;
Her life was blazon'd *Proper*, and it bore
Additions due of *argent* and of *or*.
The goddess of Propriety could find
No fitter Sybil to convert mankind;
And as to blaming aught Diana did,
Or daring anything by her forbid,
One might almost as well maintain that we
Can learn at all from lands beyond the sea,
Or e'en that truth is not for man below,
A wine once made, but like the vine must grow.
The *Christian Year* of poems pleased her most;
Of journals nothing but the *Morning Post*.[7] [Pp. 81-3.]

We venture to promise to any one whom our extracts may tempt to read the volume, a fund both of amusement and of highest interest, of which these extracts are no more than a fair sample.

291. PUSEYISM [1]

MORNING CHRONICLE, 1 JAN., 1842, P. 3

The controversy within the Established Church of England over its Catholicity, historically and doctrinally, was greatly heightened by the publication of *Tracts for the Times*, which gave interpretations of the Thirty-nine Articles that minimized their Protestantism, by a group variously known as the "Tractarians," the "Oxford Movement," and the "Puseyites." The leaders were Edward Bouverie Pusey (1800-82), Regius Professor of Hebrew at Oxford; John Keble (1792-1866), Professor of Poetry at Oxford (1831-41) and vicar of Hursley, whose sermon on national apostasy attacking Erastian liberalism had initiated the movement in 1833; and John Henry Newman (1801-90), the greatest controversialist of all, whose *Tract 90* had given most offence. Mill's two letters on the subject (this and No. 292) were prompted by letters in the *Morning Chronicle* in December 1841 by "Philo-Puseyite" (18th, p. 3, and 24th, p. 3) and by "Miso-Jesuit" (23rd, p. 3, and 30th, p. 3), as well as by editorial attacks on the Puseyites (see the leading article on the Oxford Professorship of Poetry, *Morning Chronicle*, 3 Dec., p. 2). This item is headed "Puseyism," with subhead, "To the Editor of the Morning Chronicle." The letters are described in Mill's bibliography as "Two letters on Puseyism, signed Historicus, in the Morning Chronicle of 12th [*sic*] and 13th January 1842" (MacMinn, p. 54).

SIR,—I address you as one of, I believe, many who although most remote from any connection, either personal, or through their opinions, with Puseyism, have seen with pleasure the letters of "Philo-Puseyite," in the first place, because we

[7]Those of Tory views were fond of the cycle of poems, *The Christian Year*, 2 vols. (Oxford: Parker, 1827), by John Keble, one of the "Oxford Theologians" (see No. 291), and favoured the *Morning Post*, the long-established fashionable conservative paper.

agree with that writer in a large portion of his sentiments, but also, and still more, because we approve of the tone of mind, which is less eager to hold up to obloquy the errors of an adversary, than conscientiously to examine what portion of truth exists in those errors, and gives them their plausibility. We not only esteem it a more healthful exercise of the mind to employ itself in learning from an enemy, than in inveighing against him; but, we believe, that the extirpation of what is erroneous in any system of belief is in no way so much promoted as by extricating from it, and incorporating into our own systems, whatever in it is true. If your correspondent, "Miso-Jesuit," had taken heed of these things, he would probably have spared you his ill-tempered and uncourteous second letter—a document which would prove, if such proof were required, that there is nothing which a zealot, Christian or infidel, dissenter or churchman, can so little pardon, or on which he is so incapable of putting a candid interpretation as the offence of not going with him to the full length of his narrow-minded antipathies.

It was scarcely needful for your correspondent to remind "Philo-Puseyite" that the Oxford theologians would not thank him for such advocacy as his, and that whoever stands up for toleration or charity in their behalf claims for the Puseyites what the Puseyites would not be willing to bestow.[1] The leaders of this sect, for a sect it is, are, as it is evident that "Miso-Jesuit" himself is, conscientious bigots: like him, however, they are not bigots to error, but to one-half of the truth; and are, in the present writer's estimation, entitled to the approbation and goodwill which he cannot but feel towards all such persons, provided that the portion of truth they contend for is one which the age specially needs, and provided (he must add) they have not the power of burning him for heresy, a fate which, to say truth, if their doctrines ever obtained the ascendancy in this country, he does not well see how he could hope to escape. It is not, therefore, out of any special partiality to them that he undertakes their apology. But not to our friends alone is justice due from us and to the Puseyites; permit me to say, it is more particularly due from your paper, inasmuch as you have repeatedly in your leading articles done them cruel injustice, of the kind likely to be most severely felt by conscientious men, and most likely also to prejudice impartial bystanders against your good cause, by your perpetual denunciations of them as hypocrites and mammon-servers, because, holding doctrines which you (not they) deem inconsistent with the articles of the church, they yet do not secede from it.[2]

Can you be serious, sir, in addressing this particular reproach to men of whom it is the distinctive feature, among all other religious parties, to maintain that no difference of opinion whatever is capable of justifying the sin of schism? That the first command of Christ is adherence to the standard which he has erected upon earth, and for the recognition of which he has appointed certain criteria, of which

[1] "Miso-Jesuit," "Anti-Puseyism—Letter II," *Morning Chronicle*, 30 Dec., 1841, p. 3.
[2] See, e.g., the leading article of 3 Dec., p. 2.

the profession of a particular set of theological tenets[3] is *not* one; that even if the whole human race, one person excepted, should desert that standard and set up another, by proclaiming a church of man's ordinance, not God's, it is they who apostatize, and he, that one person, be his opinions what they may, is the Christian church upon earth; or if, instead of themselves seceding from the communion, they forcibly exclude him from it (as the Romish church did Luther),[4] he refusing and protesting, they, by so doing, constitute their church a schismatic body, while he remains a member of the church as before! In common candour, sir, ask yourself whether persons of whose belief this is a correct expression, are sacrificing their principles to lucre because they do not take upon their consciences what they esteem a deadly sin.

And since we are on the subject of interested motives, give me leave to ask you, as a man acquainted with the world, and aware of the ordinary course of affairs in political life, whether you do or can think other of these men than that by professing their opinions they are abandoning all hope of further advancement in worldly advantages? If the extraordinary acquirements and powers, for example, of Mr. Newman had been employed in any of the modes in which able men in the church of England usually seek to distinguish themselves—in the paths, for instance, by which Dr. Blomfield, or Dr. Philpotts rose to eminence,[5] is there any dignity in the Establishment to which he might not have aspired? And do you believe that either the present government, or any other ministry that could be formed, would dare to raise an avowed and active Puseyite to episcopal, or any other high ecclesiastical honours? Let me answer for you, sir. You know the contrary: you are not ignorant of the sort of feelings with which practical politicians of every class invariably regard the speculative men who formulize either into philosophic theories or religious dogmas the extreme doctrines of their own party. You know that those whose business is conciliation and compromise, the smoothing of difficulties and the allaying of apprehensions, do not hold their most determined adversaries in so much dread as they do those who display to public view all the vulnerable points in their system of opinions, in the manner most fertile of misgiving to friends, and irritation to opponents, and proclaim as sacred principles, to be acted upon without qualification or reserve, all which *they* in their practice not only sedulously guard by countless modifications and restrictions, but are so often forced, even honestly, to surrender altogether, in

[3]i.e., the Thirty-nine Articles.

[4]Martin Luther (1483-1546), German father of Protestantism, was excommunicated from the Catholic Church in 1520 by a Bull of Pope Leo X that Luther publicly burned.

[5]Charles James Blomfield had tutored the sons of aristocrats before becoming Bishop of Chester in 1824, and had shown political and social skills before his elevation as Bishop of London in 1828. Henry Phillpotts (1778-1869) was notorious for his reversal of long-standing anti-Catholic and Tory opinions in supporting Peel on the Catholic Relief Bill of 1829, after which he became Bishop of Exeter.

points of detail at least, on the summons of declared opponents. If *we* know this, think you that Mr. Newman knows it not? Think you that a man so deeply read in history, and who has analysed in so one-sided, but yet so profound a manner, the course of the stream of human affairs from age to age,[6] is ignorant of what every school-boy knows, that the philosophers of a creed are seldom its successful politicians?

It would do you credit, sir, to desist from these incessant attacks upon the disinterestedness of the Oxford theologians, or to reserve them until you find the Puseyites violating the doctrines of their own creed, by disobeying the authority, canonically exercised, of their ecclesiastical superiors. Such imputations of insincerity are applied with a very bad grace to a party from whom, whatever may be said against the reasonableness or the real Christianity of many of their doctrines, this acknowledgment cannot be withheld, that instead of being insincere members of the church, they are the only party in it who attempt, or even pretend to attempt, to be perfectly sincere. I assert this without qualification as one of the greatest, or rather as the very greatest of the peculiarities which, in my opinion, entitle this school to be warmly welcomed among us. They are the first persons in the Church of England who for more than a century past have conscientiously and rigidly endeavoured to live up to what they nominally profess—to obey the regulations of that church of which they call themselves members. Even Philo-Puseyite speaks of their "predilection for ceremonies, and vestments, and fastings, and vigils, and saints' days," as something "revolting."[7] But is it forgotten that these things are actual ordinances of the Church of England, and that the Puseyites are simply acting out the written code of their religion? If these things are absurdities, with whom lies the fault? They were not placed in the Rubric[8] by the Puseyites. The charge of insincerity brought against this party for remaining in the church without assenting, or while assenting only in a latitudinarian sense, to the articles, may be much more fairly retorted upon those who, without considering, as the Puseyites do, adherence to the church to be the paramount duty of a Christian, nevertheless remain in it with a tacit reservation that they are to conform to just as many of its rules and authoritative precepts as to them appear reasonable. Let the opposite party, then, bestir themselves to cause such of the ceremonies, and such of the religious exercises prescribed by the church as they disapprove of, to be abrogated in the lawful manner, by canonical authority. But until this is done, I confess I honour

[6]Mill presumably has in mind the historical analysis in *The Church of the Fathers* (London: Rivington, 1840), and such other of Newman's works as *The Arians of the Fourth Century* (*ibid.*, 1833), *Lectures on the Prophetical Office of the Church* (*ibid.*, 1837), and *Remarks on Certain Passages in the Thirty-Nine Articles*, No. 90 of *Tracts for the Times* (*ibid.*, 1841).

[7]"Philo-Puseyite," "On the Oxford Professorship of Poetry—Letter II," *Morning Chronicle*, 24 Dec., p. 3.

[8]See the "General Rubric" in the *Book of Common Prayer*.

far more those who act up to what is professed by all, than those who take one part of it and leave another, as suits themselves.

It is not, sir, by continuing to profess opinions, and silently forbearing to act upon them, that either religious or any other prevailing doctrines are to be freed from whatever of irrational or pernicious they may contain. It is too true that this is the ordinary course of changes of opinion. It is a disgusting, but sometimes inevitable era of transition between the pristine vigour and final downfall of creeds or doctrines, originally too deeply rooted in the soil to admit of being eradicated unless they have first reached an advanced stage of corruption and decomposition. In religion, and also in politics, the whole eighteenth century was a period of this kind. But that is a happy day for renovated humanity, when first a sincere man, indignant at the more and more complete severance of profession from practice, stands up as a fulfiller, in his own person, and a vindicator to the world, of the solemn duty of *doing* the whole of that which he daily professes that he ought to do. By carrying out this principle, and even because he carries it out to its last and absurdest consequences, he challenges and compels inquiry into the grounds of the belief itself, and the degree in which it is or is not still adapted to be the rule of conduct for humanity in its altered state; and by the very vigour with which he asserts the false parts of his own creed, he, by a reaction as certain as it is salutary, calls forth into corresponding activity and energy those opposite truths, in the minds of other people, which are the suitable means of expelling the false opinions without prejudice to the just views with which they are always, but not inseparably, interwoven: thus giving to the world over again that without which its whole scheme would be an abortion and a failure—notions of duty made to be executed, not to be locked up as too good for use, or worn for outside show.

I must not, sir, encroach further on your space; but if you should deem this letter worthy of insertion, I may perhaps return to the subject, and lay before you in a more particular manner the grounds on which I contend that Puseyism is one of the most important and interesting phenomena which has appeared above the horizon of English speculation for many years past.

Historicus

292. PUSEYISM [2]

MORNING CHRONICLE, 13 JAN., 1842, P. 3

For the background and the entry in Mill's bibliography, see No. 291. This letter is headed "Puseyism.—Letter II," with the subhead, "To the Editor of the Morning Chronicle."

SIR,—Let me begin by thanking you for your prompt insertion of my former communication, and not less sincerely for the comments in a subsequent editorial

article, which in temper and candour were all that could be desired, and in substantials quite as favourable as I had reason to expect.[1] I never did so much injustice to the writer of the denunciations of Puseyism which have so often appeared in your paper, as to imagine that he would have thus written with opinions of the subject so weak as to be shaken by the first breath of controversy. You have said what there is to be said for your view of the question, and it is satisfactory to find that there is so little. I cannot say that I perceive in it anything new, or which, as you seem to surmise, I had previously overlooked. The topics are such as no one could overlook, who attempted to anticipate what you would say. How, for example, after charging with hypocrisy, for not seceding from the church, men who hold that to secede from her would be to renounce their baptism, could you possibly defend yourself without drawing the distinction, and making as much of it as you could, between remaining in the communion of the church and partaking of its emoluments? The point could not be missed: a *nisi prius* advocate of the lowest grade could not have failed to take advantage of it.

I wish, sir, that it were as easy to exculpate the Puseyites, or Newmanites (as I admit that they may be more properly called) from every other of the accusations brought against them, as it is from this, of dishonestly retaining a state fee of which they violate the conditions. You would scarcely continue to bring this charge if you had sufficiently considered what it implies, or how widely the theory of the relation between spiritual teachers and temporal governors, which you seem to hold, differs both from that of the Newmanites themselves, and from the doctrines of the most enlightened friends of liberty in the present and in past ages.

It would be a sufficient vindication of this party against the imputation of dishonesty, to show that their conduct is strictly consistent with their own principles; especially when those principles are not theirs peculiarly, but common to them with the great body of churchmen, or at least with the principal defenders of the Church of England as a political establishment. By what right do you require the Newmanites to make themselves martyrs for opinions which are not theirs; to acknowledge as a truth, by recognizing as obligatory upon them in practice, the doctrine that the endowments of the Church of England are a state fee given as a consideration for teaching certain religious tenets? Do they hold this doctrine? Is there any party in the church worth mentioning which holds it? Will they not answer, and will not the whole Conservative body answer with them, that the endowments, the far greater part of them at least, did not come from the state, never belonged to the state at all, but to private individuals who voluntarily gave them to the church, for purposes and under expectations, which it is the very crime charged against the Puseyites, that they far more nearly fulfil than the party of the Protestants *par excellence* think it right to do? Some kings

[1]Leading article, *Morning Chronicle*, 5 Jan., 1842, p. 2.

did, it is true, give lands from their hereditary domain, and the state, as a state, did render compulsory the payment of tithe,[2] not however until the majority of landed proprietors throughout Christian Europe had, from religious motives, consented to take the payment upon themselves; and, at all events, when once given, it was, according to the doctrine of all Conservative, and of many liberal writers, given irrevocably; it became as the land itself became in the hands of its feudal holders, not a salary, but a property.

The Puseyites do not, and, consistently with their religious doctrines, cannot acknowledge that the state made the Church of England, or gave it the property it holds, or did or could annex to that property any new conditions imposed by itself. Its power, in their view, like that of any judicial tribunal, extends only to enforcing the conditions on which the property is really held, which, according to them, are simply and solely those of being in communion with the Church Catholic, and having received ordination from a bishop to whom the power of conferring it has descended by uninterrupted succession from the Apostles. They do not, indeed, deny that the state, in the person of the tyrant Henry VIII, did assert another sort of power over these endowments, and did nefariously abuse that power by seizing a full half of the church property for the use of the monarch himself and of his favourites.[3] But is any one bound to resign what is his own, because somebody who is stronger chooses to assert a claim to it which he does not and cannot substantiate, and to pretend that it is only held on sufferance from him? If the Church of England has ever admitted that it is a national church by virtue of the King's appointment, that the Crown made it, or had anything to do with the matter but to recognize it as the portion of the church of Christ existing in this nation, there would be something to be said against the Newmanites. But this they deny. The mere acknowledgment of the King as head of the church, that is, as what the Pope, according to the best Catholic tradition, was before, the mere executive (the supreme authority being in the body itself), does not, in their view, nor in the view of many persons besides them, constitute such an admission.

I am not stating these as my own arguments. I do not concur in them. They are deduced from the principles of a religious and political creed which is not mine. But it is the creed of the Puseyites. They stand upon their *right* to the endowments. On their own premises they are justified in making this stand. And when men are accused of insincerity, it is by their own premises that they are entitled to be tried. I confess, however, that I should not feel the same interest in their cause if there were nothing concerned in it but their own honesty and consistency; if it did not appear to me to involve a great principle, which it is not necessary to be a Newmanite, or even a churchman to acknowledge, and which it

[2]By 27 Henry VIII, c. 20 (1535), and 32 Henry VIII, c. 7 (1540).

[3]Following the Act of Supremacy in 1534, Henry VIII (1491-1547, ruler from 1509) dissolved the monasteries and confiscated their properties.

more especially becomes those who call themselves Liberals to take every occasion of asserting and vindicating.

The endowments, which the Puseyites say are not derived from the state, I say are derived from it.[4] I deny the inviolability of foundations, and not only claim it as a right, but affirm it as a duty, of the Legislature to alter the appropriation of all such as, after due deliberation, with due precaution against its own fallibility, it deems to be no longer beneficially employed. I therefore hold that the state can rightfully take away the endowments of the Church of England, as many good and wise men have held that it ought to do; that it has a right to determine whether it will endow with this property, any body of religious teachers whatever, and if it does, has a right to select the body which it judges best qualified for that high function. Its power, therefore, of giving the endowments for the purpose of spiritual teaching, is absolute; but that it has a right to give them conditionally, the condition being that of teaching certain doctrines, and those only, I deny. It must bestow them for teaching what the teachers believe, not what itself believes. It is not to chuse doctrines, but instructors. If there is to be an endowed church at all, there must be a power in the legislature to judge what is the body which *shall* be recognised in that character. But this is the same thing with determining the doctrines that shall be taught. Is that work for a King's ministers and two Houses of Parliament? Are they the theologians from whom those who listen to the publicly accredited religious instructors are to take their religion? Have we rejected popes and councils to receive our doctrines from a pope in St. James's, or a council in St. Stephen's?[5] The state has a different duty to perform. It is to judge, not what is taught, but the title to teach. The Newmanites say that they, or rather the church to which they adhere, are the teachers, divinely commissioned, and have credentials from the Almighty, pointing them out as such: if so, let the state look to the credentials, and judge of them. If nobody can make out a title by appointment from above, those are entitled who can give best proof of having qualified themselves by the fitting studies and the fitting moral discipline. It is for the state to decide this. It is for the state to determine what communion or what body of persons is most fitted, in point of general competency, to put a right interpretation upon Christianity, and to bring its practical principles home to the national mind. But when we are told that the state has ordained certain religious tenets to be taught, and a certain interpretation to be put upon Christianity, under the penalty of not teaching under state authority at all, I can only answer that whether by the state are to be understood a dead Henry VIII, or a living Peel or Melbourne, they have no credentials for this trust, can show no qualifications for it. Their duty is to find

[4]For Mill's already expressed views on the issue, see his "Corporation and Church Property" (1833), *CW*, Vol. IV, pp. 193-222.

[5]I.e., as in a theocratic state, with the head of the church in the royal palace (St. James's), and his council in the legislature (St. Stephen's).

who are, or ought to be, the national church; it is the church's duty to determine what the church ought to teach.

I am tempted, sir, as one who has for many years considered himself a Liberal, to ask what is become of several doctrines which were once considered the distinguishing principles of the extreme Liberal party. Among the rest we used, I remember, in former days, to profess much disapprobation of what was called a connection between church and state. Perhaps some of those who reproach the Puseyites for objecting to state interference with the church, could refresh my memory as to what we meant by this. I wonder if it was merely the acres, or the pounds sterling, which we wanted to rescue from the church, and convert to our own uses; or whether we thought that there was nothing so certain to corrupt religious teaching, as the interference with it of temporal governors; that such persons when they meddle with prescribing religious doctrines, seldom do it for any good, and that the sole effect of making the church dependent on the state, is to make religion an instrument for upholding temporal despotism, and an ally of every abuse which the indolence of rulers suffers, or by which their cupidity profits. And has not such been, in fact, the history of every church which has held its commission from the state, or been dependent upon it? Of the Greek church, both at Constantinople and at Petersburgh? Of the Church of England, and most Protestant churches, from their very commencement? And even the Church of Rome, to which, corrupt and *effete* as it now is, humanity owes a debt never to be sufficiently appreciated, is not it chargeable with the same sin, from the time when that glorious struggle for which a Hildebrand lived and a Becket died—heroes who will eternally survive by the side of Martin Luther and John Knox—was shamefully wound up by the memorable blow inflicted upon Boniface VIII at Anagni, by the emissary of Philippe le Bel—which established for all the centuries which have since elapsed the supremacy of the sceptre over the crosier, and of which it was but a natural consequence that a few years after, the pontiff of the Christian world sat at Avignon, for the first time in history, as the degraded tool of a temporal oppressor, sanctioning the butchery of the Templars and every other enormity of that rapacious despot?[6]

Against this idea of a church establishment, the Newmanites protest, and I

[6]This tightly compressed history of the struggle for dominance between Church and State runs from the establishment of ecclesiastical authority by Hildebrand (ca. 1020-85), Pope Gregory VII, who triumphed over the Emperor Henry IV, through Thomas à Becket (ca. 1118-70), Chancellor of England and then Archbishop of Canterbury, who quarreled with Henry II over the church's authority and was murdered, with a glancing reference to the Protestant reformers Luther and John Knox (ca. 1513-72), on to Philippe IV (le Bel) of France (1268-1314), whose envoy, Guillaume de Nogaret (d. 1303), seized and imprisoned Pope Boniface VIII (ca. 1235-1303) at Anagni in 1303, just before Boniface could excommunicate Philippe who set up Clement V as the first Pope in Avignon in 1309, and instigated, with Clement's compliance, the inquisition against the Knights Templar in 1310-11.

protest with them. If an established church is not to be independent of state control, no established church ought to exist. A church bound to teach only what the state commands! Why, it is the business of a church to be a schoolmaster to the state, and a bridle or a spur to it—the one or the other, or both, according as it needs them. It is the business of a church to fill the minds of the people with ideas and feelings of duty by which the temporal rulers shall be restrained, and of which they shall stand in awe. If these rulers, to be a check upon whom is one of the chief uses of an organised body of religious teachers, are to prescribe to that body what it shall teach, can we expect anything but what has generally existed in the Church of England, a tacit understanding that the peace is to be kept on all points which would really stir up people's minds, and on all matters of religion or morality which concern the higher classes of society in their duties as governors; that so much of Christianity shall alone be insisted upon as is good for the lower orders, and that the church shall exist, in the words of a clever and eloquent writer, only for the purpose of

> . . . Discreetly teaching all to choose,
> The path their betters fain would have them use?*

Most heartily is it to be rejoiced at, that a party has arisen which asserts a higher position than this for the religious teachers of a nation, and with whose convictions it is consistent, while claiming this higher character for the church, to remain in the church—to assert these as *her* principles, not those of her enemies; and to revive the remembrance of the claims which the Christian church once made to a more exalted destination, and of the services which she rendered in the fulfilment of it. I care not in what manner they reconcile this to their consciences, so that they do reconcile it. The principles by which they do so are those which they profess in common with almost every defender of the establishment; but were it otherwise—were it true that they silence their scruples by the most flimsy sophistry—it is not for us, who hold the same conclusions on firmer grounds, to meet them with reproach or discouragement.

The remaining part, sir, of your reply to my letter is chiefly employed in contending that the motives of these men are not so pure from mere worldly ambition, as, taking a rational view of their situation and prospects, I had concluded them to be. Your proofs of this are, that they are eager to propagate their opinions, to get newspapers, and reviews, and the younger clergy on their side, which you seem to think a very unpardonable stretch of priestly assumption; and that they have been, as you represent, very successful in these objects, although judging from present appearances their success even in their stronghold, Oxford, does not amount to any very substantial ascendancy. If the

**The Election*, a poem recently published. [Sterling's poem, these lines of which appear on p. 68, is reviewed in No. 290.]

clergy and even the monkery of their own university will not consent, and it seems far from likely that they will, to raise one of this body to the dignity of a Poetry Professor and a salary of £100 a year,[7] one would not give much for their chance of deaneries or mitres from the practical statesmen of the Conservative party, for whom, in fact, and for whose principles of action, instead of practising any sycophancy, they scarcely disguise their contempt. But suppose them to have been ten times more successful, what argument is this against them, any more than against Luther, or Wesley, or any other leader of a great religious movement? Grant them any degree of possible success, and they gain only a dim and distant prospect of what they would have been sure of by very ordinary exertion in the common road of preferment. You talk of the movement as having originated in a meeting held at the house of the Archbishop of Canterbury's chaplain, to consult about what should be done to protect the church against the encroachments of the Whig ministry. I am surprised that you should attach any importance to such an old nurse's tale.[8] Is a profound and connected system of thought, embracing not only a complete body of theology and philosophy, but a consistent theory of universal history, a thing which can be got up suddenly in a year, or two years, for a momentary political exigency? That there may be persons in high places, both in and out of the clerical body, who have joined or countenanced this movement from such motives as you allege, is likely enough; every cause has its share of this sort of proselytes; and there very probably was such a meeting as you state: but that the set of doctrines called Puseyism originated from thence, it would take no ordinary portion of credulity to make any person believe. The circumstances of the times may have awakened serious thoughts in minds which otherwise would have slumbered; the dangers which menaced the institutions they most valued may have helped to lead even such men as Mr. Newman and Dr. Pusey to reflect more deeply than they otherwise would have done upon the spirit and original purposes of those institutions. But this dependence of our deepest and most conscientious thoughts upon the suggestions of our outward circumstances, is incident to the infirmity of our speculative faculties, and is no imputation upon the sincerity of any one, nor, to

[7]Mill's prediction was fulfilled when the Oxford Professorship of Poetry later in 1842 went to James Garbett (1802-79), who held the chair for ten years. The defeated Puseyite candidate was Isaac Williams (1802-65), poet and theologian, author of *Tract 80*.

[8]The account in the *Morning Chronicle* of 5 Jan. was not "such an old nurse's tale" as Mill says, though the Chaplain to the Archbishop of Canterbury was not involved. A conference was held at Hadleigh, Surrey, on 25-29 July, 1833, where Hugh James Rose was Vicar, at the instigation of Rose, Arthur Philip Perceval (a Royal Chaplain), and William Palmer. Other participants were R.C. Trench (then Rose's curate) and Hurrell Froude. The conference was in response to the encroachment on the Church begun by the repeal in 1828 of the Test and Corporation Acts (9 George IV, c. 17), continued by the Catholic emancipation of 1829 (10 George IV, c. 7), and culminating, for the group, in the suppression of the Irish bishoprics by 3 & 4 William IV, c. 37 (1833).

any great extent, even upon the strength of his judgment. If it be a reproach, it is one to which all mankind are liable.

But I must not encroach farther, and really I do not know what I could add, or in what way the vindication of any set of men could be more complete. On their doctrines, as distinguished from the characters of the men themselves, and on the position which they seem to me to hold in English speculation, I could say much on a future occasion, if you continue to do me the honour of inserting my letters.[9]

Historicus

293. REPORT ON THE SANITARY CONDITION OF THE LABOURING POPULATION OF GREAT BRITAIN

EXAMINER, 20 AUG., 1842, PP. 530-1

On 8 June, 1842, Mill had written to his friend Edwin Chadwick about the "Report on the Sanitary Condition of the Labouring Population of Great Britain," to be printed in *House of Lords Sessional Papers*, 1842, XXVI (published separately by Her Majesty's Stationery Office in the same year): "I have read the whole report carefully through again. The defects of arrangements are now corrected & I have nothing to suggest except that it be carefully revised by yourself or some other person to correct the numerous typographical errors & occasional ungrammatical sentences. I think it all excellent & shall be glad to write about it for any newspaper as you suggest." (*EL*, *CW*, Vol. XIII, pp. 523-4.) The review, headed as title, appeared in the "Political Examiner." It is described in Mill's bibliography as "The greater part of an article on Chadwick's 'Report on the Sanitary Condition of the Labouring Population in Great Britain' in the Examiner of 20th August 1842" (MacMinn, p. 54). It is not known which part of the review is not by Mill, nor who added it, though Fonblanque normally wrote most of each issue.

THIS REPORT, prepared by Mr. Chadwick from the results of inquiries made in all parts of England, Wales, and Scotland, by himself and others, under the Poor Law Commission,[1] is destined, if we mistake not, to make an impression on the public mind more extensive and permanent even than that recently produced by the appalling disclosures of the Children's Employment Commission.[2] It is long since we have read any document so painful in respect to the past and present, or so encouraging in regard to the future. The occasion is a fitting one for a remark

[9]No more letters by Mill on this subject appeared, though the *Morning Chronicle* replied to this letter in a leader on 13 Jan., p. 2, and made further attacks on the Puseyites in second-page leaders on 18 and 29 Jan.

[1]The "Report" arose out of the Fourth and Fifth Annual Reports of the Poor Law Commissioners (App. A, No. 1, *PP*, 1838, XXVIII, 210-44, and App. C, No. 2, *PP*, 1839, XX, 100-6). The Commissioners then were George Nicholls, George Cornewall Lewis, and Edmund Walker Head.

[2]"First Report of the Children's Employment Commission (Mines)," *PP*, 1842, XV, 1-281.

similar to that of Demosthenes to the Athenians, that what is worst in retrospect is sometimes best in prospect.[3] If the mass of disgusting misery depicted in this Report had been found to exist after all which human wisdom could devise had been done to avert it, things would indeed be hopeless. But since the evils are so great only because it has been nobody's appointed duty to stir a finger for their alleviation; because legislators and administrators have thought they did enough for the poor by leaving them to themselves; and even private philanthropy, except in the case of a very few noble-hearted landlords and manufacturers, has taken any other direction rather than this; the spectacle of so vast a field of human improvement altogether untrodden, or imprinted only by the feet of a few thinly scattered pioneers, suggests the most cheering prospects of an amount of physical, moral, and social amelioration, not only practicable, but easily and rapidly to be accomplished, such as the most sanguine would hardly have dared, without the superabundant evidence contained in this Report, to indulge even in imagination.

A conception of the extent of the field comprehended in the Report may most easily be given by an enumeration of the titles under which it is arranged [pp. xxiii-xxix]:

I. General condition of the residences of the labouring classes where disease is found to be the most prevalent.

II. Public arrangements, external to the residences, by which the sanitary condition of the labouring population is affected.

Subdivided under the following heads:

Town drainage of streets and houses.

Street and road cleansing: road pavements.

Supplies of water.

Sanitary effect of land drainage.

III. Circumstances chiefly in the internal economy and bad ventilation of places of work; workmen's lodging-houses, dwellings, and the domestic habits affecting the health of the labouring classes.

IV. Comparative chances of life in different classes of the community.

V. Pecuniary burdens created by the neglect of sanitary measures.

VI. Evidence of the effects of preventive measures in raising the standard of health, and the chances of life.

With the following sub-heads:

Cost to tenants and owners, of the public measures for drainage, cleansing, and the supplies of water, as compared with the cost of sickness.

Employers' influence on the health of work-people by means of improved habitations.

[3]Demosthenes, "First Philippic," Sect. 2, in *Olynthiacs, Philippics, Minor Public Speeches, Speech against Leptines* (Greek and English), trans. J.H. Vince (London: Heinemann, 1962), p. 68.

Employers' influence on the sobriety and health of work-people by modes of payment, which do not lead to temptations to intemperance.

Employers' influence on the health of work-people by the promotion of personal cleanliness.

Employers' influence on the health of work-people by the ventilation of places of work, and the prevention of noxious fumes, dust, &c.

Employers' means of influencing the condition of the working population, by regard to respectability in dress.

Employers' or owners' influence in the improvement of habitations and sanitary arrangements for the protection of the labouring classes in the rural districts.

Effects of public walks and gardens on the health and morals of the lower classes of the population.

VII. Recognised principles of legislation and state of the existing law for the protection of the public health.

Under this head the Report has little to do except to demonstrate the total inefficiency of all the administrative arrangements at present applicable to the various purposes referred to in the preceding part of the Report, and the impossibility of making any real provision for those purposes without reconstructing the arrangements upon more rational and comprehensive principles than have yet been seen by those who have hitherto undertaken to legislate on the subject.

VIII, and last. Common lodging houses.

After two most careful and deliberate perusals of this important document, we need not fear to express the opinion, that under each and every one of the leading divisions of the Report, the intelligent reader, who has no previous acquaintance with the subject, will find his utmost imagination exceeded, both by the extent and magnitude of the existing evils, and by the amount of good which not only may be, as a matter of inference and speculation, but has been, in occasional instances, actually accomplished, and that too by the employment of the simplest and most obvious means.

We are accustomed to value ourselves upon our superiority to the nations of the continent in the airiness, cleanliness, and neatness of our towns. We deserve this praise as to the quarters, or at least the thoroughfares, inhabited by persons in the higher and middle ranks of life, but those classes are entirely unaware that the quarters exclusively inhabited by the labouring people, and even the lanes and alleys abutting on the backs of their own mansions, are too often in a condition which the most noisome and pestilential parts of the worst continental towns can scarcely exceed, and this by no means exclusively in large manufacturing but in small country towns, and even villages, and not from poverty, but from bad drainage, a mode of building which excludes ventilation, and lastly, insufficient supplies of water; defects which, as the Report shows, might be completely

remedied at a trifling cost, compared even with the mere expense of maintaining the sick and orphan poor who are made such by these deleterious agencies.

Mr. Chadwick states in his concluding summary of the points which he considers established, and it is difficult to read the evidence which he adduces and not agree with him,

> That the annual loss of life from filth and bad ventilation is greater than the loss from death or wounds in any wars in which the country has been engaged in modern times:
>
> That of the 43,000 cases of widowhood and 112,000 cases of destitute orphanage relieved from the poor rates in England and Wales alone, it appears that the greatest proportion of deaths of the heads of families occurred from the above-specified and other removable causes; that their ages were under 45 years; that is to say, 13 years below the natural probabilities of life, as shown by the experience of the whole population of Sweden:
>
> That measuring the loss of working ability amongst large classes by the instances of gain, even from incomplete arrangements for the removal of noxious influences from places of work or from abodes, this loss cannot be less than eight or ten years. [Pp. 369-70.]

The following is a most important and unexpected result: and most fully is it established:

> That the ravages of epidemics and other diseases do not diminish, but tend to increase the pressure of population:
>
> That in the districts where the mortality is greatest the births are not only sufficient to replace the numbers removed by death, but to add to the population. [P. 370.]

Amongst the structural arrangements, of the practicability of which evidence is given, will be found the testimony of practical engineers on such points as the following:

> That the chief obstacles to the immediate removal of decomposing refuse of towns and habitations have been the expense and annoyance of the hand labour and cartage requisite for the purpose.
>
> That this expense may be reduced to one-twentieth or to one-thirtieth, or rendered inconsiderable, by the use of water and self-acting means of removal by improved and cheaper sewers and drains.
>
> That refuse, when thus held in suspension in water, may be most cheaply and innoxiously conveyed to any distance out of towns, and also in the best form for productive use, and that the loss and injury by the pollution of natural streams may be avoided.
>
> That by appropriate arrangements, 10 or 15 per cent. on the ordinary outlay for drainage might be saved, which, on an estimate of the expense of the necessary structural alterations of one-third only of the existing tenements, would be a saving of one million and a half sterling, besides the reduction of the future expenses of management.
>
> That the expense of public drainage, of supplies of water laid on in houses, and of means of improved cleansing, would be a pecuniary gain, by diminishing the existing charges attendant on sickness and premature mortality. [P. 371.]

The following general observations are made on this topic:

The condition of large rural districts in the immediate vicinity of the towns, and of the poorest districts of the towns themselves, presents a singular contrast in the nature of the agencies by which the health of the inhabitants is impaired. Within the towns we find the houses and streets filthy, the air foetid, disease, typhus, and other epidemics rife amongst the population, bringing, in the train, destitution and the need of pecuniary as well as medical relief; all mainly arising from the presence of the richest materials of production, the complete absence of which would, in a great measure, restore health, avert the recurrence of disease, and, if properly applied, would promote abundance, cheapen food, and increase the demand for beneficial labour. Outside the afflicted districts, and at a short distance from them, as in the adjacent rural districts, we find the aspect of the country poor and thinly clad with vegetation, except rushes and plants favoured by a superabundance of moisture, the crops meagre, the labouring agricultural population few, and afflicted with rheumatism and other maladies, arising from damp and an excess of water, which, if removed, would relieve them from a cause of disease, the land from an impediment to production, and if conveyed for the use of the town population, would give that population the element of which they stand in peculiar need, as a means to relieve them from that which is their own cause of depression, and return it for use on the land as a means of the highest fertility. [P. 97.]

To afford a conception of the need of care in this respect to provide for the increase of population, it is stated that the rate of that increase, 230,000 per annum, is equivalent to the annual addition of a new county, requiring about 60,000 new houses every year to accommodate them—an increase in houses equivalent to two new towns nearly as large as Manchester proper, which has 32,310 houses, and Leeds, which has 27,268 houses.

It may be of interest to observe that, as the whole population grows in age, the annual increase in numbers may be deemed to be equivalent to an annual increase of numbers of the average ages of the community. If they were maintained on the existing average of territory to the population in England, the additional numbers would require an annual extension of one fifty-seventh of the present territory of Great Britain, possessing the average extent of roads, commons, hills, and unproductive land. The extent of new territory required annually would form a county larger than Surrey, or Leicester, or Nottingham, or Hereford, or Cambridge, and nearly as large as Warwick. To feed the annually increased population, supposing it to consume the same proportions of meat that is consumed by the population of Manchester and its vicinity (a consumption which appears to me to be below the average of the consumption in the metropolis), the influx of 230,000 of new population will require for their consumption an annual increase of 27,327 head of cattle, 70,319 sheep, 64,715 lambs, and 7,894 calves, to raise which an annual increase of upwards of 81,000 acres of good pasture land would be required. Taking the consumption of wheat or bread to be on the scale of a common dietary, *i.e.*, 56 oz. daily for a family of a man, woman, and three children, then the annual addition of the supply of wheat required will be about 105,000 quarters, requiring 28,058 acres of land, yielding 30 bushels of wheat to an acre; the total amount of good land requisite for raising the chief articles of food will therefore be in all about 109,000 acres of good pasture land annually. If the increase of production obtained by the use of the refuse of Edinburgh (that is, of 3,900 oxen from one quarter of the refuse of Edinburgh) be taken as the scale of production obtainable by appropriate measures, the refuse of the metropolis alone that is now thrown away would serve to feed no less than 218,288 oxen annually, which would be equivalent to the produce of double that number of acres of good pasture land. [Pp. 330-1.]

There is no one thing more completely made out in the Report, from incontestable statistical evidence, than that the mortality occasioned among adults by vice and misery does not check, but rather stimulates, the undue increase of numbers. Its principal effect consists in merely substituting a young, and, at the same time, weakly population, for one fairly proportioned among the seven ages of man.[4] Precisely in those places where, by accurate records, it is known that deaths are fewest, and the average duration of life longest, there also occurs the smallest annual number of births; and as improvement occurs in the one respect, its consequences are more and more felt in the other.

Such evidence as the following is adduced of hope for the future:

In illustration of the moral and social effects to be anticipated from measures for the removal of the causes of pestilence amongst the labouring classes, and for the increase of their duration of life, concurrently with an increase of the population, I refer to the effect experienced in Geneva from the like improvements effected during the lapse of centuries. That city is, so far as I am aware, the only one in Europe in which there is an early and complete set of registers of marriages, births, and deaths. These registries were established in the year 1549, and are viewed as preappointed evidences[5] to civil rights, and are kept with great care. This registration includes the name of the disease which has caused the death, entered by a district physician who is charged by the State with the inspection of every person who dies within his district. A second table is made up from certificates setting forth the nature of the disease, with a specification of the symptoms, and observations required to be made by the private physician who may have had the care of the deceased. These registries have been the subject of frequent careful examinations. It appears from them that the progress of the population *intra muros* of that city has been as follows:

In the Year	Inhabitants	Proportionate rate of Increase as compared with 1589
1589	13,000	100
1693	16,111	124, or 24 per cent.
1698	16,934	130, or 30 "
1711	18,500	142, or 42 "
1721	20,781	160, or 60 "
1755	21,816	168, or 68 "
1781	24,810	191, or 91 "
1785	25,500	196, or 96 "
1789	26,140	201, or 101 "
1805	22,300	171, or 71 "
1812	24,158	186, or 86 "
1822	24,886	191, or 91 "
1828	26,121	201, or 101 "
1834	27,177	209, or 109 "[6]

[4]See Shakespeare, *As You Like It*, II, vii, 139-66; in *The Riverside Shakespeare*, pp. 381-2.

[5]A term introduced by Bentham to whom Chadwick had been an amanuensis; see, e.g., *An Introductory View of the Rationale of Evidence*, in *Works*, Vol. VI, p. 60.

[6]Chadwick takes the table from *Recherches historiques et statistiques sur la population de Genève* (Paris: Renouard, 1837), p. 12, by Edouard Mallet (1805-56).

It is proved in a report by M. Edward Mallet, one of the most able that have been made from these registries, that this increase of the population has been followed by an increase in the probable duration of life in that city:

	Years	Months	Days	Proportionate rate of Increase as compared with the end of 16th Century
Towards the end of the 16th century the probabilities of life were, to every individual born	8	7	26	100
In the 17th century	13	3	16	153, or 53 per cent.
1701-1750	27	9	13	321, or 221 "
1751-1800	31	3	5	361, or 261 "
1801-1813	40	8	0	470, or 370 "
1814-1833	45	0	29	521, or 421 "[7]

The progression of the population and the increased duration of life had been attended by a progression in happiness: as prosperity advanced marriages became fewer and later;* the proportion of births were reduced, but greater numbers of the infants born were preserved;† and the proportion of the population in manhood became greater.[8] In the early and barbarous periods, the excessive mortality was accompanied by a prodigious fecundity. In the ten last years of the 17th century, a marriage still produced five children and more; the probable duration of life attained was not twenty years, and Geneva had

[7]From *ibid.*, p. 104.

*It is the practice in Geneva for female servants to delay marriage until they have saved enough to furnish a house, &c. In illustration of this state of things it is stated that in 290 out of 956 marriages, the female was at the time of marriage older than the male. With further advances in prosperity, it is anticipated that age of marriage would again diminish. [Chadwick's note, based on Mallet, pp. 83-4.]

†"Out of 100 deaths in the 16th century, 25.92 were children in their first year; in the 17th century, 23.72; in the 18th century, 20.12; in 1801-13, they were 16.57; and in 1814-33, they were 13.85." [Mallet, p. 114.] In Liverpool, the number of children which in the year 1840 died under one year of age was no less than 23 per cent., or what it was in Geneva in the 17th century. In the county of Wilts, where the proportionate mortality is 1 in 58, the deaths of children in the first year were 16 per cent. Dr. Griffin, in a report on the sanitary condition of the population of Limerick, where the births appear to bear such proportions to the marriages as they appear to have borne in Geneva in the earliest periods, namely, of five children to a marriage, and more in the worst-conditioned districts, makes an important observation on the subject: "I find that as the poor nurse their own children, there is in general an interval of about two years between the birth of one child and that of the next; but if the child dies early on the breast, this interval will be much shorter; and if this occurs often, there will be a certain number born as it were *for the purpose of dying*; and these being soon replaced, the same number may still be preserved as if there had been few or no deaths, or only the ordinary number." Of these 55 per cent. died. [Chadwick's note, the concluding reference being to p. 16 of *An Enquiry into the Mortality Occurring among the Poor of the City of Limerick* (n.p., 1840), by Daniel Griffin (ca. 1801-63), physician and author.]

[8]Mallet, p. 105.

scarcely 17,000 inhabitants. Towards the end of the 18th century there were scarcely three children to a marriage, and the probabilities of life exceeded 32 years. At the present time a marriage only produces 2 3/4 children; the probability of life is 45 years, and Geneva, which exceeds 27,000 in population, has arrived at a high degree of civilization and of "*prospérité matérielle*."[9] In 1836 the population appeared to have attained its summit; the births barely replaced the deaths.

M. Mallet observes, that it is difficult, if not impossible, to distinguish the different causes, and the different degrees of intensity of each of the causes, that have tended to produce this result.[10] It is, however, attributed generally to the advance in the condition of all classes; to the medical science of the public health being better understood and applied; to larger and better and cleaner dwellings; more abundant and healthy food; the cessation of the great epidemics which, from time to time, decimated the population; the precautions taken against famine; and better regulated public and private life. As an instance of the effects of regimen in the preservation of life, he mentions that, in an establishment for the care of female orphans taken from the poorest classes, out of 86 reared in 24 years, one only had died.[11] These orphans were taken from the poor. The average mortality on the whole population would have been six times as great. [Pp. 174-6.]

We would willing touch at greater length upon many of the important topics in the Report, but we have only space remaining for one.

The attention of philanthropists has of late begun to turn itself to the improvement of the imputed evils of the Factory System, and many have sincerely adopted the opinion (which has, moreover, been sedulously propagated by those who thought themselves interested in maintaining the Corn Laws) that to work in factories at all is inconsistent with a healthy condition, either physical or moral, of the labouring classes of any community. The Children's Employment Commission has already done much to dissipate the error of supposing that human beings who work in large bodies, and under the protection, more or less perfect, of publicity, are worse taken care of, or more unfavourably circumstanced in any respect, than those who perform work of an analogous description in places called by other names. The present document shows, by the most copious evidence, that factories, even as they are now, are much surpassed in unhealthiness, and in all the demoralizing consequences shown to result from unhealthiness, by other places of work not called factories, such as those of the tailors in London, and by the private dwellings of a large part of the labouring population. That, nevertheless, the existing factories are, speaking generally, extremely unhealthy; but that they are so only for want of proper ventilation and other important requisites, which, if the enlightened self-interest of the owners fail to supply, the law could and ought to enforce; and that in all instances in which, either from that enlightened self-interest or from benevolence, such

[9] *Ibid.*, p. 167.
[10] *Ibid.*, p. 88.
[11] *Ibid.*, p. 137n.

improved arrangements have been carried into effect, and especially where the improvement of the private dwelling-places of the work-people has been included in the plan, its authors have been rewarded by seeing around them a healthy, thriving, and well-conducted factory population attached to them, and having none of the evil characteristics so often declared to be inseparable from the Factory System.

Our limits compel us to quit the subject of this Report before we have given an idea of a tithe of its important contents. But no such notice as we could give would do it justice. The Report itself, or a full abstract, should be in the hands of every legislator or administrator, every philanthropist, and every employer of labour in the community.

294. LORD ASHBURTON'S TREATY

MORNING CHRONICLE, 4 OCT., 1842, P. 3

The warlike attitude of British Liberals towards the United States, of which Mill complains in this letter, had arisen over such matters as the right to search slave-ships. It had been inflamed in November 1840 by the capture, and subsequent indictment for murder, of Alexander McLeod (1796-1871), a Canadian who boasted of seizing the U.S.S. *Caroline* and murdering a crew member when the ship was engaged in an attempt by rebels and adventurers to capture Navy Island from the Canadians. McLeod was acquitted in 1841, and an exchange of notes in August 1842 lessened the tension. At the same time, the Canadian-American border dispute going back to the Treaty of Versailles in 1783 was resolved by negotiating teams led by Alexander Baring, Lord Ashburton, for Britain, and Daniel Webster (1782-1852) for the United States. The result was the "Treaty between Her Majesty and the United States of America" (9 Aug., 1842), *PP*, 1843, LXI, 1-8, known as the Webster-Ashburton Treaty. Palmerston, the former Foreign Secretary, had vigorously attacked the concessive policy of Peel, as manifested in the Treaty, and was reputed to be the author of the critical articles in the *Morning Chronicle* that had appeared almost daily from 19 Sept. to 3 Oct. Mill's letter, headed "To the Editor of the Morning Chronicle," was answered on the day of its publication by an article on p. 2 of the *Chronicle*. The letter is described in Mill's bibliography as "A letter signed A on Lord Ashburton's Treaty with America, in the Morning Chronicle of 4th October 1842" (MacMinn, p. 55).

SIR,—As an old admirer of your paper, and an ancient adherent of that Liberal party, one of whose chief distinctions I have always understood to be that it was the party of peace; which, indeed, one can ill imagine how a party carrying the banner of advancing intelligence and progressive improvement, could fail to be; give me leave to solicit some explanation from you on the new character in which, on all matters affecting foreign policy and national differences, it has of late been the pleasure of some of the leaders of that party to manifest themselves, and of some of its organs, yourself in particular, as the most potent of them, to aid and abet that manifestation.

Until within these few years, it was not only the doctrine of the Liberal party, but a sort of commonplace among writers in general, that war is the game of kings,[1] not the pleasure of their subjects. We were accustomed to contend, that in proportion as the affairs of nations were withdrawn from the control of individual ambition, vanity, or animosity, and placed under the power of those who pay the taxes and smart by the commercial losses which war engenders, in the same proportion would that ancient and barbarous mode of terminating the disputes between governments fall into disuse. For some years past, however, that which has called itself the popular party in each of the three most powerful countries of the earth—England, America, and France—has, whether in or out of power, been sedulously engaged in blowing up war between those countries, if not by direct instigation, yet by that blustering tone and that bitter and insulting language, which are much more likely provocatives of quarrel than even real injuries; and now, it seems, this course is to be persevered in; as in France, so here the Liberal party, if some who seek to be its leaders are suffered to have their way, will stand openly before mankind in the disgraceful character of a war party, and will labour to discredit and frustrate the apparently sincere and hitherto successful exertions of the governments of the three countries to keep the world at peace;—an attempt of which you, sir, are making yourself in our own country, the main instrument, but in which I trust you are destined to be speedily, signally, and shamefully defeated.

The complaint which I make extends to the principles and tone of nearly every article on foreign policy which has appeared in your paper for the last three years, and I select as the most recent, and one of the most striking examples, your strictures on the late treaty with America.

Although it may suit party politicians to have short memories, I imagine most of your readers can carry back their recollection to the state of public feeling respecting our relations with the United States; for many months previous to the commencement of Lord Ashburton's mission, public opinion, which is usually in excess either on the side of security or of apprehension, then inclined strongly in the direction of alarm. It was generally thought that feelings naturally tending to hostility between the two countries, were progressively and dangerously on the increase. Many did not hesitate to affirm, some to affirm publicly, that war, even if now averted, was yet, in no very long period, inevitable: while there were none who did not feel that dispositions existed on the other side of the Atlantic, and were, to all appearance, very likely to be excited on this, which would eagerly lay hold of any pretence for quarrel. Above all, it was feared, that so long as the boundary question remained open, acts of aggression on one or the other side, were every year more likely to take place, which might force the two

[1]John Dryden (1631-1700), *King Arthur; or, The British Worthy* (London: Tonson, 1691), p. 19 (II, ii); cf. No. 98, n1.

governments into war in spite of themselves: because, however unauthorised by them the provocations might be, it might not be possible for them to extricate themselves from the responsibility except by acts of atonement more humiliating to national vanity than in the present low average of human virtue the public opinion of their respective countries would permit them to make. It is hazarding little to assert that to this extent the generality of sober and sensible people in our own country did feel uneasiness; and that a war of this description, unintended by the two governments or nations, but in which they might insensibly and almost unconsciously become involved by the mere natural progress of the boundary dispute, was the only one of which such people thought there was any real danger. And certainly this belief is not proved to have been ill-grounded, because it may happen that public opinion has since gone round to the opposite quarter, and changed from exaggerated alarm to an indolent forgetfulness that there ever was any ground for apprehension at all.

With this sense of the importance of removing, while it could still be done, all stumbling blocks to good understanding between the two nations, and especially the greatest stumbling block, the boundary dispute, most persons, I believe, saw with pleasure the appointment of a special envoy to the United States. It indicated that an attempt was about to be made in earnest to settle these differences. It proved that Sir R. Peel's policy on the question was to be pacific.[2] And I do not think I am mistaken in affirming that Lord Ashburton was generally deemed to have been wisely selected for this purpose, precisely because of those family ties and former commercial relations which connected his interests and his sympathies with the welfare of America as well as of England. It was felt that the regular diplomatists of the ministerial party with their Tory and anti-American prejudices had been put aside, and that a man had been chosen of whom, more than of almost any other who would have been considered eligible, it might be certain that he had no such prejudices. I believe this circumstance to have been the cause of the decrease of public apprehension, which almost instantly manifested itself on the announcement of Lord Ashburton's appointment. The choice was approved, not because it was thought that he would not, but that he would, make peace. It was felt that he was a man who would take a practical, rather than a pedantic, view of the matters in issue, and who would be less likely than most men to hold out for the *summum jus* where it would have the effect of *summa injuria*.[3] However this may be, there was no mistaking the indications of general belief that Lord Ashburton, if any one, was the man to settle this question; and of a general hope that he would settle it, mixed, indeed, with considerable doubt of the practicability, but accompanied by an evident

[2]Peel, who had become Prime Minister in August 1841, had charge of Foreign Affairs in the House of Commons.

[3]See Cicero, *De officiis* (Latin and English), trans. Walter Miller (London: Heinemann, 1961), p. 34 (I, x, 33).

disposition to call both him and the government which employed him to a severe account if, being able to settle it in any manner not disgraceful, they failed to do so.

And now, let me ask, in what manner was it expected, or desired, that Lord Ashburton should apply himself to effecting this settlement?

Was it by announcing the peremptory resolution of Great Britain to make no concessions, but to insist upon receiving the whole of what, upon her own showing, she was entitled to? Would any human being have suggested this as the style of negotiation to be adopted, or a proposition of this nature as the basis of the settlement to be offered? Yet, sir, if your series of articles does not mean this, I am unable to discover what it does mean. Your main ground of accusation is that Lord Ashburton has given up a part—I have no objection to say a very large part—of the territory in dispute, when we were, you say, entitled to it all. We had got a report from our commissioners, which proved our case to our own complete satisfaction.[4] We had obtained our own consent to keep the whole country. We had sat as judges in our own cause, and nothing remained but to execute the verdict pronounced by that impartial tribunal. It is difficult to see, on this showing, what Lord Ashburton was sent across the Atlantic to do; for I do not suppose his instructions were to argue the matter *à champ clos* with Mr. Tyler,[5] the report in his hand, until he brought over that gentleman, and along with him the whole American people, to the English way of thinking on the subject.

Where then is the candour of urging, in condemnation of the treaty, our own opinion of our own right, which, if it be an objection to this, would have availed equally against any other treaty by which a person in his senses could have expected to effect a settlement of the differences? I do not mean to weary you by prolonging the discussion on the details of this interminable question. Mr. Featherstonhaugh's report shall, for me, be the most irrefragable of documents; it shall have proved our entire case, by evidence which only the utmost perversity and folly could resist. It is very natural and very usual for the plaintiff in a cause, to think all this in favour of his own side. But unhappily it is also very common for the defendant to think the exact contrary. It may be very shameful that persons with opposite interests on a question should take such opposite views of it. But as it is a fact, grounded on the testimony of experience, mankind have

[4]"Report of the British Commissioners Appointed to Survey the Territory in Dispute, between Great Britain and the United States of America, on the North-Eastern Boundary of the United States" (16 Apr., 1840), *Sessional Papers of the House of Lords*, 1840, X, 545-639. The Commissioners (appointed in 1839) were George William Featherstonhaugh (1780-1866), British-born geologist, for years resident in the United States, who is usually cited as author of the Report, and Richard Zachariah Mudge (1790-1854), a Royal Engineer who worked on the ordnance survey.

[5]John Tyler (1790-1862), 10th President of the United States, 1841-45.

generally been of opinion that it is not advisable to take an interested party's views of his own case; that in general he had better forbear to act upon it himself; and that when no tribunal exists having authority over both parties, nor any umpire whom both would accept, that sort of medium between the pretensions on both sides, commonly called a compromise, will in general be not only the most expedient arrangement, but the nearest approach to substantial justice which the circumstances admit of. Accordingly, in the year immediately preceding Lord Ashburton's mission, the voice of every rational person in both nations was in favour of a compromise. When a special envoy was appointed, nobody had any doubt that a compromise was to be attempted; and at this moment everybody is in reality very glad that it has been effected, and would have been very much disappointed if it had not.

I am quite aware of the volley of argument and oratory which may be opened from the old topic of the danger of yielding to unjust pretensions, the imprudence as well as spiritlessness of submitting to aggression in order to avoid inconveniences, the preferableness of actual war to the reputation of an over-dread of it, &c. &c. These are truisms which nobody desires to dispute. When a real injury is attempted; when, for the purpose of insult, or in the spirit of ambitious encroachment, a neighbour seizes, or endeavours to seize, upon some possession belonging to us, or to usurp from us something generally acknowledged to be our right, nobody but a coward would offer him half the amount on condition of not disturbing us in the remainder. But the present is a case of a totally different complexion. In the first place there is no injury, no aggression, but a fair and allowable difference of opinion. An absurd treaty, framed in ignorance of the country, and in terms which no one could understand, left the question in complete uncertainty; and each party might, and in fact did, in perfect good faith, believe that it had right on its side.[6] You yourself admit that our right was not proved until the commission made their report (though just as noisily asserted before as after the appearance of that wonderful document) and since there are many Englishmen who think that the report has not proved it, there is little wonder that the American people should think the same.

But, in the next place, suppose that it really had been, in the beginning of the dissension, a question of injury; that America had been guilty of an intentional and unwarranted aggression upon an indisputable right of ours, which it was incumbent on us to repel, even though war were the result—the time for resisting

[6]To clarify the vague terms of what Mill calls the "absurd" Treaty of Versailles (1783), a Treaty of Arbitration was signed on 29 Sept., 1827, designating the King of Holland, William I, as arbitrator of the disputes over the boundary between the United States and Canada, not resolved after the Napoleonic Wars (see n7). His decision was delivered on 10 Jan., 1831. (See "Copy of an Award of the King of the Netherlands," *PP*, 1831-32, XXXII, 241-53.) The boundary disputes, however, continued until the award agreed to in the 1842 Webster-Ashburton Treaty.

the injury was the time when it commenced, and not twenty-five years afterwards.[7] If there is a proposition in international policy more plain than another, it is, that a question which has been allowed to remain open for that space of time, must either go on to a war, or be settled by a compromise. One generation has passed away, and another has grown up in the belief, well founded or not, that its own side of the question was right. When this is the case, you will vainly strive to convince them that they were wrong. A nation cannot change in a few weeks, an opinion a quarter of a century old in its own favour. This may be very pitiful; but it is because human nature is thus pitifully constituted, that policemen and judges have been found necessary. When a dispute between two nations has lasted so many years, one or other of them must commit the supposed meanness of giving up what it deems its right, or else each side must abate somewhat of its claims. In the adjustment, each will be apt to think the expectations of the other extremely unreasonable; but the opinion which either has of its having a right to more is not the consideration which ought to decide, either whether there shall be a compromise or what shall be its terms.

With respect to the conditions of the compromise, something like an equal division of the matter in dispute was the most natural and most equitable mode of settling the question at once; or since the subject in litigation was of much greater importance to the Americans than to us, if the balance inclined to either side, it was most reasonable that it should incline to theirs. But Lord Ashburton appears to have held the scales tolerably even. His boundary line gives us, it is acknowledged, a larger share of the territory than the King of Holland's award, which as we were willing to accept, we did not, it must be presumed, deem it grossly unfair, at least as a compromise. But, it is objected, we concede to the Americans what the former award did not give them, the navigation of the St. John's,[8] a concession which cost us nothing, but by which, on the contrary, as their trade by that river will be chiefly with ourselves or our colonies, we equally with them shall be gainers. But it is pretended that the presence of Americans on our river will be dangerous to us, not in time of war with America, for then they would, of course, be excluded, but by enabling them to aid or foment internal disturbances. Why more so, I should be glad to know, than their presence on our highways, where they are already entitled to be, and from which nobody has ever dreamt of excluding them?

As for the pettifogging questions which you profess to think of so much

[7]Art. 4 of "A Treaty of Peace and Amity between His Britannic Majesty and the United States of America, Signed at Ghent" (24 Dec., 1814), *PP*, 1814-15, XIII, 139-50, provided for arbitration if the boundary commissioners could not resolve the claims. If Mill has a specific "injury" in mind, it is probably the U.S. surveyors' changing their instructions so as to produce in the years between 1815 and 1819 a map with fictitious features, which was presented to the Commissioners in 1819.

[8]See Art. 3 of the Webster-Ashburton Treaty.

importance, about Rouse's Point, or any other unheard-of military station on one or other side of the boundary, these are scarcely the sort of objections one is expected to hear from the *Morning Chronicle*. Does modern warfare turn upon the possession of a frontier post more or less?—a post, too, from which whoever is strongest in the field could expel the other in the first week after the commencement of hostilities, if, as is scarcely probable, he thought it worth while. Lord Ashburton is to be commended for not attaching exaggerated importance to these *misères*. The wisdom of nations consists in avoiding occasions of quarrel, and in removing them as early as possible when they arise; not in keeping a dispute open, in order that, when it has grown into a war, the war may be carried on with some infinitesimal fraction more of advantage to their own side. If war should come, the issue, we may rely upon it, will be determined by quite another class of considerations than these. Every person who has not some extremely strong interest in maintaining the contrary, knows perfectly well that our retaining or not our American territories, in case of a war with the United States, depends simply and solely upon our so acting in the meanwhile, that when the time comes we shall be found in possession of the sincere adherence and attachment of the colonists. Without that, no military force that we could afford to maintain in the colonies, would hold them against the far larger force which the vicinity of the enemy would enable them to pour down upon us. With it, the whole strength of the union, when it shall have grown to three times what it is, will not suffice to tear them from us. Let us have the affections of the Canadians, and let the Americans have Rouse's Point. If we gain one additional chance in twenty thousand of averting a war by the relinquishment of that regretted promontory, we have made an advantageous exchange, and Lord Ashburton would have been much to blame if he had perilled the ratification of his treaty by objecting to arrange the matter on that basis.

A.

295. TORRENS'S LETTER TO SIR ROBERT PEEL

SPECTATOR, 28 JAN., 1843, PP. 85-6

Mill's comment on the economic and social life of Britain continues in this notice of Robert Torrens's *A Letter to the Right Honourable Robert Peel, Bart., M.P. &c. &c. on the Condition of England, and on the Means of Removing the Causes of Distress* (London: Smith Elder, 1843). The review, in the Spectator's "Library" section, is headed as title. It is described in Mill's bibliography as "A review of Col. Torrens' Letter to Sir Robert Peel 'on the Condition of the country' in the Spectator of 28th January 1843" (MacMinn, p. 55).

COLONEL TORRENS has done good service both to political science and to the exigencies of the moment by this pamphlet. It is long since temporary events

have given birth to a publication more full of matter for permanent thought. It takes a comprehensive and far-sighted view of the circumstances on which the industrial prosperity of Britain and the condition of all classes of our population will ultimately depend: and although the author, as is not unusual with him, seems to us to overstate the importance and urgency of a portion of his doctrines in their application to the immediate circumstances of the country, this exaggeration is venial if it tends to fix the earlier attention of statesmen upon perils which every day brings nearer, and upon precautions which cannot without imminent mischief be much longer neglected.

From the time when the mechanical inventions of the era of Watt and Arkwright[1] made England the principal manufacturing nation of the globe, an ever larger and at length a preponderant part of her population have gained their subsistence by the production of manufactured articles for foreign markets. The condition of this great and growing mass of human beings has, during the whole period, been on the average considerably superior, as to the quantity of the produce of labour which they could command, to the condition of the corresponding classes in other countries: but it has been subject to great vicissitudes, and chequered by occasional intervals of severe distress. We are now in one of the severest of these; one which has already surpassed the usual duration of such periods, and, long after most people expected it to terminate, shows no signs of termination. Is this, then, a passing crisis like the rest, or the indication of a permanent change? Is the sun of our manufacturing superiority momentarily eclipsed, or is it sinking below the horizon?

Colonel Torrens is of the latter opinion. He deems the time to be approaching when England will be unable to continue manufacturing for foreign markets, unless by submitting to a fall of the wages of our artisans, down to, or even below, the foreign level. Our peculiar position, as a people selling our goods in foreign markets and yet making greater gains than our foreign competitors, depends, in his view, upon circumstances essentially temporary. It depends upon our being able to produce manufactured goods with a smaller quantity of labour than other countries. This is owing to "mechanical inventions, manual dexterity, and productive coal-mines." [P. 10.] To whatever extent these advantages enable us to produce the same quantity of manufactured goods with fewer hands than our neighbours, to the same extent those hands may be better paid. But if these advantages ceased, we could not continue to sell in the same markets with foreigners and yet pay higher wages than they. And if the power of cheaper production were not only lost by us but transferred to foreigners, (by reason, for instance, of their easier access to the raw material,) we could only maintain a competition with them by a fall of wages even below their level.

[1]James Watt (1736-1819), engineer and inventor, known especially for his work in the development of the steam engine; and Richard Arkwright (1732-92), noted inventor of textile machinery.

Now, our advantages in cost of production during the war,[2] when we had the full benefit of the inventions of Watt and Arkwright while other nations had not yet acquired them, were immense: but since the peace, all other nations have been rapidly making up their lee-way. American labour, even as applied to manufactures, is as efficient as our own; that of the principal Continental nations is rapidly approaching to ours. They now obtain all mechanical inventions almost as early as ourselves; and the skill of their operatives cannot long continue inferior. It is in cheapness of coal only, and that to a very moderate extent, that we can hope to retain any superiority; amply compensated, in the case of several of our competitors, by their cheaper command over the raw materials of our manufactures. We cannot, therefore, expect much longer to retain the greater part of our foreign trade, and at the same time uphold a rate of money-wages exceeding that of the Continent.

The same conclusions may be deduced still more directly from the most universal truths of political economy. A nation cannot maintain higher wages than other countries, except in the proportion in which the general productiveness of her industry is superior. For if she could, those higher wages must be at the expense of profits. But profits cannot, in the present state of civilization, be depressed in any country much below the general level of the commercial world, since otherwise capital would emigrate, and restore the balance. Wages, therefore, in England, must cease to be higher than on the Continent, when the productiveness of English ceases to surpass that of Continental labour.

These are the abstract doctrines of our author; which, as abstract doctrines, we cannot gainsay; but as truths applicable to the present circumstances of England, they do not appear to us of very serious moment. Doubtless, the industrial progress of foreign nations does and must progressively diminish the inferiority in the productiveness of their labour as compared with ours. But there is still a large margin, on which it will take them many years, if not generations, seriously to encroach. Our advantages are stated by Colonel Torrens to be, besides cheap coal, "mechanical inventions" and "manual dexterity." We should rather say, not the mere dexterity, but the efficiency in all respects, moral and physical, of British labourers. This is not the mere effect of practice and training; it is a feature of national character. An Englishman is a more hard-working animal than a Frenchman or a German: he throws more of his energy, more (we may say) of his life, into his work. Competent witnesses, who have compared English with Continental labour, generally deem English labour the cheaper of the two at a much higher price. Before a Continental operative can be as steady a workman as an Englishman, his whole nature must be changed: he must acquire both the virtues and the defects of the English labourer; he must become as patient, as conscientious, but also as careworn, as anxious, as joyless, as dull, as

[2]I.e., the Napoleonic Wars.

exclusively intent upon the main chance, as his British compeer. He will long be of inferior value as a mere machine, because, happily for him, he cares for pleasure as well as gain. In America, indeed, labour is as efficient as with us; but in America wages are already higher than in England.

And even in mechanical inventions, we shall probably maintain our superiority somewhat longer than Colonel Torrens expects. It is true, inventions spread rapidly from country to country, but not so the power of bringing them into profitable use. In that respect, the advantage of having large masses of capital already accumulated is immense. There are as many inventions made on the other side of the Channel as on this; but it is to England that the inventors bring their inventions when they desire to make money by them.

We have on the whole, then, no expectation that the superiority of England, as a manufacturing nation, will be very seriously undermined in our own time. And if it were, the evil with which we are menaced is not, when closely examined, so very frightful as the terms in which it is announced might lead one to imagine. The threat is, not that wages will be low, but that they will be no higher than the wages of the same description of labourers in some other countries. And as the process by which this result is to be brought about consists of a great improvement in the productive resources of those countries, we may reasonably hope that it will be accomplished fully as much by a rise in the remuneration of *their* labour as by a fall in our own.

But how if all other nations adopt restrictive tariffs? How if, by imposing duties on English manufactures, fully equivalent to their superior cheapness, foreign governments should prematurely force our goods to meet theirs on terms of mere equality, or positive inferiority? Here, undoubtedly, is the real source of alarm; and here it is that the principles of this pamphlet become of immediate practical application. If foreign nations generally adopt this policy and persevere in it, our manufactures will either be excluded from their markets, or will find admittance only by a great reduction of money-wages; and the train of consequences described and characterized by Colonel Torrens will then be inevitable, unless remedial measures adequate to so critical a state of things can be devised and adopted.

Here, then, is the really vital question of practical statesmanship for England, so far as material interests are concerned. With universal free trade, England might not indeed remain for ever, but would be tolerably secure of remaining for generations to come, the workshop of the world. Not how to retain her natural superiority, but how to make herself independent of the attempts of foreign governments to counteract it artificially by restrictive tariffs, is the problem for English politicians.

Three different remedies have been suggested; and these are fully and elaborately discussed by Colonel Torrens.

The first is the repeal of the Corn-laws. Of this our author is an earnest

advocate. But he does not anticipate from it all the benefits which sanguine persons have prophesied. [Pp. 29-32.] If by abolishing the Corn-laws we could induce foreign governments to repeal their restrictions, we should indeed arrest the evil. But if not, we should only succeed in slightly alleviating its pressure. With money-wages reduced to the level of France, it would be some relief to our labourers if the money were made to go further in the purchase of corn. But as corn would still be dearer than in France by the charges of importation, while money-wages were the same, real wages would be lower than in France, though not quite so much lower as they would be if the Corn-laws were maintained.

The second remedy which has been thought of is the improvement of our own agriculture. [Pp. 32-7.] This would relieve our labourers in the same manner, by making their diminished money-wages go further in the purchase of the main necessaries of life. But it is quite problematical whether any practicable agricultural improvement would render food permanently cheaper here than on the Continent; while such improvements, (however salutary their ultimate effect,) if introduced on a great scale, would in the first instance diminish greatly the employment of labour on the land, and aggravate instead of relieving the immediate distress of the population. The introduction, for example, of Scotch agriculture into Ireland, would scatter the Irish labouring population as paupers and beggars over the Three Kingdoms, and "wheat-fed, decent-clad, cottage-lodged England, would disappear under the avalanche of potato-and-weed-fed, half-naked, mud-lodged Ireland." [P. 37.]

One remedy remains; and that is, to supply the loss of our foreign customers, by raising up new, young, prosperous agricultural communities beyond the sea. [Pp. 76-94.] This is the great resource which Mr. Wakefield first pointed out the means of turning to useful account;[3] and almost from the first promulgation of Mr. Wakefield's views, Colonel Torrens has been their earnest and intelligent apostle.[4] He has urged these views in season and out of season, never wearying, and never dreading the reproach of repetition; and nowhere has he done this good service more effectually than in the present pamphlet. Nowhere will the reader find more completely demonstrated than here, the reviving effect which would be produced upon the industrial state of a country in which both labour and capital are every year more and more redundant, by the transfer of large masses of both to her outlying possessions, there to raise raw produce for exchange against the manufactures of the parent nation. And this, as our author clearly shows, could be accomplished without taxation—by the mere guaranteeing of

[3]For Wakefield's writings, see No. 194, n3.

[4]The advocacy of Torrens, an original member of the South Australian Land Company (1831), and Chairman of the Crown Commissioners to establish provinces in South Australia (1835), may be seen in his *Colonization of South Australia* (London: Longman, *et al.*, 1835). A lake and a river in Australia received his name in recognition of his part in the colonization.

loans, on which, if the colonizing scheme were sufficiently comprehensive, a large interest would be securely paid from the proceeds of the industry which those very advances would set in motion.

It is really time that our statesmen should consent to occupy themselves in sober earnest with such suggestions as these, and not continue to reject them as "projects" and "theories": expressions never applied, we observe, to any proposition which is pressed upon Government by a dozen monied persons who fancy they have a private interest in it; but there is a prejudice against all views which appear to be taken up disinterestedly and from public motives—as if nobody who is worth listening to could have any intellect to spare from the pursuit of his own emolument for so trifling a matter as the public good. We predict, nevertheless, that in no long period Systematic Colonization will force itself upon our rulers, as an indispensable measure, not only of industrial policy, but of national safety. While the Corn-laws last, little will probably be done towards what would be deemed by a large portion of the community a mere trick to save the "landlord's monopoly." But that great moral barrier to a right understanding of the causes of national calamity once swept away, the Minister, whoever he be, that has the wisdom and the courage to originate a great system of colonization, on the only principles on which it can be any thing but a miserable abortion, will find, we believe, in the intelligent of all parties, a completeness of preparation and a strength of support of which few yet dream.

296. LORD BROUGHAM AND M. DE TOCQUEVILLE

MORNING CHRONICLE, 20 FEB., 1843, P. 3

Alexis Clérel de Tocqueville (1805-59), the French historian and social analyst whom Mill knew and whose *De la démocratie en Amérique* he had twice fully reviewed and praised (*CW*, Vol. XVIII, pp. 47-90 and 153-204), had made a speech on 28 Jan., 1843, in the Chamber of Deputies on the Right of Search (*Moniteur*, 1843, pp. 162-4). Lord Brougham took exception to his remarks on 2 Feb., in the course of a speech at the opening of Parliament (*PD*, 3rd ser., Vol. 66, cols. 33-48). Tocqueville's letter of protest of 10 Feb. and Brougham's reply of 14 Feb. were printed in the *Morning Chronicle* on 16 Feb., p. 5 (and in the *Spectator*, 18 Feb., pp. 154-55, and elsewhere). In the course of a letter to Tocqueville of 20 Feb. enclosing a copy of this item, Mill remarks that he is not surprised at English misunderstanding of Tocqueville's position: "il est très naturel que les Anglais ne comprennent pas la France, pas plus que les Français ne comprennent l'Angleterre" (*EL*, *CW*, Vol. XIII, p. 570). His letter, headed as title with the subhead, "To the Editor of the Morning Chronicle," is described in his bibliography as "A letter signed A and headed 'Lord Brougham and M. de Tocqueville' in the Morning Chronicle of 20th February 1843" (MacMinn, p. 55).

SIR,—You have aided in giving publicity to a correspondence between Lord Brougham and M. de Tocqueville, which, from the interest of the subject, and

the celebrity of the disputants, has attracted considerable attention, and in which, not unnaturally, perhaps, the victory seems to have been generally awarded to our own countryman. Will you, in justice to one of the most eminent thinkers and writers of the age, allow it to be pointed out through your journal, that M. de Tocqueville's meaning has been entirely misunderstood and misinterpreted by Lord Brougham? It is seldom worth while to occupy the public with questions implicating only the good sense and candour of an individual; but as the writings of M. de Tocqueville are of value to all Europe, his reputation is so too; and in the present state of feeling in this country towards France, a state of feeling which Lord Brougham has very laudably endeavoured to mitigate, it is a real evil that one of the best and wisest men in France should be undeservedly deemed to exhibit in himself a concentration of the worst prejudices and faults of his weaker countrymen.

Lord Brougham accused M. de Tocqueville of "marvellous ignorance"[1] on a question on which he had made an elaborate speech to the Chamber of Deputies, the question of the right of search. Lord Brougham supposes him to have said that, by the treaties in force, an English cruiser could carry a French vessel to an English port, to be tried and sentenced for slave-trading by an English tribunal; and marvellous indeed must have been M. de Tocqueville's ignorance if he had believed this to be the case. M. de Tocqueville thought he had done enough to repel the imputation, by sending to Lord Brougham the printed report of his speech,[2] but it seems he reckoned without his antagonist; for Lord Brougham, with the words before him, persists in the accusation, and says that M. de Tocqueville must have meant what he says he did not mean, and cannot possibly have meant what he affirms he did.[3] Let us see which is right. These are the words:

"Les traités de 1831 et de 1833 contiennent une disposition tout aussi singulière; ils accordent au tribunal d'une nation le droit de juger *une nation* étrangère."[4] They grant to a tribunal of either nation the right of judging another NATION.

Now will any one who knows either French, or common sense, deliberately assert that "*juger une* NATION" ever means, or can possibly mean, to judge, not the nation, but the captain and crew of a vessel belonging to a merchant of that

[1]Brougham, speech of 2 Feb., col. 42.

[2]Tocqueville, letter of 10 Feb., *Morning Chronicle*, 16 Feb., p. 5.

[3]Brougham, letter of 14 Feb., *ibid.*

[4]Tocqueville, speech of 28 Jan., *Moniteur*, 1843, p. 163 (quoted by Brougham, letter of 14 Feb., p. 5). The treaties referred to are "Convention between France and Great Britain for the More Effectual Suppression of the Traffic in Slaves" (30 Nov., 1831), and "Supplementary Slave Trade Convention between France and Great Britain" (22 Mar., 1833), in *The Consolidated Treaty Series*, Vol. LXXXII, pp. 271-5, and Vol. LXXXIII, pp. 259-75.

nation? "*Juger une nation*" can bear only one meaning—to give judgment against the nation itself, that is, against its government; and this is what, under the treaties in question, the courts of another and a foreign country can do. M. de Tocqueville meant, that if a French vessel, seized by England as a slave-trader, and tried, where alone, under the treaties, it can be tried, by a French court, is pronounced by that court to have been seized wrongfully, the French court can award damages against the English government; or an English court could award them against the French government in the reverse case: and this provision M. de Tocqueville (I believe quite rightly) called extraordinary, and unheard of previously to the slave-trade treaties. That he was understood in this sense by his audience, is proved by M. Berryer's exclamation, "Oui, pour l'indemnité!" and M. de Tocqueville was about to explain himself more fully, when the general sense of the chamber was expressed that it was unnecessary.[5] When M. de Tocqueville is speaking of what the treaties permit to be done by one nation against *ships* or *persons* of another, he does not designate these last as "*une nation*," but as "*des criminels d'une nation*."[6]

Surely either Lord Brougham's knowledge of French, or his candour, or at least his calmness and considerateness, are greatly at fault here.

Lord Brougham further accuses M. de Tocqueville of having omitted all mention of the unratified American treaty.[7] On this point I do not feel quite competent to defend M. de Tocqueville. If he knew of the treaty, he probably thought that, never having gone beyond the preliminary stages, it could not constitute a diplomatic precedent. I am ready to join with any one in regretting that so wise a man did not feel and use the strong argument which this treaty, even though unratified, affords against those French orators and journalists who pretend that the right of search, existing under the treaties in force, is offensive to even the keenest susceptibility on the subject of national honour and independence. But we must not be too severe upon an orator in a deliberative assembly for not thinking it his business to point out and expose the exaggerations on his own side. M. de Tocqueville himself has not been guilty of contending that these treaties offend national honour; at least, I can find nothing to that effect in his speech. His objection to them is of a much more reasonable kind. He says these treaties give to the cruisers of each nation extensive powers of interrupting and molesting the trading vessels of the other, and this arrangement might work well and harmoniously as long as there was perfect good will and friendly feeling between the two nations; but when, unhappily,

[5]The interjection by Berryer is reported and the concurrence of the Chamber expressed in *Moniteur*, 1843, p. 163.

[6]Tocqueville, speech of 28 Jan., p. 163.

[7]Brougham, letter of 14 Feb., p. 5. For the unratified treaty, see "Correspondence with Foreign Powers Relative to the Slave Trade: the United States," *Journals of the House of Commons*, 1823, LXXIII, 707-11.

feelings of sympathy and alliance have given place for the present to those of mutual irritation and jealousy, the same degree of interference can scarcely continue to be exercised without producing collisions and a growing exasperation, which must endanger every year more and more the peace between the two countries. Therefore, says he, if you wish for peace, invite the English government to abolish these treaties, the entire inefficacy of which, for their avowed object, is confessed by the best English authorities; professing at the same time your wish to unite with England, and with as many other civilised nations as possible, in urging upon the only two Christian countries whose laws still permit the importation of slaves, the abolition of the traffic, and the adoption of effectual means for closing their markets, which, and which alone, will really put an end to the trade. And, said M. de Tocqueville, if this were the tone taken by our government, I do not believe the British nation would be so unreasonable as to reject, still less to resent, the proposition.[8]

These views of M. de Tocqueville may be right or wrong, but they surely are such as may be held by an honest and rational person, without exposing him to the imputation of wishing to exasperate the unhappy animosity which at present exists against England in a great portion of the French people. There are men who seek to increase this animosity; but no one can read in a candid spirit this speech of M. de Tocqueville, and believe him to be one of them; on the contrary, though violent against the Guizot ministry, it is so moderate on the main question, that no one in France could see anything in it but a desire to mollify, instead of inflaming, the hostile feeling towards this country. It is really hard that because other Frenchmen hate England, or because other Frenchmen are absurd and intemperate, their offences should be visited on, perhaps, the one Frenchman by whom such imputations are least merited, and who is likely to feel them the most acutely: indeed, the fact of his having so felt them is the main reason of his having, by the tone of his letter, given to his adversary the advantage of superior temper, of which that adversary has made such skilful use, and to which I conceive he is chiefly indebted for his apparent victory.

A.

297. THE BANK CHARTER QUESTION [1]

MORNING CHRONICLE, 20 APR., 1844, P. 4

For the previous renewal of the Bank Charter, in 1833, see Nos. 208, 209, and 212. That Charter was now subject to its decennial revision, and once again the Bank's partial monopoly of issue was the central question. In the banking crisis of 1836-39, a number of country banks of issue had failed, and Peel (unlike Mill) favoured the gradual curtailment

[8]Tocqueville, speech of 28 Jan., pp. 163-4.

of their powers. He refused to allow any new banks to issue notes, or existing ones to expand their issue, in the measure that Mill here anticipates, "A Bill to Regulate the Issue of Bank-notes, and for Giving to the Governor and Company of the Bank of England Certain Privileges for a Limited Period," 7 Victoria (24 May, 1844), *PP*, 1844, I, 51-65, enacted as 7 & 8 Victoria, c. 32 (1844). Mill's discussion continues in Nos. 298-300; see also his "The Currency Question," which appeared in the June number of the *Westminster* (*CW*, Vol. IV, pp. 341-61). The unheaded leader is described in Mill's bibliography as "A leading article on the Bank Charter Question in the Morning Chronicle of 20th April 1844" (MacMinn, p. 57).

THE TIME IS DRAWING NEAR when Sir Robert Peel must break his protracted silence respecting the measures to be proposed to Parliament, in connection with the approaching expiration of the Charter of the Bank of England.

If the rules which the Prime Minister prescribes for others could for a moment be supposed applicable to himself, we might wonder that the declaration of his intentions on a subject of such magnitude should be so long deferred. He has recently, in unequivocal language, stated to the House of Commons what he thinks of those who delay the discussion of important measures till the concluding months of the session of Parliament.[1] If the representatives of Ireland pray for a few days longer to confer with their countrymen on a proposition which is to convert their national representation into an engine for registering the edicts of the Orange landed proprietary, he gives a grumbling acquiescence, but under protest, and with an express stipulation that no one shall hold *him* responsible for whatever may be the consequence of such blameable procrastination. But it would seem that in his judgment delay is an evil only when it is to be employed in deliberation; when *his* purposes have been made known, he deems it impossible that the nation should require any length of time for the consideration of them. But he invariably reserves the declaration of those purposes to the latest possible moment. It is becoming the practice of the Government to have only one of its measures before the public at a time, withholding, if possible, until that one is out of danger, or rejected, or withdrawn, all knowledge of those which are to follow.

The Bank Charter question has not taken the Government by surprise. Since the last renewal, in 1833, it has been known to every one that this year, if not sooner, would be the time to legislate on the subject. Having ample time to prepare, Ministers accordingly gave early note of preparation. The settlement of the Currency was among the promises in the Queen's Speech;[2] and, certainly, those promises were neither so many nor so brilliant as to account for any tardiness in determining how they were to be fulfilled. If the Ministers had not made up their mind, during the recess, what measure they should submit to

[1]Peel, Speech on the Irish Registration Bill (15 Apr., 1844), *PD*, 3rd ser., Vol. 74, col. 4.

[2]On 1 Feb., 1844 (*ibid.*, Vol. 72, col. 4).

Parliament on this subject, they must be incapable of making it up, on reasonable grounds, at all; and if they had, what prevented them from at once introducing their bill, that its principles and provisions might have been canvassed, by competent persons, during the ten weeks and upwards that have since elapsed, and the minds of Parliament and the public prepared for an adequate discussion, before the month of June, when, as Sir Robert Peel tells us, it becomes a question what portion of the Government measures the Government intends to abandon?[3]

Instead of this, Ministers have maintained that perfect silence which they seem to regard as characteristic of statesmanship; and we do not believe that there is one, even of their parliamentary supporters, who can surmise, on just ground, what their proposition will be. The time, however, is past when Sir Robert Peel's silence was supposed, even by his own party, to conceal some great mystery of state craft. He profited by this delusion while he could; but, like most of the *prestiges* on which he subsisted while out of place, it did not survive a year after his accession to office. Most persons are now convinced that when he says nothing, he has nothing very valuable to say; that, as was formerly observed of another political character, when he shakes his head, there is nothing in it.

From the remarkable absence of interest, and even of curiosity, which prevails in almost all quarters concerning the promised measure—a state of the public mind so unlike that which has so often before been experienced on similar subjects—it may be inferred that, in the opinion of the public, Ministers are not likely to propose any material alteration in what exists; but will renew the charter of the Bank of England, on its present footing, without extension, but also without curtailment, of any of its exclusive privileges. This conjecture is doubtless a very probable one. That a minister will do nothing at all, when not urged to action by some powerful pressure, is generally a safe enough guess. But still this is only a presumption, and sometimes fails. What a minister will never voluntarily do, is to move in any direction that conflicts with the interests on which he relies for support. But where none of these interests are implicated, the habitual disposition of official men to leave things alone alternates, especially since the Reform Bill, with a rather strong occasional inclination to signalize themselves by meddling. One of the principal effects of that memorable measure, and of the general break-up of old ideas and associations which accompanied it, was to diffuse a notion much more widely than ever before, that the business of a Government was not to sit still and receive the taxes, but to look out in all directions for all means which could be discovered of conferring benefit on the community. The demand for improvement, and the spirit of it, have been in far more active operation upon the minds of rulers in the last eight or ten years than formerly. But as the circumstances which stimulated the desire for improved legislation, could not all at once confer the capacity of it upon men who had been

[3]Peel, speech of 15 Apr., col. 4.

occupied all their lives with any kind of objects and ideas rather than those which would have qualified them for such a function, they are apt to come to their new task with minds rather ill prepared; and the very men who, when their purpose is to maintain things unaltered, have at their fingers'-ends all the commonplaces deprecatory of "speculative changes," are often found, when they think the time is come for being reformers, to be ready dupes of the crudest and most superficial theories.

We confess that in the case which has led us into this line of remark, our fears are chiefly of this latter kind. The present system, if it can be so called, of the currency is, doubtless, far from perfect; as is implied in the fact, that it is a medley of several systems, founded on conflicting principles. But we believe that the amount of practical evil fairly attributable to its defects, has been enormously exaggerated by most writers on the subject; while we confidently affirm, that no theory which has been propounded for its improvement is sufficiently matured, or has obtained that general sanction from the opinion of those who are entitled to be considered authorities, which would justify Parliament in making any considerable changes on the faith of such a theory. Yet we feel by no means certain that some attempt of this nature will not, on the present occasion, be made. If there is at present no strong direction of public sentiment in favour of such changes, neither is there any strong disinclination to them; while, such is the diversity of individual opinion on the subject, and so much that is plausible may be said in favour of almost every view, that scarcely any plan could be proposed of which, if brought forward by Government, it could be affirmed beforehand to be impossible that a considerable section of the mercantile public might be induced to give it their support.

298. THE BANK CHARTER QUESTION [2]

MORNING CHRONICLE, 26 APR., 1844, P. 4

See No. 297 for the political background of the question of policy examined here and in Nos. 299-300. The unheaded leader is described in Mill's bibliography as "A second leading article on the Bank Charter Question in the Morning Chronicle of 26th April 1844" (MacMinn, p. 57).

THE EVILS to which a paper currency is liable are two in number—one is the insolvency of the issuers, the other is fluctuation and consequent uncertainty in value.

Propositions for the improvement of the paper currency of a country must be directed against one or other of these two inconveniences. They must be intended to secure either the actual holders of the paper against loss from the inability of the issuers to meet their engagements, or the community generally against the

inconvenience and risk of having their receipts, their payments, and their engagements calculated in a medium of no fixed or certain value.

In the first requisite, security against loss by insolvency, the currency of England was, until a late period, singularly defective. While any adventurer might issue notes of so low a denomination as to be the habitual medium for the small savings, if not for the weekly receipts, of the better paid portion of the labouring classes, the Legislature, in its wisdom, had subjected this power of individuals over the national instrument of exchange to one remarkable restriction: individuals might issue notes; associations, if they exceeded the number of six persons, could not.[1] This curious piece of legislation, which was in perfect harmony with the spirit of the British Government up to a comparatively recent period, did not ground itself upon any crotchetty notion, or freak of fancy respecting the superiority of the engagements of individuals over those of companies. The Legislature knew better. They were quite aware that the united credit of fifty or a hundred individuals was a better security than the credit of one, or five, or six. It was because they knew it to be a better security that they determined that one body—the Bank of England—should have the exclusive power of supplying it. They erected it into a monopoly, for the benefit of that body. They enacted that the nation should have no safe paper currency, except the paper of the Bank of England. Unsafe paper money it might have, as much as it pleased. Even this did not content them. Not only in the business of issue, but in ordinary banking business, the Bank of England obtained a similar monopoly. Not only was no other association, of more than six partners, permitted to issue promissory notes, but the public were not even allowed to lend money to any such body, or merchants and agriculturists to borrow from it. No such association was permitted to transact banking business at all. For these restrictions no reason of public utility was so much as pretended. They were erected avowedly for the benefit of a certain corporation, which, beyond lending a part of its capital to Government at a low rate of interest, and assisting the national finances in an occasional emergency by temporary advances on the ordinary banking terms, gave no equivalent.

By this abuse of its powers, the Legislature inflicted upon the country the most unsafe paper currency which, perhaps, ever existed along with professed convertibility into coin. Whenever the vicissitudes of the markets brought on a period of extensive commercial distress—and of what regular recurrence such periods are every one knows—the evil was heightened by numerous failures of bankers, and, among the rest, of many who were issuers of notes. The consequences to the unfortunate holders, many of whom, especially in the rural districts, were of the class to whom small losses are great ones, were most distressing. This, indeed, was the principal means by which the evils of a

[1]The provision (excepting the Bank of England, which thus got a monopoly) is in Sect. 61 of 7 Anne, c. 7 (1708).

commercial crisis were extended beyond the class directly affected, the merchants and dealers, to the community generally. Of the misery thus occasioned, vicious legislation was the direct cause. Every labouring man or woman whose small reserve, provided by painful self-denial for unforeseen, or, perhaps, for expected emergencies, was swept away by one of the commercial hurricanes which periodically prostrated the weak money-dealing establishments which alone the Legislature suffered to exist, might with strict justice have claimed compensation from the two Houses of Parliament by individual subscription among their members.

The first step out of this vicious *régime* was made in 1826, under the pressure of the strong popular excitement caused by the crisis of the preceding winter, one of the most distressing ever before experienced, and which had made peculiar havoc among banking establishments, both in London and in the country. Under these peculiar circumstances the Legislature partially repealed the prohibition against joint-stock banks and banks with numerous partners.[2] The exclusive privilege of the Bank of England was not abrogated, nor could it be so before the expiration of the charter, without compensation; but it was narrowed, with the consent of the Bank itself, to a circle of sixty-five miles round London. Within that distance, the Bank was still secured against the rivality of any other banks as secure as itself; but beyond the limit safe banks were now permitted to exist and a safe paper currency to be provided. Along with this relaxation of the monopoly, Parliament adopted the further precaution of suppressing all notes under five pounds. In thus interfering with the liberty of private contract, Parliament proceeded on what appeared the still more important principle of protecting the poor and those who could not protect themselves. It was affirmed that the working classes were not, and in the nature of the case could not be, free agents in such transactions. They were practically compelled, it was said, to take one pound notes of any sort which were tendered by their employers. It was, therefore, thought indispensable to limit the issue of notes to denominations too high to be made the instruments of paying wages, and such as could not often come into the hands of labouring people. On the necessity of this precaution there were then, as there probably are now, differences of opinion; but it has, at least, been effectual for its end. Whoever may now suffer by the failure of banks, the poor cannot. Losses by paper currency are now nearly confined to the classes who can better afford to lose, and who, as depositors or as dealers, cannot be prevented from suffering by failures, whether of bankers or of any other persons with whom they have transactions.

In 1833 the privileges of the Bank of England expired, and in renewing them a further encroachment was made on the monopoly.[3] The limit of sixty-five miles

[2] A nation-wide wave of speculation in 1825, which resulted in suspension of payment by seventy-three of the main banks (of which thirty-seven eventually became bankrupt), led to 7 George IV, c. 46 (1826).

[3] For earlier discussion, see Nos. 208, 209, and 212.

was now, to a certain extent, removed, and companies of any number of partners were tolerated in London for all banking purposes except the issue of notes, or other transferable securities equivalent to them. The Bank of England has still, in the supply of currency to London and sixty-five miles round, a monopoly against all other issues except unsafe ones. Joint-stock banks cannot issue paper within that limit; though any adventurer, who succeeds in obtaining temporary credit, may and does.

This, then, is the present constitution of the currency, that is to say, in England; for in Scotland and Ireland notes of one pound still exist as the ordinary medium of circulation, and exist without danger. Under the system of joint-stock banks which there exists, and which in Scotland is as old as paper-money itself, the failure of a bank is unknown. So far as the evil of insolvency is concerned, no reason can be imagined for now interfering with the currency of Scotland or of Ireland.

In England also, since the establishment of joint-stock banks, the currency has approximated, so far as the security of the holders is concerned, to the perfect safety of that of Scotland. Between 1826 and the present time several epochs have intervened of commercial distress, bankruptcies, and severe pressure on the money market. Formerly no such period ever passed over without a crash among country bankers, accompanied by all the evils proverbially consequent upon the nonpayment of their notes. Since the change in the law such failures have been rare, and have ceased to be an ordinary accompaniment of distress among the trading classes. The reason is obvious. When numerous banking companies existed, no private banker, whose fortune and credit were not on a par, or nearly so, with those of a company, could succeed in getting his notes into circulation. During the infancy of joint-stock banks, several of them, from improvident management, were unsuccessful in their business, and have been obliged to wind up their concerns. But, even in these cases, we believe there has not been an instance in which the holders of notes, at least, have been ultimate losers. The present currency, therefore, is already sufficiently secure against the evils arising from insolvency, and bids fair soon to attain the perfect and unimpeachable security, not only beyond failure, but beyond all apprehensions of failure, which has long distinguished the monetary system of Scotland.

To render the assurance even more perfect, it has often been suggested that all banks of issue should be required to give security, for instance, by the deposit of stock, for the indemnification of the holders of their notes in the event of their insolvency.[4] To this precaution, if it were really necessary, the objections are not such as to be insuperable; but in so far as any portion of the capital of bankers is

[4]See *Remarks upon Some Prevalent Errors, with Respect to Currency and Banking* (London: Richardson, 1838), pp. 102-3, by George Warde Norman (1793-1882), a director of the Bank of England.

compulsorily locked up in a permanent investment, the equivalent of which does not necessarily come back to them in deposits, they are to that extent disabled from performing their regular business of making advances on mercantile security. Nor would it be easy to make out a necessity for imposing this inconvenient obligation, when the evil against which it is intended to provide is non-existent in Scotland, and in England, notwithstanding the novelty of the joint-stock system, is evidently in rapid progress towards extinction.

Another suggestion has been made, of which the effect would be to establish a restriction directly the reverse of that which was formerly in force. It has been proposed that the issue of notes should be prospectively confined to companies, no new licenses being granted to individual bankers.[5] This seems, however, a needless interference with freedom of action. It is impossible that private bankers, except those of the firmest credit, should long sustain themselves against the competition of joint-stock banks. Even in London, new private banks are now scarcely ever commenced, while not a few of those previously established have been quietly discontinued. It may be predicted that without any interference of Government, in a few years no private bankers, or small banking partnerships, will exist, except those which, from their resources and high character, are quite worthy to compete for public confidence with the aggregate wealth of joint-stock companies. Some private banks of this high character exist even in Scotland, and are practically quite as secure as the larger associations.

There is, however, one extensive portion of this island in which, with respect to currency, the old monopoly subsists; in which individuals may create, without restriction, as much paper money as they can induce any person to take, while no joint-stock bank of issue is permitted to enter into competition with them. We allude not to London, where the notes of the Bank of England exclusively circulate, but to the large circle of sixty-five miles radius round London as a centre. There can be no reason why the inhabitants of this large district should remain exposed to the dangers from which it has been thought necessary to protect the rest of their countrymen. The evil, perhaps, is not great, since the district does not include any of the great seats of production and commerce, while the circulation of Bank of England notes, through its whole extent, restricts practically the issue of notes by private bankers to rather narrow limits. Such, however, as it is, this anomaly should be swept away.

That there should be but one bank of issue for the metropolis, where the pecuniary transactions of the whole country are balanced and settled, is by many considered advisable, on grounds with which danger of insolvency has nothing to do.[6] To enforce this monopoly of the currency circulating in London, it may be

[5] *Ibid.*

[6] E.g., John Ramsay McCulloch, *Historical Sketch of the Bank of England: with an Examination of the Question as to the Prolongation of the Exclusive Privileges of That Establishment* (London: Longman, *et al.*, 1831), pp. 42-57.

necessary to superadd a small circle, say of ten miles round it. But beyond some such limited distance, and in districts where the notes of country bankers already circulate, it is a perversion of reason to enact that these notes shall be exclusively of the worst kind. Either all issues, except those of a single body, should be prohibited, or the liberty which is allowed to individuals should be extended to associations of any number of persons. Among the minor changes which may be proposed in the currency by the ministerial project, or in the course of the discussions to which it gives rise, there is no one which seems to us less liable to any well-grounded, or even plausible objection, than the restriction of the monopoly of the Bank to the small but important district which it already exclusively supplies, leaving the larger circle beyond to the free competition of companies and individuals.

299. THE BANK CHARTER QUESTION [3]

MORNING CHRONICLE, 27 APR., 1844, P. 5

For the background and other articles in the series, see Nos. 297-8 and 300. This unheaded leader is described in Mill's bibliography as "A third leading article on the Bank Charter Question in the Morning Chronicle of 27th April 1844" (MacMinn, p. 57).

THE MOST SERIOUS of the imputations against the currency as now constituted, is liability to over-issue, by which is of course meant, issue in such abundance as to depreciate the currency, or what is the same thing, to raise general prices. The representatives of the most opposite interests, and of the most conflicting opinions on the practical part of the question, concur in ascribing this mischievous tendency to the present system; but they do not equally agree as to what is the peccant part of its construction. The country bankers almost unanimously charge all the evil upon the Bank of England, while that body and the advocates generally of a single bank of issue, represent the mischief as closely connected with the multiplicity of issuers, and especially as incurably inherent in the system acted upon by the country banks.

It is very curious to observe the vicissitudes of the public mind in this matter within one generation, and how rapidly the almost universal opinion of persons supposed to be practically conversant with the subject has passed over from one extreme to its opposite. There is a fashion in mercantile, as well as in medical opinions. There is generally a favourite disease and a favourite remedy; and to know what these are we have seldom so much to consider the nature of the case as the date of the year, whether it is 1814 or 1844.[1] Between the years 1797 and

[1]To allow the Government to borrow to finance the war, under 37 George III, cc. 45 and 91 (1797), the Bank of England was forbidden to cash notes in gold, and was authorized to issue notes under £5. This policy was deliberately continued, though the war was thought to be over, by 54 George III, c. 52 (1814).

1819 the universal currency of the kingdom was paper not exchangeable for specie.[2] An inconvertible paper currency is but another word for a currency which can be depreciated at pleasure. There is absolutely no limit to its quantity, except the will of the issuers. Yet, during the greater part of that interval, the mercantile public obstinately refused to believe that depreciation was possible. Nothing could induce the "great practical authorities" to listen to the doctrine that a currency issued by bankers upon bills of short dates, and grounded on actual transactions, could ever be susceptible of excess. Issued on such terms, its amount could never exceed the "wants of trade;" as if the wants of trade were not unlimited, and indefinitely extensible. Those whose memory does not reach to the period, and who are not familiar with its voluminous controversies, can have no idea what a world of argument and explanation were found necessary by Mr. Horner, Lord King, Mr. Blake, Mr. Huskisson, and Mr. Ricardo,[3] before the mercantile men of the time could be made to understand that a currency, constituted like that of England, could be, and in fact was, depreciated. Ingenuity was exhausted to explain away all the appearances which proved it. Theories, each more absurd than its predecessor, were set up to account for the rise of gold, when paid for in paper, above the Mint valuation; for the permanently unfavourable exchanges; and for the general high prices. Any supposition—no matter what—was preferred to that of over-issue, although in an inconvertible currency. The currency is now convertible, in law and in fact, without the shadow of an obstacle; the smallest difference of value between gold and paper is rendered impossible, by the perfect liberty of exchanging, at any moment, the one for the other; and this, by the great writers on the bullion controversy, was thought a sufficient security. No one then supposed that a currency, really convertible, needed any additional contrivance to render it steady in its value. Yet the public, which then refused to see or hear such a thing as over-issue, now hears of nothing else. Over-issue is the word for every fluctuation of the markets. The most ordinary disturbance of prices from anticipation of deficiency, or expected variations of demand, can be explained by nothing but over-issue.

Although not going to this absurd length, some writers of merit and reputation

[2]In 1819, 59 George III, c. 49 ("Peel's Act") allowed a gradual return to cash payments.

[3]See, for example, Francis Horner (1778-1817), M.P. from 1806, *Resolutions Proposed to the House of Commons* (London: Hatchard, 1811); Peter King (1776-1833), 7th Baron King, *Thoughts on the Restriction of Payments in Specie at the Banks of England and Ireland* (London: Cadell and Davies, *et al.*, 1803); William Blake, F.R.S. (ca. 1774-1852), writer on currency and foreign exchanges, *Observations on the Principles Which Regulate the Course of Exchange; and on the Depreciated State of the Currency* (London: Lloyd, 1810); Huskisson, *The Question Concerning the Depreciation of Our Currency Stated and Examined* (London: Murray, 1810); and Ricardo, *The High Price of Bullion* (*ibid.*, 1810), and *Reply to Mr. Bosanquet's Practical Observations on the Report of the Bullion Committee* (*ibid.*, 1811).

contend that, even under the completely convertible currency which we now possess, over-issue is possible to such an extent as to be a very serious calamity. They are not without forcible arguments in support of their position.

They admit that, in a convertible currency, no issue of notes beyond the quantity which would otherwise circulate as coin, can be permanently kept in circulation. The superfluous paper is sure to be returned to the issuers, who have to pay for it in gold. But the removal of the excess requires some time, and takes place by means of a previous rise of prices. The steps of the process are said to be these: the excessive issue of paper raises prices; when prices rise, an inducement is afforded to send increased orders for the importation of foreign commodities; when the time arrives at which these increased importations are to be paid for, gold must be remitted, and this gold is procured from the Bank. But during the intervening period, which is sometimes of considerable duration, the rise of prices, at first occasioned by the over-issue, promotes a spirit of speculation. By speculative purchases prices are still further raised; and the speculators, to enable them to hold on without realising, apply to the banks for additional advances, which, if granted, produce a still further over-issue of paper. The rise of prices and increase of the currency may thus, in periods favourable to speculation, proceed to a great length before the inevitable revulsion, which, of course, will be of corresponding violence. When at last gold begins to leave the country, the fall of prices, which must sooner or later occur, will give rise to commercial distress, proportioned to the previous false appearance of prosperity. But this evil is liable to be greatly heightened by the conduct of the banks. If they become alarmed at the rapidity with which their treasure leaves them, they "put on the screw," for the purpose of contracting the currency and stopping the drain of gold; they refuse even the usual accommodation to the merchants, who are thus deprived of their accustomed resources at a time of more than ordinary need; or they may, on the contrary, adopt a course less immediately harsh, but ultimately still more fatal. Under the urgent demands made by the embarrassed merchants, and for the sake of "supporting trade," they may disregard the drain of gold, and re-issue, in loans, the surplus paper which has been returned upon their hands. By doing this, they prolong the crisis; they prevent the complete relapse of prices which would have brought things back rapidly to the natural course. Additional gold is now demanded for exportation proportional to the fresh over-issue; and the issuers are at last compelled to apply "the screw" with still greater violence, in order to prevent the total exhaustion of their treasure.

To guard against these evils, it is affirmed to be indispensable to place the issuing bodies under such regulation that they shall increase their issues only when gold is flowing into the country, whereby the currency, even if metallic, would be increased; and shall always contract their issues when the exchanges show that gold is on the point of flowing out. There cannot, it is justly said, be any better standard of value than the metals. The fluctuations to which a metallic

currency would be liable, it is necessary to bear with. But to these inevitable variations it ought not to be permitted that paper money should superadd others. A paper currency should be so constituted, as to be always of the same value as a currency composed wholly of the metals. In order to be of the same value as a metallic currency, it must be the same in quantity: it must increase and diminish only when, and exactly as much as, a purely metallic currency would increase and diminish. Whenever the state of the exchange tends to bring gold into the country, the paper issues ought to increase; whenever it carries gold out, they ought to diminish. The turn of the exchange ought to be the sole regulator of the currency; and the more mechanically, the more automatically it operates, the better.

Those who take this view of a paper currency—among whom Mr. Loyd, Mr. Norman, Colonel Torrens, Mr. M'Culloch,[4] and other high authorities may be counted—think that the issue of notes should be confined to a single body. The joint-stock banks and country bankers, they say, do not, and perhaps cannot, regulate their issues by the exchanges. A multiplicity of issuers is not compatible with such regulation. Each bank is urged, by competition, to put forth its own notes, hoping that when the revulsion comes, the loss will fall upon other banks, rather than upon itself. The issue of a paper currency, according to these writers, should be a public function, entrusted to the responsibility of a single body. This body should be either a national board, or, if a corporation like the Bank of England, it should be compelled by law to keep its banking transactions entirely distinct from its circulation. As an issuing body, it should hold a fixed amount of securities, to be neither increased nor diminished; and beyond that amount, should be permitted to issue its notes only in exchange for bullion. It should be obliged to give its notes for bullion, or bullion for notes, whenever required. Under this regulation, the amount of the circulation would, it is affirmed, always be exactly the same as with a metallic currency. Whenever the course of trade carried gold out of the country, the gold would be obtained from the Bank in payment of its notes, and the notes not being re-issued, the same amount would be subtracted from the paper as would have been subtracted from a metallic currency. When the balance of trade brings gold in, which, if the currency were metallic, would have constituted an addition to its amount, the gold will be sold to the Bank, and the notes delivered in exchange for it will be an addition to the

[4]Samuel Jones Loyd (1796-1883; later Baron Overstone), banker. *Thoughts on the Separation of the Departments of the Bank of England* (London: Richardson, 1844); Norman, *Remarks upon Some Prevalent Errors, with Respect to Currency and Banking*, and *Letter to Charles Wood, Esq., M.P., on Money* (*ibid.*, 1841); Torrens, *An Inquiry into the Practical Working of the Proposed Arrangements for the Renewal of the Charter of the Bank of England* (London: Smith, Elder, 1844); McCulloch, *Historical Sketch*, and "State of the Currency, the Bank of England and the Country Banks," *Edinburgh Review*, LXV (Apr. 1837), 61-87.

paper currency exactly equivalent. In this manner, according to the opinion of these authorities, it is possible to secure the great fundamental requisite of a paper currency, steadiness of value, by making the variations in its quantity exactly conform to those which would occur in a currency altogether metallic.

On another occasion we shall state the considerations by which these arguments, powerful as they appear, have been at least balanced, if not completely overruled.

300. THE BANK CHARTER QUESTION [4]

MORNING CHRONICLE, 30 APR., 1844, PP. 5-6

For the background, see Nos. 297-9. This unheaded leader is described in Mill's bibliography as "A fourth leading article on the Bank Charter Question in the Morning Chronicle of 30th April 1844" (MacMinn, p. 57).

WE GAVE, on Saturday, a concise statement of the doctrines and arguments of those who, thinking it necessary that a paper currency should exactly conform in its quantity to what would be the amount of a purely metallic circulation, are of opinion that this can only be secured by confining the powers of issue to a single body, compelled by law to regulate its issues strictly by the exchanges.

But these opinions, though plausibly supported by writers of high authority, are opposed by arguments at least as forcible, and by authorities equally high. The case on the other side of the question may be rested upon the pamphlet entitled *An Inquiry into the Currency Principle*, lately published by Mr. Tooke,[1] a writer who has long been considered one of the highest, if not the very highest, of living authorities, on all questions which require the combination of a knowledge of the scientific principles of commerce, and a familiarity with its practical details.

In the first place, granting the truth of the fundamental principle contended for, that the variations in the amount of a paper currency ought to be precisely conformable to those which would take place in a currency wholly metallic, it is denied that this conformity would exist under the system proposed. The doctrine assumes that if the circulating medium consisted exclusively of coin, all gold exported would be taken from the currency; whenever imported, it would all be added to the currency; and that the paper, therefore, should be made to vary in the same manner. But this assumption is not tenable. There is at all times, in every commercial country, a large amount of bullion, as a common article of

[1]Thomas Tooke, *An Inquiry into the Currency Principle; the Connection of the Currency with Prices, and the Expediency of a Separation of Issue from Banking* (London: Longmans, *et al.*, 1844). It and Torrens's *Inquiry* were reviewed by Mill in the *Westminster* for June 1844, in "The Currency Question" (*CW*, Vol. IV, pp. 341-61).

merchandise, waiting for a market; and this is applicable, and is continually applied, to the payment of international balances, without trenching upon the currency. Doubtless, if the circumstances of the country, in regard to foreign trade, became such as to produce a permanent diminution of its stock of the precious metals, involving, as this would do, a permanent rise in their value, the amount of coin in circulation would eventually diminish in the same ratio. But the mere transportation of bullion from country to country, in the ordinary course of trade, going out one month or year and returning the next, according to the accidents of the markets, would have no such effect. Such transfers would often occur under a purely metallic system, without diminishing the currency in the one case, or adding to it in the other. A metallic currency, therefore, would not necessarily, and in all cases, be affected by the exchanges; and if a paper currency were strictly regulated by them, it would be subject to variation in cases in which a metallic currency would not vary. Under a paper system, as often as the precious metals are wanted for exportation, the banks, being by profession dealers in them, are usually had recourse to. Suppose a balance due to a foreign country. The gold required for making the payment is obtained from the Bank of England in exchange for its notes. These notes, under the proposed system, the Bank would not be permitted to re-issue, until the course of trade again brought in gold, to be offered for sale. In the intermediate period, the currency, consisting of paper, will have been artificially contracted; when if it had consisted wholly of the metals, it would possibly, and even probably, have remained unaltered in amount.

The object, therefore, to which so much importance is attached—that of keeping the amount of paper issues precisely identical with the amount of coin which they displace—would be as often frustrated as promoted by the means proposed. But the objection taken to the theory is still more fundamental than this. The principle itself is denied. The necessity or advantage of conformity between the amount of a paper currency, and what would have been the amount of a metallic, is not admitted. It is denied that the temporary augmentation of issues, which is the only augmentation possible under a convertible currency, has the injurious effects ascribed to it; that it tends to raise prices, or to promote speculation.

According to the views which we are now stating, it is not every increase of the quantity of money in the hands of the public which tends to raise general prices; but only an increase of the money which is in the hands of those who are purchasing for their own consumption: in other words, an increase in the aggregate money incomes of the community. If an addition were made to the currency in such a manner as to be at once paid away in wages, or added in any other form to the funds destined to be expended as revenue, this would raise prices. And any increase of the currency *which could be kept permanently out* would, no doubt, in time permeate all the channels of circulation, and ultimately

add to the funds intended for personal expenditure. But the issues of the banks do not take place in this manner. They are made, not to consumers, but to dealers, to be employed, not in their expenditure for consumption, but in their pecuniary transactions with other dealers. An increase of money in the hands of dealers cannot tend to raise prices as between consumer and dealer. But will it not raise prices as between dealer and dealer? To this it is answered, no; for the following reason:—all purchases by dealers are made with a view to the consumer. The consumer is to pay everything at last. It is from the price which the consumer pays that the dealer is to be indemnified for what he has paid, and to derive a profit. A dealer, therefore, will not consent to pay an advanced price unless he sees a prospect that the price will also rise to the consumer, who is to reimburse his advances. A speculative rise of prices in the great transactions between dealers is always grounded upon some expected deficiency of supply, or increase of the demand for consumption, by which, if it takes place, the consumer will be forced to pay a higher price; and if the speculative rise goes beyond what turns out to be the actual rise to the consumer, the speculation fails.

On these grounds it is contended that an increase of paper, as it takes place in this country, and so long as the paper is convertible, does not tend to raise prices, and does not constitute a new and independent source of demand. Increased issues, made by banks in advances to dealers, are, it is affirmed, an effect, not a cause, of demand. If unusual activity of trade increases the number of transactions, or if, from circumstances affecting the cost of production or the supply of commodities, those transactions take place at higher prices, this will naturally lead to an increased issue of bank notes, if bank notes happen to be the most convenient medium for the purposes in view. But supposing any increased issue of bank notes to be prevented, this would not prevent the transactions: if they could not take place by bank notes, they would be effected by bills of exchange; if this also was made impracticable, they would take place by checks, and transfers of credit in bankers' books. The vast majority of transactions among dealers are already effected in these modes, and all might be so. The whole of the mercantile transactions of Amsterdam and Hamburg were formerly (at Hamburg they are still) liquidated by simple transfers of credit in the books of the Amsterdam and Hamburg banks, with whom every merchant kept an account. The speculative transactions of commerce, which are supposed to be affected in such an extraordinary degree by variations in the amount of bank notes, are, in truth, entirely independent of any such medium, and would take place to exactly the same extent if bankers' paper did not exist. What they really depend upon is credit; in what particular shape credit is given is immaterial. To alter, therefore, the whole banking system of the country, to sacrifice all the existing interests concerned in banks of issue, and impose new restrictions upon the free agency of the community, for the purpose of averting dangers entirely chimerical, and of discouraging speculations to which the change proposed could

not oppose the slightest obstacle, would, according to the views we have now stated, be uncalled for and indefensible.

On this controversy we do not take upon ourselves to pronounce any decision. The question is still *sub judice*. The minds of the most competent thinkers are not yet, generally speaking, made up. There is room and necessity for much further discussion. The views promulgated by Mr. Tooke have yet to be maturely weighed, and due regard paid to what will doubtless be urged in contradiction to them. As yet, no answer to his pamphlet has appeared. In the meantime the Legislature, in such a state of the subject, can have but one rule—*Dans le doute, abstiens-toi*. While the question is unsettled in the greater number of thinking minds, however positively decided in many foolish ones, let it alone. Renew the present Charter of the Bank of England, with little alteration, for a brief period; five years would be sufficient; more than ten are not to be thought of; and reserve to Parliament an opportunity of reconsidering the subject, when the opinions of the best judges shall have become sufficiently unanimous.

301. THE MALT TAX

MORNING CHRONICLE, 13 JAN., 1846, P. 4

The malt tax, which Mill here supports, was an excise tax on the barley that was malted to make beer. First imposed in 1697 by 8 & 9 William III, c. 22, it had reached its present level of 20*s*. 8*d*. a quarter in 1819. Periodic attempts to have it reduced or removed (most notably in 1821, 1833, 1834, and 1835) had been initiated by the agricultural interest. Some reformers and Radicals co-operated, arguing that the tax burdened the working man as well as the farmer and wishing to encourage retrenchment, but others voted for its retention for the sake of the revenue. The unheaded leader is described in Mill's bibliography as "A leading article on the Malt Tax, in the Morning Chronicle of 13th January 1846" (MacMinn, p. 58).

ALTHOUGH THE PRETENCE of "peculiar burdens"[1] has lost the efficacy it once had as a popular argument for the Corn-laws, and there is now no danger that the landlords will be much longer permitted to compensate themselves for these pretended burdens by a slice from every loaf consumed in the country, there is still some fear lest the same bad argument may be held good as an excuse for some other injustice, as flagrant though not yet so thoroughly exposed. There seems a general expectation that Sir Robert Peel will clog his proposition respecting the Corn-laws with some project of a revision of the general system of taxation, for the benefit of the landlords. It is not wonderful that such a belief is entertained. Neither friends nor enemies can bring themselves to think it possible

[1]See, e.g., Edmond Wodehouse (1784-1855), Speech on the Corn Laws (22 Feb., 1842), *PD*, 3rd ser., Vol. 60, col. 848.

that a leader of Tories can reform any abuse thoroughly. They always look for some qualification, for some unjust condition. Sir Robert Peel, in particular, has raised up to himself, by a long series of contrary professions, so many difficulties to pursuing a straight course, that no one can help expecting to find a bend in his path.[2] Then, too, he has been flattered into the belief that finance is his peculiar *forte*. The only measure of his four years' government which is wholly his own, in which he had been anticipated by no Whigs or Liberals—the income-tax—was a financial measure; and he is supposed to feel a parent's affection for this, his only child. There is, accordingly, a notion abroad that he will propose the abrogation of the taxes which the landlords most complain of, and will supply their place by a large increase of the income-tax.

Such things must not be reckoned improbable because they are monstrous, nor must it be thought of no consequence that they are proposed because public opinion would be sure to defeat them. Defeated they might be, but Corn-law repeal would for the time be defeated along with them. If the Minister proposes them, it will be as an essential part of his measure. He will stand or fall by it as a whole. He will not propose repeal conditionally, and vote for it unconditionally. If his conditions are refused he will throw up the measure, and without him it cannot be carried in the present Parliament. It is, therefore, important that a proposition to replace one gross injustice by another should not be made by him, and that the public should early manifest their opinion in such a manner as to deter him from attempting it.

Among the taxes which the Protectionists lay claim to as "peculiar burdens," the most important is the malt-tax. It yields five millions sterling to the revenue. Take it off, and if the substitute is to be an income-tax, the present tax must be doubled. The change would be for the worse in every respect, while there is not a shadow of foundation for the pretence on which it would depend for its justification. In no possible sense of the word is the tax on malt a burden on agriculture.

A peculiar burden on agriculture must mean one of two things. It may mean a burden falling on home-grown produce, but from which imported produce is

[2]Originally a firm proponent of the Corn Laws, Peel had modified his position in 1842 by introducing a sliding scale of the duty on corn, dependent on its price (5 & 6 Victoria, Sess. 2, c. 14); at that time, however, he was still a confirmed protectionist. Faced with an estimated deficit of £2,000,000, he reintroduced, against strong opposition, the income tax (which had been repealed in 1816), in 5 & 6 Victoria, c. 35 (22 June, 1842); the revenue from this tax, combined with the lowering of taxes on hundreds of items and commodities, greatly improved the state of the economy. Eventually, Peel's position on the Corn Laws began to ease, and by the end of 1845 he was ready to propose their suspension. On 27 Jan., 1846, he outlined his proposal for repeal (*PD*, 3rd ser., Vol. 83, cols. 239-85), which was brought forward as "A Bill to Amend the Laws Relating to the Importation of Corn," 9 Victoria (9 Mar., 1846), *PP*, 1846, I, 423-8, and enacted as 9 & 10 Victoria, c. 22 (1846).

exempt. This cannot be said of the malt-tax. Malt is not imported. If it was, it would of course be charged with a countervailing duty. The exciseman knows no distinction between British and foreign barley. If it is made into malt it all pays duty. If British barley is fitter for being malted than foreign barley, so much the better for the landlord.

Or a peculiar burden may mean a tax which falls only on the agriculturists, which is paid wholly or chiefly by them, and not at all, or in a much less degree, by any other part of the community. Neither is this true of the malt-tax. Everybody knows that it is paid in the price, or what is equivalent, in the strength, of beer. All consumers of beer pay it. Beer is not a beverage confined to country people. They are not more than a third part of the population, and they do not drink more than a third part of the beer,—they do not drink nearly so much. There is, in all probability, more beer consumed, in proportion to the population, by the inhabitants of towns than by those of the country, and, if quality as well as quantity be considered, very much more.

It would be difficult to show any five millions of the taxation of the country liable to as little objection as the five millions which are the produce of the malt-tax. There are few taxes collected at less expense; there are few which, in proportion to the amount, give rise to so little fraud and evasion. It falls proportionally heavier on the poor than on the rich, which would be a conclusive objection to it as the sole or the principal source of revenue, but not conclusive against it as one tax among a number of others, many of which (the income-tax being one) do not fall on the poor at all. The balance is not held even; but it easily might and ought to be; and there are many better ways of rectifying it than by abolishing a tax which does not fall on the necessaries of the poor. There are no taxes so little objectionable as taxes on luxuries, and among luxuries none are such proper subjects of taxation as stimulants. All stimulants, whether those of the rich or of the poor, should be taxed as high as they will bear; at the highest rate which will not defeat the object by encouraging smuggling—the rate, in short, which will yield the largest revenue. By taxes on stimulants, and direct taxes equitably apportioned (not like the income-tax), this country might raise all the revenue it requires, without any other taxes whatever. Untax stimulants, and you cannot raise the amount without keeping on, and laying on, taxes beyond calculation worse.

But the crowning absurdity in the case of the malt-tax is, that its remission would not at all afford to the agriculturists the relief they desire. It would do them no more good than taking off any other five millions of taxes; and no good at all, if the amount were made up by any other tax of which they paid their share. It cannot be pretended that they would derive any peculiar benefit as consumers. They would get their beer cheaper, and so would everybody else. But they wisely think that they would be benefitted as producers. There would be more beer drank, and more barley consumed. Good, under a strict Corn-law: but what if the

Corn-laws are repealed? To this their answer is, that foreign barley will not do for malting, that it cannot compete at any price with British barley. This would be very consoling, doubtless, if not importing barley implied not importing at all. But suppose the ports open, and a demand for more barley, and that the barley must all be grown at home, what effect would this have but that just so much the more wheat and oats would be imported? There can be no increased growth of barley on our own land without increasing the cost or diminishing the supply of other agricultural produce. The place would be filled up by importation, and the agriculturists would be as they were before. We are supposing free trade. But we question if the case would not be the same under the existing law. The present Corn-law, bad as it is, does not succeed in confining the country to its own produce; and if a larger production were suddenly required, even under the present duties a great part of the increase would probably be obtained cheaper by importation. If so, to make the repeal of the malt-tax any material benefit to the landlords the Corn-laws must be made even stricter than they now are. *A fortiori*, on the supposition of free-trade the gain to them would be illusory, while if the substitute be the income-tax, the pressure of that would be very real. As it is now assessed they are far from paying their just share of it, but there is no doubt that what they do pay they very thoroughly dislike, and would dislike any increase still more.

302. THE POOR RATES AS A BURDEN ON AGRICULTURE

MORNING CHRONICLE, 19 JAN., 1846, P. 4

This unheaded leader is described in Mill's bibliography as "A leading article on Poor Rates as a burthen on agriculture in the Morning Chronicle of 19th January 1846" (MacMinn, p. 58).

AMONG the "peculiar burthens"[1] of agriculture, of which we have long heard so much as reasons for protection, and of which we are probably destined to hear still more in the ensuing session, as grounds for a re-adjustment of taxation, one which is a favourite topic with oratorical agriculturists is the poor-rate. This plea has never gone for much with the non-agricultural part of the public, who know well, by disagreeable experience, that the poor-rate is anything but a "peculiar" burthen. The towns support all their poor; the country only supports its own. The towns contain a much larger labouring population than the country; if among this greater number a smaller proportion are poor, what is the natural inference from that? There must be something in the state of manufacturing circumstances to hinder the people from being poor, or something in the state of agricultural

[1]For the phrase, see No. 301, n1.

circumstances to make them so. We have heard much lately, from the Protectionists, of the baneful influence of manufactures upon the labouring classes.[2] We have been told that manufacturing employment makes them purchase a year or two of high wages and overwork, at the price of perhaps several years of idleness and starvation. If this be so, the average amount of poor rates and of paupers in the agricultural and manufacturing provinces and parishes must bear witness to it. Let not "agriculture" shrink from the test. *A chacun selon ses oeuvres*.[3] Let manufactures support the paupers they make. They already do so. They do not ask agriculture to support *their* poor. On the contrary, they support great numbers of those who by birth belong to agriculture. During the interval between the last census and that which preceded it, the whole population of the country increased largely. The agricultural population did not increase at all.[4] During those ten years the whole excess of births over deaths in the agricultural districts had been taken and provided for by the towns. Had it not been for manufactures, these additional numbers, if born at all, must have perished in infancy, or remained—not to lower wages, for that, in Wiltshire and Somersetshire, they could not have done, but to increase the poor rates. In this adjustment of the burthen between town and country, it seems strange that it should be the country that complains; yet the landlords are of opinion that to support part of their own poor is to do more than their share, and that the towns do not help them enough. Such a mode of thinking, if it were found among any class but that of the spoiled children of society, would be deemed rather presumptuous.

Their complaint derives its only semblance of a foundation from a matter of formal technicality, immaterial to the pecuniary result in most cases, and which, in the few instances in which it has any substantial effect, there would probably be no indisposition to alter. The poor rate, as all know, is levied from the occupiers of land and houses, by an assessment proportioned to the rent which they pay, or which it is supposed could fairly be demanded from them.[5] Now, the occupiers in towns are rated only on the amount of their house rent; the farmers are rated also on the rent of their lands, which, the agriculturists say (and in so far they say truly) is equivalent to rating the landlord. So that the landlord,

[2]See, e.g., Robert Adam Christopher (1804-77), then Conservative M.P. for Lincolnshire, Speech on Repeal of the Corn Laws (10 June, 1845), *PD*, 3rd ser., Vol. 81, cols. 314-18.

[3]A Saint-Simonian maxim; see *Doctrine Saint-Simonienne*, *Oeuvres*, Vol. XLI, p. 41.

[4]See "Return of the Total Population of Great Britain in 1831 and 1841, also of the Number of Adult Males Employed in Agriculture at Those Periods Respectively, as Stated in the Reports of the Census Commissioners," *Sessional Papers of the House of Lords*, 1846, XIX, 1-2.

[5]Judicial interpretation of 43 Elizabeth, c. 2, had determined that the poor-rates would be levied on real property; the current assessment by the obtainable rent was laid down in 6 & 7 William IV, c. 96 (1836).

besides paying poor rate, like other people, on the house which he inhabits, is also rated, indirectly, on the whole income from his land, which comes to him reduced by the poor rate that has been paid by all his various tenants.

This is substantially true, and would amount to a real grievance if the poor rate were a national, instead of a local impost. Were the poor of the nation supported by the funds of the nation (not the poor of the parish by the funds of the parish), it would be very unjust to the landlords to raise those funds in the present mode of assessment. But the rate is a local rate, and long may it continue so. Were it made national, the owners of the soil would cease to have even the weak and insufficient personal interest they now have in checking the inroads of pauperism. So long, then, as each parish supports its own poor, the nominal injustice of the present mode of rating seldom comes into any practical effect. Almost all parishes are practically either entirely town parishes, or entirely agricultural. An agricultural parish may contain a large village, or a small country town; but the rateable income of the parish is even then almost wholly agricultural; much of the property in the town or village belongs to the neighbouring landowners, the remainder is mostly in small portions, and could pay but little, and the landowners are more than indemnified by the low rating of their own "castles" and "halls," which (as is well known to those who remember the discussions on the house-tax)[6] are assessed on the rent which a tenant could be found to give for them, that is, about a ninth or a tenth of their real value (the interest of their cost price).

The cases in which the unequal principle of assessment to the poor rate really operates with injustice are peculiar and exceptional, being chiefly those in which a parish, otherwise agricultural, contains here and there a cotton-mill or other factory. There is in these cases a real unfairness, as between the millowner and the landowner. The one is rated only on the annual value of his buildings, the other virtually on his whole estate. This is an inequality which unquestionably calls for redress, locally, or generally. Redress might be given in two ways. Neither is free from objections, but to neither, perhaps, would the objections be unconquerable. The millowner might submit to be assessed to the poor rate, as he already is to the income tax, on the entire profits of his trade; or if this would be deemed unendurable, the rating of lands might be abandoned, and the assessment, either in certain parishes or universally, might be made on dwelling houses only. This would amount to levying the poor rate by a house tax, which, if impartially assessed, without the favour formerly shown to the class least entitled to it, is one of the best forms of taxation, approaching nearer than almost any other to a perfectly just income tax, without its inquisitorial character. But on these things it will be time to enlarge further when the time comes for considering them with a view to practical effect.

[6]See Nos. 195 and 202 for mention of the agitation in 1832-33 for repeal of the house tax established by 48 George III, c. 55 (1808).

303. THE ACQUITTAL OF CAPTAIN JOHNSTONE

MORNING CHRONICLE, 10 FEB., 1846, P. 5

Captain George Johnstone (b. 1812), of the ship *Tory*, was brought to trial at the Central Criminal Court on 5 Feb., 1846, charged with the brutal murders of three seamen under his command during a return voyage from China. At the conclusion of the trial, the jury found Captain Johnstone not guilty because of temporary insanity. The case was reported at length in the *Morning Chronicle*, 6 Feb., pp. 7-8, and 7 Feb., p. 7, and in *The Times*, 6 Feb., p. 7, and 7 Feb., p. 8. This unheaded leader is the first of a series (see Nos. 305, 307, 318, 329, 350, 383, 389-90, 392-6, and 400) of leading articles and letters to the editor on cases of injustice and cruelty that Harriet Taylor coauthored with Mill; it is also the first of any of his writings to be described as "a joint production" with her (though she is not named) in his bibliography, where the entry reads: "A leading article on the acquittal of Capt. Johnstone of the '[*Tory*]' in the Morning Chronicle of 10th February 1846 a joint production—very little of which was mine" (MacMinn, p. 59).

IF THE JURY who have just acquitted the most atrocious criminal who has been brought to answer for his misdeeds at the bar of a court of justice for many years, had studied how they could bring the administration of justice most effectually into contempt—if they had meant to show what a wretched exhibition of human imbecility jury trial might be made, when carried on by men with neither heart nor intellect, and in whom maudlin weakness and moral poltroonery stand in the place of conscience—they could not have succeeded more completely. A man who has realized almost fabulous atrocities—who has made the metaphorical expression of "killing by inches" a physical fact—who, being placed in authority over a number of men, at a distance from all legal protection, after exhausting ordinary tyrannies, crowned a series of horrors by literally hewing in pieces two human beings, bound and unresisting—this man has been declared "not guilty," for no other cause whatever but the excess of his guilt, for it is not even pretended that he had shown any marks of insanity, or exhibited any of the characteristics of it, except the crimes which have been proved.

With regard to the wretched culprit himself, we have only now to look to the advisers of the Crown, and trust that he will be treated for the remainder of his life as the most dangerous kind of lunatic, and will not, at the easy price of a temporary confinement, be again let loose upon the world. But there is a lesson to be learnt from this verdict. The state of mind of the jurors is a specimen of the tendency of the humanity-mongering which has succeeded to the reckless brutality of our old laws, and which has brought us to such a pass, that every man is now to be presumed insane as soon as it is fully proved that he is a ruffian.

Burke, long ago, spoke of the "credulous morality" of a certain kind of people, who, when a man acts like a villain, never have the courage to think him one.[1] If jurors think every man insane whom they acquit as such, this credulous

[1]Edmund Burke, *Thoughts on the Cause of the Present Discontents*, *Works*, Vol. I, p 429.

morality has made wonderful progress. The maxim so well expressed by our contemporary the *Times*, in an admirable article on Saturday, that "a crime without a motive is no crime at all,"[2] might now be inscribed over the door of every court of justice, as the creed of fools and the motto of juries. And a motive must be something which would be a motive to the juryman himself, or to people like himself—people who never framed a thought, had a feeling, or did an act different from everybody else. Time was when it was not thought incredible and miraculous not to be commonplace. But the modern type of civilization has so destroyed even the remembrance, even the idea, of individuality, that to the vulgar everything which shows character is a proof of madness. The conduct of the man Johnstone did show character. It showed a man not exactly like all other people. It showed a ruffian, but it showed a man to whom custom was not the law of his life. This is as much as it is generally necessary to prove before a Commission of Lunacy. If the man had been as much better than other people as he was worse, and had shaped his life by his own inclinations, instead of by the doings and sayings of his neighbours, let the reader ask himself, if any one had an interest in proving him mad, how much chance he would have had of escaping a madhouse in the hands of such a jury?

The only murders which men need now expect to be punished for, are those which are committed for money, or from fear of exposure. These are motives, the reasonableness of which appears to be recognized. These inducements are considered by juries as capable of acting upon a sane man. They are, no doubt, the motives to most of the crimes of the age. The motives of great criminals—the vehement resentment, the bitter revenge, the determined self-will, the superstitious horror, the intense antipathy—are things which jurors have nothing corresponding with in themselves, and cannot recognize when before their eyes.

We have given the jurors the benefit of the supposition most favourable to them—that they are as great fools as they proclaim themselves. We have supposed that they really thought the man insane. If they did not think so, but were influenced by a mawkish dislike to having on their consciences the death of a man who had inflicted so many deaths, what are we to think of them? A morbid feebleness of conscience is in our time so common an accompaniment of other mental feebleness, that the supposition is by no means improbable. In the words of the *Times* "the contest lies between their judgment and their honour." We do not add, with our contemporary, "we will not suppose it to be the latter."[3] We leave them to the alternative.

[2]Leading article, *The Times*, 7 Feb., 1846, p. 4.
[3]*Ibid.*

304. GROTE'S HISTORY OF GREECE [1]

SPECTATOR, 4 APR., 1846, PP. 327-8

As early as 1823 George Grote, by then an intimate of James Mill and a friend to his younger contemporary, John, had begun work on what was to become his "opus magnum" (as J.S. Mill called it early in its gestation), the *History of Greece*, 12 vols. (London: Murray, 1846-56). He laid it aside for a decade after his election as M.P. for the City of London in 1832, but resumed it after leaving the Commons in 1841, and by 1843, having also retired from the family bank, was hard at work on the first two volumes. They appeared in 1846, and ten other volumes appeared at intervals until 1856. Mill, who had followed in manuscript at least the early stages of its composition, reviewed the volumes at various stages in their publication: for the *Spectator* in 1846 he wrote this notice of the first two volumes, in 1847 one of Vols. III and IV (No. 368), in 1849 two of Vols. V and VI (Nos. 380 and 381), and in 1850 one of Vols. VII and VIII (No. 391). He also wrote two major reviews for the *Edinburgh*: in 1846, of Vols. I and II; and, in 1853, of Vols. IX-XI. For a discussion of Grote's *History* and Mill's responses to it, see *CW*, Vol. XI (where the two *Edinburgh* reviews appear), pp. xxviii-xlv and lxxxvi-lxxxix. Though Mill did not incorporate passages from the *Spectator* review of April 1846 into the *Edinburgh* one of October 1846, the two have similar structures, many passages are parallel, and there is considerable overlap in the references. In a letter to Harriet Grote of 1 Apr., 1846, Mill remarks on the length of this article, continuing, "I have taken my extracts from the 2nd vol., which has not yet been quoted, I believe, people not having had time to master it. You will see by the article that I like it very much. I was excessively sorry when I got to the end of it, and am impatient for the next volume." (*EL*, *CW*, Vol. XIII, p. 699.) This review, in the "Spectator's Library" section, headed as title, is described in Mill's bibliography as "A notice of the first two volumes of Grote's History of Greece in the Spectator of 4th April 1846" (MacMinn, p. 59).

MR. GROTE'S is the first attempt at a philosophical history of Greece. Much as has been done for history in general by German and French writers, we are not aware that Grecian history (except, indeed, that of Grecian literature and art) owes anything to them save antiquarian researches and dissertations; most valuable, it is true, but only as materials for the historian. Our own country has produced two Histories of Greece, which have obtained a certain share of celebrity; Mitford's, and Bishop Thirlwall's.[1] But Mitford's narrative, written and published during the wildest height of Antijacobin phrensy,[2] is vitiated by an intensity of prejudice against whatever bears the name or semblance of popular institutions, which renders his representation of Grecian phaenomena not only false, but in many

[1] *History of Greece*, 8 vols. (London: Longman, *et al.*, 1835-44), by Connop Thirlwall (1797-1875), clergyman, whose debating powers Mill much admired, and who was forced to resign from Cambridge because of his support for the admission of Dissenters.

[2] Mitford's *The History of Greece* was first published, in five volumes, from 1784 to 1818 (London: Murray, *et al.*). The references in n4 below, as throughout *CW*, are to the ten-volume edition (1818-20) in Mill's library (see No. 97).

particulars the direct contrary of the truth. Athenian institutions, and the great Athenian people, to whom mankind owe a debt such as they owe to no other assemblage of men that ever existed, are studiously degraded by imputing to them not only the faults they really had, but those from which all the monuments of the time conspire to prove that they were peculiarly and preëminently exempt. On the other hand, every creature, however base, who has the single merit in Mr. Mitford's eyes of possessing despotic power, holds from him a patent of acquittal from all offences ever charged upon him, by whatever weight of testimony. With Mr. Mitford, a vulgar Asiatic Sultan like Xerxes, an unprincipled usurper and tyrant like Dionysius, are specimens of calumniated innocence, Philip of Macedon a pattern of enlightened and kingly virtue;[3] while the characters against whom his vituperation is poured out, are a Pericles, a Timoleon,[4] a Demosthenes. Besides being saturated with this spirit, the wretched scholarship of the book would have secured its condemnation in a country like Germany, of real learning, though in this country of merely pretended learning it obtained on this score a high reputation, which has even yet not wholly abandoned it.

Dr. Thirlwall's performance is the work of a thorough scholar, accurately versed in his subject, and entirely free from the prejudices and biases of Mitford. Many of that writer's misrepresentations he has, though in general silently and always unostentatiously, rectified; and the work altogether is that of an upright, fair, and perfectly impartial narrator. We mean no disrespect when we say that it is not, in a corresponding degree, the production of a thinker. The character of Dr. Thirlwall's mind has not led him to speculate much, or with any clear and positive result, on the phaenomena of political society. Even his impartiality seems rather that of a person who has no opinion, than of one who has an unbiased opinion. We do not say that an author is to write history with a purpose of bringing out illustrations of his own moral and political doctrines, however correct they may be. He cannot too carefully guard himself against any such temptation. If he yield to it, he becomes an unfaithful historian. If not led to pervert the history, he is led to exhibit in disproportionate relief some particular features of it. But we do say, that the mere facts, even of the most interesting history, are of little value without some attempt to show how and why they came to pass; that a mere narrative of events, without the causes and agencies which

[3]Xerxes (d. 465 B.C.), often called the "Great King," ruled Persia 486-465 B.C.; Dionysius I (ca. 430-367 B.C.) ruled Syracuse 405-367 B.C.; and Philip II (ca. 382-336 B.C.) ruled Macedon and conquered Greece.

[4]Pericles (ca. 500-429 B.C.), the popular leader of Athens from ca. 460 B.C., inspiring orator and statesman; and Timoleon (ca. 411-337 B.C.), Corinthian statesman and general. Mill somewhat exaggerates Mitford's bias, but his comment is substantiated by such passages as those in Vol. II, pp. 129 and 189-90 (on Xerxes), Vol. VII, p. 51 (on Dionysius), Vol. VIII, pp. 474-94 (on Philip), Vol. II, pp. 381-3 and Vol. III, pp. 5-6 (on Pericles), Vol. VII, pp. 254-5 and 270n (on Timoleon), and Vol. VIII, pp. 128, 399, and 472-3 (on Demosthenes).

gave them birth—a history of Greece, which does not put in evidence the influences of Grecian institutions and of Grecian opinions and feelings—may be a useful work, but is not *the* history which we look for, and are entitled to demand.

Mr. Grote, with equal scholarship to Dr. Thirlwall, and a degree of sympathy with the Greek mind, which some, perhaps, might not have expected from him, has aimed at supplying this grand deficiency, and combining with the interest of the facts themselves, that deeper interest which is only excited when the reader is not merely *told* the facts but made to understand them. And we already need not hesitate to prophesy, that he will produce a work as much superior in value and merit to Dr. Thirlwall's as his to Mitford's. A very small portion of the task is yet performed: he has dealt as yet only with the legends of Greece, and the first dawn of its authentic history; where no consecutive stream of narrative is possible, and the main part of the historian's business must consist of the discussion of evidence. A writer cannot be put to a severer trial. The most attractive graces of historical composition he has in this stage of the work little or no opportunity of displaying, while his power of rendering his subject interesting is more hardly tasked than in any subsequent part of his progress. But Mr. Grote has stood the test. The reader will find that the discussions about historical evidence have an interest he scarcely expects. The reason is, that principles are evolved in them. They are not special pleadings about this, that, or the other fragment of testimony. They involve great questions respecting the credibility of tradition and the origin of historical beliefs; and by implication, many important laws of human intellect, and many leading characteristics of the Greek mind.

In the complete separation which he makes between Legend and History,[5] Mr. Grote is of the school of Niebuhr; if that can be called a school which now comprehends all thinkers. But he arrives at similar conclusions by a path of his own. Niebuhr holds that the early stories of Rome are not history, but poetry.[6] Mr. Grote holds those of Greece to be not history, but religion as well as poetry. Homer and Hesiod[7] were as much the religious books of the early Greeks, and of the general Grecian public down to a late period, as the Puranas are those of the Hindoos, or even as the Mosaic records were of the Jews. The inspiration of the muse was not in those days a commonplace metaphor. The muse was a real goddess, and the poems were her revelations. Even in the times of Herodotus,[8] Thucydides, and Plato, they were the acknowledged authorities on all divine things.

[5]See Vol. I, pp. 460-612 (Bk. I, Chap. xvi), esp. pp. 598-604 ("General Recapitulation").

[6]Niebuhr, *History of Rome*, trans. Hare, *et al.*, Vol. I, pp. 1-2.

[7]Hesiod (8th cent. B.C.), poet, celebrated for his *Works and Days*.

[8]Herodotus (ca. 484-420 B.C.), known as the "Father of History" for his attempt at a factual and accurate treatment of the Graeco-Persian wars.

Mr. Grote relates the more important legends in considerable detail; those of the gods, as well as those of the heroes and the heroic age. He places them exactly on a par. He no more thinks that the latter had any historical foundation than that the former had. Both rested on the same evidence, that of the poets or bards. Both are blended together in inextricable union. The stories of the heroes are equally supernatural with those of the gods; and equally a part of religion, the gods being not only always mixed up in them, but the heroes themselves being objects of religious worship. Both were believed with equal implicitness by the hearers, and formed together the body of belief in the mind of a Greek, concerning the origin of the world and of himself, and the nature of the divine government. Some of the heroes may be real personages, some of the events recounted may be real events; but the poems not only do not amount to proof of this, they are not even any evidence of it. If, indeed, there were chiefs in those days who left an enduring name behind them, legends were likely to attach themselves to those names. But even then, the facts recounted may have had no more reference to anything which really happened, than the real exploits of Charlemagne had to the events related of him by Archbishop Turpin, whose Chronicle was also accepted as true history, and pronounced to be such by Pope Calixtus II.[9] The idea of rejecting everything supernatural and everything extraordinary and romantic in the legends, under the name of poetic ornament, and preserving the dull *caput mortuum* as a residuum of historical truth, to be believed on no other evidence than we have for the entire story, Mr. Grote shows to have been a fancy of historians and philosophers of a later age—a kind of Rationalists, unwilling or unable altogether to break with the faith of their fathers, though all the more characteristic and impressive facts of it had become repugnant to the altered tone of their minds. Our space prevents us from giving a specimen of the accumulated argument and evidence by which Mr. Grote, we think irresistibly, enforces this conclusion. We would refer especially to the last two chapters of the first volume, and the second chapter of volume second. For centuries, as he remarks, the history of England was supposed to begin with Brute the Trojan, and was continued through a succession of monarchs down to Julius Caesar;[10] the very dates of their accessions being fixed by chronologists. Hardyng, Fabyan, Grafton, and Hollinshed,[11] all the old chroniclers, believed

[9]See Grote, Vol. I, p. 465, referring to *Historia de vita Caroli Magni et Rolandi* (first printed in 1566) attributed to Archbishop Turpin (d. 800) of Rheims (Mill may have known the translation by T. Rodd, 2 vols. [London: Todd, 1812]). Charlemagne (ca. 742-814) was King of the Franks and Roman Emperor. Calixtus II (d. 1124), Pope 1119-24, was wrongly thought to have declared Turpin's account authentic.

[10]See Grote, Vol. I, p. 466.

[11]Editions available to Grote and Mill were John Hardyng (1378-1465), *The Chronicle of Ion Hardyng*, ed. Henry Ellis (London: Rivington, 1812); Robert Fabyan (d. 1513), *The New Chronicles of England and France*, ed. Henry Ellis (London: Rivington, 1811); Richard Grafton (d. 1572), *Grafton's Chronicle: or, History of England* (London:

those tales; and jurists argued on them as undoubtedly historical. The evidence for them was similar to that of the Grecian legends, except that they were not protected against gainsayers by connexion with religion. Hector, Priam, and the Atridae, have, in Mr. Grote's estimation, precisely the same claim to be considered historical characters as Lear and Locrine. Hercules is at once a god like Zeus and a romantic hero like Amadis de Gaul.[12]

A chapter is devoted to the delineation of the state of society shown in the Homeric and Hesiodic poems. Another relates to the much-agitated subject of the origin of the Homeric poems themselves. Are they, or is either of them, the work of a single author? Was their original state essentially that in which we now find them? Or are they, according to the bold hypothesis of Wolf and his followers, a compilation made in the times of Pisistratus from the ballads of a preceding age?[13] Mr. Grote has, we think, completed the overthrow of the Wolfian paradox. His own theory differs much less from the traditional notion of all antiquity: where it does differ, it is at least plausible, and ingeniously and forcibly supported.

Mr. Grote dates the small beginnings of authentic history from the first recorded Olympiad, 776 B.C. In recounting it he has yet made small progress; having only been able to include the history of Sparta and the Peloponnesian Dorians, down to the age of Pisistratus and Croesus.[14] Of this the most interesting feature is the legislation of Lycurgus,[15] the subject of one of his largest and most important chapters.

Mr. Grote does not consider Lycurgus to be, like Numa,[16] a fabulous character; though scarcely any facts can be authentically ascertained concerning him. But there is no doubt that the institutions ascribed to him are of great antiquity, considerably anterior to the first Olympiad; and that they were believed to have been established by one man, on whom the Lacedaemonians conferred the power of legislation, to rescue them from a previous state of intolerable disorder. The institutions lasted in considerable vigour for several centuries, and were the cause of the power and eminence which Sparta attained.

Johnson, *et al.*, 1809); and Raphael Holinshed (d. ca. 1580), *Holinshed's Chronicle of England, Scotland, and Ireland*, 6 vols. (London: Johnson, *et al.*, 1807).

[12]Hector, Priam, and the Atridae (Agamemnon and Menelaus, descendants of Atreus), heroic characters in the *Iliad*; Lear and Locrine, legendary kings of Britain; Hercules and Zeus, Greek gods; Amadis de Gaul, eponymous hero of an anonymous feudal romance.

[13]Christian Wilhelm Friedrich August Wolf (1759-1824), author of *Prolegomena ad Homerum* (1795), known as the father of philology, whose followers (as Grote indicates) included Wilhelm Mueller (1794-1827), lyric poet, historian, and philologist; and Karl Konrad Friedrich Wilhelm Lachmann (1793-1851), critic and philologist. Pisistratus (ca 560-527 B.C.), Tyrant of Athens.

[14]Croesus was the last King of Lydia (560-546 B.C.).

[15]Lycurgus, the Spartan lawmaker ca. 650 B.C.

[16]The legendary second King of Rome, assigned the dates 715-673 B.C.

Even, however, with such a fact as this, the mythic element is strikingly blended. The tale, which has been universally received on the authority of Plutarch, that Lycurgus redivided the land into equal portions,[17]—or, indeed, that equality of property was part of the institutions of Lacedaemon at any time,—Mr. Grote cannot find any early authority for; it is inconsistent with the testimony we have from Aristotle,[18] and other writers of the best age of Greece; and Mr. Grote believes it to date no higher than the time of Agis and Cleomenes,[19] after the Lycurgean institutions had virtually ceased to exist. We quote, as an exposition of the author's ideas and a specimen of his style, a part of his observations on this point.

> The present is not the occasion to enter at length into that combination of causes which partly sapped, partly overthrew, both the institutions of Lycurgus and the power of Sparta: but, taking the condition of that city as it stood in the time of Agis III (say about 250 B.C.), we know that its citizens had become few in number, the bulk of them miserably poor, and all the land in a small number of hands—the old discipline and the public mess (as far as the rich were concerned) degenerated into mere forms—a numerous body of strangers or non-citizens (the old xenêlasy, or prohibition of resident strangers, being long discontinued) domiciled in the town, and forming a powerful moneyed interest; and lastly, the dignity and ascendency of the state amongst its neighbours altogether ruined. It was unsupportable to a young enthusiast like King Agis, and to many ardent spirits among his contemporaries, to contrast this degradation with the previous glories of their country: and they saw no other way of reconstructing the old Sparta except by again admitting the disfranchised poor citizens, redividing the lands, cancelling all debts, and restoring the public mess and military training in all their strictness. Agis endeavoured to carry through these subversive measures, (such as no demagogue in the extreme democracy of Athens would ever have ventured to glance at,) with the consent of the senate and public assembly, and the acquiescence of the rich. His sincerity is attested by the fact, that his own property, and that of his female relatives, among the largest in the state, was cast as the first sacrifice into the common stock. But he became the dupe of unprincipled coadjutors, and perished in the unavailing attempt to realize his scheme by persuasion. His successor Kleomenês afterwards accomplished by violence a change substantially similar, though the intervention of foreign arms speedily overthrew both himself and his institutions.
>
> Now it was under the state of public feeling which gave birth to these projects of Agis and Kleomenês at Sparta, that the historic fancy, unknown to Aristotle and his predecessors, first gained ground, of the absolute equality of property as a primitive institution of Lycurgus. How much such a belief would favour the schemes of innovation, is too obvious to require notice; and, without supposing any deliberate imposture, we cannot be astonished that the predispositions of enthusiastic patriots interpreted according to their own partialities an old unrecorded legislation from which they were separated by more than five centuries. The Lycurgean discipline tended forcibly to suggest to men's

[17]Plutarch, "Life of Lycurgus," viii, in *Lives*, Vol. I, pp. 226-8.

[18]Aristotle (384-322 B.C.), *Politics* (Greek and English), trans. H. Rackham (London: Heinemann, 1932), p. 149 (1271^b).

[19]Agis IV (called III by Grote) and Cleomenes III, reforming Kings of Sparta, ca. 244-41 B.C. and 235-219 B.C., respectively.

minds the *idea* of equality among the citizens,—that is, the negation of inequality not founded on some personal attribute—inasmuch as it assimilated the habits, enjoyments, and capacities of the rich to those of the poor; and the equality thus existing in idea and tendency, which seemed to proclaim the wish of the founder, was strained by the later reformers into a positive institution which he had at first realized, but from which his degenerate followers had receded. It was thus that the fancies, longings, and indirect suggestions of the present assumed the character of recollections out of the early, obscure, and extinct historical past. Perhaps the philosopher Sphaerus[20] of Borysthenês, (the friend and companion of Kleomenês and the disciple of Zeno the Stoic,) author of works now lost both on Lycurgus and Socrates and on the constitution of Sparta, may have been one of those who gave currency to such an hypothesis; and we shall readily believe that, if advanced, it would find easy and sincere credence, when we recollect how many similar delusions have obtained vogue in modern times far more favourable to historical accuracy—how much false colouring has been attached by the political feeling of recent days to matters of ancient history, such as the Saxon Wittenagemote, the Great Charter, the rise and growth of the English House of Commons, or even the Poor-law of Elizabeth. [Vol. II, pp. 527-30.]

The real peculiarity of the Spartan institutions was not equality of property, but the equal subjection of rich and poor to the most rigidly ascetic form of the discipline of a camp. And the Spartan character was the joint product of this rigid discipline and of the peculiar position of the Spartan community, encamped as it were in the midst of a numerous body of Helots, who (unlike the purchased slaves of other Grecian states) were Greeks, and warlike as themselves; and from whom their supremacy and safety were always in imminent danger. These things, and many others not less interesting, are amply set forth in this excellent chapter; of which it is saying little to affirm, that it places the Spartan constitution and the general physiognomy of the Lacedaemonian community in a clearer light than they ever were placed in before.

The chapter on "the Hellenic People generally, in the early historical times," is also of great interest [Pt. II, Chap. ii; Vol. II, pp. 311-56]: but we prefer quoting the observations on the influence of the geographical characteristics of Greece upon its history.

The configuration of the Grecian territory, so like in many respects to that of Switzerland, produced two effects of great moment upon the character and history of the people. In the first place, it materially strengthened their powers of defence: it shut up the country against those invasions from the interior which successively subjugated all their continental colonies; and it at the same time rendered each fraction more difficult to be attacked by the rest, so as to exercise a certain conservative influence in assuring the tenure of actual possessors: for the pass of Thermopylae between Thessaly and Phocis, that of Kithaerôn between Boeotia and Attica, or the mountainous range of Oneion and Geraneia along the Isthmus of Corinth, were positions which an inferior number of brave men could hold against a much greater force of assailants. But, in the next place, while it tended to protect each section of Greeks from being conquered, it also kept them

[20]Sphaerus (ca. 285-221 B.C.), disciple of Zeno of Elea (b. ca. 490 B.C.), the founder of the Stoic school of philosophy.

politically disunited and perpetuated their separate autonomy. It fostered that powerful principle of repulsion, which disposed even the smallest township to constitute itself a political unit apart from the rest, and to resist all idea of coalescence with others, either amicable or compulsory. To a modern reader, accustomed to large political aggregations, and securities for good government through the representative system, it requires a certain mental effort to transport himself back to a time when even the smallest town clung so tenaciously to its right of self-legislation. Nevertheless such was the general habit and feeling of the ancient world, throughout Italy, Sicily, Spain, and Gaul: among the Hellenes it stands out more conspicuously, for several reasons—first, because they seem to have pushed the multiplication of autonomous units to an extreme point, seeing that even islands not larger than Peparêthos and Amorgos had two or three separate city communities; secondly, because they produced, for the first time in the history of mankind, acute systematic thinkers on matters of government, amongst all of whom the idea of the autonomous city was accepted as the indispensable basis of political speculation; thirdly, because this incurable subdivision proved finally the cause of their ruin, in spite of pronounced intellectual superiority over their conquerors; and lastly, because incapacity of political coalescence did not preclude a powerful and extensive sympathy between the inhabitants of all the separate cities, with a constant tendency to fraternise for numerous purposes, social, religious, recreative, intellectual, and aesthetical. For these reasons, the indefinite multiplication of self-governing towns, though in truth a phaenomenon common to ancient Europe as contrasted with the large monarchies of Asia, appears more marked among the ancient Greeks than elsewhere: and there cannot be any doubt that they owe it, in a considerable degree, to the multitude of insulating boundaries which the configuration of their country presented.

Nor is it rash to suppose that the same causes may have tended to promote that unborrowed intellectual development for which they stand so conspicuous. General propositions respecting the working of climate and physical agencies upon character are indeed treacherous; for our knowledge of the globe is now sufficient to teach us that heat and cold, mountain and plain, sea and land, moist and dry atmosphere, are all consistent with the greatest diversities of resident men: moreover, the contrast between the population of Greece itself, for the seven centuries preceding the Christian aera, and the Greeks of more modern times, is alone enough to inculcate reserve in such speculations. Nevertheless, we may venture to note certain improving influences, connected with their geographical position, at a time when they had no books to study, and no more advanced predecessors to imitate. We may remark, first, that their position made them at once mountaineers and mariners, thus supplying them with great variety of objects, sensations, and adventures; next, that each petty community, nestled apart amidst its own rocks, was sufficiently severed from the rest to possess an individual life and attributes of its own, yet not so far as to subtract it from the sympathies of the remainder; so that an observant Greek, commercing with a great diversity of half-countrymen, whose language he understood, and whose idiosyncracies he could appreciate, had access to a larger mass of social and political experience than any other man in so unadvanced an age could personally obtain. The Phoenician, superior to the Greek on ship-board, traversed wider distances and saw a greater number of strangers, but he had not the same means of intimate communion with a multiplicity of fellows in blood and language: his relations, confined to purchase and sale, did not comprise that mutuality of action and reaction which pervaded the crowd at a Grecian festival. The scene which here presented itself was a mixture of uniformity and variety highly stimulating to the observant faculties of a man of genius,—who at the same time, if he sought to communicate his own impressions, or to act upon this mingled and diverse audience, was forced to shake off what was peculiar

to his own town or community, and to put forth matter in harmony with the feelings of all. It is thus that we may explain in part that penetrating apprehension of human life and character, and that power of touching sympathies common to all ages and nations, which surprises us so much in the unlettered authors of the old epic. Such periodical intercommunion of brethren habitually isolated from each other, was the only means then open of procuring for the bard a diversified range of experience and a many-coloured audience; and it was to a great degree the result of geographical causes. Perhaps among other nations such facilitating causes might have been found, yet without producing any result comparable to the *Iliad* and *Odyssey*; but Homer was nevertheless dependent upon the conditions of his age, and we can at least point out those peculiarities in early Grecian society without which Homeric excellence would never have existed,—the geographical position is one, the language another. [Vol. II, pp. 298-302.]

Mr. Grote expects to complete the History in eight volumes; of which the third, and perhaps the fourth, will appear in the course of the next winter.

305. DR. ELLIS'S CONVICTION

MORNING CHRONICLE, 13 JUNE, 1846, P. 6

As Mill indicates in his opening sentence, the *Morning Chronicle* had published on 6 June, 1846, p. 7, a report of the coroner's inquest on 5 June into the death of Richard Dresser, an accountant, aged forty-five, after treatment by James Ellis (ca. 1802-81), a practitioner of hydrotherapy. On 9 June a verdict of manslaughter was returned against Ellis (*Morning Chronicle*, 10 June, p. 5), but when tried on 20 June at the Central Criminal Court he was acquitted (*Morning Chronicle* and *The Times*, both 22 June, p. 7). This unheaded leader is the second of those on injustice and cruelty written by Harriet Taylor and Mill (see No. 303). It is described in Mill's bibliography as "A leading article on a verdict of manslaughter against a hydropathic practitioner in the Morning Chronicle of 13th June 1846, very little of this was mine" (MacMinn, p. 59).

OUR PAPER, a day or two since, contained a report of proceedings before a coroner's jury, terminating in a verdict of manslaughter against Dr. Ellis, the superintendent of the Hydropathic establishment at Sudbroke Park, Petersham, on account of the death of a patient, a Mr. Richard Dresser, who died on Tuesday, having been under the care of Dr. Ellis since the preceding Friday.

The case, in consequence of this verdict, will necessarily undergo investigation before a criminal tribunal; but to be put upon trial, even if acquitted, is so serious an injury and grievance to an innocent person, that it is worthy of deliberate consideration, both how far medical practitioners ought to be subject to such responsibility, and whether it has been judiciously applied to a case like the present.

The jury, of twelve, we dare say, respectable petty tradesmen, but not likely to be very enlightened critics of medical skill, have by this verdict pronounced a solemn opinion on two grave and difficult medical questions. They have decided

that the patient died in consequence of Dr. Ellis's treatment, and that the error committed—assuming it to be an error—was of so culpable a kind as to constitute, in the eye of the law, a punishable offence.

They did not, of course, adopt these serious conclusions on their own knowledge, but on the faith of medical evidence. The professional witnesses in the case were two surgeons practising in partnership in the Kent-road—a circumstance not inconsistent with consummate medical skill, but which assuredly affords no guarantee of it.[1] These surgeons had examined the body after death, by the desire of the family, but without the knowledge or presence, so far as appeared, of Dr. Ellis, or of any one in his behalf. We hope, however, that it is still in his power to cause a re-examination of a more public kind, if he judges it desirable. Dr. Ellis, not having examined the body, gave as his opinion that the death was occasioned by diseased liver. The surgeons, after examination, say that the liver was not diseased. They do not agree with each other on all points, one thinking the liver congested, while the other "hardly ever saw a healthier liver in his life."[2] They both say, however, that the heart and lungs were congested, that they could find no other cause of death, and that this excessive congestion must have been produced by the very mild application of tepid (for it was not even cold) water which appears to have been used. They say besides, that if the liver had been diseased, the hydropathic treatment would have been extremely inappropriate; in which Dr. Ellis concurs, since he said that if he had known the liver to be affected he would not have received the patient. The only ailment which the deceased complained of was rheumatism, or sciatica. An extraordinary circumstance is, that on the showing of the two surgeons there was nothing to account for death from so slight a cause. They were asked no questions about the patient's previous state of health; though one of them said that he had known and attended him for years. The only fact they stated was, that the action of the heart was feeble. But a feeble action of the heart is not enough to make a man die of suffocation from being fomented with tepid water. A man whom that would kill must have been at death's door first. Was it so unpardonable an oversight in Dr. Ellis not to suspect such a condition in a man who complained of nothing worse than rheumatic pains? It must be remembered, too, that these professional men (we mean it not as an imputation, but as a presumption, which justice requires to be taken into account) were in all human probability strongly prepossessed both against the irregular practice, and against the irregular practitioner; a sentiment, which the patient having quitted their care to place himself under that of Dr. Ellis, was nowise calculated to mollify.

It is by no means a clear case, that in a free country medical men should *ever* be criminally responsible for the consequences of *bonâ fide* treatment; or that a

[1]The two surgeons—whatever their skill—were Charles Waterworth (d. 1864) and James Hicks (d. 1858).

[2]Waterworth, quoted in "The Water Cure," *The Times*, 10 June, 1846, p. 6.

person of full age and reasonable understanding, who, with his eyes open, places himself under the care of a practitioner, should not do it at his own risk. It is a question on both sides of which much still remains to be said. But there are weighty reasons to be urged for the responsibility in some other cases, which cannot be applicable to this. A quack *may* pretend to be acquainted with the whole medical art, and competent to apply all its expedients, each in its proper place. But Dr. Ellis and his compeers profess nothing but hydropathy, practice nothing but hydropathy, do not pretend to judge of anything but hydropathy. Whoever submits himself to them does so because he believes in hydropathy. He knows what he is about, and acts not from faith in the doctor, but from faith in the treatment itself, and in its applicability to his case; and neither is hydropathy a thing of palpable fraud, the bare profession of which can be treated as an attempt to deceive. In its immense pretensions, or in those which have sometimes been made for it, we place no credence whatever; but its occasional efficacy is admitted by all, and the most scientific physicians often advise patients, in obstinate cases, to place themselves in one of these very establishments. All depends on judging rightly of the cases to which it is suited, and in that the most instructed physician may err, as well as the most ignorant.

The law of the case was fairly enough laid down by the coroner. He said that the jury had nothing to do with Dr. Ellis's being or not being a regularly licensed practitioner; that they had only to consider if there was proof of gross negligence or incompetence.[3] But if thinking that a person has a liver complaint when he has not, is negligence or ignorance, deserving the penalties of manslaughter; thinking that a lady, whose lamentable case ought never to be forgotten, had *not* a liver complaint, when she was dying of it, does not seem to fall far short of the same criminality. Yet that was the mistake of one of the most instructed and really ablest men in the medical profession.[4]

The diagnostics of liver disease are proverbially uncertain; to say nothing of the general uncertainty and almost infant state of the medical art. And shall twelve Surrey tradesmen rush in where the best and most acknowledged authorities tread unsafely? Is it for them to take upon themselves the right of punishing the practitioners of the most fallible of all useful arts for not being infallible?

[3]For the remarks of the coroner, William John Payne (1822-84), see *ibid.*

[4]Lady Flora Elizabeth Hastings (1806-39), a Lady of the Bedchamber to the Duchess of Kent, suffering from abdominal distension, was rumoured to be pregnant. Though she was attended by Sir James Clark (1788-1870), the Queen's physician, he, when consulted, did not rule out pregnancy, nor did he give any other cause for her marked girth. Queen Victoria ordered a medical examination, after which Sir James declared Lady Flora not pregnant; but an enlarged liver, of which she died four months later, still went undiagnosed. See "Statement in Vindication of Lady Flora Hastings," *The Times*, 25 Mar., 1839, p. 5, and "The Post Mortem Examination of the Lady Flora Hastings," *ibid.*, 10 July, 1839, p. 6.

· · · October 1846 to June 1847 · · ·

306. THE CONDITION OF IRELAND [1]

MORNING CHRONICLE, 5 OCT., 1846, P. 4

The disastrous failure of the potato crop, which brought on the terrible Irish famine, called attention anew to the agricultural and general economic problems in Ireland, and brought forward various proposals to improve conditions. In a series of forty-three leading articles in the *Morning Chronicle*, running until 7 Jan., 1847, of which this is the first, Mill develops the views that (using these articles) he presents in his *Principles of Political Economy*. In his *Autobiography*, saying that he began the *Principles* in the autumn of 1845 and had the work ready for the press before the end of 1847, he comments: "In this period of little more than two years there was an interval of six months during which the work was laid aside, while I was writing articles in the *Morning Chronicle* (which unexpectedly entered warmly into my purpose) urging the formation of peasant properties on the waste lands of Ireland. This was during the period of the famine, the winter of 1846/47, when the stern necessities of the time seemed to afford a chance of gaining attention for what appeared to me the only mode of combining relief to immediate destitution with permanent improvement of the social and economical condition of the Irish people. But the idea was new and strange; there was no English precedent for such a proceeding: and the profound ignorance of English politicians and the English public concerning all social phenomena not generally met with in England (however common elsewhere) made my endeavours an entire failure. Instead of a great operation on the waste lands, and the conversion of cottiers into proprietors, Parliament passed a Poor Law for maintaining them as paupers: and if the nation has not since found itself in inextricable difficulties from the joint operation of the old evils and the quack remedy, it is indebted for its deliverance to that most unexpected and surprising fact, the depopulation of Ireland, commenced by famine, and continued by emigration." (*CW*, Vol. I, p. 243; see also Mill's letter to Harriet Taylor, ca. 30 Mar., 1849; *LL*, *CW*, Vol. XIV, p. 21.) Given the labour that must have gone into this series, and noting that he wrote six further leaders on Ireland in the *Morning Chronicle*, the last appearing on 7 Apr., 1847, one may well understand Mill's saying there was a six-months' interval, when in fact the series lasted for three months. He was pleased with the initial reception of his ideas, writing to Bain (probably in mid-November, 1846) to say that the articles "have excited a good deal of notice, and have quite snatched the initiative out of the *Times*." "It is a capital thing to have the power of writing leaders in the *Chronicle* whenever I like, which I can always do. The paper has tried for years to get me to write to it, but it has not suited me to do it before, except once in six months or so." In another letter to Bain, on 28 Dec., he reports that he may "slacken" his writing on the subject, "having in a great measure, as far as may be judged by appearances, carried my point, *viz.*, to have the waste lands reclaimed and parcelled out in small properties among the best of the peasantry" (*EL*, *CW*, Vol. XIII, p. 705). The unheaded leader is described in his bibliography as "A leading article on Irish affairs in the Morning Chronicle of 5th October 1846" (MacMinn, p. 60).

THE PRESENT CONDITION OF IRELAND, in the midst of its danger and calamity, has that element of consolation which proverbially accompanies an intolerable excess of evil. It has brought things to a crisis. It has converted a chronic into an acute disease, which will either kill or be cured. It has made that singular state of society, which in Ireland is called law, property, and social order, simply a thing which cannot any longer hold together. The sluggish, well-meaning mind of the English nation, so willing to do its duty, so slow to discover that it has any duty to do, is now perforce rousing to ask itself the question, after five centuries of English domination over Ireland, how many millions it is inclined to pay, not in order to save the social system which has grown up under its fostering care, but to help that precious child of its parental nurture to die easy? Any further prolongation of existence for that system no one now seems to predict, and hardly any one any longer ventures to insinuate that it deserves.

This is something gained. The state of Ireland—not the present state merely, but the habitual state—is hitherto the most unqualified instance of signal failure which the practical genius of the English people has exhibited. We have had the Irish all to ourselves, for five hundred years. No one has shared with us the privilege of governing them, nor the responsibilities consequent on that privilege. No one has exercised the smallest authority over them, save by our permission. They have been as completely delivered into our hands as children into those of their parents and instructors. No one has ever had the power to thwart our wise and benevolent purposes; and now, at the expiration of nearly one-third of the time which has elapsed since the Christian era, the country contains eight millions, on their own showing, of persecuted innocents, whom it is the sole occupation of every English mind to injure and disparage; on ours (if some of our loudest spokesmen can be taken as our representatives), of lazy, lawless savages, whose want of industry and energy keeps them ever on the verge of starvation, whose want of respect for life and property makes it unsafe for civilized beings to dwell among them. England unanimously repudiates the first theory: but is the other much less disgraceful to us? An independent nation is, in all essentials, what it has made itself by its own efforts; but a nation conquered and held in subjection ever since it had a history, is what its conquerors have made it, or have caused it to become. Yet this reflection does not seem to inspire Englishmen generally with any feeling of shame. The evils of Ireland sit as lightly on the English conscience as if England had exhausted every effort in struggling against them—as if England had done all which the most enlightened and disinterested benevolence could suggest for governing the Irish well, and for civilising and improving them. What has ever yet been done, or seriously attempted, for either purpose, except latterly, by taking off some of the loads we ourselves had laid on, history will be at a loss to discover.

Is this want of will on England's part, or want of capacity? Foreigners, with an excusable injustice, pronounce that it is want of will. It is not, however, by

England's voluntary choice that Ireland is what she is. England would far rather that she were otherwise. England wishes nothing but good to Ireland, and has shown, by large gifts of money from time to time[1]—the most irrefragable evidence of sincerity in this commercial age—how gladly she would make sacrifices to promote Irish well-being, provided that it could be done without deviating one-tenth of an inch from some extremely beaten track; without introducing a single principle not already familiar even to triteness in English practice; without alarming the most insignificant English vested interest that chanced to be called by the same name as some Irish nuisance. Unfortunately, no good could be done in Ireland under these conditions. Accordingly, the work is still to be begun; and an emergency, pressing so instantly for action as to leave scarcely any time for deliberation, finds the public, to all appearance, unfurnished with any opinions on the nature of the remedy which the condition of Ireland requires.

Amidst the miserable paucity of suggestions, good, indifferent, or even bad, which the present Irish crisis has called forth, it is a fact that one only has hitherto been urged with any vigour, or re-echoed widely by the organs through which opinions find their way to the public; and that one is—what? A poor-law, with extensive out-door relief to the able-bodied![2] This, then, is what the progress of reason and experience has brought us to: this is the sum of what our wisdom can devise to make an indolent people industrious, to gift an improvident people with prudence and forethought. That which has pauperised nearly the whole agricultural population of England is the expedient recommended for raising to comfort and independence the peasantry of Ireland! Most things which have been done or proposed in our time, as benefits to that unfortunate country, were merely frivolous: they diverted attention from the real evils, and were so far injurious; but the mischief stopped there. They left things, at all events, no worse than they found them. But this, the only scheme of which we now hear much—which seems to be the beginning and the ending of what the *Times*, for example, with all its energetic protests against the state of social relations in Ireland, can find to propose for their amendment[3]—this we verily believe to be the one thing that the Legislature could do by which the economical evils of

[1]By provisions in, e.g., 3 George IV, cc. 34, 84, 112 (1822); 1 & 2 William IV, c. 33 (1831); and 2 & 3 Victoria, cc. 1, 3, 50 (1839), as well as the measures of 1846, mentioned throughout the series.

[2]"A Bill for the Better Relief of the Destitute Poor of Ireland," 9 Victoria (25 Mar., 1846), *PP*, 1846, III, 129-32, was advocated by Poulett Scrope, who moved its second reading on 1 Apr. (*PD*, 3rd ser., Vol. 85, cols. 383-96); although it was not enacted (*ibid.*, col. 412), Scrope continued to promote his scheme with considerable public support, especially from *The Times*.

[3]See the leading article on the Irish Poor Law, *The Times*, 19 Aug., p. 4. For other comments by *The Times* on Irish "social relations," see leaders on 21 Sept., p. 4, 22 Sept., pp. 4-5, 24 Sept., p. 4, and 2 Oct., p. 4.

Ireland would be made worse than they already are. It is the one thing which would set the seal to Irish misery, the thing which would take away even the possibility of improvement. The Legislature which could deliberately adopt it must be nothing less than insane; and the writers who advocate it are flinging away a great power and a golden opportunity, for the sake of a mischievous chimera.

307. THE CASE OF PRIVATE MATTHEWSON

MORNING CHRONICLE, 6 OCT., 1846, P. 4

John Thomas Matthewson (b. ca. 1823), a private soldier, was brought before a court-martial on 29 Sept., 1846, for using abusive language to Sergeant Robert O'Donnell; see the report (from which Mill quotes), in "Court-Martial at Hounslow," *The Times*, 30 Sept., p. 3. His sentence of six months, including two months' solitary confinement, was reported in *The Times*, 9 Oct., pp. 4-5. This, the third of the unheaded articles on injustice and cruelty by Harriet Taylor and Mill (see No. 303) is described in his bibliography as "A leading article on the case of Private Thomas Matthewson, in the Morning Chronicle of 6th October 1846, a joint production very little of which was mine" (MacMinn, p. 60).

WE THINK IT VERY DESIRABLE that the Government and the public should keep their attention fixed on the case of Private Thomas Matthewson, who was tried by court-martial at Hounslow, on Tuesday last, for abusive language to a non-commissioned officer. Whether he was found guilty by the court has not yet transpired, as the publication of the sentence does not take place until it has been confirmed by the Commander-in-Chief; but there is far more than enough apparent on the proceedings to require that the result should be watched.

This man Matthewson, it may be remembered, was one of the witnesses in the case of death from flogging, which contributed so much to bring about the partial abolition of that punishment.[1] His evidence was of a nature to be peculiarly

[1]On 15 June, 1846, Frederick John White (1819-46), a private in the 7th Regiment of Hussars, had been given 150 lashes in a flogging, presided over by Lieut.-Col. John James Whyte (1806-89), that was ordered as punishment for an assault on a sergeant of the same regiment. White died on July 11. An inquest held at Hounslow on 15, 20, 27 July, and 3 Aug., presided over by Dr. Thomas Wakley (1795-1862), the radical medical reformer, as coroner, reached a verdict that death had been caused by the flogging. Private Matthewson, who had also been flogged for disrespect, was one of the witnesses at the inquest on White's death. The case attracted considerable attention and protest. On 7 Aug., Russell in a speech on flogging in the army revealed that Wellesley, the Duke of Wellington (who had been re-appointed Commander-in-Chief for life in 1842) had subsequently limited the number of lashes to fifty, and had directed that precautions should be taken about the health of the culprit and attention paid to the physical conditions (*PD*, 3rd ser., Vol. 88, col. 375). Wellesley confirmed his attitude in a speech of 11 Aug. (*ibid.*, cols. 600-2).

disagreeable to his commanding officer, being one of those which imputed to him, in the most direct manner, neglect and want of feeling with regard to the sufferer. Matthewson, also, was the witness to whom menaces were said to have been indirectly held out as to the probable consequences to himself of the evidence he gave; and although this was not thought to have been substantiated, it was not denied that Colonel Whyte publicly addressed him on parade, saying that he was as near as—(what type of nearness the colonel employed we do not think it necessary to repeat)—to having perjured himself. This gentle apostrophe, however merited it may in the colonel's opinion have been, neither betokened in the present, nor augured for the future, any amicable feelings on the part of the commanding officer towards Private Matthewson. We are far from implying that because an officer has received what he thinks provocation from a private, he must necessarily become his unscrupulous enemy. But Private Matthewson must have had far more than ordinary confidence in the magnanimity of his commanding officer, if he did not feel certain that, in some way or other, he would be made to smart severely for his evidence; that if a charge were not actually got up against him, an opportunity would be watched of exaggerating some trifling peccadillo into a grave offence; that, in short, he would be a marked man, and if not to the colonel himself, to some of those miserable waiters upon power, who, we may be sure, are not wanting in a regiment any more than in a court, and who might think that the ruin of one who had made himself obnoxious would be a satisfaction to those whom they wished to please, even if it were only the satisfaction derived from the fulfilment of a prophecy. If this surmise is not already verified by what has just taken place, there is a coincidence most unfortunate for all those upon whom any share of the suspicion can possibly fall.

We will suppose that Matthewson, after giving the evidence which reflected discredit upon Colonel Whyte, was really guilty of a serious military offence. We should have expected that, considering what had happened, and the prejudice likely to exist against him, not only in his own regiment, but among any officers composing a court-martial (for the great majority of officers are supporters of corporal punishment, and it is no secret that the sympathies of officers are almost always with the officer against the soldier)—we should have expected, we say, that scrupulous care would have been taken to make it impossible for even the prisoner himself to deny that the most generous justice was done him. We should have expected that the testimony against him would have been sifted with the most jealous vigilance; that rather a greater amount of evidence than is deemed sufficient in ordinary cases would have been insisted on; and that the most studious and ostentatious attention would have been paid to giving him every facility, and to showing that every facility had been given, for the production of any evidence which he might think available to weaken, though it were only in a slight degree, the strength of the case against him.

Instead of this, what do we see? By a most unfortunate accident, if it be an

accident, the trial takes place after Matthewson's own regiment has left the neighbourhood, and along with it the witnesses whom he could have called, either to points of the case itself, or to his general character. This obstacle, probably, was not insuperable: he might have "applied to the commanding officer" (Colonel Whyte himself) to have the witnesses detained; and if he had done so, we will hope that the request would have been complied with. We, therefore, do not insist further on this point, which may be worse in appearance than in reality. But there is another feature in the case, which would be fatal to the prosecution—whether with a military tribunal we know not—but with any civil tribunal of decent impartiality. The man's alleged offence is the use of insulting words, and there is absolutely no evidence to the words he used, or to his having used insulting words at all, except that of Sergeant O'Donnell, the very man alleged to have been insulted. There is no circumstantial evidence, and no corroborative testimony but that of Corporal Routh, who "was not sufficiently near to hear what took place," and could only affirm that "by his manner the prisoner appeared to be speaking disrespectfully to the sergeant." But it was not for disrespectfulness of *manner* that he was brought before the court. In the circumstances alleged there was nothing to explain or render probable the abusive expressions said to have been used, which are such as were only likely to be employed in the heat of passion, or as the consequence of a previous altercation. When policemen are declared to be in the habit of giving false evidence against innocent persons, is it too much to suspect an affronted sergeant of some exaggeration? Especially when the prisoner declares him to have been drunk at the time, and against the assertion of one of the two parties to a dispute it is not unfair to oppose the denial of the other.

We have argued the matter on the footing of simple justice, and the treatment due to every human being. If it were to be looked at on grounds of chivalrous or gentlemanly feeling, it would be much more concisely disposed of. Supposing such feelings to have had any voice in the matter, the commanding officer, one may presume, would rather have given up his commission than that Private Matthewson, while under his command, should be in a position in which it would be felt that the one was inflicting, and the other undergoing vengeance for unacceptable evidence in a court of justice. There are means enough for ridding a regiment of a troublesome character, when his presence is no longer supportable. If Matthewson was such a character, the consequences of giving him his discharge would have been (in the peculiar circumstances of this case) less prejudicial to discipline than the moral impression of his being made a victim—which, truly or not, he will be thought to be, if found guilty and sentenced on this inadequately supported charge.

The part of prosecutor was worthily filled by a Viscount St. Lawrence,[2] who

[2]William Ulick Tristram St. Lawrence (1827-1909), later Earl of Howth, Lieutenant in the 7th Hussars.

came armed with all the means which the books of the regiment and his own testimony could supply for crushing the already crushed man.

308. THE CONDITION OF IRELAND [2]

MORNING CHRONICLE, 7 OCT., 1846, P. 4

For the context of this argument against *The Times*' advocacy of an expanded Irish Poor Law, which would allow outdoor relief in exchange for labour on public works, see No. 306. The unheaded leader is described in Mill's bibliography as "A second leading article on Irish affairs in the Morning Chronicle of 7th October 1846" (MacMinn, p. 60).

THE ALPHA AND OMEGA of the schemes for the relief of Ireland—the quintessence of all the propositions we hear, is, give, give, give. The points on which there is diversity are only, who is to give, and whom it is to be given to. While some people are for giving themselves, some are only for making others give, and some would have no objection to make the crisis an opportunity for receiving. The cry of some persons is, let England give; and give to the peasantry, to those who are really in want. There is charity in this proposal, if not wisdom, when it comes from this side of the Irish Channel; when from the other side, it is something else; it is the conduct of him who begs for charity, which, if rarely meritorious or dignified, is excusable when there is nothing else to be done. But the Irish landlords next present themselves, and exclaim, give to *us*. Lend to us below the market rate of interest, that we may pay off our mortgages; we shall then have a large income for our own use, with part of which we will employ the poor. Or, lend us a round sum on the mortgage of our estates, which are already so deeply mortgaged that we cannot raise an additional farthing from any other source; and instead of paying off our mortgages we will do better—we will employ the loan in cultivating our lands and improving our estates for ourselves. This charming scheme for giving to the poor by means of giving to the landlords, does not seem to have made many converts among those to whom the part assigned in it is that of givers. It has rather provoked them to give the thing a contrary turn, and to demand whether, instead of receiving, the Irish landlords are not the very persons who should be required to give. And justly too. If the working bees are short of winter provision, they have a claim on their own drones before they can have any on the bees of another hive. The whole Irish population, therefore, are to be quartered on the landlords, and as a machinery for the purpose, the *Times* is ready with its Poor-law, and its lavish system of out-door relief.[1]

But the objection common to all these schemes is, that they consist of giving, and nothing more. That objection is fatal. Did ever any one hear, was ever any

[1]See *The Times*, 19 Aug., p. 4. The Irish Poor Law, 1 & 2 Victoria, c. 56 (1838), provided only indoor relief.

one so completely out of his senses as to imagine, that the whole social and economical state of a country could be made to rest upon giving? Giving, when the whole labouring population are the parties concerned, is a thing to be done once, and then largely and generously, to the full measure of the need. But it is not a thing to be done at all, save when the object to be compassed, or at least greatly promoted, is that of so altering the condition of the receivers, that they shall not need to look to giving as a permanent resource. If this could be accomplished for Ireland—and that it could we are fully prepared to show—we will not venture to say what sum of money we would not willingly give, and call on others to give, for so noble a purpose. Or if the habitual condition of the Irish people were satisfactory, and the present distress a sharp but passing calamity, as little connected with the general course of events as the cholera—a torrent which they only required to be helped through, to be landed again in prosperity on the other side—then too we could join our voices with those who say, give freely, and ask no questions about the future. But as things are, we protest with all our force against giving one additional farthing on plans which hold out no better promise than that, after a larger or smaller sum of money is spent and gone, the Irish will be exactly as they were before. Give as much as you will, but let it be for the permanent improvement of the condition of the people. We will not hear of any giving merely to feed the disease, not to cure it.

But the *Times'* plan of a Poor-law would do much more than feed the disease—it would render it surely and rapidly mortal. There is already a Poor-law, by which all who choose to accept its conditions are guaranteed against actual famine. The demands of the *Times* are, to break down all the salutary barriers which the law erects to prevent the people from making what ought to be an extreme resource an habitual one: to erect a system by which in fact, and indeed in intention, the peasantry of Ireland would depend on a compulsory assessment for their daily bread. Assume that the thing is possible—assume that it would not, as in a short time it certainly would, absorb the whole rental of the country, and reduce all other classes to the condition of labourers, while it reduced the labourers to the condition of paupers; suppose that it would not do this, but something short of this, what would be its effect on the minds and habits of the labourers themselves? The senseless crusade against the English Poor-law, to which the *Times* has unhappily committed itself[2]—which is perpetually crossing and marring the better inspirations of its writers, and in which its self-importance is now too much involved to allow a hope of its receding from its false position—this pet fanaticism of its own ought not, however, to be so mere a fanaticism as to make it incapable of seeing conclusions, the premises of which are daily set forth, with studied exaggeration, in its own columns. It ought not to be so much the slave of its fixed-idea as to be

[2]See, e.g., the leaders on p. 4 of *The Times* on 20, 24, 25, 28 Aug., and 1 Sept., 1846.

unable to perceive, that even if the strict principles of the English Poor-law were not necessary for England, they would still be the only Poor-law principles adapted to Ireland. Are the Irish, on the showing of the *Times* and its Commissioner,[3] a people who can be trusted with an unlimited license to draw upon the national alms? It has been the custom of the *Times* and its fellow crusaders (auxiliaries with whom it must itself be often rather ashamed to keep company) to assert that the English peasantry were calumniated by the authors of the Poor-law; that it is not true that the industry and self-reliance of the English labourer broke down under the pauperising system, which destroyed all the natural motives to those virtues; that in spite of the tendency which prejudice itself cannot pretend not to see in a system which exempts the labourer from taking any care of himself, by promising to take care *for* him, the virtue of independence is still so deeply rooted in the character of the English peasant, that he has borne, and can bear, a moral regimen to all appearance the most destructive of any such feeling or quality. A bitter mockery is this false praise of the spiritless, depressed being which the *Times* itself delights in representing the English peasant to be. But the Irish peasant: what of him? Is he a similar paragon of industry, providence, self-reliance, and the other virtues of that mythological creation, "a stout peasantry?"[4] Listen to Mr. Foster—listen to the "*Times* Commissioner," and he will tell you that the Irish peasant, while he has his sufficient meal of bad, watery potatoes, will not stir two steps from the door of his turf hut to gain either comfort or luxury at the cost of half an hour's exertion; that when a boat is found for him by his own parish priest, and a thousand herrings may be caught in one day, neither the prize can tempt nor the priest persuade him to make use of the opportunity; or he perhaps goes once, and brings home a week's subsistence; but, declaring it too much trouble ever to go again, loiters at home and asks a passing traveller for money.[5] Such are said to be the people to whom the *Times* wishes the Legislature to declare, that they need not take any trouble to feed themselves, for it will make the landlords feed them. Listen next to the *Times* itself.[6] It has several times made the remark, that even the small measure of alms and employment held out to the Irish by the parliamentary grants of last year, has had such an unfortunate effect on them, that, bad as their condition was, those who were accustomed to come to England

[3]Thomas Campbell Foster (1813-82), legal writer and barrister, had been dispatched by *The Times* in 1845 as its "Irish Commissioner" to report regularly on the agricultural situation in Ireland; his reports had appeared in collected form as *Letters on the Condition of the People of Ireland* (London: Chapman and Hall, 1845).

[4]Mill is perhaps thinking of the "bold peasantry, their country's pride," that "once destroyed, can never be supplied," of Oliver Goldsmith's *The Deserted Village* (London: Griffin, 1770), p. 4 (ll. 55-6).

[5]See Foster, "The Condition of the People in the Highlands of Scotland," *The Times*, 1 Oct., 1846, p. 5, where he compares, to the advantage of neither, the Scots and the Irish.

[6]Leading articles, 19 Aug., p. 4, and 22 Sept., pp. 4-5.

for harvest work, and whom that fact itself proved to be the most hardworking and the most enterprising of the peasantry, have not come this summer at all, or have come in greatly diminished numbers, preferring the mere immunity from starvation, held out by the Government, to the large gains (for persons in their circumstances) which it is known they were accustomed to carry back to Ireland on their return. Imagine this people with a fund to draw upon, in their opinion unlimited, and, so far as law can make it, really so—a people who, if what the *Times* says of them is merited, not only will do nothing for themselves which they can possibly get done for them by others, but will go without everything, except mere food, if they must depend on their own exertions for procuring it.

We know it will be answered that relief is not to be given in alms, but in exchange for work, and that it is not intended to pay the idleness of the people, but their industry. As if experience had not done justice to all such projects. As if England had forgotten the once familiar scenes of pauper labour on the roads and in the gravel-pits. As if the very ideas of industry and compulsory payment did not (in the language of a French writer) shriek at finding themselves together.[7] An ordinary labourer knows that unless he work neither shall he eat; that he must give for his day's wages the ordinary day's work of the country, or otherwise he will not be employed. A parish-paid labourer knows that his wages are to be paid to him at any rate, and that his employers may get from him afterwards such day's work as they can. A people who we are told will not do the easiest day's work for their own undivided benefit, are yet expected to do for the parish or the state any work worth paying for. Unless the Irish have been, not merely a little wronged, but foully calumniated by Mr. Foster—unless they are the exact contrary of what he paints them—the work done for the parish would be nominal work, and of other work nothing would be done at all. While men are what they are, they can be induced to habitual labour by only two motives—reward and punishment. The reward of the Irish, and even of the English peasant, is a sufficiently wretched one—a bare subsistence. But if even that is annihilated as a reward by being severed from the industry which is to earn it, there is no other incentive remaining but punishment; the labour must be compulsory, the labourer must be a slave. Those whom you are forced to feed must be forced to work; and there is not, there never has been, any permanent means by which human beings can be forced to labour all their lives for other people, but the lash. Such is the alternative to which the *Times*, and the counsels of the *Times*, would reduce the people whom it patronises.

Because the Irish are indolent, unenterprising, careless of the future, doing nothing for themselves, and demanding everything from other people; because, being freemen, they want the characteristic virtues of freemen, it is proposed to create a fit soil for the growth of those virtues by placing them in the position of slaves!

[7] A variant of this expression is used in "Cavaignac's Defence," App. A, p. 1248.

309. THE CONDITION OF IRELAND [3]

MORNING CHRONICLE, 10 OCT., 1846, P. 4

For the context, see No. 306. With the definition of cottier tenancy Mill gives here, compare his account in *Principles of Political Economy*, Bk. II, Chap. ix (*CW*, Vol. II, p. 312). This unheaded leader is described in Mill's bibliography as "A third leading article on Irish affairs in the Morning Chronicle of 10th October 1846" (MacMinn, p. 60).

THE GRAND ECONOMICAL EVIL OF IRELAND is the cottier-tenant system. We were on the point of calling it the grand moral evil also. Neither the economical nor the moral evils admit of any considerable alleviation while that baneful system continues.

This truth is the foundation of the philosophy of Irish wretchedness and Irish improvement. It is the one thing to be known, remembered, and perpetually thought of by all who concern themselves about that country. It is the conclusion which almost every one who sincerely and seriously applies his mind to the matter ends by aiming at. There is hardly any road whereby a conscientious thinker can approach the subject of Irish distress which does not lead directly to it.

But it is not always clearly seen in what the radical mischief of this tenure, as it exists in Ireland, consists. It is often confounded with the evil of small holdings. Holdings certainly may, under any system, be too small. But there may be small holdings without a cottier system; and there may be a cottier system without small holdings.

A cottier system may be defined, that in which the produce of the land is divided between two sharers—a landlord on one side, and labourers on the other; the competition of the labourers being the regulating principle of the division. To see this system in the fulness of its pernicious fruits, two other circumstances must be supposed, both of which pre-eminently exist in Ireland:—a country over-peopled, at least in proportion to the efficiency of its industry, and no considerable outlet for labour, otherwise than in agriculture.

In all countries in which the labouring population have no property, their condition depends upon the intensity of the competition for employment. In England, and most civilized countries, the pressure of this competition is upon capital; in Ireland, under the cottier system, it is upon land. In England, overpopulation produces its effect by lowering wages; in Ireland, by raising rent.

Now, there is a truth so universally borne out by experience, as almost to partake of the character of a law of nature; and it is this. Whenever a population, excessive in proportion to the productive power of its industry, depends for subsistence wholly upon the occupancy of land, their competition drives them to offer for the land a rent merely nominal, a rent greater than the utmost which, even on the most favourable supposition, they can possibly pay. A farmer who

has capital, who brings something to the farm, and risks something upon it, will not bind himself to a higher rent than he thinks he can pay without, at all events, encroaching on his capital. A labourer who bids for land, not for the sake of profit, but for subsistence, and with whom not to have land is to be without the means of living, will offer anything rather than be outbid by his neighbour. In such a case, if there is any limit to the nominal amount of rent, it is to be found, not in the calculations of the tenant, but in the moderation of the landlord, his justice, humanity, or enlightened perception of self-interest.

This is well understood in the East. In India, as in Ireland, there is a superabundant population depending wholly on land. In India, as in Ireland, the people will promise to pay anything for the land rather than not obtain it. The owner of the land therefore, who in India is generally the Government, has long since discovered that it will not do to leave the matter to competition; that itself, as landlord, must not ask the tenant what he *will* pay, but must determine for him what he *can* pay, and resolutely abstain from asking more; that if it has inadvertently asked too much, it must not hold the tenant to his contract, but at once cancel it, and grant another; that this is its interest, even in the narrowest and most selfish acceptation; that in the long run (and not a very long run either) it gets more rent by this mode of proceeding than by any other. Not the English Government in India only, but all tolerably-administered Native governments, have been taught this wisdom by experience.

The Irish landlords have not generally had this wisdom. Improvident and reckless themselves, needy and indebted, and therefore, by a sort of necessity, rapacious, they have never known how to part with even the shadow of a present gain for the sake of a more certain gain in the future. Many of them, too, preferred increase of power even to increase of income; and were not unwilling that their tenant should enter into engagements which they knew he could not fulfil. They therefore permitted and encouraged rent to grow up, under the impulse of competition, to the point of impossibility. They were thus enabled in all seasons, good or bad, to take everything which the tenant had, except a bare subsistence—and what those words mean in Ireland, we know; and as even then there was always a balance due, the tenant being in the landlord's debt was in the landlord's power, and could at all times, as far as law was concerned, be ejected at pleasure. The various Parliamentary inquiries into the state of Ireland have elicited the fact that tenants have not only covenanted to pay, but actually paid to the landlord more than the whole produce of the land they rented.[1] Their earnings by English harvest work went chiefly to the landlord; and in the small portion of Ireland in which the peasants follow a double trade as agriculturists and weavers, they have been known to pay to the landlord part of their earnings as weavers, in

[1] See "Report from H.M. Commissioner of Inquiry into the State of the Law and Practice in Respect to the Occupation of Land in Ireland," *PP*, 1845, XIX, 35.

addition to the whole produce of their plot of land;—so intense was the association in their minds between being without land and destitution, so uncontrollable the wish to retain at all costs a hold on some corner of earth, upon which, if other resources failed, they could fall back, and claim that ration of potatoes which any landlord must leave them, since, to pay any rent at all, it is necessary that the tenant should be alive.

We believe that the evil of nominal rents is now generally felt among the Irish landlords themselves, and that those who do not let their lands by competition, or at rack rents, are a constantly increasing proportion. But so long as anything in rent is arbitrary, under a cottier system, the tenant is never secure against the caprice or the necessities of his landlord. The curse of this system is, that it destroys, more utterly than any other system of nominally free labour, all motive either to industry or to prudence. To what end should the tenant, who is hopelessly in arrear to his landlord, exert himself to raise a larger produce? There would only be the more for the landlord to take from him; and one case in ten of its being actually taken is more than enough, since it is well known how small a doubt in a person's mind of his being suffered to enjoy what he earns suffices, when conspiring with the natural indolence of man, to prevent him from earning it. Of what consequence to him is it whether he has only two children or ten? The ten are sure of having their meal of potatoes while there are any on the farm, and if there were but two they would have no more. A people have been for half a thousand years under such a *régime* as this, and men wonder at them for their indolence, and their want of enterprise, and their improvident marriages. They must be something more than human if they were not, in these particulars, all that they are charged with being.[2] But to tell us in all gravity, that because they are all this, therefore they are so by nature and because of a difference of race, is a thing which might rouse the indignation even of persons not very quickly moved to such a sentiment, if that were a proper object of indignation which is perhaps only an aberration of the intellect.

A cottier-tenant system is essentially an anarchical system. Habitual disaffection to the law is almost inherent in it. The Russian people are not more completely separated into serfs and the masters of serfs, than the Irish people into the cultivators and the owners of land—two classes standing out with interests distinctly and absolutely contrary, and in a position which to the minds of the more numerous class *cannot* seem to be other than that of robbers and the robbed. The Many occupy and till the land, and a few, because they have the power, take from them the greater part of the produce. In England the labourer comes into direct collision of interest only with the farmer, and *he* gives something for what he receives—he gives his capital: even the landlord in England gives for the rent some equivalent to the farmer—he gives the land,

[2]See the summary of Foster's account in No. 308.

enriched by former expenditure of capital—the landlord's own, or that of previous farmers. But what does the Irish landlord give? There are many exceptions, we know, as there are many and honourable exceptions to every thing which has ever been said truly to the discredit of the class. But as a general fact, the Irish landlord gives no equivalent for his rent; he takes and appropriates it, not because he has done anything for the land, but because his ancestor seized it, or had it given to him by somebody who did. The right of the Irish landlord to his rent is only that of prescription; a valid title, but one which is extremely difficult to commend to those who do not profit by it. That a tenantry like the Irish should connect any sacredness with the rights of landlords is simply an impossibility; and it is only the engrossing nature, for centuries past, of the quarrels about religion which has postponed the breaking out of the permanent and irreconcileable quarrel which such a people must always have with the right to land.

The quarrel, however, has been always going on, and has long been a principal feature in the state of Ireland; but there has hitherto been a limit to the demands of the weaker side. They have not said that they would have the land itself, but they have said that they would and should have leave to grow potatoes on it; and they have made their words good by assassinating those who turned them out, or those who accepted after them the place from which they were turned. Such is the cottier system. Idleness and indigence are its elder children; Rockism its younger.[3] There is another and a younger, still unborn, and that other is, Confiscation.

310. THE CONDITION OF IRELAND [4]

MORNING CHRONICLE, 13 OCT., 1846, P. 4

For the first part of Mill's discussion of cottier tenancy, see No. 309. For the context of the Irish series, see No. 306. This unheaded leader is described in Mill's bibliography as "A fourth leading article on Irish affairs, in the Morning Chronicle of 13th October 1846" (MacMinn, p. 60).

AS NO IMPROVEMENT IN IRELAND, worthy of the name, is compatible with the cottier system—as all schemes of Irish regeneration, which are not the merest mockery of Irish evils, must propose some means of superseding and extirpating that form of tenancy—so neither have we been without suggestions, more or less systematic and matured, which have had this extirpation for their direct object. Two of these have excited much attention, and may be said to have deserved it, since, whatever other objections they are liable to, they would be, or might be,

[3]Revolutionary violence, especially incendiarism, named for an Irish folklore hero, "Captain Rock."

efficacious for their particular design. One of them has been more particularly an English scheme, the other an Irish. The one proposes to alter the agricultural economy of Ireland by means of the introduction of English capital; the other by establishing what has been called fixity of tenure. To begin with the first.

The cottier system, say some, has its origin in want of capital.[1] The labourer must work out his subsistence for himself from the land, because there is no farmer with capital to pay him wages. For the same reason the land goes unimproved, the culture is slovenly, and the tools are of the rudest description. Ireland has no capital; and the disturbed state of Ireland prevents English capital from flowing in. England has superfluous wealth, which pours itself forth to every other part of the known and habitable earth. Ireland alone receives no share of this abounding overflow. Make Ireland tranquil, make life and property secure, and the spirit of enterprise, for which the world is not sufficiently wide, will no longer avoid one-third part, and that third the most fertile part, of the United Kingdom. But with capital comes employment for labour; with English farming, the social system of the English rural districts would come in; the cottier system would give way before another more enlightened, and more conducive to the interests of all; and in time Ireland, like prosperous England, would have her landlords, her farmers, and her labourers maintained by wages, instead of having only landlords, and labourers maintaining themselves by potato cultivation on little plots of earth.

There is nothing palpably absurd or impossible in this train of supposed consequences, and this plan was for many years the favourite dream of amateur English philanthropists who interested themselves for Ireland. It had the happy recommendation of holding up England and things English as the standard of excellence for all the world. In institutions and social arrangements comparatively little had then occurred to disturb on this point our habitual national self-complacency. The "English cottager" was in those days looked upon as that type of rustic felicity which he is even now held to be by those lady-travellers, and gentlemen-travellers also, who favour the world with printed narratives of their first continental tour. At that time there were not many people to whom the reflection occurred, that a population might be fed on wages and still be wretchedly ill off; nor was it doubted but that the self-indulgent, *sans-souci* Irish potato-digger would rush eagerly to change places with the anxious, care-worn, and not much better fed Dorsetshire labourer, the very instant that the blessed opportunity was afforded to him. Time and better knowledge have considerably modified the general opinion of England on this among many points.

[1]See, e.g., Malthus, "Newenham and Others on the State of Ireland," *Edinburgh Review*, XII (July 1808), 340; and Scrope, *Principles of Political Economy, Deduced from the Natural Laws of Social Welfare, and Applied to the Present State of Britain* (London: Longman, *et al.*, 1833), pp. 129-35.

But there is another reason which has contributed still more to bring into discredit the theory which looked for the cure of Irish economical evils from what was called the improvement of Irish agriculture. Improvement in the English sense, improvement by the more powerful instruments and processes of capitalist-farmers, though it raises a far greater net produce than the Irish system, yet from its very nature employs fewer hands. For a time, therefore, its sole tendency is to aggravate the evil which it is expected to cure. Its ultimate effects need not here be entered upon. We may grant that its increased efficiency and economy, the far greater ratio which its produce bears to the smaller quantity of labour employed, the large profits it yields, and the means and motives which it consequently holds out to accumulation, may in time enable the country to raise a larger gross produce, and to maintain, therefore, a larger population than could ever exist on the system of small holdings and peasant-farmers. This is one of the long disputed questions which political economists and practical agriculturists have not yet settled among themselves. Their opinions on the subject diverge, widely and with bigotry. But about the immediate effects there is not and cannot be any difference. The introduction of English farming is another word for the clearing system. It must begin by ejecting the peasantry of a tract of country from the land they occupy, and handing it over *en bloc* to a capitalist-farmer. The number of those whom he would require to retain as labourers would be far short of the number he displaced. What becomes of the remainder? The increased net produce of the land, when "improved," may create a demand for more labour; but what is to be done in the meantime? And when the demand came, it would be in great part for manufacturing, not agricultural labour, to supply, not the necessities, but the comforts and luxuries of the affluent farmers. But Ireland has little besides agricultural labour, and the displaced cottiers are capable of no other. Compared with what we should then see, all we have yet seen of the clearing system and its horrors is a bagatelle. No one has seen the systematic unpeopling of estates on the scale necessary for introducing a system of farming by hired labour. What we have seen, and on a small number of estates only, has been intended not to abolish cottier tenancies, but merely to correct in some degree that extreme subdivision under which, after feeding the cottier and his family, there was hardly anything remaining for rent.

We shall here state at once our opinion, in plain terms, respecting this clearing system, by which a population, which has for generations lived and multiplied on the land, is, on the plea of legal rights, suddenly turned adrift without a provision, to find a living—where there is no living to be found. It is a thing which no pretence of private right or public utility ought to induce society to tolerate for a moment. No legitimate construction of any right of ownership in land, which it is for the interest of society to permit, will warrant it. We hold at the same time, that to prevent the growth of a redundant population on an estate is not only not blameable, but is one of the chief duties of a landowner having the

power over his tenants which the Irish system gives. As it is his duty, so it is, on any extended computation, his pecuniary interest. He is to be commended for *preventing* overpopulation, but to be detested for tolerating first, and then exterminating it. Society may suffer the thing to be done by one landlord, or by two or three, without interfering otherwise than by a moral stigma; because the sufferers, having a larger surface to spread over, may obtain relief by employment, or charity: and for another reason—there are many powers useful to society in the main, but susceptible of such perversion as would render them unendurable evils. One of these is the free disposal of land by the landowner. These powers society permits to exist, but reserves to itself a liberty of interference in extreme cases. Any extension of the system of clearing such that the destitution produced would rise to the magnitude of a social evil, constitutes such an extreme case; and if society failed in the imperative duty of interference, it is a satisfaction to reflect, lawless and anti-social as the alternative is, that there is a force of resistance in human beings, in the last resort, which does not always suffer the extreme of injustice to be consummated with safety to the perpetrators. "Captain Rock" and his family have solved the question of Irish clearances. They have made it, and will continue to make it, impracticable to abolish the cottier system by the simple plan of abolishing the lives of the cottiers themselves.

311. THE CONDITION OF IRELAND [5]

MORNING CHRONICLE, 14 OCT., 1846, P. 4

For the context of this discussion on fixity of tenure, see Nos. 309-10. For the context of the Irish series, see No. 306. This unheaded leader is described in Mill's bibliography as "A fifth leading article on Irish affairs in the Morning Chronicle of 14th October 1846" (MacMinn, p. 61).

AT THAT ONE BRIEF PERIOD in its long existence in which the Repeal Association condescended to give to the real evils of Ireland a place, though but a secondary one, in its list of complaints and grievances[1]—at that rare and long-waited-for moment in its history when its discussions and its agitation held out for the first time some promise of being useful, and therefore in the eyes of a certain sort of people some threat of being dangerous, and which Sir Robert Peel accordingly selected for his well-judged attempt to put down the Association by the hands of

[1]Founded in 1840 under the leadership of Daniel O'Connell, the Repeal Association (soon renamed the Loyal National Repeal Association), whose goal was to break the union of Ireland with England, advanced in 1843 a list of complaints and grievances relating to economic rather than political causes.

law,[2] thereby stopping the good, though not the evil, which it had begun to set in motion—the English people, and especially the landed and propertied classes, were startled from their propriety by the new and ominous sound of Fixity of Tenure.

These words express a mode of abolishing cottier tenancy, the reverse, in all respects, of the clearing system; the reverse in practice, and still more decidedly contrary in theory. For while the one recognises no rights in anybody connected with the land save him whom the law denominates its owner, and treats those whose hands till it as if they were created for it, and it for the landlord; the other proceeds upon a view of the relative moral rights of these classes—strange, we must allow, and paradoxical to minds bred in the traditions of English social economy. It actually maintains, that when a hundred families and their ancestors for many generations have cultivated certain lands, and received therefrom the smallest share of the produce on which they could live, and one family and its ancestors have during the same period done nothing to the land, except consume in idleness all the rest of what has been produced by the hundred—if things at any time come to such a pass between the hundred families and the one family as that either one or the other must quit, this theory, which calls itself Fixity of Tenure, dares actually assert that it is the one and not the hundred who ought to depart; that let the law say what it will, when we come to the root of the matter, the hundred have the best *claim* to be there *in foro conscientiae*, and on the substantial principles of right and wrong; and that it is the duty of the Legislature to make its laws accord with those supreme principles.

The scheme, in short, is to protect the tenantry against being ever turned out for the mere pecuniary interest of the landlord, and against ever having their rent raised beyond what is paid at present, or what would be fixed by an impartial arbitrator as the present value of the land. The owner is considered entitled to his rent, but to his rent alone; not to any power over the tenant—power extending to taking away his livelihood; and not even to any increase of rent. The present rent would be fixed for ever as a quit-rent. Subject to that fixed annual payment, the property in the land would in truth be transferred to the tenant; the present landlords no longer owning the land itself, but a rent-charge payable from its produce.

The objections to this scheme are so obvious, that justice has never been done, on this side of the Irish Channel, to its merits. It is a real and a thorough remedy. It goes to the very root of Irish evils. In place of the worst economical system that afflicts any country not cursed with actual slavery, it would substitute the very best of which a country like Ireland is susceptible. It would give to Ireland the

[2]In October 1843, O'Connell moved again to political agitation through "monster meetings." That planned for 8 Oct. at Clontarf was proclaimed illegal by de Grey, the Lord-Lieutenant, and a week later O'Connell and others were arrested for seditious conspiracy.

inestimable blessing of a peasant proprietary. Give them fixity of tenure, and they would thenceforth work and save for themselves alone. Their industry would be their own profit; their idleness would be their own loss. If they multiplied imprudently, it would be at their own expense, no longer at the expense of the landlords. Here is the secret for converting an indolent and reckless into a laborious, provident, and careful people. It is a secret which never fails. All over Europe, the untiring labourer, the peasant whose industry and vigilance never sleep, is he who owns the land he tills. Labours are executed by peasant proprietors such as are seen no where else, as it would be irrational to expect anywhere else. It would never answer to a farmer or a landlord to pay wages to any one for doing what a peasant proprietor will do on his own ground, and call it not labour but pleasure. All over Europe too, wherever the increase of population is slow, not from legal restraints but from individual prudence, as in France, Switzerland, Norway, it is in countries of peasant proprietors.

The mischiefs which are to be set against these advantages are not on the side of the people, but of the landlords. The plan of fixity of tenure would be unjust to them, unless compensation were made to them for the present value of the future increase of rent which they might expect from the ordinary progress of society. The power which they would be deprived of is not a proper subject of compensation. Power in one human being over others must be presumed to exist for other purposes than the pleasure or benefit of the person possessing it, and any complaint of personal injury in being deprived of it should be hooted out of court with ignominy. Still, however, the change would be a violent disturbance of legal rights, amounting almost to a social revolution, though not greater than that which has been effected in Prussia, amidst the applauses of Europe, by the edicts of an absolute Sovereign.[3] To enlightened foreigners, to Von Raumer or Gustave de Beaumont, the thing appears so natural and obvious, that they are hardly able to account for its not having yet been done.[4] But to those who understand the fixed habits of thought, and artificial feelings stronger than nature itself, which must be broken through before an English legislature could sanction so drastic a process; and who appreciate the danger of tampering, in times of political and moral change, with the salutary prepossessions by which property is protected against spoliation; a measure like this must be looked upon as an extreme remedy, justifiable only as remedies even more revolutionary would be

[3]Frederick William III of Prussia (1770-1840) during his reign (1797-1840) abolished serfdom and worked to establish peasant proprietorship through the reforms of his great ministers Stein and Hardenberg (see No. 256).

[4]Friedrich Ludwig Georg von Raumer (1781-1873), German historian and political scientist, author of *England im Jahre 1835* (1836), translated by Mill's friend Sarah Austin, 3 vols. (London: Murray, 1836), which treats of English social and political institutions. Gustave Auguste de Beaumont de la Bonninière (1802-66), politician, friend and collaborator of Alexis de Tocqueville, known to Mill, author of *L'Irlande, sociale, politique et religieuse*, 2 vols. (Paris: Gosselin, 1839).

justifiable if there existed no other means of overcoming evils like those of Ireland.

Our conviction, however, is, that those evils are not to be remedied by anything less than the creation of a numerous peasant proprietary. Property in the soil has a sort of magic power of engendering industry, perseverance, forethought in an agricultural people. Any other charm for producing those qualities we know not of, and should be thankful to any one who could point one out. All other schemes for the improvement of Ireland are schemes for getting rid of the people. The very best is a gigantic plan of emigration, impracticably costly, yet, if executed, having no guarantee in the altered relations of society that those left behind would not soon be as miserable as ever. No such guarantee is possible but by making an effectual change in the motives of conduct operating upon the people themselves. There is no known means of working that change but by creating peasant proprietors. Happily, however, it is not necessary for the end in view that the whole peasantry should be owners of land. It is enough if there be a large class, objects of emulation to all the rest, and among whom no one who exerts himself need despair of being numbered. The one measure of practicable improvement for Ireland is to form such a class, and the obvious resource for this purpose is the waste lands.

312. THE CONDITION OF IRELAND [6]

MORNING CHRONICLE, 15 OCT., 1846, P. 4

For the context, see No. 306. This unheaded leader, which opens with a quotation from *Over-Population, and Its Remedy* (London: Longman, *et al.*, 1846) by Mill's friend and India Office colleague, William Thomas Thornton (1813-80), is described in Mill's bibliography as "A sixth leading article on Irish affairs in the Morning Chronicle of 15th October 1846" (MacMinn, p. 61).

TWO MILES from the little town of Kilcullen, in Kildare, is a tract of excessively green land, dotted over with brilliant white cottages, each with its couple of trim acres of garden, where you see thick potato ridges covered with blossom, great blue plots of comfortable cabbages, and such pleasant plants of the poor man's garden. Two or three years since, the land was a marshy common, which had never since the days of the Deluge fed any being bigger than a snipe, and into which the poor people descended, draining and cultivating, and rescuing the marsh from the water, and raising their cabins, and setting up their little enclosures of two or three acres upon the land which they had thus created. There are now two hundred flourishing little homesteads upon this rescued land, and as many families in comfort and plenty. Now, if two or three acres of reclaimed marsh can furnish plentiful subsistence to one family, 600,000 acres would do as much for 200,000 families; that is to say, for one-fourth part of the Irish peasantry, which is as large a proportion as can well be supposed unable to procure a competent livelihood. According

to the most recent accounts, there are considerably more than six millions of acres of land lying waste in Ireland, of which about three-fifths are acknowledged to be improvable.[1]

This passage is from the work of Mr. William Thornton, *Over-population and its Remedy*; a book honourably distinguished from most others of recent date, by the union of philanthropic feelings with sound knowledge and good sense. We recommend the whole work, and particularly its opinions and recommendations on Irish affairs, to the consideration of those who have any power over the present critical turning point in the destinies of that ill-treated country.

Mr. Foster's indolent Celt,[2] then, is not incapable of enterprise and persevering industry, when the object which calls forth those qualities lies in the direction of his previous habits. He is already an improver and reclaimer of waste lands; nay, he is almost alone in that character. Mr. Nicholls states, that most of the recently recovered bog which he saw in his journey through the western counties was reclaimed, not by the landlords, but by small occupiers, who drained and enclosed an acre or two at a time.[3] This they did without even the motive of property; knowing that they could not thereby acquire a title to the land; knowing that the best which they could expect would be to hold the ground rent free, until the landlord's or his agent's sense of justice had exhausted itself with the degree of forbearance shown them. Squatters are, we have reason to think, by no means unfrequent on Irish estates. These people reclaim and cultivate the waste, well knowing that they shall have rent to pay, and that ultimately they shall only be permitted to hold the land which they have rendered productive, on the same footing as other cottiers. But they hope for a few years' respite. They hope to be allowed to make the land worth taking before the landlord steps in and takes it. They hope that he will for a few years connive at their doing his work, at their supporting themselves by the land while they render it capable of afterwards affording rent to him.

The fact, then, being established, that the waste can be reclaimed by the peasantry themselves, even from a less motive than a property in it, and without any assistance from the State, one would think the most obvious idea which could present itself to any one who wished to use the waste lands as an instrument for improving the condition of the peasantry, would be to make that which already takes place on a small scale take place on a large, by giving to the

[1]Thornton, pp. 429-31. The sentence "There . . . plenty." is quoted by Thornton from William Makepeace Thackeray, *The Irish Sketch-Book* (London: Chapman and Hall, 1843), Vol. I, p. 46.

[2]The description by *The Times*' correspondent in Ireland; see No. 308.

[3]George Nicholls lived in Ireland 1838-42 to direct the working of the Irish Poor-Law Act. Mill's reference is to "Report of George Nicholls, Esq., to His Majesty's Principal Secretary of State for the Home Department, on Poor Laws, Ireland" (15 Nov., 1836), *PP*, 1837, LI, 212.

peasantry the inducement of property in the soil reclaimed by them, and by affording to them, from the State, such assistance as may be needful, and as the State is willing to give. The assistance required would cost less to the State than the most moderate sum ever voted by Parliament for Irish distress. That the bogs and mountains of Ireland may sometimes be drained and enclosed without capital, is proved by the fact that the thing is already done. It often requires nothing but labour—a commodity of which Irish cottiers have always more than enough on their hands. It would be necessary to buy up the rights of those who are now the nominal owners of these lands; for there can be no more than nominal ownership of that which has never been used since the country was inhabited, and cannot be used now unless the State supplies the means. The value of an Irish bog is only the value of the right to cut turf on it. Having become the proprietor of the whole or a sufficient portion of the waste, the State could divide it into portions of the most convenient size, and grant these in absolute property to such of the peasantry as could produce the best certificates of steadiness and industry, or to such as would undertake to bring their lots into cultivation with the smallest amount of pecuniary assistance. If it were necessary to advance to each family a year's food, and a trifle for tools, where would be the difficulty? The interest of this, laid on in the form of a perpetual quit-rent, would save the State from loss, and would be but a small abatement from the value of the boon; or instead of a perpetual, the State might receive its compensation in the form of a terminable annuity, so as ultimately to enfranchise the land from all payment. In cases in which it would be desirable to operate on a greater scale, by draining at once the whole of a large tract of country, the State can as easily do this for the peasantry as Lord Besborough can now undertake to do it for the landlords.[4] The work, during its execution, would provide food and employment for the famishing people in the one way as effectually as in the other, and the State could be indemnified by an additional quit-rent, payable from the new peasant proprietors.

By this plan one-fourth or one-third of the Irish peasantry would, in two or three years, be not only in a state of present ease, but under the influence of the strongest attainable motives to industry, prudence, and economy, and with their interests all ranged on the side of tranquillity and the law, because the law would have ceased to be their oppressor, and become their benefactor. Nor would the benefit stop here. The remaining peasantry, and the landlords themselves, would be only a degree less benefitted than the new proprietary. That clearance of estates which is now synonymous with turning out the population to starve, and which, precisely because it *ought* not, *cannot* be effected save on the most inconsiderable scale while things remain as at present, would then accomplish

[4]John William Ponsonby (1781-1847), Viscount Duncannon and 4th Earl of Bessborough, was Lord-Lieutenant of Ireland, 1846-47. For his aid to landlords, see No. 313.

itself spontaneously, and with unmixed benefit, by the mere withdrawing of a large section of the people from the competition for land. The residuary population would not be too numerous to be supported, in comparative comfort, yet leaving a large rent for the landlord; and English capital and English farming might *then* be introduced with advantage to all, because the cottier population would no longer exceed the numbers who could, with benefit to the farmer, be retained on the land as labourers. Then, and then only, would English capital find its way to Ireland, for then, and only then, would its owner have nothing to fear from the "wild justice"[5] of an ejected tenantry. That tenantry would exist no more as tenantry, but they would exist as farm labourers; not such as the Wiltshire or Dorsetshire labourer, without heart because without hope, with nothing which he can rise to, nothing to reward or encourage exertion and self-denial, but a prize of two sovereigns from an agricultural society, and the poor-house for his sole ultimatum and harbour of refuge. Not such would the Irish peasant be, but cheered and stimulated by the hope which animates the Continental labourer, the hope of being in time numbered, through industry and frugality, among the class of peasant proprietors; a lot sufficiently above his own to be desirable, and not sufficiently so to be unattainable.

313. THE CONDITION OF IRELAND [7]

MORNING CHRONICLE, 17 OCT., 1846, P. 4

Mill here refers to a temporary relief measure of the Lord Lieutenant, John William Ponsonby, which ran directly counter to his own ideas. At Ponsonby's direction, a proclamation had been prepared by Henry Labouchere (1798-1869), later 1st Baron Taunton, liberal M.P., who became Secretary of State of Ireland in the summer of 1846. The proclamation of 5 Oct., generally known as "Labouchere's Letter," authorized the use of the loans, already set aside for public works under 9 & 10 Victoria, cc. 107-9 (28 Aug., 1846), for the drainage and improvement of private estates, the money to be repaid by barony assessment (see *The Times*, 8 Oct., p. 5, and 9 Oct., p. 4). Though the goal was conversion from "unproductive" public works such as unneeded roads to "reproductive" or useful projects, the result in Mill's opinion was the unjustifiable use of state aid to enrich the landlords. For the other articles in the series and the full context, see No. 306. This unheaded leader is described in Mill's bibliography as "A seventh leading article on Irish affairs, in the Morning Chronicle of 17th October (the second leader)" (MacMinn, p. 61). (Mill probably specifies the second leader because the first also pertains to Ireland.)

THAT THE WASTE LANDS OF IRELAND are her best resource for the present temporary emergency—that the large and liberal relief which in a time of famine

[5]See Francis Bacon, "Of Revenge," Essay 4 of *The Essayes or Counsels*, in *Works*, Vol. VI, p. 384.

must be given to the starving peasantry had better be given in payment for labour than for idleness, and for productive labour than for unproductive, and that the reclaiming of the waste is the chief, not to say almost the only, field which Ireland affords for employment so productive as to be remunerative—all this is agreed to by everybody, and is so obvious as to be assented to as soon as stated. Six million acres of land, of which let us even suppose that only four millions are improveable—here is a mine of wealth which, by a remarkable anomaly, still remains to be worked. The rich, we have been told, could not do it, because they had not the money, or the enterprise, or for some equally good reason; the poor, because they had not the legal right. Whether the State ought to find money to do it, might, with many people, be questionable at other times. But since the State *is*, at any rate, to find the money, it is clear to all minds that what we have already stated is what ought to be done with it. Since, then, Ministers had not, during the last session, matured any measure for the purpose, the Lord-Lieutenant is expected to assume the responsibility of doing what seems to be regarded as the only way in which public money *can* be applied to improving the waste lands—namely, to improve them *for the landlords*. And under the terms of the recent proclamation this may be, and to some extent we fear it will be, done.

There is something in this so exquisitely of a piece with all the doings of England for Ireland's good, and it is, besides, so fine a specimen of the ideas of the English public concerning the mode in which a Legislature should distribute its benefits, that it is altogether a very rich exhibition of some of our national characteristics. Give to those who have—that is the maxim of English politics. One gospel precept, at least, we follow literally, "to him that hath shall be given."[1] But when he that hath has got all that we can give him, it is his business to take care of them that have not—and we know how, in general, he does so. Here are four millions of acres of valueless land about to be made valuable, and here are a noble squirearchy and aristocracy quite capable of receiving it. Give it to them by all means. Once let them grasp it, and you will see what they will do for the poor in the way of employment and of charity. This really seems to be considered, by the majority of minds, as the natural and necessary concatenation of ideas on the subject, and a highly rational and virtuous course of conduct.

The singularity of the thing is, that it certainly is not the landlords of Ireland that England, in the ready overflow of its liberality, desires to benefit. It is the poor—the peasantry, and them only. The landlords are decidedly unpopular: everybody grudges them what they have, much less is anybody desirous of adding to their store. But really the thing cannot be helped. They stand with their hands held out, between our gift and the peasantry, and there is actually no means, at least so everybody seems to think, of making it reach the peasantry by any other way than through *their* pockets. It is curious; but so it is. That the

[1]Matthew, 13:12.

benefit could possibly be bestowed directly upon those for whose sake we give it, and whom alone we have any wish to benefit by it, is not so much an idea rejected by us, as one which never enters into our minds at all.

The root of this is deeply seated in the inveterate habits which were generated by a century and a half of oligarchical government, and which we have scarcely yet begun to shake off. To do anything for the poor by act of Parliament is a thing so unprecedented that it never presents itself in the light of a possibility. The machinery of legislation never suggests itself as an available means for such a purpose. When it is to make the rich richer, yes; that is an approved and a customary course: any project which assumes that form has a presumption in its favour. But to make the poor less poor, by exactly the same means, is a novelty to startle people. There have been in England plenty of inclosure bills, plenty of waste land brought under culture, and who ever heard of giving any of it to the poor? So far from it, that only after long struggles has the principle been conceded (and a most transcendent stretch of generosity was the concession thought), that compensation ought to be made to the poor for what they actually lose, the whole of the gain still going, as it has always gone, to swell the estates of the rich. This is the misfortune; this is what makes men so slow to see what common justice and common feeling dictate—because common justice and common feeling have hitherto been strangers to this department of human affairs, and it is some time before people learn to recognise their voice. The poor are only thought of as the recipients of alms, and in that character but too much. To give to the poor is thought meritorious, but the only thing which it is ever supposed can be done by the Legislature is, that if individuals do not voluntarily give to the poor, it can compel them to do so. The very people who would employ the whole public expenditure intended for the relief of the Irish poor in enriching the Irish landlords, are indignant because those landlords do not give to the poor, and would make laws to compel them. Then why not give the waste lands to the poor, instead of adding to the domains of the landlords, and then they will not need the alms you are so ready to enforce.

The English nation owes a tremendous debt to the Irish people for centuries of misgovernment, perpetrated mostly for no English interest or purpose, but for the sole interest of that colony of English descent who have got the lands of Ireland into their possession, and until of late had all the powers of government. If ever compensation was due from one people to another, this is the case for it. We have an opportunity of making this compensation, in the most admirable form for the permanent advantage of the receivers; in a form as well suited to educate them into better habits and higher civilization, as our past conduct was calculated to barbarise and anarchise, if the expression may be permitted, even a civilised people. We have the unlooked-for, and, it may be truly said, the unmerited privilege, of being able to do this without cost to ourselves, beyond a mere advance of what we would most readily bestow, without return, for the relief of

present misery. We have lands at our disposal, of such quality, and in such abundance, as, if employed properly, would confer on Ireland, instead of her present wretchedness, an economical state, combining the best features of the English system with those of the most prosperous nations of the Continent. And this splendid opportunity—such perhaps as no nation ever had, of repairing its errors, and conferring an inestimable benefit on those whom it has wronged—are we about to throw it away? Are we about to reclaim and improve these millions of acres for the purpose of bringing them under the cottier system? Can we find nothing better to do with these lands, than an operation which, when completed, will leave Ireland with merely a larger population, as hungry, indolent, improvident, and justly exasperated as before, and without that precious resource for relieving their poverty, and elevating them as human beings, which it is our good fortune not yet to have parted with? Are we, indeed, going to squander a treasure of material wealth, which ought to be a treasure of still more valuable moral wealth, and to squander it in the worst of ways—by lavishing it on those who, of all persons connected with Ireland, have hitherto, as a class, deserved least consideration, least respect, and even least indulgence?

Whether there is virtue enough in England to prevent this, a few weeks, or at most months, will decide.

314. THE CONDITION OF IRELAND [8]

MORNING CHRONICLE, 21 OCT., 1846, P. 4

Mill's discussion of fixity of tenure (in No. 311) had been criticized in a letter to the editor: "State of Ireland," by "N.," *Morning Chronicle*, 21 Oct., p. 5, from which Mill here quotes. For the context of the series, see No. 306. This unheaded leader is described in Mill's bibliography as "An eighth leading article on Irish affairs, in the Morning Chronicle of 21st Oct. 1846" (MacMinn, p. 61).

IN ANOTHER COLUMN will be found a letter, signed "N.," called forth by the observations in our paper of the 14th, on fixity of tenure. The writer charges us with recommending, "openly and without disguise, the doctrine of general spoliation," as applied to the landowners of Ireland; with advising "glibly and smoothly, that a general confiscation of the landed property of a whole country shall take place, and that what now belongs to the landlord by a right as good as that by which any man holds the coat that covers his back, shall henceforward be transferred to the tenant."

When at a moment the most critical perhaps in Irish history, either for good or for evil, we endeavoured, so far as in us lay, that the abundance of good and honest feeling which now exists in the English Government and public towards Ireland, might not run to sheer waste for want of thought; when on the first occasion upon which such an exposition had a chance of being listened to, we

showed, as others before us had shown without effect, what is really the root of Irish evils, how deep into the structure of Irish society the remedy, if it is to be really a remedy, must penetrate, and yet how easy, simple, and obvious it is, if they on whom it depends would only have the courage to think so; when we commenced this task, which we have not done without full conviction of the truth of the principles we have advanced, and a firm determination to stand by them to the utmost while that conviction remains unshaken, we were fully prepared to expect that for some time our opinions and purpose would not only be perversely misrepresented, but in many cases honestly misunderstood. This is so inevitably the fate of all political ideas beyond the strictest commonplace, as soon as there seems any possibility of their becoming practical, that we should have been disappointed if we had escaped the common lot; since an exemption would have proved to us nothing more flattering than that what we had written, under some hope of being useful, had not had the good fortune to excite any attention.

But although we were prepared for a good deal of misunderstanding, and for a good deal of trouble in setting it right, we did think we had sufficiently guarded against the particular misconception contained in the letter of our correspondent, and which we are still convinced could not have been fallen into by any one who had read our observations with sufficient attention. It is hardly necessary to say to those who have done so, that the plan technically called fixity of tenure is not our plan; we did but pass it in review, as we did other plans, for the purpose of rejecting it. And so little did we deserve our correspondent's animadversions, that after we had pointed out that under certain modifications the scheme would not be a violation of property at all, we rejected it even as so modified, because, though it had not the reality, it would have the appearance of such a violation.

Without, however, occupying the reader any further with what we said formerly, we will say now what we think on the subject. To bind down the landlord in perpetuity to his present rent would be a spoliation of property. It would be a confiscation of his contingent prospects of an increase of income—a contingency which, in any progressive country, and under anything but the most intolerable mismanagement, amounts to a certainty, and which, like any other prospective gain, has its present marketable value. It would mulct him of the difference between the selling price of his land, and the price of a similar income secured on mortgage or in the public funds. Viewed in this light, we disapprove it as decidedly and should oppose it as strenuously as our correspondent, though we certainly did not express ourselves in quite such indignant language, for we confess that, however wrong we think them, we cannot feel any very bitter indignation against those who, where a whole people are the sufferers, propose desperate remedies for desperate diseases.[1]

[1]For the phrase, see Roger L'Estrange (1616-1704), *Fables of Aesop and Other Eminent Moralists: with Morals and Reflexions* (London: Sare, *et al*, 1692), p. 364 (Fable 391, "Mice, Cat and a Bell").

But we repeat, and we challenge who will to deny it, that the whole injustice of fixity of tenure would be cured by pecuniary compensation, and by a compensation strictly limited to the pecuniary loss. Whatever the estate would lose in saleable value if the rent were converted into a rent-charge, the landlord ought to receive, either from the tenant or from the state, and could not without flagrant injustice be deprived of. Receiving this, he would obtain the full measure of what is thought due to those from whom their land is taken away, often against their strongest protest, for public improvements. That is not accounted plunder, and spoliation, and confiscation. What is not plunder when it affects one person, or ten, or a hundred, is not plunder if applied to five thousand. The number makes no difference in the justice of the case, though it may in the policy, because the magnitude of the transaction brings it into contact with great considerations of public policy, which on the small scale it cannot possibly affect. The general principle is the same in the great case as in the small. The Legislature of the country can deal with the property of the country as expediency requires, making compensation to the owners. This right is recognized by every railroad or canal bill which passes through Parliament. The reform of the social condition of a country is a greater object than any railway bill. If that object could be no otherwise obtained than by treating every landlord in Ireland as railway bills treat all persons through whose property the railway is to be made, we feel assured that our correspondent is not one of those who would be turned back by such an obstacle.

But this measure would be a revolution in itself, and would require for its justification that which justifies a revolution—a state of extreme misgovernment and suffering, otherwise incurable. The first condition is fully realised in Ireland, but the second is not. Milder remedies are possible. This is the point we are labouring to prove, and we call loudly upon our correspondent, and upon those who think with him, to join in our endeavour. For they may be assured, that there is no other mode of permanently averting the extremity which they so justly deprecate. Unless those who have influence in Parliament and in the public can find another remedy, and apply it too, they will not long persuade an uneducated peasantry, who have never yet seen a friend in the law, to respect the proprietary rights which the law gives, when those rights have no sanction in their own feelings; and the choice may soon lie between a real confiscation and a second Cromwellian conquest.[2] The *onus* lies upon every English statesman or publicist, who has an intellect and a conscience, to have an opinion upon what should be given to Ireland *instead of* fixity of tenure; and not only to have an opinion but to express it, and not only to express it but, within his sphere of influence, to act upon it.

[2]Oliver Cromwell (1599-1658), leader of the Commonwealth forces and Lord-Lieutenant of Ireland, completed the conquest of the island in 1652.

In endeavouring to acquit ourselves of our share of this common obligation, we have found it necessary to say that fixity of tenure, though liable as a practical measure to insurmountable objections, has yet one admirable quality, which the greater part of the schemes afloat for Irish improvement have not, and the absence of which makes them so futile and worthless. It gives to the cultivator a permanent interest in the soil. In doing this it combines the greatest economical and the greatest moral good of which Ireland in its present condition is susceptible. And these two things are inseparable; both must be provided for by any plan of improvement deserving the name. Without the moral change, the greatest economical improvement will last no longer than a prodigal's bounty; without the economical change, the moral improvement will not be attained at all. We say therefore, once more, that this feature of the scheme of fixity of tenure must be found in any plan which can be permanently useful to Ireland. The peasantry, or so numerous a class of them as to be an example and a stimulus to the rest, must have somewhere, and under some form, a proprietary interest in the soil. Give them, we say, this proprietary interest in the lands now unoccupied, which, fortunately, are more than sufficient for the purpose, and not only will there be no temptation to encroach on the rights of those who own the cultivated lands, but they will be delivered from an insuperable difficulty and an insupportable burthen, and for the first time will be really masters of the land called theirs. Every class in the country, and almost every individual, would gain, even pecuniarily, by the plan we support. It has no obstacle in men's interests, but only in the timidity and sluggishness of their minds.

The plan, too, has the advantage over fixity of tenure, that while permanent benefit to the Irish people is at the end, the means may be made instrumental to the relief of their immediate necessities. Our correspondent imputes to us very gratuitously a gross absurdity when he says that we "do not explain how, if all the tenants in Ireland were tomorrow to be converted into owners of the patches of ground they occupy, they would be able to raise, by taxation upon themselves, funds to give to themselves wages to save themselves from the famine which at present threatens them." We were not then discussing plans of temporary relief, but of permanent improvement, in which light alone fixity of tenure ever was, or, except by an insane person, ever could be advocated. But the plan we uphold unites both recommendations. Practised on a sufficient scale, it would at once expel the acute disease by which Ireland is now afflicted, and put things in a correct train for permanently correcting her chronic and long-standing malady.

315. THE CONDITION OF IRELAND [9]

MORNING CHRONICLE, 22 OCT., 1846, P. 4

For the context, see No. 306. This unheaded leader is described in Mill's bibliography as "A ninth leading article on Irish affairs in the Morning Chronicle of 22d Oct. 1846" (MacMinn, p. 61).

THE DUBLIN FREEMAN'S JOURNAL of Saturday last, in an article occasioned by the opinions we have promulgated respecting the disposal of the waste lands (opinions to which, as we are pleased, but not surprised, to find, that influential paper gives its cordial assent), bears the following valuable testimony to the complete practicability of the reclamation of those lands by peasant labour:

> A week's ramble through Connemara, or Erris, or Kerry, and we presume the same to be true of other counties where the waste lands abound, will convince the most sceptical that labour can be profitably employed in the reclamation even of such lands as would not prove remunerative to the large capitalist. The Irish peasant's labour was hitherto of little value in the market. Labour was abundant, employment scarce; and whenever the peasant found an opportunity of mingling his labour with the barren soil, he did so, though with no better prospect than that of having the owner of the soil come in and possess himself of the permanent fruits of his toil, before he had himself reaped even what would pay him a tithe of the value of his labour. *We have seen this process repeated many times by the same peasant family.* We have seen him reclaim a patch of bog, enjoy it for a brief period, and then yield it to a rent-payer; *then retire to another patch, to reclaim and yield it up in like manner, and so on*, labouring with the full conviction that one day or other his lord would have all the benefit, but ever hoping, even against experience, that the evil day might be far off. The peasant family did this because their time was valueless, and by such a process they were enabled to make it yield them a sustenance equivalent, perhaps, to a fifth of its market value. Yet that fractional payment kept them from begging, and rendered what would otherwise continue to be barren soil, productive and valuable.[1]

Sic vos non vobis![2] Are these the purposes for which landed property is ordained in a country pretending to civilization? Is it that he who sows may not reap[3]—that not he who toils, but some other, may receive the benefit? We all know the foundation and justification of the institution of property to be precisely the reverse. The moral and social basis of the right of property is the right of the labourer to the fruits of his labour. All other proprietary rights exist for the sake of this. The *millionnaire*, who never did a day's work of useful labour with head or hands, who is society's debtor for every thing, and its creditor for nothing, has

[1] "Location on the Waste Lands," *The Public Register; or, The Freeman's Journal*, 17 Oct., 1846, p. 2. In the same issue, p. 3, is reprinted No. 312, to which favourable reference is made in this leading article.

[2] Suetonius (b. ca. 70 A.D.), *Praeter Caesarum libros reliquiae*, ed. Augustus Reifferscheid (Leipzig: Teubner, 1860), p. 67n.

[3] Cf. John, 4:37.

his property protected, not for its own sake, nor for his, but because to meddle with it would be to violate the right which some ancestor or predecessor, who *did* work for it, had to transmit it freely to his descendants, or to persons of his choice. If all property rests upon no other than this foundation, landed property does so pre-eminently. Land is not the produce of labour. No landlord's ancestor made the land.[4] Why then is land appropriated? We do not mean, why *was* it appropriated, for we know that the most usual ground of possession was force and conquest: but why is its appropriation rightful? Why is property in land a recognized necessity of society? on what ground have, not usurpers and tyrants, but sages and philanthropists, defended it? On this—that land, although not made by labour, can only be rendered useful by it, and because labour will not be applied in the most useful manner by the exertions of any others than those who have a *permanent interest* in the land.

Land might be held in common, or, what would be less irrational, it might be granted out on yearly leases by the State. It is conceded to individuals in permanent property for one legitimate reason only, because a permanent proprietor has the strongest motive to be an improver. Proprietors exist in order that they may be improvers, not in order that they may profit by improvements made by others. When the proprietors of land, generally speaking, are not improvers, the purposes for which landed property exists are not answered. When, instead of being improvers, they are an obstacle to improvement—when, without any public purpose in view, they keep land waste which others are eager to cultivate, or suffer it to be made valuable by those who have *no* permanent interest in it, in order to seize on the value—we do not say that they are culpable. The law gave them the land, attaching no conditions to the gift, and none but an extraordinary man is a law to himself,[5] according to a higher standard than custom. But we do say that landed property, thus used, exists to frustrate the ends which it is designed to promote. It is instituted that improvement may not be hindered; it exists as the hindrance. It is instituted that what is created by industry may abide with the creators; it exists that what their labour alone has called into being, may be wrung from them.

Seeing what the "indolent Celt"[6] is already found capable of achieving, without the stimulus of property—seeing that the mere prospect of a few years precarious possession has so often induced him, without science, without capital, without aid from the possessors of either, not under the encouragement of law, but in violation of it, with no resource but his own hands, and those of his family, to perform what is regarded as one of the most arduous feats of agricultural

[4]Cf. *Principles of Political Economy*, Bk. II, Chap. vi, Sect. 6, in *CW*, Vol. II, p. 230; and *England and Ireland*, *CW*, Vol. VI, p. 512.

[5]Cf. Romans, 2:14.

[6]See No. 308 for this characterization of the Irish by Thomas Campbell Foster.

improvement, the conversion of peat-bog into arable land; we are justified in believing that if the primeval waste had stood open in the primeval manner to the first occupier, as the prize of him who succeeded in making it valuable, it would long ere this have been covered from one end to the other by a hard-working, frugal, peaceable, and, in all probability, prudent and self-restraining peasant proprietary. Society, which maintains landed property in order that cultivation may thrive, has prevented all this cultivation, by granting to certain persons, over land which they did not use, the power of prohibiting all other persons from using it. What was this done *for*? What end had society in view in it? What benefit has society reaped from it? What equivalent have its favourites returned to it for the gift? That which was meant as an exclusive right to use the land they have turned into a veto on the use. "Hitherto," in the words of the *Freeman's Journal*,

> Irish proprietors almost instinctively looked to the mountains and bogs on their estates as so many grouse-moors and snipe-marshes from which it was their duty to repel the approaches of industry. The Legislature encouraged this sentiment by every possible means, and even seemed to think it a part of its duty to offer every possible obstacle to the introduction of an extended system of improvement.[7]

Let the Legislature, then, repair its error. The rights it has conferred, mischievous and anti-social as they have in fact proved, let it not resume without compensation. Those rights have a market value, and let that value be paid to the last penny. But let it be the present value, not a speculative price, grounded on the improvements which are only to be effected by means of the purchase. The value of the bogs and mountains to their nominal owners is but a trifle. They are entitled to no more; what more the Legislature can spare is required to feed the industrious improvers, while they work for their own future independence, and the State will be amply repaid by a fraction of the value which their labour will bestow on the now worthless land.

316. THE CONDITION OF IRELAND [10]

MORNING CHRONICLE, 23 OCT., 1846, P. 4

Mill here discusses the waste-land reclamation plan of Poulett Scrope, which had been recently reiterated in a letter to Lord John Russell (20 Oct., 1846), *Morning Chronicle*, 21 Oct., p. 5, from which the quotations are taken. See Nos. 320, 322, 326, 341, 345, and 348 for further arguments with Scrope. For the context of the series, see No. 306. This unheaded leader is described in Mill's bibliography as "A tenth leading article on Irish affairs, in the Morning Chronicle of 23d October 1846 (the second leader)" (MacMinn, p. 61). As in the case of No. 313, Mill specifies the second leader probably because the first also pertains to Ireland.

[7] "Location on the Waste Lands," p. 2.

IN THE PLAN which we have suggested for making the waste lands of Ireland instrumental to the creation of that invaluable element in the social condition of nations, a peasant proprietary, we had been anticipated not only in the excellent work of Mr. William Thornton,[1] but in some measure by Mr. Poulett Scrope. That gentleman introduced a bill into Parliament during the last session, to facilitate the reclaiming of Irish waste lands;[2] and in a letter to Lord John Russell, published in our paper of Wednesday, he opportunely reminds us that his plan was favourably looked upon by the present Government, and recapitulates its chief provisions.

The main principle of his measure, as stated by himself,

> was, that the Board of Works should be empowered to purchase, at their present value, any portions of the waste lands of Ireland (in the same manner as a railway company takes the lands it requires for its purposes), and to set to work to drain and commence the reclamation of such tracts, in any or every part of Ireland, wherever they should think fit, funds being advanced, of course, by the Treasury; that as fast as any such lands became fitted for cultivation they should be divided into small or moderate-sized farms, houses built on them, and either sold outright or leased for ninety-nine years at a quit-rent, with the option to the occupier to purchase at any time, or by instalments, under strict covenants not to subdivide or sublet.

Mr. Scrope sets forth, in language which we most fully adopt, the manifold advantages of this over the other plans for meeting the existing emergency. That the relief afforded would be not only a productive expenditure, but the most productive which the circumstances of Ireland admit of; that, lucrative as the work would be, it can scarcely be effected without the assumption of a power by Government, since it must be done by deepening the water-courses throughout large tracts of country, for which either compulsory authority, or the consent of every individual proprietor is indispensable; that the profit would be reaped, as it ought to be, not by the class of landlords but by the State; that even in the first year following the operation, a large addition would be made to the food of the country. Lastly—and we quote this sentence with particular pleasure—

> the means would be provided of locating a body of some hundred thousand of the peasantry of Ireland on lands of their own—of creating a body of small proprietors, such as in Belgium, France, Norway, and Switzerland, offering examples of greater prudence, self-restraint, and productive industry, the very qualities so much required in Ireland, than are to be found among any tenants-at-will or rack-rented leaseholders in the world.

Differing, as we do most widely, from Mr. Scrope's opinions on Irish poor-laws,[3] it is a satisfaction to be in such complete accordance respecting the

[1]William Thomas Thornton, *Over-Population*, pp. 413-40; the work is discussed in No. 312.

[2]Scrope in a speech of 28 Apr., 1846 (*PD*, 3rd ser., Vol. 85, cols. 1198-1206), introduced "A Bill for Promoting the Reclamation of Waste Lands in Ireland," 9 Victoria (5 June, 1846), *PP*, 1846, IV, 485-524.

[3]For the Poor Law Bill introduced by Scrope, see No. 306, n2.

social condition to which, though by far other means than poor-laws, we wish to raise the Irish people. And we rejoice to think that if the Government fail to make this great question their own, there is an independent and zealous member of Parliament who is virtually pledged to bring it under the consideration of the Legislature. We suspect, however, that there would be found, along with much agreement, a certain amount of difference between Mr. Scrope's view of the question and our own; and it will enable us to bring certain features of the subject into bolder relief, if we briefly state what we conceive these points of difference would be.

It seems to us that in Mr. Scrope's plan of location on waste lands, no less than in his poor-law plan, the increase of the produce, and in particular of the food of the country, is the primary object; and that this should be done with profit to the State appears to be the second. The creation of a peasant proprietary seems to him desirable, but apparently stands only in the third rank. In our minds the order of precedency is very different. After the people are saved from present starvation, which must be presupposed in all plans, the formation of a peasant proprietary should, in our opinion, be the first object; all other things are of secondary importance. It is on that we have to rely for the permanent usefulness of all the rest. We look with comparative indifference on any scheme of improvement which begins and ends with increase of food. We desiderate a guarantee that increase of food shall have some better permanent consequence than increase of mouths. That guarantee must be something operating upon the minds of the people, and not merely upon their stomachs. They must have something to strive for, some object of rational ambition. They must have something placed before them which shall make new men of them; men such as Mr. Scrope truly describes the small proprietors of Belgium, France, Norway, and Switzerland to be—examples not only of "productive industry," but of "prudence and self-restraint." That plan, therefore, is in our view the best which, without making the subdivision too minute, creates the most numerous class of small proprietors; a class the most acted on by prudential motives, and whose existence tends most to strengthen those motives in the minds of others, of all classes who live by the labour of their hands.

With this view we would relinquish all idea of profit to the State. Mr. Scrope's plan makes this consideration paramount to the more important object. He would have the State reclaim the land, bring it into thorough order, build houses on it, and then sell it, or lease it for ninety-nine years—we presume at its market value. But long leases, even with the option of purchase, would very slowly raise up a proprietary; and sales to the highest bidder might attract proprietors with capital from elsewhere, but would, we are afraid, create few such from among the Irish peasantry. In our view, the State should be abundantly satisfied with not being a loser; it should content itself with simple interest on its advances. Neither should it undertake the whole improvement of the land, but only that part of the

operation which cannot be effectually done otherwise than by combined labour. If the State erects houses and farm buildings, it will make them too good for the existing peasantry, too costly to begin with, and too troublesome to have any chance of being kept up. The people themselves should do all the work of improvement which they are capable of. It is precisely that which will sift the more energetic portion of the population from the rest, and discriminate those in whose hands the experiment is most likely to thrive. That the thing *can* be done, even now, by the peasantry, if the law permits, and if they are supplied with food in the meantime, we already know. Let them build their own cottages. At first it is likely that those they built would be as much too bad as those built for them would be too good. No matter. Trust to time, and the gradual influence of the change in their condition. Trust to the feeling of proprietorship, that never-failing source of local attachments. When the cottage is theirs—when the land which surrounds it is theirs—there will be a pleasure in enlarging, and improving, and adorning the one and the other. When the peasant feels that he is somebody—that he counts for something on the earth—that he also is one of those for whose sake the institutions of society exist, the consciousness will have the same effect on him which it now has on those above him, and he will not choose to live in wretchedness and squalor on the land which is his own.

317. THE CONDITION OF IRELAND [11]

MORNING CHRONICLE, 26 OCT., 1846, P. 4

For the context, see No. 306. This unheaded leader is described in Mill's bibliography as "An eleventh leading article on Irish affairs in the Morning Chronicle of 26th October 1846" (MacMinn, p. 61).

AMONG THOSE WHO ACKNOWLEDGE the immediate source of the poverty of the Irish people to be local over-population—estates crowded with a greater number of people than are needful or useful for their cultivation—among such persons, from Archbishop Whately and the Commissioners of Irish Poor-law Inquiry, down to the Marquess of Westmeath, the favourite remedy for Irish maladies has been an extensive emigration.[1]

Of emigration, in principle, and as a general question, it is far from our intention to speak with disparagement. It ought to form a regular department of the general policy of the country. To facilitate the transfer of human muscular

[1]Whately's opinion is given in "Third Report of the Commissioners for Inquiring into the Condition of the Poorer Classes in Ireland," *PP*, 1836, XXX, 8; that of George Thomas John Nugent (1781-1871), 1st Marquess of Westmeath, from 1831 Lord-Lieutenant of Westmeath and a representative Irish peer, is in a letter to the editor, *The Times*, 8 Oct., 1846, p. 6.

power from those parts of the British dominions where it is superabundant and cheap to those where it is scarce and dear, from those where its productive powers are small to those where they are great, is a highly appropriate function of the Sovereign authority. The State ought to keep a bridge open (metaphorically speaking) between the country and its colonies, and to see that the passage over this bridge be as cheap and as convenient as possible. The way, too, has been pointed out in which any given amount of emigration may gift the colonies with the greatest amount of productive power, may afford the greatest relief to the labour market at home, and, finally, may defray its own expenses, the sole outlay required being an advance which would be repaid with interest. We refer, of course, to the plans and suggestions of Mr. Wakefield.[2] Colonization on his scheme, or even on a scheme far inferior to his, we desire to see extensively practised, not only as a provision for that portion of the labouring people who may choose to emigrate, but as the sole means of securing the perpetual growth of new and opulent customers, proportionally to the probable increase of the manufacturing population at home.

But, while we look with much favour upon systematic emigration as a branch of the general arrangements for maintaining a good economical condition, we do not think it equally well adapted for reforming a bad one, at least when the evil is excessive, and we think it peculiarly unsuited to the present condition of Ireland.

In the first place, how are the people to be induced to go? No one, we presume, contemplates the use of compulsion; unless, perhaps, the compulsion implied in telling them that if they will not emigrate they may starve. But this is not a very safe thing to be told to several millions of persons; who, probably, would not feel bound to submit to the alternative of death or banishment, in order that their masters, having got rid of the people, might make more money of the land. The attachment of Irish peasants to their native country is proverbial; and were it less so, they would hardly see any good reason for sending them across the sea to colonize Australia or Canada, when a portion of Ireland, sufficient to contain their whole number, is still to colonize. And can there be any comparison between the advantage of these two modes of locating the surplus population? In the one, they are placed in a new field, where the experience of their previous lives can neither be a guide nor an assurance to them; in a strange climate, exposed to strange diseases, with necessities which they never before felt, their work, a great part of it, new, and all of it to be done with new tools, and in a new set of circumstances; while they might have food, employment, and independence at home, by work to which they are thoroughly competent, and differing from their present occupations no otherwise than in being done for themselves, and on their own possessions. Why offer them landed property at the other side of the globe, when there is landed property vacant at their very door,

[2]See Nos. 194 and 295.

capable of being made fit for their use with half the labour, and at a mere fraction of the expense?

For the expense of emigration would be enormous; and we could scarcely expect that, like the expense of locating the people on the waste lands, it would ever be repaid. The self-supporting system is not adapted to carry off great numbers at once. It can only be brought into operation very gradually: its principle is, that the first who emigrate create by their labour both the means of transporting, and the fund for employing, those who follow. But a gradual process, to a people in the condition of the Irish, is a useless process. We do not mean this solely with reference to the potato famine. We should say it of the Irish as they were three years ago, no less than of the Irish as they are. Any relief of the labour market has a chance of being permanent only when it is great and sudden. If it drains off in a year no greater number than the yearly increase it does nothing. Unless it subtracts a sufficient number at once, and diminishes sufficiently the competition for employment to make the remainder feel themselves decidedly raised in the scale of physical comfort, it will make no change in the habits of the people, and the vacuum created will speedily be again filled up. In Ireland nothing permanent would be accomplished unless the number removed were sufficient to extinguish the cottier system; that is, unless the residuary population were reduced to the number who could find regular employment as labourers on the English or Scotch system. To do this is far beyond the powers of the self-supporting plan. The whole of this great number must be conveyed to the colonies, and probably far into their interior, at the expense of Government; and, when there, all must be provided with shelter, expensive tools, and more than a year's subsistence, since the first year would be required for the laborious operation of clearing the primeval forest. It is probably within the mark to say that this expense would be tenfold that of locating the same number of families on Irish land; and experience has shown that such advances, made to settlers in the wilderness, are never repaid.

There are other considerations, pertinent to the subject, which we can only glance at. It is a serious question whether, in laying the foundation of new nations beyond the sea, it be right that the Irish branch of the human family should be the predominant ingredient. That it should enter into the admixture is desirable, and perhaps largely, especially when the other element is composed of the Saxon race, which needs to be tempered by amalgamation with the more excitable and imaginative constitution and the more generous impulses of its Celtic kinsfolk. But Ireland must be an altered country at home before we can wish to create an Ireland in every quarter of the globe, and it is not well to select as missionaries of civilization a people who, in so great a degree, yet remain to be civilized.

Waiving this, however, and supposing the whole surplus population removed by their own consent, and with the happiest success, to Upper Canada or New

Zealand, how much will have been effected for those who remain at home? The cottier system, perhaps, might be extirpated; and this is much. The peasantry would be in regular employment as hired labourers, on good-sized and well-stocked farms, under capitalist farmers, mostly Scotch or English, cultivating on their national model. This would be good for the landlords, good for these Scotch and English farmers, good for the State, which would gain a quiet life and a larger revenue, and good even for the peasantry, in comparison with their present condition; but, we venture to say, not good when compared with what they might and should be. What is there in this change of condition to regenerate their character? What is there to make their slack labour vigorous, to convert their listlessness into activity, their careless self-indulgence into forethought and prudence? Property in land has this power. It acts like magic, both on those who have it, and on those who, by exertion and frugality, can hope to obtain it. Nowhere has such a virtue been found to reside in labour for hire, without hope of better—labour for hire from infancy to old age—as the permanent condition of the whole labouring class. There is no country, that we know of, but Great Britain, where that constitution of society prevails universally, and we doubt if there be any other where it would be compatible with vigorous industry, and great efficiency for labour. The dogged tenacity of work, which is the chief source of England's industrial superiority, depends on peculiar circumstances of national character, whether inherent in the race, or, as is far more probable, produced by peculiarities of historical development. Other nations will work as hard, but it must be for a strong motive: in England the work itself might almost seem to be the motive. We are not sure that it would be doing the Irish a service to make them Englishmen; but we are sure that they are not Englishmen, and cannot, by any device of ours, be made so. To make them work, they must have what makes their Celtic brethren, the French peasantry, work, and those of Tuscany, of the self-indulgent and luxurious south. They must work, not for employers, but for themselves. Their labour must not be for wages only, it must be a labour of love—the love which the peasant feels for the spot of land from which no man's pleasure can expel him, which makes him a free and independent citizen of the world, and in which every improvement which his labour can effect belongs to his family as their permanent inheritance.

318. THE SUICIDE OF SARAH BROWN

MORNING CHRONICLE, 28 OCT., 1846, P. 4

This is the fourth of the leaders on injustice and cruelty by Harriet Taylor and Mill (see No. 303). The unheaded leader (the second) is described in Mill's bibliography as "A leading article on the suicide of one Sarah Brown, in the Morning Chronicle of 28th Oct. 1846. A joint production." (MacMinn, p. 62.)

IN A PARAGRAPH which has gone the round of the daily papers, it is stated that on Thursday last Mr. Bedford held an inquest, at the Star and Garter, St. Martin's-lane, on the body of Sarah Brown, aged nineteen, who had drowned herself in the Thames. "Deceased, the daughter of respectable parents, was seduced by a gentleman two years ago, and had a child by him. Her seducer deprived her of her child." Several witnesses, it is added, "proved that since her child had been taken from her she had over and over again threatened to destroy herself." The verdict was temporary insanity.[1]

The sad history of this poor girl might not have had so tragical a *dénouement*, if there had been any one to inform her that the creature called "a gentleman," in tearing from her the last consolation and the last human interest which he had left her, acted as much in defiance of law as of the first elements of justice and feelings of humanity; that the father of an illegitimate child has absolutely no legal rights over the child; that he is, in the eye of the law, not related to it; and that its mother is its sole parent.[2] But this piece of legal knowledge, though perfectly elementary, appears to be too recondite for some magistrates, judging from a case published in the police reports a short time since.[3] In that case, as in this, the father had exerted the law of the strongest, and kept the child to himself. The mother had retaliated by the law of the cleverest, and had stolen it back. The man again seized on it, and the case ultimately came before a magistrate, who, according to the report, awarded that they should possess the child in alternate months. The magistrate, possibly, may have been guided to this adjudication by some indistinct reminiscence of the judgment of Solomon;[4] but there was no similarity in the result, which was, that the disputants were no sooner out of court than they renewed their squabble, to determine which of the two should be entitled to the first month, a point which the magistrate, in his anxiety for equal partition, had forgotten to decide. The matter was at last amicably adjusted, and "ended happily"—for the most serious situation of life is equally capable of being the subject of a comedy or of a tragedy. But if the magistrate acted in any other capacity than as an adviser of the parties, and meant anything more than to suggest a compromise to be voluntarily adopted by them, he evidently violated the law. He had no right to compel the woman to give up one-half of her child. She paid dearly enough for it, and it was her's, and her's it ought to be—most certainly no one's else. She had a legal and a moral right to such comfort as it could afford her, and she had a right to any hold over the man, who had deserted

[1]The inquest on Sarah Brown (ca. 1827-46) is reported in "Suicide at Waterloo-Bridge," *Globe and Traveller*, 23 Oct., 1846, p. 4.

[2]By Sect. 71 of the Poor Law of 1834 (4 & 5 William IV, c. 76), the mother is specifically said to have a duty to maintain the child.

[3]See "Child Stolen by Its Own Father," *The Times*, 19 Oct., p. 6, for the account of the Glossop case outlined in the text, "reprinted from a Manchester paper."

[4]See I Kings, 3:16-28.

her, that might be derived from the interest which it appears he had not ceased to feel in the child. If any limitation of her exclusive parental control could be allowable, it is not by or for the man, but by that which we should be glad to see exercised, not only in cases of this kind, but in many others—the tutelary intervention of a public authority, to see that the children of the miserable are not brought up to be miserable, or a source of misery to others.

In the case of lawful marriage, the law has thought fit to give to one only of the parents—that one being (need it be said?) the one who by himself or by his representatives *makes* the law—exclusive power over the children. The revolting excess of injustice, palpable even to the obtusest perceptions, which resulted from this provision of the law in certain extreme cases, induced the Legislature a few years back, on the proposition of Mr. Sergeant Talfourd, slightly to relax in those extreme cases the rigour of the exclusive principle.[5] How much more remains to be done in the same direction, before the state of the law can commend itself either to the reason or to the feelings of any one who views it not as an interested party, but as an impartial judge, we shall not at present discuss. The law, however, is not guilty of giving this excess of power, without annexing any conditions to it. Whatever the authority with which the law arms the father, it requires of him, as an essential preliminary, not only that he shall stand clear of having acquired his claim by the destruction of the social position, and in all probability the self-respect of a fellow-creature, but that he shall take upon himself all the obligations and responsibilities which, in the estimation of the law, ought to devolve upon one who, for his own purposes, presumes to call a human being into existence. He can claim none of the rights attaching to a position of which he does not fulfil the requirements. He cannot indulge himself in despotism as the patriarch of a family, and give himself a dispensation from extending to either the children or their other parent reciprocal (however unequal) rights over him.

If the father has not chosen to make himself liable *legally* to the obligations which, from the very nature of the case, belong *morally* to the parental condition, those obligations and responsibilities devolve undividedly upon the other parent, and along with them, as their inseparable accompaniment, those rights over the child's person and conduct, which have no legitimate ground of existence save as a means to the fulfilment of those obligations, or a reward and encouragement for fulfilling them conscientiously. And since this not only ought to be the law, but actually is so, it is wrong in any magistrate not to take every appropriate opportunity of making it known; for this end, among others, that one-half of the

[5]Thomas Noon Talfourd (1795-1854), lawyer and author, Sergeant-at-Law from 1833, M.P. for Reading 1835-41, in a speech of 25 Apr., 1839 (*PD*, 3rd ser., Vol. 47, cols. 549-52), introduced "A Bill to Amend the Law Relating to the Custody of Infants," 2 Victoria (25 Apr., 1839), *PP*, 1839, II, 559-63, which was enacted as 2 & 3 Victoria, c. 54 (1839).

human species may occasionally have the satisfaction of believing that if the law is appealed to in their behalf it will do them justice.

At present it is very well known that women, in the lower ranks of life, do not expect justice from a bench or a jury of the male sex. They feel the most complete assurance that to the utmost limits of common decency, and often beyond, a tribunal of men will sympathize and take part with the man. And accordingly they die in protracted torture, from incessantly repeated brutality, without ever, except in the fewest and rarest instances, claiming the protection of law. If justice *is* invoked, it is generally by the outraged feelings of neighbours, and if the unhappy sufferer deviates into making her injuries known in a police court, at the next hearing she usually retracts everything; for who ever heard of a really severe punishment inflicted upon a man for any amount of brutal ill-treatment of his wife? She knows well that if the case is too clear and strong to allow of dismissing the man with a reprimand, and the woman with a piece of kind advice to be gentle and submissive, the utmost he will have to undergo is a month or two months imprisonment, to be followed by a resumption of all his former power, and her imagination can well suggest with what consequences to her.

If such is the justice society deals out to those women, in the humbler classes, whom it calls respectable, what must an unfortunate creature like Sarah Brown expect? And who can wonder, that driven to desperation by the cruellest wrong, though a wrong wholly unsanctioned by law, she seeks relief not from a magistrate but from suicide, without having had even a momentary thought that the law would do anything for her, or that the law *was* anything but one of the instruments by which society hunts down those who have violated its rules and incurred its displeasure?

319. THE CONDITION OF IRELAND [12]

MORNING CHRONICLE, 29 OCT., 1846, P. 4

For the context, see No. 306. This unheaded first leader is described in Mill's bibliography as "A twelfth leading article on Irish affairs in the Morning Chronicle of 29th Oct. 1846" (MacMinn, p. 62).

WE REGARD IT as certain that the immense capabilities of the six million acres of waste lands will be, in some shape, put in requisition to relieve the immediate destitution of the Irish peasantry in such a way as to augment the permanent wealth and the permanent stock of food in the country, and that some plan with this for its object, and from the necessity of the case probably an extensive one, will be introduced to the Legislature by Ministers in the coming session, which

may be near at hand.[1] Our fears are not on this point, but they are lest this should be all; lest the relief of the temporary exigency should be deemed enough; lest there should be no heart or hope for undertaking the nobler enterprise of curing a radically diseased economical system; lest the unrivalled facilities which this emergency has brought within our reach, for doing a century's work of Irish civilization in a single year, should be allowed to slip away from us, not from indifference to the object, but from that easy, contented resignation and despair of doing good, which has the same practical effect.

It is not to be denied, that the obstacles in the way of Ministers are formidable. They will actually have to disregard the whole of their usual advisers. They will really be in the hard case of having to go before the public with a plan, on the sole strength of reason and their own conviction of right. We are not ignorant how arduous a task we are requiring of them, and how little ground experience gives for expecting such an amount of self-reliance in any Cabinet of mortal men. Nevertheless we have sufficient faith in the change of times, and in the evidence which the present Prime Minister[2] has given of participating in that change, to have some hope that he will dare decide that two and two are four, although it may have been laid down that they are five in all the traditions of Irish government. Ministers will be besieged on all sides with applications to improve the lands for the benefit of the landlords. From all people in Ireland itself to whom they are in the habit of listening, they will meet with no other advice. There are but two influential interests in Ireland—a landlord interest, and a lawyer interest. The landed interest, Orange,[3] Liberal, and Repeal—for they are all alike where landlordism is concerned—will gape wide-mouthed for the gift of fertile lands, which they hope will be offered them in lieu of the worthless waste. The lawyer interest, which together with the landlord interest comprises all the advisers of the Castle,[4] will sound the alarm in defence of an imaginary idol called Rights of Property, which stands in no relation to the real, legitimate principle of property, except a relation of contrariety. They will represent as blasphemy against this idol the suggestion of making the six millions of acres useful, for the benefit of any persons other than those who have so fully exercised the right of *not* using them since the days of Strafford or Strongbow.[5]

[1]Parliament, having been prorogued on 28 Aug., 1846, began its next session on 19 Jan., 1847.

[2]Lord John Russell had become Prime Minister in July 1846, after Peel, having lost Tory support over repeal of the Corn Laws, was defeated on the Irish Coercion Bill.

[3]The Orange Order (mentioned at No. 42), had been outlawed in 1836, and lost support, but the term continued to connote the interests of the Protestant landed class.

[4]Dublin Castle, signifying the government, had from the reign of Henry II been the seat of English administration in Ireland, serving as executive residence and offices, and sometime location of the pre-Union Irish parliament.

[5]Sir Thomas Wentworth, 1st Earl of Strafford, was Lord-Deputy of Ireland 1632, and Captain-General in Ireland 1640; Richard de Clare (d. 1176), 2nd Earl of Pembroke and

There is a class of minds in the world, in whose opinion parchments were not made for man, but man for parchments. As there were in Judea pedants in the matter of the sabbath who were rebuked in the manner we know,[6] so there are pedants everywhere in the matter of property, and we are too well aware of the inherent necessities of human infirmity not to have as much indulgence as we in conscience may towards the amiable weakness. We will therefore concede that the eleven millions of acres, by courtesy called cultivated, now extant between Donegal and Cork, were evoked from the "azure main,"[7] in order that some gentlemen in superfine coats who inhabit large houses in Ireland, and others who live in lodgings at Cheltenham, Paris, and Rome, together with their amiable ladies and smiling children, may be supported in elegant leisure on the fruits thereof; but we demur to admitting as much concerning the six millions, which have never yet produced any fruits susceptible of the same honourable destination. On the subject of those, we should say to the landlords—Gentlemen, you have had five centuries to try what use you could make of these lands. In that time you have not contrived to make them yield any produce or profit even to your distinguished selves. If in any one year—if six months ago—you had done one overt act, had moved one sod towards rendering these lands useful, either to yourselves or others, whatever you had even touched with that object in view, you should have had our free leave to keep as your own. But you have not done it; and the time is now come when a public necessity requires that what you have omitted to do should be done for the general good by the representative and organ of the general good—the State. We are going to take the land from you; to enter it, and do as we please with it, for the purpose of rendering it productive, whether with your leave or without. Now, therefore, your modest proposition is, that after we have drained, fenced, built upon, and manured this land, and made it worth as many hundreds of pounds as it is now worth shillings, we shall, reserving only a mortgage to the amount of our expenses, *give it back to you*. And this you demand in the name of property. But, by your leave, your right of property stands good only for the shillings. Those, nobody thinks of refusing you: but the pounds which will be added to those shillings by our capital, and by the labour of Irish peasants, are either theirs or ours, not yours; and to make them yours would not be restoring your own property, but presenting you with a large and gratuitous estate in addition. Now, this is a thing which you must absolutely reconcile yourselves to doing without. It will not, cannot, shall not be done. We are not so charmed with the use you have made of what is already yours, as to be desirous of adding more to it; and besides, there are really other people who must

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Strigul, commonly known as Richard Strongbow, was the virtual master of Ireland under Henry II.

[6]"The Sabbath was made for man, and not man for the Sabbath" (Mark, 2:27).

[7]James Thomson (1700-48) and David Mallet (1705?-65), "An Ode" ["Rule Britannia"], in *Alfred: A Masque* (London: Millar, 1740), p. 42.

be thought of before you. Your necessities, we own, are great, but those of seven millions of poverty-stricken peasantry are greater. We must take care of those first. We must give them justice before we give you charity. Console yourselves with the reflection, that by doing for these people what you have failed to do, we shall at the same time relieve your estates from what you perpetually complain of as their greatest burthen; a burthen which must indeed be insupportable, for otherwise, men with the charitable feelings you lay claim to would not surely be driven to ridding themselves of it by turning out a whole tenantry on the high roads, to perish of hunger, or find in beggars like themselves the mercy they had not experienced from the rich man who had lived on their labour. What you can only effect for yourselves by means like these, we are going to do for you, freely and effectually. Let that suffice you.

The *Nation*, in a spirited article on Saturday last (which we have pleasure in noticing, as the complete adhesion of the powerful representative of "Young Ireland" both to the plan we have proposed, and to the principles, more comprehensive than any plan, on which we defend it), thus emphatically warns the "landed interest" of Ireland:

> See the blindness of Irish landlords—see how they are suffering the ground to slip from under their feet—how the problem to be solved comes more formidably before them every time it reappears. Eleven years ago, if they had unanimously urged on Government to adopt the plan of the select committee,[8] they might have had the lands reclaimed, and inhabited by their own tenants. *Now*, all men seem disposed to deny them all claim to this; and the world cries out—"At least on this new land let us see no more cottiers or con-acre—on this virgin soil let a race grow up who may call their hearths and their souls their own."
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> And even now, if the Irish proprietors would cordially accept the terms, they might save their territorial privileges over the present arable and pasture, with all their woods and waters, timber and minerals, and all the rest of it. But let a year or two more go round—let public works' commissioners and engineering tourists, and the gentlemanlike officialities of Dublin Castle, devour the heart of Ireland but a little longer—and when the Sybilline books are offered once more to these landed Tarquins,[9] they will, from the bottom of their hearts, wish they had bethought them sooner of the requirements of the time.
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> In all sincerity we say to them, we earnestly pray that the Irish people may be enabled to keep body and soul together without devouring *them*.[10]

[8]"Second Report from the Select Committee Appointed to Inquire into the Amount of Advances Made by the Commissioners of Public Works in Ireland," *PP*, 1835, XX, 191-6.

[9]The Sibyl of Cumae (or Erithrae) offered to sell the nine books that revealed the observances needed to avert calamities to Tarquin, the legendary fifth King of Rome. He refused her price, and she burned three of the books, offering the remaining six at the original price. Again he refused, and she burnt three more. When she offered the last three, again at the original price, he accepted.

[10]Anon., "Every Man His Own Landlord," *Nation*, 24 Oct., 1846, p. 40. The *Nation*, founded in 1842 by Charles Gavan Duffy (1816-1903) with the aid of Thomas Davis

320. POULETT SCROPE ON THE POOR LAWS

MORNING CHRONICLE, 31 OCT., 1846, P. 4

This article is connected with, though not part of, the major series on Irish affairs beginning with No. 306, in which Mill first attacked Scrope's proposed Poor Law Bill. Here Mill continues the discussion of Scrope's proposals for Ireland that he began on 23 Oct. (No. 316); on the poor laws, see also Nos. 322, 326, 341, and 345. Earlier in the year, Scrope had published a collection of his *Letters to the Right Hon. Lord John Russell, on the Expediency of Enlarging the Irish Poor-Law to the Full Extent of the Poor-Law of England* (London: Ridgway, 1846). A review by Nassau Senior, "Proposals for Extending the Irish Poor Law," *Edinburgh Review*, LXXXIV (Oct. 1846), 267-314, had particularly condemned Scrope's advocacy of relief to the able-bodied in the form of outdoor work. Scrope replied in "The Edinburgh Review and Mr. Poulett Scrope," *The Times*, 27 Oct., p. 2, and a leading article on p. 4 of the same issue supported him. Mill's unheaded second leader is described in his bibliography as "A leading article on Poor Laws, in the Morning Chronicle of 31st October 1846" (MacMinn, p. 62).

OUR FRIEND MR. POULETT SCROPE, after making public his views of Irish affairs, in letters addressed to Lord John Russell through our columns, has promulgated a defence of those letters against the *Edinburgh Review* through the more congenial medium of last Tuesday's *Times*. Nearly a page of our contemporary's broad sheet was covered by Mr. Scrope's lucubrations, together with an editorial article to which they formed the text; and if assumed contempt on the part of one assailant, and very genuine anger on that of another, amount to refutation, the *Edinburgh* reviewer may consider himself well answered.

It is not particularly our part to stand up for the writer in the *Edinburgh Review*. We are concerned with the questions he discusses and the principles he propounds—not with him. We do not agree in all his opinions, though we do in every one of the main points of his argument. But he has rendered a great service, and one which was greatly needed, in re-stating at this time, clearly and forcibly, and with consummate knowledge of his subject, the facts and arguments which irrevocably condemn the system of poor-law management advocated by the *Times* and by Mr. Scrope. The most cutting thing which his two opponents can find to say against him is, that these facts and arguments are old. We were not aware that truths became superannuated by years; we submit that doctrines are never antiquated until they have been answered. When assumption and abuse are repeated every day, sense and reason, in opposition to them, will surely bear repetition once a year. The world would otherwise forget on which side the weight of truth and argument really is. The extreme emptiness of

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(1814-45) and John Blake Dillon (1816-66), became the organ of the idealistic "Young Ireland" party established in 1846 to agitate for Irish agrarian reform and repeal of the legislative union with Great Britain.

everything written against the present Poor-Law dispenses indeed with a very frequent or formal reiteration of the grounds of its justification. We remember no case in our time, of a great public controversy so long pending, in which the reasons were so entirely on one side. The assaults do not ground themselves on reason at all, but are mere appeals to feeling, deriving their main strength from the occasional, and we are bound to say frequent, disclosure of cases of abuse, such as occur in all systems, but, under any other than a centralized system, occur without detection; and the law is condemned precisely for one of the main features of its usefulness. Under what poor law, before the present, has the English nation had its attention riveted, during many weeks, on the mismanagement of one workhouse in a small country town?[1] But there is a plenteous stock of people at all times who think that whenever they hear much about an evil, there is more of it, and that letting in daylight upon the miseries and vices of society is the same thing as causing them. These are the people who make outcries about increase of crime whenever a more vigilant magistracy, or a more active police, effect a greater number of apprehensions. And there is never any deficiency of declaimers, by speech or writing, to play upon the simple minds of these often very good kind of people, and use them for a purpose.

We are willing, nay eager, to go any lengths with those who demand a vigorous repression and prevention of such detestable tyranny and scarcely less detestable negligence as have been brought to light in some of the recent workhouse investigations. Instead of too strong a feeling on these points, we do not think the feeling half strong enough. Hardly anybody reflects sufficiently what a mass of abuse there is sure to be under any conceivable mode of pauper management, and what intense vigilance is constantly required to keep it down. In all places where people are detained in the power of others, and which they are either not permitted or not able to quit whenever they please—in all prisons, madhouses, hospitals, barracks, ships, schools, apprenticeships, and of course therefore in all workhouses—if brutality, or dishonesty, or total neglect of those who have no power of helping themselves, *can* exist without detection and condign punishment, we ought to know that in a very large proportion of cases they will exist. Though workhouses, generally speaking, are less exposed to these evils than most of the other places we have mentioned, because it is easier to get out of them, we must not forget that every workhouse contains an hospital, that most workhouses contain some sort of prison, or place of compulsory confinement, for breaches of workhouse discipline, and that in connection with every pauper system is a madhouse system. There is, therefore, no kind of abuse, capable of existing in any of these establishments, which may not exist, and that

[1]For details of the notorious revelations earlier in the year of cruelty at the Andover Union, see "Report of the Select Committee on Andover Union" (20 Aug., 1846), *PP*, 1846, V, Pts. 1 and 2. Mill presumably has this in mind, but he may be referring only to the case cited in n2.

in the utmost excess, in the management of the parish poor. The case (in particular) of pauper lunatics, whether kept in the workhouse itself or turned over to some private establishment, has claims on the legislator's care exceeding almost all others in strength. There cannot be conceived any human creatures more utterly helpless. They can be compared to nothing but the dumb animals whose treatment reflects such disgrace on humanity. Like those, they cannot even tell of their wrongs; they have no relations capable of giving them the smallest protection; and those who have the care of them are—but the "nurse" Slater, the other day, was a specimen of them.[2] We may be sure, without being told, that there is and always has been a greater amount of brutal indifference, hardened want of feeling, and wanton and capricious tyranny practised towards insane paupers, than towards any other class of unfortunates whatever, in countries where personal slavery is not permitted. The public are only beginning to know what these things are, and that they are beginning, is due to the publicity which we owe to the Poor-Law of 1834.

Governments will in time know enough of their business—they are awkward journeymen as yet—to be able to struggle more effectually against these and other evils. But whatever they do will not be done by weakening central control, but by strengthening it. No one, whose real object is to correct abuses, would seek to cripple the central authority, which is the general court of appeal against whatever is locally wrong, which is free from local interest or partiality, and which is under the supervision and criticism of Parliament, and the whole public instead of a mere locality. The Somerset-house Board[3] is, and must always be, for the purposes of its institution, too weak, because it cannot see or know everything; but our wise men, it seems, were of opinion that it could see and know too much, since they decided that some of its eyes and hands—namely, its assistant-commissioners—could be dispensed with, and left it with a number hardly sufficient, by indefatigable exertion, to exercise a slight and perfunctory control over the local bodies under its charge, whose connivance or negligence is the thing really in fault in any flagrant instance of misconduct.[4]

But though the abuses are made a handle of, they are not the actuating cause of the clamour against the Poor-law, which began long before it had any capital of abuses to trade upon. The aim of the clamour is to get rid, not of what is bad, but of what is good in the present treatment of pauperism. It is a clamour against any

[2]On 12 Oct. an inquiry was begun in Haverhill, Suffolk, before Coroner Wayman, into the death of a lunatic pauper, John Webb (1770-1846) in the Risbridge Union. Abraham Slater (b. 1765), himself a pauper, who had entered the workhouse in 1843 and served as a "nurse," could not be prosecuted, as he was not an official of the Union. The case was widely reported, *The Times*' first notice appearing on 14 Oct., p. 8, and a full account on the 21st. See also *Examiner*, 24 Oct., p. 684.

[3]The Poor Law Commission's offices were in Somerset House.

[4]By Sect. 2 of 5 & 6 Victoria, c. 57 (1842), the number of Assistant Commissioners was reduced from twelve to nine; there had been as many as twenty-one in 1835.

mode whatever of administering legal relief, which aims at cultivating in the poor the virtue of independence; or, rather, against any mode except one which cuts to the root of that virtue, wherever any remnant of it exists. Viewed in this light, we regard the anti-poor-law movement as one of the most melancholy features of this time; one of the most serious obstacles to endeavours, rationally directed towards effecting practical improvement in the minds or circumstances of the labouring classes. There is no person, capable of understanding the present state of the world, and estimating the probabilities respecting its future, who does not see that this one virtue of independence is the very foundation on which any chance of well-being and well-doing for the labouring community must henceforth rest. There was a time when things were, in a certain degree, otherwise. There was a time when the labouring classes were willing to let their superiors in station think and act for them: to receive thankfully, or at least submissively, such relief for their necessities as those superiors thought adequate, and to yield, in return for it, that general compliance with any rules laid down for them, which must, by a necessity of Nature's making, be accorded by those who abdicate the care and responsibility of taking charge of their own worldly circumstances. That time, however, is past; and Lord John Manners is, we suppose, the only person who thinks that it will ever more return.[5] And, not to look beyond the incidents of the moment, we have a small but instructive specimen, in the things now transacting in Ireland, of what is to be expected from a people who *have* attained to a press, and democratic associations, and monster meetings, and who have *not* learnt that it is not other people's business but their own to take care that they have food and employment. Yet, because, we suppose, the Irish of all classes have hitherto been too much addicted to helping themselves, instead of calling on Hercules to help them, Mr. Scrope and the *Times* are for making the Legislature bind itself to provide work and food for every person born in Ireland, not only during the present emergency but for ever. Others may expatiate on the ruinousness of this project. We are not anxious on that score, since it is too visionary, and its evils too pressing and imminent, to give the smallest fear of its ever being carried into effect. What we lament, and bitterly, is the diversion of a powerful section of the active force, so much needed for overcoming the inert resistance to improvement, into a channel in which it runs directly counter to the only course of improvement henceforth possible. We grieve to see minds and dispositions, capable of better things, wasting a great mass of available power in a weak, hopeless, and *really* stale and superannuated attempt to patch up society once more under the gone-by and now entirely impracticable condition of a labouring people living, and contented to live, in a state of dependence upon alms.

[5]John James Robert Manners (1818-1906), later 7th Duke of Rutland, M.P. for Newark from 1841, a "Young Englander" and ally of Disraeli.

321. THE CONDITION OF IRELAND [13]

MORNING CHRONICLE, 2 NOV., 1846, P. 4

Mill here discusses the *Prize Essay, Addressed to the Agricultural Committee of the Royal Dublin Society. On the Management of Landed Property in Ireland* (Dublin: Curry, 1834), by William Blacker (1775-1855), Vice-Treasurer of Ireland 1817-29, who managed the estates of Archibald Acheson (1776-1849), 2nd Earl of Gosford. For the context of the series, see No. 306. This unheaded second leader is described in Mill's bibliography as "A thirteenth leading article on Irish affairs in the Morning Chronicle of 2d Novemb. 1846" (MacMinn, p. 62).

COMMON SENSE seldom proves to be altogether new. A practical suggestion, really called for by the time, and adapted to it, is generally found to have been made repeatedly before, and not attended to. It has been pointed out to us that the plan we advocate for the location of the peasantry of Ireland on the waste lands, for which we have already acknowledged our obligation to Mr. William Thornton,[1] was propounded as early as 1834, and what is more surprising, in a prize essay to which the Dublin Society awarded their gold medal.[2] The author of the essay is a high authority on Irish agriculture, Mr. Blacker, of Armagh, the well-known manager of Lord Gosford's and other estates in the north of Ireland; one of those meritorious persons who have shown by example in what manner Irish resources and the Irish people can be improved, if those set over them take pains and have patience, and possess the qualities which inspire confidence. The attempt, indeed, has seldom failed in the hands of landlords or agents who knew the proper means of influencing a most docile and flexible people, and who were not too selfishly grasping or too selfishly idle to practice them. But this category comprises so few persons, that in spite of the brilliant success, both philanthropic and pecuniary, which has rewarded those few, Ireland, as a country, still remains what we see it.

Mr. Blacker's essay is full of valuable suggestions, drawn from his ample experience, for the better management of the lands already under cultivation. Of these we may make use hereafter, as occasion offers, but for the present we are concerned only with such of his propositions as relate to the waste lands.

Mr. Blacker proposes

> that the State should assume the right of taking to itself those tracts of reclaimable land which the owners continue to let remain uncultivated, and after giving fair compensation, should make a practical experiment whether they could not be colonized to advantage. Let

[1] In No. 312.

[2] The Royal Dublin Society (founded in 1731 as the Dublin Society for Improving Husbandry, Manufactures, and Other Useful Arts) promoted agricultural and manufacturing development through prizes and awards.

the experiment, of course, be first made where the greatest chance of success exists, that is, where fuel and limestone are to be had, and drainage most practicable, [or] where extensive and reclaimable morasses are owned by such a number of proprietors as to make any joint effort at reclaiming the least likely to take place. In this respect the valuable reports of the Bog Commissioners, made some years back, and the present Ordnance survey, would give ample information.[3] Take, for example, the Bog of Allen, *where there are, I believe, thousands of acres, capable of drainage, to which no individual right can be proved*. Suppose Government to undertake the drainage of this, and to purchase, by a valuation, such parts as any property could be proved in. Let the work be then undertaken at the public expense, under the direction of experienced engineers, and let the workmen be stimulated to exertion by having *an allotment of ten to twenty acres in perpetuity* proposed to them as the reward of good conduct. Their own numbers would afford mutual protection, and as soon as the drainage was completed, let their lot be marked out, and they turned over from the engineer to the agriculturist. [Pp. 33-4.]

Concerning the most advantageous mode of affording public aid to these settlers, Mr. Blacker's opinions, being founded on personal knowledge, are more enlightened, and more suitable to the peculiarities of the case, than those of Mr. Poulett Scrope.

Government, [he says,] should not advance one farthing, except for such objects as supplied the means of industry, as lime, seeds, &c., and some assistance to roof their huts. *Let every comfort be the fruit of their own industry*, to raise which to the utmost pitch of exertion nothing more would be necessary than to hold out the prospect of a *perpetuity*, as above-mentioned.

Suppose a settler to have earned, by previous labour under the engineer, the small sum that would support him whilst he would be engaged in setting his potatoes upon his new lot, and having done so, that he should then return to his work until his crop was ripe, and that in his extra hours he should, during the summer, put up a small cabin, which his earnings might, perhaps, enable him to do, or with the assistance of 40*s*. or 50*s*. advanced to him; he would then be perfectly fit to proceed in reclaiming, and with much less hardship and suffering than attends an emigrant on his first settlement in America, which would cost as much for *one* family as would put *thirty* here in the way of becoming independent. [Pp. 34-6.]

This great improver, and most competent judge of the motives which sway the Irish farmer, bears important testimony to the practical efficacy of that greatest of boons, a permanent interest in the soil:

It is the charm contained in the word *perpetuity* which induces such numbers of individuals, who have been accustomed to many of the comforts of life, to emigrate to America, and there undergo hardships far beyond what any settler would experience at home. . . . I have supposed the settler a mere pauper; but the idea of obtaining a perpetuity, without incurring any ill will, or being exposed to any insecurity, would bring settlers from all parts of the kingdom, having capital to build houses and reclaim the lands

[3]The Ordnance Survey of Ireland began in 1824 and ended in 1846; the first of the resulting sheets appeared in 1833, and the series was completed in 1847. For the Reports of the Bog Commissioners (appointed under 49 George III, c. 102 [1809]), see *PP*, 1810, X, 389-458; 1810-11, VI, 579-817; 1813-14, VI.I, 1-166; and 1813-14, VI.II, 167-463.

without any assistance whatever. In fact, I am fully persuaded, that if Government confined themselves merely to the purchasing all land that was allowed to lie waste by the owners, and having brought it into a state fit for cultivation, by draining, would then *let it in perpetuity, in small farms, at a remunerating rent*, there would be applicants enough to occupy any land that might in this way be brought into the market, and with capital sufficient for its cultivation. [Pp. 35-7.]

This deep sense of "the charm contained in the word *perpetuity*," has the greater evidentiary value when coming from Mr. Blacker, as it cannot in his case be ascribed to any preconceived theory; for his attention does not seem to have been drawn to the vast utility of a *peasant proprietary*, either as a feature in the social condition of a country generally, or as a means of reforming and elevating the habits of Irish peasants. His plan is proposed on grounds merely economical, as one which would increase the produce of the country and the employment for labour, and at the same time yield a large profit to the Government. Accordingly, it is no part of his proposal that the rent should be limited to simple interest on the advances made by the State. For the first seven years he would so limit it, estimating the interest, however, at the high rate of five per cent.; but at the end of that time he would grant the land in perpetuity, at more than one half of its full value—that is, he would add to the five per cent. interest, half the difference between that interest and a full rent. [P. 35.] We would most gladly accept this plan, had we no hope of any better; it would secure to the cultivator the inestimable benefit of a property in the soil, subject to a fixed burthen, which would still be only equivalent to a moderate land-tax. All the effects of such a plan would be good, but they would not be sufficiently large, nor, above all, sufficiently rapid. The homoeopathic system will not do for acting on the masses; you cannot cure the moral maladies of a whole labouring people by infinitesimal remedies. We want something which will stir the minds of the peasantry from one end of Ireland to the other, and cause a rush of all the active spirits to take advantage of the boon for the first time proffered to them. We want something which may be regarded as a great act of national justice—healing the wounds of centuries by *giving*, not *selling*, to the worthiest and most aspiring sons of the soil, the unused portion of the inheritance of their conquered ancestors. We want, especially, something which cannot be understood or represented as a mere pecuniary speculation for the profit of the revenue. We want England to have the credit of doing something in love to Ireland, or in duty to her, and not that of making her very beneficence subservient to extracting more gain from a soil, her title to which, until confirmed by the lapse of ages, was no other than that of usurpation and conquest. We, therefore, wish the new proprietary to have the benefit of whatever the State can do for them at the price it costs to the State. And in testimony to the moral effect which may be expected, we need only quote one short passage more from Mr. Blacker:

I maintain that there is, generally speaking, no want of industry, if you let the

advantage of exertion be clearly seen, of which I have had repeated proofs. . . . The spirit of industry which will arise with the first appearance of being put in the way of bettering their situation, will be sufficient to astonish any person who has not had experience of what such a change of measures will produce. In this respect I can speak from personal knowledge. [P. 7.]

And of personal knowledge few Irishmen have more than Mr. Blacker, or have used it to better purpose.

322. THE CONDITION OF IRELAND [14]

MORNING CHRONICLE, 3 NOV., 1846, P. 4

In this article Mill continues the defence of Senior's *Edinburgh Review* article against Poulett Scrope and *The Times* (see No. 320). For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A fourteenth leading article on Irish affairs in the Morning Chronicle of 3d Nov. 1846" (MacMinn, p. 62).

IT HAS BEEN THOUGHT extremely ridiculous by the *Times*, that an article on Irish poor-laws, written in August last, should be published in October, without any allusion whatever to the intervening exigency occasioned by the potato famine. The reproach falls but lightly upon the *Edinburgh* reviewer. A poor-law is not a thing for a temporary exigency, and one does not see how any temporary exigency can affect the discussion of it; it must stand or fall by its merits as a permanent institution. A failure of the potato crop cannot make that a good law which would otherwise be a bad one. But the sarcasm of the *Times* falls back, with crushing effect, upon itself. It is the *Times* which, writing in the very centre and heart of the exigency, takes no account of it, proposes nothing for it, has evidently nothing to propose. Assume the *Times* to be right on the subject of a poor-law for Ireland;[1] assume that a legal compulsion upon the parish, that is to say upon the landlords, to find food and work for all the necessitous able-bodied, would be a good and wholesome settlement of Irish economics; still, that will not feed the people for the next six months. It is impossible to get the machinery of an extended poor-law into play in less than that time. And no reasonable person can suppose that the resources of the Irish landlords are sufficient, tax them ever so heavily, to effect all that is necessary for shielding the Irish population from hunger until next year's crops come in. On all suppositions, therefore, something must be done for Ireland, which the most lavish system of poor-law administration cannot do. What shall this be? We look in vain to the *Times* for a reply. We know its permanent plan, but we are yet to learn its temporary expedient. This is very inconvenient, because the questions connected with the

[1]For *The Times*' attitude to the Poor Law controversy, see No. 308.

temporary expedient are of much greater importance just now than the permanent plan; so much so, that we might be content to leave all permanent questions for the present in abeyance, except the question how much permanent good it may be practicable to accomplish by a proper choice of remedies for the temporary necessity. There is urgent need of a large immediate expenditure, which can be drawn in the first instance from no other source than the Imperial treasury. This expenditure may take place in many ways, in some of which it would do no permanent good, in others a great deal. Is it of no consequence which? This great Government expenditure is a great power. It is the power of prescribing, for the time being, a great part of the industry of the country. Into what channel shall we turn that industry? More remotely, it gives the power of altering, to a very important extent, the industrial relation of the different classes of Irish people. That relation is thought by most persons to be at a considerable distance at present from abstract perfection. No one is exactly satisfied with the present laws of distribution of Irish wealth between the cottier tenants and their landlords. Can any use be made of the present opportunity for improving these things, and in what manner? We have a right to expect answers to these questions from a professed general adviser of the public.

And they are questions on which it is not impossible that reasonable persons might agree, who may be altogether at issue in their opinions with regard to ulterior measures. Let the poor-law of Elizabeth be suited to the circumstances of Ireland or not, that is no reason why Irish labour should not be guided to the improvement and extension of Irish agriculture. Let it be proper or not that the landlords should find work for all who are without it, that is no reason against placing as many as possible of the peasantry in a condition not to need any work but what they can provide for themselves. If Ireland is to have out-door paupers, that is no reason why she should not also have peasant proprietors; nor is it easy to see why a prodigal poor-law, if it be desirable, should either be less likely to be obtained, or less likely, when obtained, to prove satisfactory, in case we first put a large section of the peasantry beyond the necessity of depending on it, and set up an object of honest ambition in full view of all the rest, which may balance the corrupting influence of such a poor-law upon their minds. It should seem, on the contrary, that the more profuse the administration of relief, the greater the necessity for these countervailing influences. And these are all topics for the day, questions which must be resolved at once, or the opportunity of action will be lost. The poor-law question, on the contrary, is just as fit to be discussed a twelvemonth hence, when the potatoes are again abundant or altogether abolished.

Let the *Times* keep its opinion on poor-laws, both for Ireland and England. But we implore it to believe that something besides a poor-law is necessary to put the labourers of either country in the condition in which they ought to be. Anybody may have a fixed idea, on which he is inaccessible to reason, but it does not

follow that he is never to add a second idea to it. When our contemporary happens to be in the right—when he chances to seize that view of a question which is at once true and available for practice, he usually does it with so much effect, that it is real injustice to himself wilfully to narrow his range of eyesight, and resolve to shut out every part of a great subject but that on which he has predetermined to be thoroughly unreasonable.

323. THE CONDITION OF IRELAND [15]

MORNING CHRONICLE, 5 NOV., 1846, P. 4

For the context, see No. 306. This unheaded first leader is described in Mill's bibliography as "A fifteenth leading article on Irish affairs in the Morning Chronicle of 5th Novemb. 1846" (MacMinn, p. 62).

THE RESOLUTION OF MINISTERS not to call Parliament together before the accustomed period, taken in conjunction with the provisional measures already adopted in Ireland, either under the acts of the last session, or under the discretionary authority assumed by Lord Besborough, constitutes a new complication, of rather a serious kind, in the already formidable entanglement of Irish affairs.[1]

It is now certain that before the Legislature can interfere, before any comprehensive plan of dealing with Irish difficulties can be even proposed to Parliament, a large amount of public money will have been already expended. The best which will have been done with any part of this money is to drain and otherwise improve land for the benefit of the landlords: the worst, to squander it in jobs, or in useless or superfluous "public works." The immediate purpose, of giving wages, and what is called employment, to a proportion of the distressed population, will have been answered in either case; and, in the first case, the foundation will have been laid for an increase of the produce of the soil in future years. There will be next year a rather larger surface of potato ground (or corn ground, if the potato becomes unavailable), and an additional number of cottier tenants upon it. Some who have heretofore contented themselves with conacre, will next year be cottiers; and some who had come annually to England for harvest work, will discontinue, as they have done even this summer, their periodical migration, and settle down as cottiers on the new soil. Thus will it be

[1]The *Morning Chronicle* reports in this issue, p. 3, that there would be no recall of Parliament until its scheduled sitting in January. The acts referred to include 9 & 10 Victoria, cc. 1, 4, 107-9. Under c. 107 (the Labour Rate Act), the Lord-Lieutenant had the power to require an Extraordinary Presentment Session in a barony to meet and order public works wherever he thought necessary; he had full discretion to approve or withhold approval from any proposal.

if there *is* an increased area of cultivated surface; but it appears more probable that drainage by public money will be confined to lands already under culture, and will not increase the quantity, but only the productiveness, of the available soil; so that the competition for land remaining in unabated intensity, no one will gain but the landlord. He alone will reap, in the form of increased rent, the undivided benefit of what is added to the produce of the country by this great national expenditure; except indeed such interest on the outlay as the State thinks fit to reserve.

Money thus laid out is wasted, in respect of any good to the people, except the indispensable first object of keeping them from starving. But we are not going to repeat the arguments by which we have striven to impress, upon all whom it may concern, the folly and culpability of wasting invaluable opportunity, and effecting the relief of an immediate necessity by the most useless and worthless, when it might as easily be effected by the most transcendently beneficial means. We need not now recur to these considerations. The progress of events has given us more pressing arguments, and a case still stronger than we looked for. We knew that to feed the peasantry even temporarily by Government wages, with no ultimate object before us—with nothing in progress or in prospect for rendering their condition more hopeful, for increasing the motives to industry, peace, and providence, and the restraints on the opposite vices—would be doing nothing for them beyond the moment; that it would leave them in as bad a state as it found them. Events already show that it will leave them much worse. What little industry, what little self-reliance, what little respect for law and the rights of others did exist in Ireland, notwithstanding all that the institutions of society had done for ages to render them impossible, are breaking down before even the limited and uncertain expectation of "relief to the able-bodied," which the present arrangements hold out. Because Government employs some, it is expected to employ all. Nobody will offer, and nobody will take any work but Government work. The entire maintenance of the population is attempted to be thrown upon the Government. To have done anything for them is only a title to the more virulent abuse for not doing everything which they choose to think possible, or to demand without considering if it be possible or not.

It is certain, in short, that unless this temporary crisis and its relief are made means of permanent improvement in the habits and feelings, as well as in the economical condition of the people, they will be a cause of permanent deterioration. England will have managed to do what seemed hardly possible—to make the "difficulties" of Ireland greater than they were before. She will have to deal with a more ungovernable people than ever—as full as before of reasonable discontent, but now full also of unreasonable hopes and demands—as little inclined as ever to put their own shoulders to the wheel, but now persuaded that they ought to be, and that they can be, pensioners of the English treasury, and that nothing but the wickedness, the tyranny, the

selfishness of their English rulers prevents it. Not with impunity will the English Government have indulged the Irish multitude with the first full, plentiful taste of public pay. The peasants have found out soon enough that public wages are better than private wages, and the work always less; and they will not forget the lesson.

Not only then in order to change bad into good, but to prevent bad from growing into worse, it is the duty of all rulers and persons in authority to consider at this crisis, with all the vigour which they are masters of, what resources the nature of man, and the circumstances of Ireland afford for giving permanent employment to the people *in such a way* as shall make them rely on themselves, instead of relying on the Government, and work out their destiny by labour and prudence, instead of waiting idly or clamouring turbulently to be fed. There is but one sure way, but one remedy, whose efficacy is as sovereign as the present disease is extreme. Let their labour and prudence be for themselves. Let them work and save to better their own condition, not to enrich others. Let them have a permanent interest in the soil.

But time presses; the mischief now taking place in Ireland is progressive, and the funds requisite for the relief of present distress are all this while being squandered with no permanent fruit. Even under the "vigour beyond the law" exercised by Lord Besborough, the drainage of lands can only take place by arrangement with the landlords; and to undertake the compulsory purchase of waste lands, and commence arrangements for locating the peasantry on them, upon the responsibility of Government, in anticipation of the sanction of Parliament, exceeds the amount of discretionary power which the Executive would, or perhaps could, think itself warranted in assuming. Is the case then without possible remedy for months to come? Can nothing be done with existing means, and within the terms of the Lord-Lieutenant's proclamation?[2] Let us see.

The advances from the public, contemplated by the Lord-Lieutenant, are a gratuitous boon to the landlords. To this boon no one supposes that the landlords, as such, have any claim. They give no equivalent for it. They have in no way either earned or deserved it. The Government, accordingly, does not give it to them for their own sake. It intends them as the mere channels through which a benefit is to reach a portion of the community far other than themselves. That the permanent fruits of improvements made by public money accrue to them, and them alone, in the form of increased rent, is an incidental circumstance, arising from the unfortunate state of landed tenancies in Ireland, but in itself not a thing intended nor desired by the Government. Well then, to this unmerited and unintended gift let the Government annex a condition. Let it make a rule that no landlord shall receive its aid in improving his land, except on condition of giving to the tenants of the land so improved a *permanent proprietary interest* in the

[2]For details, see No. 313.

soil. The condition would not be onerous. The land would be given back to the landlord greatly increased in value. Let him rest content with that increase, and bind himself for ever that there at least his demands shall stop. Let him grant to every tenant a perpetual lease, on a fair valuation of the land after the Government has drained it. We should greatly prefer an arrangement much more liberal than this. We would require him to divide with the tenant the boon conferred on himself, and to grant a perpetual tenure at a rent much below the full value of the improved land. But we should hail with joy even the more niggardly arrangement; and so, we venture to say, would the tenantry. The immediate gain to the landlord would be a manifold equivalent for renouncing any further prospective increase. Besides, the arrangement would be voluntary. If he prefers the shadow to the substance, nobody seeks to interfere with him; let him shift for himself; only do not present him with the substance too.

We propose this plan as the supplement and completion of that which we have already advocated with respect to the waste lands. We propose it as a means, the readiest means, by which the admirable social and economical effects of a property in the soil may be extended directly to a wider circle of the population than those who may become settlers on the waste. We propose it also as susceptible of immediate application. The Lord-Lieutenant has only to will it. He is not pledged to improve the lands of everybody who asks for it; he has reserved to himself a full discretion. He has only to name his conditions. What they should be is to us very clear. If any one has anything better to propose, let him state it, and let the intelligence of the two countries be our judge.

324. THE CONDITION OF IRELAND [16]

MORNING CHRONICLE, 6 NOV., 1846, P. 4

For the context, see No. 306. This unheaded first leader is described in Mill's bibliography as "A sixteenth leading article on Irish affairs, in the Morning Chronicle of 6th Nov. 1846" (MacMinn, p. 62).

WE CANNOT THINK that the mode of affording relief and employment to the distressed Irish, which has sprung up, if we may so speak, under the Lord-Lieutenant's proclamation,[1] would have been adopted by any Government deliberately and with forethought. Having a people to feed, and the choice what to do with their labour in return, we do not think that any Government would have selected by preference to make them work for the sole gain of a few individual landowners. That was not, in fact, the original intention. It never was contemplated or foreseen by Parliament. What Parliament and the Government

[1] See No. 313.

itself intended was something totally different. The public was to pay and feed the people, and to the public their services were to be given. They were to be employed on "public works."[2] Unhappily, public works were understood in too limited a sense. Roads and bridges are not wanted in indefinite quantity, and in some states of the industry and trade of a neighbourhood are hardly wanted at all. Every one, therefore, applauded when it was found that the money voted by Parliament was not to be all expended in these useless or premature undertakings. Draining the land, to make it yield better crops, was at least something useful. The works for which the baronies made such large presentment were either useful in a much less degree, or altogether superfluous. Every one saw with pleasure that when a large sum of money was to be spent, and a large amount of labour to be employed, the Irish Government took whatever of responsibility was involved in deciding that the labour should be productive, and that the money should be so spent as to be of permanent use to somebody.

So far well, and we have no desire to qualify the praise bestowed on Ministers for this amendment in the provisions hastily made, at the end of a fatiguing session and the beginning of a Ministry, by the Legislature. But it is no disparagement to say that the measure thus adopted on the spur of the moment, in order to substitute something for a set of arrangements whose failure had taken Ministers and the country by surprise, bears on it unmistakeable marks of the peculiarity of its origin. Not *this* measure, or any like it, we feel assured, would have been proposed to Parliament, with time for consideration, and in the calmness of deliberate legislation. If it had been foreseen six months ago that drainage and other improvement of land, whether waste or cultivated, was the best purpose, and would, in fact, *be* the purpose to which the apparatus created for the employment of Irish labour would be turned, most assuredly it would only have been sanctioned after some previous consideration of *who* was the right person to profit by it, and *why*. We are surely not giving too much credit to Ministers and Parliament when we assume that they would in that case have seen fit to maintain the integrity of the principle, that when public money is expended it is the public that should reap the benefit. The improvement of land is as fit to be a public work as anything else; in Ireland, fitter than most things else. But then, it must be improvement for the public. We do think that if the subject had been dealt with in the way of regular legislation this would have been seen. We do think that it would have seemed to everybody, except Irish landlords, a thing at once ridiculous and intolerable that the Treasury should set up in business as a drainer and improver of landed estates, for the profit of their proprietors. We cannot believe but that this must be the real opinion of Ministers themselves, and that if they seem to countenance such a scheme, it can only be temporarily, and

[2]Under 9 & 10 Victoria, cc. 1, 108, 109.

because nothing more rational occurred to them as capable of being done at the moment.

But the consideration which could not be given at the moment may be given now. If the measures of the Irish Government are successful, if the labour they are ready to feed and pay is judiciously directed and vigilantly superintended, the result will be a large, perhaps a very large, permanent accession to the produce and wealth of the country. We will assume that this prospect is realised, that the inefficiency and jobbery which have been the curse of all public undertakings in Ireland, will not prevent this great addition from being made to the aggregate riches of the country. And now comes the time to enquire whether it is by any inherent necessity, any indefeasible law of nature, that this creation of wealth, by the public counsels and the public means, must all be made away with by the landlords. For theirs, and theirs only, will it be, to the last penny, on the present system of unrestrained competition for land. The extra food produced on the improved land, after reserving to the cottiers their potato diet or its equivalent, will continue, as at present, to be exported to feed England, and the price to be paid away in rent. Now, *must* this be so? Is the cause in the nature of things, or only in human stupidity? Has political wisdom no means of obviating such a result? Does it need a miracle to make so curious a thing come to pass as that the public should reap where the public only has sown?

Such are the questions to which answers must be found by Lord John Russell; and we cannot think that there needs be a moment's hesitation what those answers must be. It would be an actual crime to bestow all this wealth upon the landlords, without exacting an equivalent. The equivalent may be of two kinds; we do not see that any third kind is possible. The State may demand, from those whose land it improves, a money payment to itself, or it may stipulate for advantages of some sort to the occupiers and cultivators of the soil. As for profit to itself, beyond a fair interest for its expenses, the thing ought not to be thought of; though, compared with giving all to the landlord, even that would be wisdom. The remaining plan is, to make advantageous conditions for the tenants. And what can those conditions be, except a limitation of rent? But a limitation of rent, if made binding on the landlord, is another word for perpetuity of tenure. It implies that so long as the tenant pays the fixed rent he cannot be ejected. If he does not pay it, of course the landlord ought to have the power of ejecting him, or rather of compelling him to sell, as indeed ought any other creditor.

The means of carrying this plan immediately into practice are simple and obvious; it would even save much responsibility, and a rather invidious office, to the Government or its subordinates, in selecting the fittest recipients of the pecuniary subsidy offered by the State for the improvement of lands. Let the preference be given to those landowners who will grant, in return, the most favourable terms of perpetual tenure to the farmers. There would be some difficulties in carrying out this principle in complete detail, from the necessity of

sometimes including lands belonging to many proprietors in a single extensive draining operation. But these difficulties might be met; the owners of two-thirds, or some other preponderant proportion of the lands of a district, might have power to bind the remainder; or, if this were thought objectionable, the Government might make its arrangements for the whole, whenever satisfied with the terms offered by the majority; and the recusant minority, who would obtain their share of the benefit, might be made to pay the full value for it. These are small impediments, easily removed by minds thoroughly in earnest about the principle. It is rare, indeed, that any great work is to be achieved in which the difficulties are so few. There is nothing to daunt, and everything to encourage, a minister who once clearly sees that the thing proposed is desirable; and on him who does not will devolve, and immediately too, what he will find the far more onerous duty of contriving and proposing something better.

325. THE CONDITION OF IRELAND [17]

MORNING CHRONICLE, 9 NOV., 1846, P. 4

For the context, see No. 306. This unheaded first leader is described in Mill's bibliography as "A seventeenth leading article on Irish affairs, in the Morning Chronicle of 9th Nov. 1846" (MacMinn, p. 63).

THE REPORT OF THE COMMISSION OF INQUIRY into the condition of the Irish poor, presided over by Archbishop Whately in 1836,[1] recommended an interference with landed property, for the purpose of improvement, quite as large and decided as that which we suggested in last Friday's *Chronicle*.[2]

The recommendation was supported by what is always extremely potent with the English public, an English precedent. "Having," said the commissioners, "improvements in the lands of Ireland immediately in contemplation, it appears to us that the laws which form the constitution of the Bedford Level Corporation in England afford principles of legislation directly suited to our purpose. *They enforce improvements in property at the expense of the property improved.*"[3] Accordingly the commissioners advised that a board should be appointed for Ireland, with powers similar to those of the Bedford Level Corporation, that is, among other things, with compulsory powers of drainage and other improvements. From the nature of the tract of low fenny country called the Bedford

[1] "Third Report," *PP*, 1836, XXX, 1-34.

[2] In No. 324.

[3] "Third Report," p. 17. The Bedford Level Corporation was formed by letters patent in 1631 between Charles I and the Earl of Bedford. The Corporation was given legislative force and definition by 15 Charles II, c. 17 (1663), subsequently amended by several Acts dealing with specific issues.

Level, it was impossible to drain any part of it except by an operation including the whole, and it would have been the extreme of injustice, if wrong-headed or miserly owners of a portion of the district had either been allowed to frustrate by their opposition a plan required by the wishes and interests of the remainder, or to escape from their share of the expense of a measure by which, in common with the others, they were to profit. We go further, and say that if not a minority of the proprietors, but every individual proprietor of the level had refused his assent to the proposition, if it had been simply a measure of public good, a great national improvement, which these persons had attempted to defeat by withholding their co-operation, it would have been equally the duty of the Legislature to persevere. Rights of property are conferred to promote the public good, not that they may be used as obstacles to it.

The Commissioners proposed that the "Board of Improvement," which they desired to constitute, should be authorized, from time to time, "to make a survey, valuation, and partition of any waste lands in Ireland."[4] And though the idea does not seem to have occurred to them of making those lands instrumental to effecting a beneficial change in the present pernicious system of Irish tenancy, it is worth while to adduce their evidence to the great benefit which might be expected, in a merely agricultural point of view, from the extension of industry over this hitherto neglected source of food and employment. "Upon these lands [Mr. Arthur Young observed nearly sixty years ago] *is to be practised the most profitable husbandry in the* King's *dominions*. The Commissioners appointed to inquire into the state of the bogs of Ireland, in 1809, reported to the like effect; and committee after committee of the House of Commons have done the same thing."[5] From the report of one of these committees, that of 1830, the Commissioners make extracts, of which the following are a part:

> There are three millions of Irish acres of waste land, equal to five millions of English acres, which are considered to be almost all reclaimable. . . . It is in evidence that, by an expense of somewhat about £7 an acre, land in the county of Sligo has been reclaimed, and rendered worth a rent of 30*s*.; or, if preserved in the hands of the proprietor, that it is made capable of repaying all expenses by three years' produce, leaving all subsequent returns clear gain.[6]

General Bourke "states that he is proprietor of bogs in different places, and has

[4]"Third Report," p. 18.

[5]*Ibid.*, quoting from *A Tour in Ireland*, 2 pts. (London: Cadell, and Dodsley, 1780), Pt. II, p. 48, by Arthur Young (1741-1820), experimental farmer and traveller, secretary under Pitt of the Board of Agriculture in 1793. The reference is to the "First Report of the Commissioners to Enquire into the Nature and Extent of the Several Bogs in Ireland," *PP*, 1810, X, 395.

[6]"Third Report," p. 18, quoting "Report of Select Committee on the State of the Poor in Ireland," *PP*, 1830, VII, 44, which in turn quotes (in the first sentence) from the evidence of Alexander Nimmo before the Select Committee on Emigration from the United Kingdom (*PP*, 1826-27, V, 551).

tried the experiment of improving them; that bog on which turf has been cut, and which was in a wild and uncultivated state, had been, at an expense of £7 an acre, raised from 10*s*. to the value of 30*s*. acreable rent."[7] All this, without the aid of those great scientific operations by which large tracts of country are drained at once, and which (at all times the most economical mode of accomplishing the object) might be considered at the present time to cost nothing, since the sums they would cost are at any rate to be expended, if only for the immediate relief of the people.

The report last cited contains a passage from which it might almost be inferred, that a glimmering of the desirableness of giving to the occupiers of the soil some greater hold upon it than that of cottiers or conacre-men, had dawned upon a committee of the House of Commons as early as 1830. "If this work," said the committee,

> can be accomplished, not only would it afford a transitory but a permanent demand for productive labour, accompanied by a corresponding rise of wages and improvement in the condition of the poor; opportunities would also be afforded for the settlement of the peasantry, now super-abundant in particular districts, on waste lands which at present scarcely produce the means of sustenance, or are suited for human habitations. This change would be alike advantageous to the lands from whence the settlers are taken, and to those on which they may hereafter be fixed, and *may facilitate the means of introducing a comfortable yeomanry* and an improved agriculture in the more fertile districts. The severe pressure of the system of clearing farms and ejecting subtenants may thus be mitigated, and the general state of the peasantry improved.[8]

A yeomanry! That was the ancient English appellation for a peasant proprietary, or at least for farmers who held their land on fixed conditions, and by custom (if not by law) could not be dispossessed so long as those conditions were fulfilled. What the committee meant by a yeomanry we do not exactly understand; but we cannot imagine that they could mean cottier tenants. There is much in a name. The term peasant proprietor, or small landed proprietor, suggests no associations to most Englishmen. It speaks to them of something which they do not know from experience, which they have not even heard much about, and which may be good or bad for the countries that have it, but which at any rate is not English. But England is wont to boast of her yeomanry; to regard them as one of her points of historical pre-eminence over the nations of the continent; and even, by some unaccountable illusion, to flatter herself that she still possesses them. The yeomanry of England, as a general feature of English life, were ruined and blotted out of the country early in the Tudor period, in a manner very clearly narrated by Mr. Thornton;[9] and England has since passed

[7]Sir Richard Bourke (1777-1855), Irish landowner and soldier, whose public offices included that of Governor of New South Wales, 1831-37, gave this evidence before the Committee of 1830, *ibid.*, p. 679, quoted in "Third Report" of 1836, p. 18.

[8]Report of 1830, p. 45, quoted in "Third Report" of 1836, p. 18.

[9]Thornton, *Over-Population*, Chap. v, esp. pp. 191-4.

into an agricultural system altogether different, though never hitherto equally favourable to the physical comfort, not to mention the independence and dignity, of the cultivators of the soil.

But there is a corner of England which still possesses a yeomanry in the antique sense; peasant farmers who own the land they till, paying nothing for it except some customary dues to the lord of the manor. They occupy a considerable portion of Westmoreland and Cumberland, and are known by the local name of Estatesmen, or Statesmen. Those who knew not of this class have often wondered where—among the care-worn, down-trampled agricultural labourers of England—Wordsworth found the originals of the peasantry delineated in his poems. Those acquainted with the counties bear testimony to the fidelity of the likeness. The same celebrated poet, in his little descriptive work on the scenery of the lakes, describes the state of society which existed for centuries in the upper part of the dales as

> a perfect republic of shepherds and agriculturists, proprietors, for the most part, of the lands which they occupied and cultivated. . . . Among whom the plough of each man was confined to the maintenance of his own family, or to the occasional accommodation of his neighbour. Two or three cows furnished each family with milk and cheese. The chapel was the only edifice that presided over these dwellings, the supreme head of this pure commonwealth; the members of which existed in the midst of a powerful empire, like an ideal society, or an organized community, whose constitution had been imposed and regulated by the mountains which protected it. Neither high-born nobleman, knight, nor esquire was here; but many of these humble sons of the hills had a consciousness that the land which they walked over and tilled had for more than five hundred years been possessed by men of their name and blood. . . . Corn was grown in these vales sufficient upon each estate to furnish bread for each family, no more. The storms and moisture of the climate induced them to sprinkle their upland property with outhouses of native stone, as places of shelter for their sheep, where, in tempestuous weather, food was distributed to them. Every family spun from its own flock the wool with which it was clothed; a weaver was here and there found among them, and the rest of their wants was supplied by the produce of the yarn, which they carded and spun in their own houses, and carried to market either under their arms, or more frequently on pack-horses, a small train taking their way weekly down the valley, or over the mountains, to the most commodious town.[10]

Notwithstanding the changes in the economy of modern society, from the progress of commerce and manufactures, the more migratory habits produced by improved modes of communication, and especially the encroachments of the great landholders, who have long seized every opportunity which accidentally offered of enlarging their domains by buying up the little estates, a considerable number of these happy and independent peasant-proprietors still exists; and if an

[10]William Wordsworth, *A Description of the Scenery of the Lakes in the North of England* (1810), 3rd ed. (London: Longman, *et al.*, 1822); Mill makes a pastiche of passages on pp. 63, 53, 63-5, and 51-2.

example is wanted of the admirable results of a state of agricultural economy in which the occupation of land and the property of it are vested in the same hands, all that we have seen, heard, or read of these people unites to assure us that the Statesmen of the Cumberland valleys are such an example.

326. THE CONDITION OF IRELAND [18]

MORNING CHRONICLE, 11 NOV., 1846, P. 4

This article continues the controversy over Scrope's proposals for a poor law for Ireland. Scrope replied to Mill's article of 3 Nov. (No. 322) in a letter to the editor headed "Poor Laws in Ireland," *Morning Chronicle*, 9 Nov., p. 6, from which Mill's quotations here are taken. For the context, see No. 306. This unheaded first leader is described in Mill's bibliography as "An eighteenth leading article on Irish affairs, in the Morning Chronicle of 11th Nov. 1846" (MacMinn, p. 63).

OUR PAPER OF MONDAY contained a temperate and courteous letter from Mr. Poulett Scrope, expostulating with us upon our conscientious opposition to the scheme in which he puts his chief trust for the improvement of Ireland—the extension to her of what he now terms "the English" Poor-law. We wish to do all justice to Mr. Scrope. Ireland is really indebted to him, not only for the zeal with which he has urged her general claims upon the active good offices of England for removing a state of social and economical evil which it is a disgrace to tolerate, but also for his having identified himself with a measure of greater remedial efficacy, both economical and moral, than any other thing capable of such easy accomplishment—the apportionment of the enormous extent of waste land among peasant proprietors. On this topic we have rendered the deserved honour to Mr. Scrope. We have acknowledged that his advocacy of that important measure preceded ours;[1] and we are not aware of having given ground for the complaint which he mildly prefers against us, of eulogising Mr. Blacker and Mr. Thornton at his expense, on points in which their plans were completely identical with his own. To the identity of the main features we have always willingly borne testimony:[2] the preference we gave to Mr. Blacker had relation only to a matter of detail (not, however, unimportant in principle), on which we had previously commented as the vulnerable point in Mr. Scrope's practical arrangements. His scheme provides that the State should build cottages for those whom it locates on the lands: Mr. Blacker, more wisely in our opinion, recommends that the State should limit its assistance to the means and appliances[3] of cultivation, leaving whatever directly concerns the labourer's comforts to the labourer's own care.

[1] See No. 316.
[2] See No. 321.
[3] Shakespeare, *Henry IV, Part II*, III, i, 29; in *The Riverside Shakespeare*, p. 902.

To come, however, to the principal topic of the letter. Mr. Scrope regards the bestowing of the waste lands upon the peasantry not so much in the light of a great measure of national relief in itself, either by its direct operation, or by the gradual influence on the minds of the peasantry of the social state which would arise from it; but rather as a "necessary and most appropriate auxiliary and supplement to our improved poor-law." He blames us for advocating the one measure only, instead of two schemes, which, "far from there being any necessary antagonism between" them, "are suited admirably to aid and advance one another;" and he calls upon us to abandon what he terms "a vain and ungenerous struggle to protract the denial to the Irish poor of a legislative provision in the extremity of want."

We must pause for a moment to notice the flagrant injustice of this appeal *ad invidiam*, whether as affecting ourselves or the Legislature. The Irish *have* "a legislative provision in the extremity of want." They have already a Poor Law, which, if it does not recognise the absolute right to relief that exists in England, undertakes however to make provision for "the extremity of want" in all ordinary cases, and the State, as we see in extraordinary cases, comes forward with supplementary resources *pro hâc vice*.[4] Neither, if the Irish pauper system were ever so defective, would it be any argument against *us*. We offer them better than a pauper system. We propose to them something preferable to parish pay. Instead of an allowance, we give them land; instead of working for the parish, we set them to work for themselves. It is as plain as figures can make it, that land can be found for more than the whole surplus population, and it is as certain as testimony can make it, that this land is of as good a quality as much of that already under tillage. We do not promise to give land to everybody; but neither, we suppose, are poor rates promised to everybody. We undertake to establish in the honourable and independent position of proprietors of the soil so large a portion of the peasantry, that the remainder shall neither be in need of land nor of poor rate, but shall find steady employment at ample wages on the estates of the present landholders. Upon us therefore, at least, Mr. Scrope's imputations fall innocuous.

In attempting to show that the waste-lands plan and the poor-law plan are calculated to smooth the way for one another, Mr. Scrope, as it appears to us, succeeds in one-half of what he undertakes. He shows, what scarcely needed showing, that the success of the waste-lands plan "would remove many of the most formidable difficulties in the way of an extended poor-law." Of course his poor-law would not be so immediately or so certainly fatal if the present vast superfluity of those who would be claimants on its bounties were drafted off before it arrived. If anything could give the Irish a chance of bearing unharmed the effects of a pauperizing poor-law, it would be to thoroughly dispauperize

[4]For an explanation of this term as justifying state intervention on special occasions, see No. 57.

them first. We may therefore fairly call upon Mr. Scrope, in the name of his own argument, to put his poor-law in abeyance until this preliminary measure is carried. Without the preliminary measure the poor-law, as he seems to admit, would never answer; while the preliminary measure, pushed with sufficient vigour, might possibly suffice as a final measure, and leave no blameless destitution for a poor-law to relieve.

But while the waste-lands location would either supersede the proposed poor-law by doing far more than what a poor-law is designed to do, or, if it failed in this, would, on Mr. Scrope's own showing, make the field clearer both for obtaining a more extensive poor-law and for its success; he altogether fails to show that by enacting the poor-law we should at all facilitate the other measure. How should we? Will it perhaps be said, that plans for enabling the poor to provide for themselves would find more favour with the landlords if the alternative was *their* providing for them? Truly an excellent device, and very like reaching Paris by way of Constantinople. If you first succeed in persuading or compelling the landlords to support the poor out of their own pockets, you cannot imagine how readily you will get their consent to its being done in another way which costs them nothing. We are thankful for the advice; but, in the first place, their consent is not wanted; and in the next, to obtain it in that way is leaping a five-barred gate to save a turnstile.

Instead of facilitating, we are convinced that Mr. Scrope's poor-law would raise an almost insuperable obstacle to his plan of waste-land location, or to any plan whatever for elevating the Irish poor by means of their own industry. What *is* Mr. Scrope's poor-law? To call it, as he does, "the English Poor-law," is playing upon words. He is not thinking of the amended English law, the abused and calumniated New Poor-law. He means no law grounded on the principle of making parish relief less acceptable than the wages of independent labour. He means an ideal poor-law of his own, on the basis of the statute of Elizabeth, and of which the main principle is out-door relief by employment on public works. Mr. Scrope well knows that in Ireland, as it now is, such relief and employment cannot possibly be so given as not to be greatly more desirable than the wages of work done for individuals. The consequence would be that all private industry in Ireland would cease. At this very time Irish labourers are leaving regular employment at high wages in Scotland, and returning to Ireland to apply for the lower wages paid by the Board of Works. They prefer lower wages, in return for work which they perfectly well know to be, comparatively speaking, almost nominal. In this small fact, and hundreds similar to it, Mr. Scrope may read the certain effect of his favourite poor-law.

If Mr. Scrope could be satisfied with the extension to Ireland of the only part of the reformed English system which she does not already possess—the recognition of a legal *right* in the destitute to relief, accompanying that right with such conditions as should prevent it from being claimed but by those to whom it

is really indispensable[5]—our opinion would not be so fundamentally at variance with his. We approve of this principle in the English system; its practicability and safety, long contested by eminent political economists, were, in our opinion, finally established by the Report of the English Commissioners of Poor-law Inquiry in 1834;[6] and we should be very willing to entertain the question of extending it to Ireland, supposing the Irish to be first dispauperized and in full employment under an improved economical system, and at a time more favourable than the present to the rational consideration of such questions. But any kind of poor-law extension, even when in itself of a harmless nature, is one of the most delicate operations in the art of government, requiring all the preparation, caution, and scientific skill which befit those who tamper with the most vital organs of the body politic, the main springs of well-being and well-doing in the bulk of the population. Such things are most unfit to be attempted at a time when those at whose instigation chiefly they would be undertaken make a merit of defying every principle of reason applicable to the subject. At the present moment the actuating force in whatever was done would be a combination of two elements: a blind impulse of feeling which calls itself humanity, the cheap humanity which relieves distress, not by giving, but by making others give; and a sort of new-light Toryism,[7] which would willingly gain a fresh lease of social pre-eminence for the aristocracy and squirearchy by making the working classes once more their serfs and dependents in the form of parish paupers.

327. THE APPOINTMENT OF JUDGES UNDER THE NEW LOCAL COURTS ACT

MORNING CHRONICLE, 12 NOV., 1846, P. 4

The passage of the Act establishing local courts, 9 & 10 Victoria, c. 95 (An Act for the More Easy Recovery of Small Debts and Demands in England), which received royal assent on 28 Aug., 1846, was stormy, its history going back to the agitation begun by Brougham in 1828, which was effectively blocked by Lord Lyndhurst. The Act came into effect in England and Wales in March 1847. This unheaded first leader is described in Mill's bibliography as "A leading article on the appointment of judges under the new Local Courts Act, in the Morning Chron. of 12th November 1846" (MacMinn, p. 63).

AN ACT will shortly come into operation, enacted during the last session of Parliament, which in the importance of its eventual consequences may rival even

[5]By Sect. 54 of the Poor Law of 1834 (4 & 5 William IV, c. 76).
[6]For Mill's opinion, see Nos. 239 and 240.
[7]For the origin of "new light," see No. 42, n4.

the great measure of commercial enfranchisement[1] which has made that session memorable. We refer to the Act for the Establishment of Local Courts, and our reason for at present adverting to it is that the distributors of patronage must be at this very time actually occupied with the pleasing task of filling up the numerous judicial offices created by it; a function of which it is no exaggeration to say, that according as it is well or ill performed, the new courts will be the most important step ever yet made in England in the reform of law proceedings, or a ridiculous and disgraceful failure.

The arguments for local courts are sufficiently obvious and familiar. If there is any use in having an administration of justice, it must be useful that the justice administered should not be too far off to be reached, nor too expensive and troublesome to be worth seeking. The elementary and self-evident character of this truth, or truism, does not at all diminish the necessity for vigorously insisting on it, since the most obstinate resistance is often that which is maintained against the most manifest truths. Obstinate and protracted was the resistance to this. But at length we see it practically admitted, taking its place among propositions legally recognized, even to the extent of founding an institution upon it. Up to twenty pounds, it is good for Englishmen to have justice all the year round, and in their own neighbourhood, at a moderate expense, and with no more forms and technicalities than those which really conduce to bringing the disputed question in a more perfect state before the judge.[2] Tardily, and with terrible pangs and throes, the courts at Westminster have loosed their hold of a class of causes which were not of sufficient pecuniary value to be worth their keeping, and which had almost ceased to be brought before them. After so heroic a sacrifice there are few things which may not be hoped; and at the ordinary pace of legal improvement, we may flatter ourselves that successive generations may see first twenty-five pounds, then thirty, and at last, perhaps, even forty pounds assigned as the sum which the right owner shall be permitted to recover from persons unlawfully detaining it, in other towns of England and Wales besides London, at all seasons of the year, and without unnecessary expense; or, at least, with no more of it than the contrast afforded by the superior courts may render the injured litigant only too happy to tolerate.

The most enlightened school of law reformers have long been deliberately of opinion that the proper function of local courts is, not some wretched little fragment of the business of judicature left to them because their betters cannot stoop low enough to pick it up, but the whole judicial business of the country in the first resort. The courts at Westminster, much improved and simplified in their rules of practice, should, in the opinion of these reformers, exist solely as courts of appeal from the local tribunals, and as an authority to maintain uniformity of

[1]The Repeal of the Corn Laws by 9 & 10 Victoria, c. 22 (1846).
[2]Stipulations in Sect. 58 of 9 & 10 Victoria, c. 95 (1846).

principles, and to declare the law in all cases of doubt; in which character and office there is surely more than enough to satisfy the appetite for power and dignity of the most eminent heads of the profession. We think this a just view of the ultimate destination of local courts; and we should have rejoiced if some account of that ultimate destination had been taken in first constituting them. But the tentative character which very often *ought* to belong to reforms, and which at any rate always *does*, made it inevitable that when local judicature was attempted, it would begin its career with some miserable scrap of jurisdiction; and unfortunately this is not one of the cases in which the slow path is the path of safety, in which there is less risk of failure by attempting little. To attempt little is here the sure way to render failure probable.

Many years ago, when the time of Parliament and the thoughts of the profession were first seriously occupied with the question of local courts—when Lord Brougham, in his better days, reaped in this cause some of his best-earned laurels, and Lord Lyndhurst added largely to his peculiar kind of fame by the dexterous sophistry with which he resisted a great principle[3]—it was then the prediction of judicious and experienced friends of the cause, that the real difficulty of local courts would be found to be the lamentable scarcity of persons fit to be judges.[4] The wider, however, the extent of authority given to the courts, the less this difficulty would be felt. Supposing, as an extreme case, that to these courts should be entrusted the original hearing of all causes, or even of all civil causes, an appeal lying to the superior courts, the importance of the office would be sufficient to make it be sought by every member of the bar who was fit for it. It would be sought for itself, as an office of great dignity and usefulness, affording an ample field for every quality or talent, natural and acquired, of the ablest and most instructed lawyer; and it would be sought also as a road, not the sole, but certainly one of the most frequented roads, to the highest station in the profession—the situation of an appeal judge. The importance also of courts which would transact the whole judicial business of a district equal in average size to an English county, would secure to the judge, in addition to his own qualifications, the valuable aid, and the not less valuable surveillance, of a bar. It may be remembered, that one of the most potent of Lord Lyndhurst's weapons in his controversy against local courts was the argument, that no reliance could be placed on either the judicial acumen or the legal knowledge of a judge when

[3]In 1830, Brougham introduced (*PD*, n.s., Vol. 24, cols. 243-74) "A Bill for Establishing Courts of Local Jurisdiction," 11 George IV (21 June, 1830), *PP*, 1830, I, 123-66 (not enacted). Then in 1833 he brought in "An Act for Establishing Courts of Local Jurisdiction" (see No. 219, n15). The remarks of John Singleton Copley, Lord Lyndhurst, were made on 9 July, 1833, during discussion of this legislation (*PD*, 3rd ser., Vol. 19, cols. 312-29).

[4]See, e.g., Arthur Symonds (ca. 1806-77), "Progress of Law Reform," *Westminster Review*, XIX (July 1833), 42-74, esp. 59 and 66-9.

unfurnished with a bar for the double purpose of informing and of checking his judgment.[5] That mode, therefore, of constituting local courts which gives them most chance of an adequate bar to practice in them, either habitually, or at all events occasionally, would have been not only the best in itself, but the safest to begin with, the most likely mode of making the experiment successfully. The case is one of those more frequent than statesmen are aware of, in which the more they attempt the more they are likely to succeed in, while, by a timid and paltry willingness to content themselves with little, they incur an almost certain risk of not attaining even that little.

At present the danger is, that in courts limited to the cognizance of small causes—that is, causes which are only important to small people—any person of decent character, who has been a few years at the bar, will be thought perfectly fit to be a judge: and that the local judges will be chips of the same block out of which the magistrates of the metropolitan police-courts have generally been cut. If so, the new courts will either become the laughing stock of the country, or will plod on in unnoticed mediocrity, doing their business just carefully and just intelligently enough not to be scouted as a nuisance. Should this happen, the principle itself will be permanently discredited, and it will be long before we see another advance made towards bringing cheap justice home to every door. This is not the spirit in which so truly important a selection should be made. We have full confidence in the purity of intentions of the Chancellor, Lord Cottenham,[6] and as much reliance on his judgment as on that of any other dispenser of patronage, provided he can be induced to look at the matter in the serious light which it deserves. In nominating men to these stations, he ought to regard himself as doing much more than appointing people to try cases of debt under £20 value. He is choosing men to be an example and a proof of what local judges ought to be. He is appointing men to extort a progressive enlargement of jurisdiction for the courts over which they preside, by showing themselves fit to be invested with it. No one should be nominated to these posts who is not fit for something much higher than what they are at present entrusted with; who is not fit for any judicial duties whatever, subject to the eventual revision of a superior tribunal.

Even with the best intentions, and the deepest conscientious sense of the importance of the trust, the Lord Chancellor will find his choice grievously narrowed by the narrowness of the jurisdiction itself, which holds out no temptation to any barrister of ambition and ability enough to aspire to the high prizes of his profession. It is doubtless from a foresight of this difficulty that the act has provided that the judges shall not be prohibited from practising as

[5]Copley, speech of 9 July, 1833, col. 317.

[6]Charles Christopher Pepys (1781-1851), 1st Earl of Cottenham, Whig law reformer, M.P. until appointed Lord Chancellor in 1836, succeeding Lyndhurst, who again took office in 1841, to be replaced again by Cottenham in 1846.

barristers;[7] in hopes of making the office worth holding to the same class of rising men who now, during a few years of their upward career, willingly accept the post of recorder of a corporate town.[8] But a recorder's attendance is only required at quarter sessions, and for a few days at a time. The sittings of the new courts, if they are to be more than a mere name, *must* occupy a very large portion of the time of the judge, and ought, without doubt, to occupy the whole. It is a deviation from the principle, and a great abatement of the characteristic usefulness of a local court, not to be constantly open. This sacrifice of usefulness was worth making, for the chance of obtaining a somewhat better qualified class of judges; but let us not forget that it *is* a sacrifice.

328. THE CONDITION OF IRELAND [19]

MORNING CHRONICLE, 16 NOV., 1846, P. 4

For the context, see No. 306. This unheaded first leader is described in Mill's bibliography as "A nineteenth leading article on Irish affairs in the Morning Chronicle of 16th November 1846" (MacMinn, p. 63).

CONVINCED AS WE ARE of the sincere desire of all English politicians of any standing or importance to do something, anything, that promises a remedy, or even an alleviation, for the inveterate economical evils of Ireland; and believing, as we rejoice to do, not only that there is a remedy, but that it is the most obvious remedy conceivable—one which the Legislature could carry into effective operation almost by merely willing it, one which might actually make us believe in the existence of some mischievous spell, when we think that it is still untried; reflecting too that there are no powerful interests which this remedy would even seem to jeopardize, no classes, scarcely even any individuals whose pockets it could be suspected of injuring—very few whom it would not considerably benefit; we ought, if reason and justice had no enemy in this world but selfish interest, to feel the strongest confidence of seeing it promptly adopted. Unhappily there is an obstacle to good, almost as strong and far more universal than selfishness—the spirit of routine. It takes much effort and a dreary length of time for men's understandings to admit the conviction that the thing they most want is the very thing which they have never yet thought of seeking. Men are not easily induced to submit to be cured, and still less to cure others, by remedies which are not upon their list. It is thus with the remedy for Ireland. A peasant

[7]See Sect. 9 of 9 & 10 Victoria, c. 95.

[8]Recorders were the principal legal officers of cities or boroughs that had separate quarter-session courts. The recorders, who had to be experienced barristers, were appointed by the Crown to sit as sole judges during the quarter sessions. The position was defined in Sects. 103-5 of 5 & 6 William IV, c. 76 (1835).

proprietary, as a cure for popular indigence, has not the honour of being in the *Pharmacopoeia Londinensis*.[1] To be sure, it stands at the very head of the political Pharmacopoeia of every other country with any claim to civilization; and if it had been the fortune of Ireland to be yoked to any country in Europe besides England (or Russia), she would not have remained till this time without having a full trial made of its efficacy. But that does not make the matter much more easy. The whole work has yet to be done. The public mind is quite ready to receive an impression, but the impression remains to be made. The principle of a peasant proprietary has no party. A party must be formed for it. The principle has many approvers, but few zealots. Their zeal must be kindled.

To do this there is but one way—to place before the two countries, in a detailed manner and with a sufficient degree of iteration, the abundant evidence, both of reason and of fact, which demonstrates the admirable effects of this system of territorial economy, considered generally, and its peculiar adaptation to the circumstances of a country like Ireland. The public, and even those who assume the character of teachers of the public, are little aware of the weight of argument, fact, and authority which may be adduced without difficulty on the point. They are still less aware how perfectly obsolete have now become the facts, or supposed facts, which one section of English economists—we are happy to say a dwindling and declining section—were once enabled, by the universal ignorance of the subject, to urge with a certain air of triumph in proof of the destructive tendency of a minute division of landed property. They know not how time and the irresistible tendency of things have made sport of the dismal forewarnings which used to be heard from croakers on this side of the Channel, respecting the destination of France to become a "pauper-warren."[2] Within the twenty years or thereabouts which have elapsed since these croakings were most rife, France has entered into the most brilliant career of prosperity yet known in her industrial history. Every authentic statistical account of the condition of her industry and of her people has shown, and continues to show, that within that period the state of her rural population, who are four-fifths of the whole, has improved in every particular; that they are better housed, better clothed, better and more abundantly fed; that their agriculture has improved in quality; that all the productions of the soil have multiplied beyond precedent; that the wealth of the country has advanced, and advances with increasing rapidity, and the population with increasing slowness. We challenge investigation of these facts, and throw down the gauntlet to all gainsayers. Not that, if the result in France had been quite contrary, any fair argument could have been grounded

[1]The *Pharmacopaea Londinensis* (1618 and many subsequent editions), containing directions for the preparation of medicines, was issued by the College of Physicians to ensure accurate dispensing; hence, a guide to all cures.

[2]John Ramsay McCulloch, "Disposal of Property by Will—Entails—French Law of Succession," *Edinburgh Review*, XL (July 1824), 369.

upon it against the salutary influence of peasant proprietorship. France has not only small properties; she has a system of legislation purposely directed to prevent the existence of large ones. She has an artificial law of inheritance, restraining the power of bequest within narrow limits, and compelling the equal division of the bulk of the property among all the children.[3] This is not the thing we are advocating for Ireland. It is true, the effects of it are not approved or condemned by each, according as he is affected towards that system of democratic institutions of which it forms a part. But the warmest supporters of peasant properties among the continental political economists—such, for example, as the enlightened and philanthropic Sismondi—have held no less strongly that it is desirable that large properties, in a certain number, should co-exist with small ones.[4] They are quite aware that peasant properties, admirable for maintaining a good system of agriculture when once introduced, are not adapted for originating scientific improvements, and that for this purpose it is desirable that there should be in every neighbourhood some cultivators of a wealthier class, who will take the risk of experiments, and whose example, if successful, the peasant proprietors may imitate.

But there is no danger that in Ireland large properties will be exterminated by creating small properties on the waste land. The effect will be the contrary. At present no Irish property has any of the characteristic advantages of a large property, nor can have until cleared of its cottier tenantry in the only way in which eternal justice can tolerate its clearance—the only way, we may now be pardoned for affirming, in which it is any longer *possible* that this clearance should be effected. There are countries that have been very prosperous with large properties, when attended by their characteristic and natural accompaniment of large farms, and others which have thriven excellently with small farms, when those farms have been small properties in the hands of their peasant occupiers. Ireland alone has had the evil side of both these states of social economy, without a particle of the good of either; nothing but large properties cut up indefinitely into nothing but small farms. But to give the name of farms at all to bits of potato ground, let by a virtual auction, is such an understatement of the pernicious barbarism of the vile thing as amounts almost to an apology for it. This thing *cannot* be rooted out but by locating the superfluous tenantry under a healthier system of tenure elsewhere. Do that, and the great properties for the first time *become* great properties, for any of the ends, public or private, for which large landed possessions are adapted. You can then have efficient tools and economical culture, few labourers, and a large net produce for profit and rent; and this without injury to any one, because those who are now on your lands will

[3]Code Napoléon, Livre III, Titre I, Chap. iii, Art. 745.

[4]Jean Charles Leonardo Simonde de Sismondi (1773-1842), political economist and historian; see his *Etudes sur l'économie politique*, 2 vols. (Paris: Treuttel and Würtz, 1837-38), Vol. I, pp. 173-6.

be raising a gross produce sufficient for their own comfort and independence on land from which you now obtain nothing, and instead of envying, will be themselves objects of envy and emulation to your labourers for hire.

If it were reasonable to expect that men's conduct would be determined by their most direct and obvious interest, we should reckon upon an unanimous clamour from every Irish landlord for thus disposing of the superfluous numbers which they find so insupportable a millstone about their necks. But it is a grievous fact that men will not easily see a sober, steady, well-calculated affair of business in a thing which savours of philanthropy. Their selfishness overreaches itself, and a pecuniary advantage, which would be grasped at with avidity if it were to be gained at some other person's expense, is slighted and distrusted, because the same thing which would put them in possession of it would raise millions of beings of the same flesh and blood with themselves from the depth of poverty to independence and happiness.

329. THE CASE OF WILLIAM BURN

MORNING CHRONICLE, 17 NOV., 1846, P. 4

Here Mill comments on a case heard on 10 Nov. and reported in "Police Intelligence, Mansion House," *Morning Chronicle*, 11 Nov., 1846, p. 7 (from which the quotations are taken) and also in *The Times* of the same day, p. 6. It is the fifth of the comments on injustice and cruelty jointly authored by Harriet Taylor and Mill (for the series, see No. 303). This unheaded second leader is described in Mill's bibliography as "A leading article on the case of one William Burn convicted of ill-treating his horse: in the Morning Chronicle of 17th Nov. 1846. Very little of this was mine." (MacMinn, p. 63.)

IN A MANSION-HOUSE REPORT of last week, it is stated that one William Burn was charged before the Lord Mayor[1] "with having most cruelly beaten one of the horses he was driving in a waggon. He had been sitting on the middle horse, which was without reins, and he struck one of the poor animals most desperately about the head with the butt-end of his whip. The horse fell, and the prisoner struck it even more brutally when down. The Lord Mayor expressed great indignation at the conduct of the defendant, and was about to fine him to the utmost extent, when he suddenly learned that he had a large family," whereupon he said to him, "You deserve the highest punishment; but I cannot think of punishing your wife and children. The sentence of the court upon you is, that you pay a fine of ten shillings, or be confined in the House of Correction for fourteen days." The defendant "thanked his lordship, and paid the fine."

[1]The Lord Mayor was Sir George Carroll (1811-60), a banker who had served as Sheriff of London and Middlesex, 1837-38, and was sitting in the justice seat as Lord Mayor for the first time.

We regard this leniency, together with the reason assigned for it, as a match for the most unthinking and ill-judged exercises of magisterial discretion with which the London police-courts have lately favoured us. "A large family" has long been familiar as an excuse for begging, and a recommendation to the benevolent electors whose suffrages confer the responsible office of parish beadle. Hereafter, it seems, it is to be a license for violating the law, and, worse than that, for committing acts of savage brutality, which excite not merely regret but indignation that such a creature should have a wife and children in his power to treat in the same manner.

Let us look at the thing first on the general principles of the administration of justice. The Lord Mayor thought the man deserved the full penalty, and was about to inflict it. He thought, therefore, that the highest fine which the law authorised, forty shillings, or in default of payment fourteen days in the House of Correction (for the law actually allows no longer term),[2] would not have been more than enough to make some impression upon the man's obdurate nature, and induce him and others like him to put some restraint upon their brutality. And who will not agree with the Lord Mayor in so thinking? Rather, who will not go far beyond him? Who does not see that the maximum penalty ought to be much higher; that it is ridiculously and lamentably inadequate; that it was fixed so low, not because it was thought sufficient, but because the promoters of the bill were too happy to get the consent of the Legislature to any penalty at all, in order at least to establish the fact that the law disapproves and stigmatises ferocious abuse of power against the helpless? This recognition, we suspect, is the chief part of the good which the Act against Cruelty to Animals has yet done; and even that, the insignificance of the penalties in a great measure neutralizes, for if those who commit the crime are now aware that their superiors think it wrong, they cannot suppose that it is thought to be anything very bad by people who are so very much more than gentle in their repression of it.

But to return to the Lord Mayor. He thought, at any rate, that forty shillings, or imprisonment for fourteen days, was not more than sufficient severity to give the man a salutary lesson. If forty shillings were not more than enough, ten shillings are less than enough; and the man is let off with a penalty which the magistrate knows to be insufficient to correct his own vicious habits and to deter others. And this because the Lord Mayor "cannot think of punishing" the wife and children. In the first place, the instantaneous payment of the ten shillings renders it more than probable that ample means existed for a fortnight's support. In the second place, did the law intend that the inconvenience which a man's wife and children may suffer, from penalties imposed on himself, should be a reason for not inflicting the punishment which he has merited by his misdeeds? Would the Lord Mayor have given him the benefit of this excuse if he had stolen

[2] 5 & 6 William IV, c. 59 (1835), Sect. 2.

a handkerchief? No, truly; there would have been no thought then of hardship to the family, although in that case the offence might actually have been committed to relieve their hunger; and at any rate, the offender would not have been proved to be the kind of man from whom it would be a mercy to have separated them.

Real consideration for the wife and children would have spoken a very different language to the magistrate. It would have said something like this—A man capable of the act of which this man is found guilty, must be one of two things. He is either a wretch who wantonly ill-treats a helpless being, for the pleasure of tyranny, because it is in his power and cannot resist; or an irritable, violent creature, who on the smallest provocation (provocation from the unconscious dumb animal who slaves to death for his benefit!) flies into an uncontrollable rage, and cannot restrain himself from wreaking a savage vengeance. One of these two characters the man must be; and on either supposition we may infer what sort of a taskmaster he is to the unfortunate woman and the unfortunate children, who are as much in his power, and much more liable to rouse his ferocious passions than the animal over whom he tyrannised. It really seems to us, that they are more objects of pity for being compelled to live with such a man than they would have been for being deprived during a whole fortnight of his agreeable society, and that it would have been a greater kindness to them to have seized the opportunity of giving a severe lesson to one who had the power of making so many human creatures miserable. If he could have been made less brutal to his horses it would have made him less brutal to his human victims likewise. Disgusting enough it is that animals like these should have wives and children; and disgusting that, merely because they are of the male sex, they should have the whole existence of these dependants as much under their absolute control as slave masters in any modern slave country have that of their slaves; and without even the wretched compensation of supporting them—for in that rank the wife always, and the children by the time they are seven or eight years old, take part, to the full measure of their physical strength, in the labours for the support of the family. But as if all this was not enough, the man is told by a magistrate, that because he has a family to ill-use, he may indulge himself in ill-using any other creatures who come in his way, and may practise on them the amiable propensities of which his family are to reap the full enjoyment. We have no doubt the Lord Mayor meant kindly; but the tender mercies of thoughtless people are cruel; and we wish that, instead of being thanked by the ruffian whom he let off, he had deserved the thanks of the public for a rigorous exercise of the most important moral power a magistrate possesses—that of putting down strongly and manfully, by word and deed, the brutal vices of the worst part of the populace.

330. THE CONDITION OF IRELAND [20]

MORNING CHRONICLE, 19 NOV., 1846, P. 4

In this, the first of several articles quoting others' testimony to the value of peasant land-owning, Mill draws on Arthur Young, *Travels during the Years 1787, 1788, and 1789* (1792), 2nd ed., 2 vols. (London and Bury St. Edmunds: Richardson, 1794). See also Nos. 334, 336, 339, and 340. For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A twentieth leading article on Irish affairs in the Morning Chronicle of 19th November 1846 (peasant properties)" (MacMinn, p. 63).

WE HAVE MAINTAINED THROUGHOUT, that the means by which any permanent alleviation can be effected of the economical evils of Ireland must not be economical solely; they must belong to that class of economical means which have a moral efficacy. The main superiority of the remedial measures which we advocate consists in this—that they would surround the peasant with a new moral atmosphere; they would bring a set of motives to operate upon him which he has never before experienced, tending in the strongest manner to correct everything in his national character which needs correction. Without a change in the people, the most beneficent change in their mere outward circumstances would not last a generation. You will never change the people unless you make themselves the instruments, by opening to them an opportunity to work out for themselves all the other changes. You will never change the people but by changing the external motives which act on them, and shape their way of life from the cradle to the grave. Much has been said of popular education: but education does not mean schools and school books; these are most valuable, but only as preparations and as auxiliaries. The real effective education of a people is given them by the circumstances by which they are surrounded. The laws are the great schoolmaster, as the ancient statesmen and philosophers well knew, and it is time we should again learn the lesson. What shapes the character is not what is purposely taught, so much as the unintentional teaching of institutions and social relations. It is of little use inculcating industry, prudence, and obedience to law, if every thing which the peasant, throughout life, sees and hears, tells him, in much more intelligible language than yours, that he has nothing to gain by industry or prudence, and everything to lose by submitting to the law. Nothing that you can *say* will alter the state of his mind, only something that you can *do*. Make it his interest to be industrious and prudent, and engage his interest on the side of the law. And if you have inveterate habits of the contrary description to overcome, there is the more need of presenting the motives which tend to correct those habits in the shape in which they will be most intense and palpable.

The grand fundamental defects in the character and habits of the Irish peasant are want of industry and want of providence. We do not add the common

reproach of lawlessness, for the meaning of that is now perfectly well understood. Rockism and Whiteboyism are not qualities of his nature, but hard consequences of his desperate situation.[1] The world now knows that the Irish are among the most easily governed of all people, provided you do not attempt to take away their daily potatoes.

Our position is, that for an agricultural people, whose deficiencies are want of industry and want of providence, the remedy of remedies is to give them a property in the soil: that for creating the intensest spirit of persevering industry it is altogether unrivalled; that in this part of its office it never fails, and seldom in the other part, the generation of prudence and forethought. We propose to corroborate this opinion, by adducing from time to time the results of experience and the testimony of skilful observers specifically on these points.

We shall begin with the subject of industry, because so much has of late been said of the deficiency of the Irish in this quality; because it is the part of the subject best understood in this country, where it is a much more familiar idea that industry, than that prudence, is an indispensable quality in working people; and, finally, because industry really is the more fundamental of the two. Many working people are eminently industrious without being prudent; but you will seldom find one who is prudent without being industrious; since the same recklessness of the future, and habit of self-indulgence, which make him dislike work, make him *à fortiori* insensible to those distant consequences, in a proper estimate of which, as compared with present inclinations, the virtue of prudence consists.

Now, on the efficacy of peasant properties as an incentive to industry, there is but one unanimous voice among observers of all opinions, provided they had the means of seeing with their own eyes. We shall take our first evidence from the very heart of the enemy's camp. We summon Arthur Young to bear witness for us. This high authority was not, on the whole, a favourer of small landed properties. He was an earnest promoter of large farms, and of what is called scientific agriculture—that is to say, of the modes of culture which aim only at augmenting the net produce without regard to the gross. His experience of the *petite culture* was mostly gathered in Ireland, and in France before the Revolution, the two places in all Europe where, from accidental circumstances, its effects exhibited themselves in the most disadvantageous light. Yet on the one point, of the effect of small properties on *industry*, he speaks a language undistinguishable from that of an enthusiastic partisan. Wherever, in travelling through France, he finds careful and laborious cultivation, he sets it down,

[1]For "Rockism," see No. 309, n3. The "Whiteboys" emerged first in 1759 as an organized body of recusant agitators in Munster, who wore white smocks, but the term came to be used generally to designate those instigating agrarian violence against landlords. There had been a clash between Whiteboys and police at Scort on 4 Nov.

sometimes even without inquiry, as the effect of peasant proprietorship. Describing a walk to Rossendal, near Dunkirk, he says:

Between the town and that place is a great number of neat little houses, built each with its garden, and one or two fields enclosed of most wretched blowing *dune* sand, naturally as white as snow, but improved by industry. The magic of *property* turns sand to gold. [Vol. I, p.88.]

Again, in the south of France:

Leaving Sauve, I was much struck with a large tract of land, seemingly nothing but huge rocks, yet most of it enclosed and planted with the most industrious attention. Every man has an olive, a mulberry, an almond, or a peach tree, and vines scattered among them, so that the whole ground is covered with the oddest mixture of these plants and bulging rocks that can be conceived. The inhabitants of this village deserve encouragement for their industry; and if I were a French minister they should have it: they would soon turn all the deserts around them into gardens. Such a knot of active husbandmen, who turn their rocks into scenes of fertility, because I suppose *their own*, would do the same by the wastes, if animated by the same omnipotent principle. [*Ibid.*, p. 50.]

In another place:

Going out of Gange, I was surprised to find by far the greatest exertion in irrigation which I had yet seen in France; and then pass by some steep mountains highly cultivated in terraces. From Gange, to the mountain of rough ground which I crossed, the ride has been the most interesting which I have taken in France, the efforts of industry the most vigorous, the animation the most lively. An activity has been here that has swept away all difficulties before it, and has cloathed the very rocks with verdure. It would be a disgrace to common sense to ask the cause: the enjoyment of property *must* have done it. *Give a man the secure possession of a bleak rock, and he will turn it into a garden; give him a nine years' lease of a garden, and he will convert it into a desert.* [*Ibid.*, p. 51.]

Again, at the foot of the Western Pyrenees—

Came to a scene which was so new to me in France, that I could hardly believe my own eyes. A succession of many well-built, tight, and comfortable farming cottages, built of stone and covered with tiles, each having its little garden, inclosed by clipt thorn hedges, with plenty of peach and other fruit trees, some fine oaks scattered in the hedges, and young trees nursed up with so much care that nothing but the fostering attention of the owner could effect anything like it. To every house belongs a farm, perfectly well inclosed, with grass borders, mown and neatly kept around the corn-fields, with gates to pass from one inclosure to another. *There are some parts of England (where small yeomen still remain) that resemble this country of Béarn; but we have very little that is equal* to what I have seen in this ride of twelve miles from Pau to Moneng. *It is all in the hands of little proprietors*, without the farms being so small as to occasion a vicious and miserable population. An air of neatness, warmth, and comfort breathes over the whole. It is visible in their new-built houses and stables, in their little gardens, in their hedges, in the courts before their doors; even in the coops for their poultry, and the sties for their hogs. A peasant does not think of rendering his pig comfortable, if his own happiness hangs by the thread of a nine years' lease. We are now in Béarn, within a few miles of the cradle of Henry IV. Do they inherit these blessings from that good prince? The benignant genius of

that good monarch seems to reign still over the country. Each peasant has the *fowl in the pot*. [*Ibid.*, p. 56.][2]

In summing up, afterwards, the final result of his observations, which was not favourable to the general quality of the agriculture on small farms, even when the occupier was the proprietor, Arthur Young remarks that, except in a few instances, he—

> Saw nothing respectable in small properties, *except a most unremitting industry*. Indeed, it is necessary to impress on the reader's mind that, though the husbandry I met with, in a great variety of instances, on little properties, was as bad as can well be conceived, yet the industry of the possessors was so conspicuous and so meritorious that no commendations would be too great for it. It was sufficient to prove that property in land is, of all others, the most active instigator to severe and incessant labour. And this truth is of such force and extent, that I know no way so sure of carrying tillage to a mountain top as by permitting the adjoining villagers to acquire it in property; in fact, we see that, in the mountains of Languedoc, &c., they have conveyed earth in baskets, on their backs, to form a soil where nature had denied it. [*Ibid.*, p. 412.]

What he says of the bad agriculture on small properties needs not at present concern us; we shall touch on that part of the subject hereafter. The evidence is that of an opponent, and we give it in proof that even an opponent who knows anything of the subject cannot withhold a testimony, which may well satisfy the most ardent partisan, to the efficacy of small properties as a counteractive against the indolence and *insouciance* which are the most prominent recognized defects of the Irish peasant. And what wonder? Of all tillers of the soil, the cottier is the one who has least to gain by any voluntary exertion; the small proprietor has most. That the one should be the idlest and the other the most diligent of all peasants, actual or possible, is but the natural result of their circumstances. Put each in the situation of the other, and their characters will be reversed. Give the Irishman "the secure possession of a bleak rock" or a turf bog, and he too "will turn it into a garden." He will be as easily induced as his kindred Celts across the Channel, to "convey earth in baskets" to form a soil on the terraced side of a hill, if the hill-side when terraced and the soil when laid down are to be his own.

331. THE CONDITION OF IRELAND [21]

MORNING CHRONICLE, 24 NOV., 1846, P. 4

This article comments on the meeting of landlords at Dungarvon on 13 Nov., which recommended reclamation of waste lands. The meeting had been briefly noted in

[2]For the attribution of the slogan to Henri IV of France (1553-1610), see Charles Jean Dominique de Lacretelle's biographical account of Henri IV in *Biographie universelle ancienne et moderne*, ed. Louis Gabriel Michaud, 52 vols. (Paris: Michaud frères, 1811-28), Vol. XX, p. 111.

"Waterford County Meeting," *Morning Chronicle*, 17 Nov., p. 6, and then reported more fully in "The County of Waterford Meeting," *ibid.*, 21 Nov., p. 6, from which the quotations have been taken. For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A twenty first leading article on Irish affairs in the Morning Chronicle of 24th Nov. 1846" (MacMinn, p. 63).

OUR READERS may have noticed the resolutions of a meeting at Dungarvon, comprising the principal magistrates and landed proprietors of the county of Waterford, which are honourably distinguished from every other manifestation that has yet met our eyes of the sentiments of the landed gentry of Ireland upon the present emergency. Such meetings have usually been barren of any one single indication that the minds or hearts of that much-complaining, much-afflicted class have expanded to meet the demand now made on them for something like intellect and for something approaching to patriotism. What amount of feeling and wisdom may lie pent up within them, waiting for some better opportunity of coming forth, we do not pretend to judge. Hitherto the only sentiment which they had thought it becoming to testify was a tender concern for the pockets of the landlords, and that feeling had as yet suggested no more recondite expedient for accomplishing its object than to get as much money from the Imperial Treasury as possible, repaying as little of it, and that little at as distant a date as ministerial good nature might allow.

But the Dungarvon meeting is the beginning we hope of a new era. The resolutions of the Waterford gentry are conceived in a spirit somewhat different. We cannot say indeed that there is not much still to amend. Landlords will be landlords. In England and Scotland, and still more in Ireland, they have been too much accustomed to the homage of others not to have a very sincere loyalty to themselves. They are the spoilt children of society. They have been taught to believe that government, social institutions, and the human species itself exist mainly for their protection and exaltation. If actual confiscation did not drive this idea out of the heads of the French territorial aristocracy, and the generation who had been brought up in that ancient faith had to die off before the creed could be unlearned, it would be quixotic to expect that, even allowing for the great difference between this age and the last, so complete a mental revolution should be effected in the Irish gentry by the mere sight of confiscation drawing near to them. We really must not require that they should renounce the pleasing illusion of their own vast importance to the community. It would be too hard to tell them that, saving the general interest which all mankind have in justice, it is a matter of very small importance whether the land is owned by its present possessors or by others, or rather the public would be benefited by its being transferred to any others who would either hold it or be willing to grant it on a better tenure. There are some truths which cannot, consistently with politeness, be mentioned in the hearing of landlords, any more than certain remarks on the Church or its articles are permissible in the presence of a clergyman. Without requiring a renunciation

of the faith of landlordism, we must hail as a sign of grace anything approaching to a liberal interpretation of that faith, and we therefore welcome and applaud a body of Irish landowners who present themselves before Government and the country with a resolution like the following:

> We are of opinion that immediate measures should be taken by the Legislature for causing the waste and unoccupied lands of the country to be brought into cultivation, and for settling upon them that portion of the population for whose labour there exists no natural demand in their respective localities; and that with this view commissioners should be appointed, with power to purchase or take a lease of the lands that might be found suitable for their purposes from the owners thereof at a valuation, and to select the settlers from the townlands in which the population may appear to be most dense, in proportion to the poor-law valuation.

This is something! A light begins to pierce through the darkness. The lands are overcrowded, to the injury of everything and everybody, the land, the landlords, and the people. Close to these overcrowded lands (we use the word *close* in its literal sense, and we shall produce facts to bear out our assertion) lie other lands, of vast extent, perfectly capable of cultivation, and entirely uninhabited. After long ages, a meeting of Irish gentry has succeeded in putting the two ideas together of bringing these two things together. They have long groaned under the burthen of the surplus people on the right hand side of the high road, and the idea has just struck them that the unoccupied lands on the left are the very place to turn them into. If we may judge from the long time which has been required for making this step, it is not one of small magnitude. Nevertheless it is not everything. There are a few questions yet to ask. We want to know *in what capacity* the surplus people are to be settled on these lands? "Settlers" is a word of considerable ambiguity. We desire to be informed *for whose benefit* the lands are to be reclaimed? It is very easy to see what the landlords may gain by having their unnecessary hands provided for elsewhere. But we are curious to learn whether any of the gain is to be left for other people?

We lament to say that the answers to these questions are not satisfactory. The Waterford gentry have made a hopeful first step, but that is all. Our promising pupils have not got beyond letter A. They must make haste to learn the remainder of the alphabet.

The resolutions proceed: "That, upon the reclamation (?) of their purchase or lease, the reclamation and culture of said lands should be carried on under the direct superintendence and control of the commissioners."[1] *Halte-là, mon ami.* Do we believe our ears? The reclamation and *culture* of the lands to be carried on by the commissioners? Reclamation as much as you please: that is a thing to be once done, and done with: no one but a public authority can do it, because it

[1]Mill's parenthetical query. The Commissioners of Woods and Forests were placed in charge of land revenues by Sects. 8 and 9 of 7 & 8 George IV, c. 68 (1827), continued by Sect. 7 of 10 George IV, c. 50 (1829).

requires a *system* of operations for draining large tracts of country at once; and the thing is not more difficult or troublesome than making a railway, or employing the poor as the Government is now employing them, or than any extensive public work. But culture? Is the Board of Works to be farmer-general of Ireland, in quite a different from the French sense of the term? Are several million acres of the land of Ireland to be erected into an experimental farm, to be carried on by Government officials, with Government capital, every cottage, outhouse, hedge, or ditch, all ploughs and hoes, seed and manure being supplied, and all labour paid, under the orders of a board, and from the taxes of Great Britain? Was ever such task undertaken by a Government? Was ever such proposal made by any body of sane persons to a Government? Yet let us listen patiently. There is surely something behind. If Government are entreated to do what no Government was ever asked to do before, it is surely for some public benefit more splendid than was ever before realised. The hindrances to Irish prosperity are undoubtedly to be all swept off by this mighty exertion. One grand effort of the Government is to reform the whole social system of the country, and dry up permanently all the sources of poverty.

We grieve to say that the aspirations of the Waterford gentry are quite in another direction. Our readers will be surprised to learn that the purpose for which the waste lands of Ireland are to be, under public authority, and at the public expense, reclaimed and *cultivated*, is, that after they have been thus made valuable they may be given back to the landlords. The resolution proceeds —"And that, upon the State being repaid for its outlay, there should be an opportunity afforded the original proprietor in the first instance," and only "on his refusal, to the colonists, of redeeming the lands so reclaimed." The "original proprietor" is the person whose ancestor had the land granted to him in the days of Tyrone or of Cromwell,[2] since which not a sixpence has been laid out on it by any member of the family, and not a sixpence received from it, except perhaps for the privilege of cutting turf; the family, with that single exception, having never exercised any one of the attributes of ownership over the land, but that of preventing other people from making use of it.

No, gentlemen; you will not have the consent of the English people to your notable project. The land of the country was originally the property of the country; we suppose nobody will dispute that. The country, wisely or unwisely, parted with its right, and gave away the land to individuals. There is a portion of it which those individuals have never used, and this you are willing that the State should redeem at the full value; and nobody wishes that it should pay less than the value. But when the State has bought back this land, it is the State's, not

[2]Con Bacach O'Neill (1484?-1559?), Irish rebel leader, was created Earl of Tyrone by Henry VIII in 1542. Cromwell's conquest of Ireland in 1652 resulted in the transfer of the estates of many Irish Catholic landowners to Protestants.

yours, and you have not a shadow of any further claim on it. To give it to you would not be restitution, but a fresh grant, and the State has something else to do with public property than to give to the rich. It will now give, saving your presence, to those who are fitter objects of its care. It will say to you, "You have had all the land; you still have all of it that you have made worth anything, even to yourselves. Be thankful for that, and endeavour to make a better use of it than you have done. What still remains is the estate of the wretched—of those for whom property has never before existed, to whom law and government have yet been known by nothing but their pains and penalties. What we have is not more than enough for them, and we intend that it should be sacred to their use, and as their inheritance."

332. THE CONDITION OF IRELAND [22]

MORNING CHRONICLE, 25 NOV., 1846, P. 4

For the context, see No. 306. This unheaded leader is described in Mill's bibliography as "A twenty second leading article on Irish affairs, in the Morning Chronicle of 25th November 1846 (the second leader)" (MacMinn, p. 64).

IN DISCUSSING THE QUESTION of the reclamation of Irish waste lands, we have not hitherto troubled our readers with statistics. Round numbers have contented us, because such was the strength of our case, that it could bear any abatement which the most recalcitrant opponent would think of demanding. We could afford to give up half, two-thirds, three-fourths of our estimate of the waste land, and still leave enough for realizing, to such an extent as to be infinitely valuable, our two objects, the removal of the surplus hands from the present cultivated surface, and the location of those surplus numbers in the independent and honourable character of proprietors of the soil they cultivate. We could reasonably content ourselves with the *aperçu* of Mr. Thornton, who estimated the whole extent of waste lands at considerably more than six millions, of which three-fifths are improvable, while six hundred thousand acres would be sufficient to establish as small proprietors one-fourth of the whole peasant population of Ireland.[1]

But in the progress of the discussion, this rough estimate has ceased to be sufficient; we are called upon to justify the high scale of our expectations from this source, and to produce chapter and verse for the quantity of reclaimable land. There are writers who, since attention has begun to be directed to the waste lands as a national resource, have begun to tell us that the Irish wastes are not of a quality to be worth reclaiming; that Irish bog soil is of a peculiar antiseptic

[1]Thornton, *Over-Population*, pp. 430-1.

quality, and incapable of fertility; that reclaimed wastes are always tending to fall back into their original state; and that the expense of reclaiming them exceeds the market price of the fee simple of the best old lands.

The nature of bog and peat soils, and the obstacles which they oppose to fertilization, are no such unknown and mysterious subjects that those who come forward at this time of day with a simple statement of them have much chance of enlightening the world. We may presume that these things were well known to Arthur Young, when he said that on the Irish wastes was to be practised the most profitable husbandry in the King's dominions;[2] and the many subsequent authorities who have made statements, more or less positive, to a similar effect, have not, we suppose, been ignorant of the worst that could be said respecting the unreclaimable character of peat bogs. Everybody who has any right to an opinion on such matters, is aware that the fertilization of soils of the description alluded to depends on permanent manures; that the inherent quality of the soil must be modified by the admixture of new ingredients; and as these cannot be brought from a great distance without swallowing up the whole profit in the expense, the question mainly depends on the existence of the necessary materials in some near and accessible situation, or (still better) in the subsoil itself. It is incumbent on us, in descending to particulars, to be able to show that these conditions have been duly taken into account by the authorities whom we follow. We refer, then, to the latest and most careful estimate of the Irish wastes, and of their capabilities of improvement, an estimate made with express reference to these very difficulties, and to the means which each locality affords of overcoming them. We refer to the paper by Mr. Griffith, general valuation commissioner, printed at the end of the report of Lord Devon's commission.[3]

Mr. Griffith estimates the extent of the waste lands of Ireland at 6,290,000 acres, of which 3,755,000 are improvable, being, as nearly as possible, Mr. Thornton's estimate of three-fifths. Of these, however, 2,330,000 are in his opinion improvable only for "coarse meadow, together with pasture for sheep and young cattle," leaving 1,425,000 acres, which "might be advantageously reclaimed and improved, so as to produce both corn and green crops."[4] Here, therefore, on an estimate studiously low, in which every abatement was made which was deemed necessary by a practised land valuer, taking into account all difficulties, there remains nearly a million and a half of acres capable of being

[2] *A Tour in Ireland*, Pt. II, p. 48.

[3] The Commission, made up wholly of landlords, was appointed by Peel in 1843 with William Reginald Courtenay (1807-88), the 11th Earl of Devon, as chairman. The "Report from H.M. Commissioner of Inquiry into the State of the Law and Practice in Respect to the Occupation of Land in Ireland," *PP*, 1845, XIX, 1-1183, was published separately in Dublin in 1845. It includes "Return of the Probable Extent of Waste Lands in Each County in Ireland," pp. 48-52, by Richard John Griffith (1784-1878), Irish geologist and civil engineer, an expert on mines and bogs.

[4] Griffith, "Return," p. 52.

converted into valuable arable land, with a much larger extent of pasturage to support cattle, and keep up a supply of manure. Of some of these lands Mr. Griffith says, that they "offer great facility for improvement, inasmuch as there is abundance of clay and gravel immediately beneath the bogs, which are frequently shallow, and, in consequence, the surface when drained can be easily and cheaply coated with the subsoil."[5] Where experiments have been made, as in the Crown lands of Kingwilliamstown, in the county of Cork, under the Commissioners of Woods and Forests, lands which were valued for sale at the rate of fourpence per acre per annum, have been raised to a value varying from 7*s*. 6*d*. to 20*s*. an acre.

Mr. Griffith's figures also afford some important results with respect to the locality of these waste lands, as connected with the local distribution of the surplus population, and of the sufferers by the potato failure. Seven counties in the west and south-west of Ireland contain more than one-half of the entire extent of improvable waste. These counties are Mayo, Galway, Roscommon, Clare, Limerick, Kerry, and Cork. These same counties, according to the statement in our paper of Friday last,[6] supply 107,634, being more than two-thirds, of the number of persons now receiving Government wages for useless public works. This wasteful squandering is going on in the immediate neighbourhood of the great unoccupied field of productive employment. In one of these counties, Clare, there are thus unprofitably employed 23,899 persons, being more than one in three of the able-bodied male population. The payment of wages to these, together with the expense of superintendence, cannot be much less than ten thousand pounds per week, being at the rate of half a million a year. The rated annual value of all the land in the county is but £292,000. Say that only half the outlay now going on is ever repaid by the landlords, it absorbs the whole year's income. Is it not time that they looked about them? Are appeals to mercy respecting the amount and date of repayment, all they rely upon to avert the confiscation now staring them in the face?

If the potato disease continues, these people *cannot* find their own subsistence where they are, even in the wretched manner to which they are accustomed. It is certain that they will not be allowed to starve; the English nation will not maintain them, and their landlords cannot, unless by drafting them off to other lands. Is it not wonderful that an unanimous voice has not been raised from the landlords, at least of these seven counties, for locating the peasantry on the waste lands? Would not any mode of locating them be the salvation of the landlords from ruin? and is it for them to higgle, and make conditions for their own pockets, with the hand which is held out to save them?

[5] *Ibid.*, p. 51.

[6] "The Public Works Drainage," from the Dublin Correspondent, *Morning Chronicle*, 20 Nov., p. 6.

333. THE CONDITION OF IRELAND [23]

MORNING CHRONICLE, 27 NOV., 1846, P. 4

This article comments on a scheme of peasant proprietorship advocated in "Waste Lands—Peasant Proprietors," *Nation*, 14 Nov., 1846, p. 88, from which the quotations are taken. For the context of the series, see No. 306. This unheaded leader is described in Mill's bibliography as "A twenty third leading article on Irish affairs, in the Morning Chronicle of 27th Nov. 1846 (the second leader)" (MacMinn, p. 64).

WHILE WE HAVE BEEN EXERTING OURSELVES, by such means as belong to our vocation, to make the crisis in Ireland an occasion of procuring for that unfortunate country the inestimable benefit of a peasant proprietary, modestly limiting our plan to what we thought practicable, the waste lands, which we were the more willing to do because those lands are sufficient, if properly employed, to accomplish all the essentials of our purpose; our contemporary, the *Nation*, the organ of the junior Repealers, has engaged in a more ambitious, and a rather more arduous task, that of compassing the same object over the entire surface of Ireland—of obtaining proprietary rights for every improving tenant, by the consent and voluntary grant of the present landlords. We have much sympathy with the unworldly enthusiasm which prompts the attempt; it is quite in keeping with the chivalrous spirit in which repeal and Irish nationality are cherished by our contemporary; and though, for our own part, we should as soon think of turning missionaries to convert the Pope to Protestantism, or the Emperor Nicholas to representative government, it is interesting to see in any political character, and especially in any public journalist, so confiding a faith in human intellect and virtue.

The article which we have chiefly in view, in the *Nation* of November 14th, has a strong tincture of what, for want of a better name, we must take the liberty of calling landlordism. The writer, if not a landlord, is near of kin to one, for he entertains the opinion, peculiar, so far as we have observed, to that honourable class, that they are a very ill-used body. And by whom do our readers suppose that they are ill-used? In the name of all that is eccentric, by the English Legislature and Government!

> In all speculations about Ireland, your English statesman, especially your Whig, regards landlords and tenants as natural enemies—cannot get rid of the impression that here are two classes, one of which may never thrive without ruining and oppressing the other. . . . So, when a scheme of public works had to be contrived for Ireland, your English statesman could not endure the thought that any benefit should arise therefrom to the landlords; for are not they the men who grind the poor, who devour the widow and the fatherless?[1] Are not they the heartless Irish landlords—the rackrenting Irish landlords? Is

[1]Cf. Isaiah, 3:15, and Matthew, 23:14.

it not better to pay public wages for hammering down the Gaultees into road-metal than to reclaim or drain a perch of land *for them*?

We do not expect the writers in the *Nation* to know anything of English feeling, though they certainly do abuse the privilege of being ignorant of it, when they ascribe to "English statesmen"—landlords themselves, put where they are by landlords, and until the spring of this year[2] so landlord-ridden as to go on taxing the people's bread to please the landlords—these remarkably anti-landed opinions concerning the influence of landlords in general upon the welfare of their tenantry. But let that pass. Irish writers, however, should know something of Irish history, and Irish patriots something of the real nature of their country's wrongs. It is the characteristic, it seems, of English statesmen to think, say, and do everything that is uncomplimentary with respect to Irish landlords. We thought, for our part, that Irish landlords were their petted children, and that hitherto it had been merely ask and have. For whose sake, and by whose hands, did England misgovern Ireland from the beginning? For the sake and by the hands of the Irish landlords. England never had any interest in misgoverning the Irish; England never undertook their government. She turned them over to a native oligarchy, an oligarchy of Irish, though not of Celtic Irish; and upheld this oligarchy by the whole strength of her own military power. In doing this she hit unconsciously upon a recipe for the most atrocious government which could have been devised by the human faculties studiously directed to that purpose. Far better would it have been for Ireland, on a choice of evils, to have been treated directly and avowedly as an English province or dependency. She then would have been governed as Napoleon would have governed her, or as the English govern India: she would not have had what little she had of freedom, the forms of it; but she would have had equal laws between man and man, security for person and property, an efficient police, and an impartial administration of justice. Instead of this, we left her to her own landlords, and the tyranny, corruption, and lawlessness which have made Irish government a bye-word among nations were their work.

Those times, indeed, are gone; the English Parliament, we may flatter ourselves, has now fairly broken with the dominant section of Irish landlords, the old "Protestant ascendancy;"[3] and we scarcely think they will ever be the ruling potentates of Ireland again. We wish we felt as sure that there was an end to the prescriptive right they have long claimed, of dipping their hands, as often as convenient, into the public purse. But it is not more than a few years since Parliament gave away to the Irish landlords, at one stroke, thirty per cent. of the tithes, besides paying three years tithes of the whole country, to the tune of a

[2]I.e., until the repeal of the Corn Laws in the spring of 1846 by 9 & 10 Victoria, c. 22.
[3]A term used for the minority Protestant Anglo-Irish who controlled Irish affairs.

million sterling, of which it never demanded repayment, and which, like everything nominally given to the tenants in a cottier system, was simply a present to the landlords.[4] That this kind of liberality is likely to be repeated, in the present instance, we would not advise them to reckon: but it is evident they think it is; nothing else can explain the reckless profusion of their presentments for public works, which would have been made with considerably less alacrity had they really thought that the threat of requiring repayment was meant seriously. We recommend to the *Nation*, since it is bent on rousing them from their apathy, to try the effect of assuring them that the threat is serious, and that the money must actually be paid. But we fear they would never credit it. Lending public money to Irish landlords, and getting any of it back, are two ideas that cannot be made to coalesce; and though we sincerely hope that the thing is destined to be tried, we are certain that it never will be believed until it is done.

What the *Nation* attempts to alarm them with is something of another kind. It tells them they may look for a red-tape, blue-book commission to take charge of their estates:

> That a general system of reclaiming waste lands, accompanied by organic changes in tenure, will inevitably come, and speedily, is plain to all who do not obstinately keep their eyes shut; and that it will be done by a horde (or what they call a board) of ignorant and insolent government commissioners, and that in the most offensive, most wasteful, least equitable, and least effectual manner is just as evident, unless the landlords of Ireland, once for all, make common cause with their countrymen, *and take this business into their own hands*. And they can do so if they will. They can originate the plan themselves; they can demand and obtain such power over their estates as will enable them *to make fee-farm grants to all improving and reclaiming tenants*, submitting, at the same time, to *obligatory clauses, which will compel the reluctant members of their order to make such grants*. They can require that public expenditure in Ireland shall be applied in the meantime to promote these improvements, and can guarantee its repayment out of the proceeds. . . . All this the landlords of Ireland can do; and all this they must do, if they would meet the exigency of the case, and save themselves and their country from the horrible infliction of a worse commission than any we have yet laboured under.

The rest is fee-fo-fum, which the landlords must be of very simple composition indeed if they are at all frightened at:

> A commission which will thrust itself into all men's business, constitute itself receiver over their estates, trustee of their family settlements, regulator of their private contracts; a commission whose operation will much resemble that of a commission in bankruptcy—to realise what can be made out of an impoverished estate, apportion their dividends to all claimants upon the wasted fund, and leave all parties in worse plight than it found them.

[4]The reference is to 3 & 4 William IV, c. 100 (1833).

334. THE CONDITION OF IRELAND [24]

MORNING CHRONICLE, 30 NOV., 1846, P. 4

For the context, see Nos. 306 and 330. This unheaded leader is described in Mill's bibliography as "A twenty fourth leading article on Irish affairs, in the Morning Chronicle of 30th November 1846 (the second leader) (peasant properties)" (MacMinn, p. 64).

IN PURSUANCE OF OUR PURPOSE of illustrating the general benefits of peasant properties, and their peculiar adaptation to the exigencies of such a country as Ireland, we quoted from Arthur Young's *Travels in France* some passages in which that accurate observer, and favourite authority of the modern English agricultural school, described, with his usual vivacity and emphasis, the unrivalled spirit of industry which, as his experience taught him, everywhere accompanied the possession of a property in the soil by the tiller of it.[1] For the sake of so powerful a testimony from one who might be considered an opponent, and whose authority has not been much abated by time, we willingly went back half a century; but our future citations will be chiefly from writers of the present generation, which has afforded a greater amount of evidence in point than can now be gathered from all the generations which preceded it.

There is no part of Europe in which small landed properties are more numerous, or in which the country seems more entirely given up to the peasantry, than the Palatinate of the Rhine; and the thousands of English travellers who annually traverse it can bear testimony to what strikes even a casual passer-by—the garden-like cultivation of the district (as, indeed, of the whole Rhineland), and the marvellous celerity with which, as soon as one crop is off the ground, it is ploughed, manured, and another crop put in.[2] Two books, published within the last few years, descriptive of the agriculture of that country, are now before us. One is Mr. Howitt's *Rural and Domestic Life in Germany*.[3] Mr. Howitt's familiarity with, and interest in, rural objects and pursuits are well known, and he lived for several years at Heidelberg. The other is a little treatise *On the Agriculture of the Palatinate, and particularly of the Heidelberg District*, by Professor Rau, of Heidelberg, the author of the most elaborate and justly esteemed systematic treatise on political economy in the German language.[4] We

[1] See No. 330.

[2] Mill had himself made a walking tour of the Rhineland in 1835, but his journal (sold at auction in 1922) has not been located.

[3] *Rural and Domestic Life of Germany: with Characteristic Sketches of Its Cities and Scenery, Collected in a General Tour, and During a Residence in the Country in the Years 1840, 41 and 42* (London: Longman, *et al.*, 1842), by William Howitt (1792-1879), popular author, particularly of works of travel.

[4] *Ueber die Landwirthschaft der Rheinpfalz, und insbesondere in der Heidelberger Gegend* (Heidelberg: Winter, 1830), by Karl David Heinrich Rau (1792-1870),

shall present our readers with a few passages from these writers, commencing with the Englishman.

In Germany, says Mr. Howitt:

> The peasants are the great and ever-present objects of country life. They are the great population of the country, because they themselves are the possessors. This country is, in fact, for the most part in the hands of the people. It is parcelled out amongst the multitude. . . . The peasants are not, as with us, for the most part totally cut off from property in the soil they cultivate, totally dependent on the labour afforded by others; they are themselves the proprietors. It is perhaps from this cause they *they are probably the most industrious peasantry in the world*. [Pp. 40-1.]

Whoever is acquainted with only one region in which there are peasant proprietors, invariably thinks the peasantry of that particular region the most industrious in the world:

> They labour early and late, because they feel that they are labouring for themselves. The German peasants work hard, but they have no actual want. Every man has his house, his orchard, his road-side trees, commonly so hung with fruit that he is obliged to prop and secure them all ways, or they would be torn to pieces. He has his corn plot, his plot for mangel-wurzel, for hemp, and so on. He is his own master; and he and every member of his family have the strongest motives to labour. You see the effect of this in that unremitting diligence which is beyond that of the whole world besides, and *his economy, which is still greater*. [P. 41.]

So it is not industry alone which springs up and flourishes under the beneficent influence of a permanent interest in the soil; that influence is no less auspicious to prudence and self-control; for a large measure and a wide range of those qualities are included in the idea of an "economy" superior even to that "diligence" which already surpasses that of "the whole world besides."

> The Germans, indeed, are not so active and lively as the English. You never seen them in a bustle, or as though they meant to knock-off a vast deal in a little time. You never witness that scene of stir and hurry that you often do in England; that shouting to one another and running, where the need of dispatch rouses all the life and energy of the English character. They are, on the contrary, slow but for ever doing. They plod on from day to day and year to year, the most patient, untirable, and persevering of animals. The English peasant is so cut off from the idea of property, that he comes habitually to look upon it as a thing from which he is warned by the laws of the large proprietors, and becomes, in consequence, spiritless, purposeless, and at once the terror and the victim of the capitalists. The German *bauer*, on the contrary, looks on the country as made for him and his fellow-men. He feels himself a man; he has a stake in the country, as good as that of the bulk of his neighbours; he is content with his black bread, because his labour has at once created it and sweetened it to his taste, and because no man can threaten him with ejection or the workhouse, as long as he is active and economical. He walks, therefore,

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distinguished political economist and professor at Heidelberg. The reference is to his *Lehrbuch der politischen Oekonomie*, 4 vols. (Heidelberg: Winter, 1826-37), which appeared in many later revised editions and translations.

with a bold step; he looks you in the face with the air of a free man, but of a respectful one. [Pp. 41-2.]

This is surely like the traditional, or we should more properly say the poetical, idea of an English independent yeomanry. Where is this idea best realized? In Dorsetshire, or on the Rhine?

Of the daily labours of these people the same author thus proceeds:

There is not an hour of the year in which they do not find unceasing occupation. In the depth of winter, when the weather permits them by any means to get out of doors, they are always finding something to do. They carry out their manure to their lands while the frost is in them. If there is not frost, they are busy cleaning ditches and felling old fruit trees, or such as do not bear well. Such of them as are too poor to lay in a sufficient stock of wood, find plenty of work in ascending into the mountainous woods, and bringing thence fuel. It would astonish the English common people to see the intense labour with which the Germans earn their firewood. In the depth of frost and snow, go into any of their hills and woods, and there you find them hacking up stumps, cutting off branches, and gathering, by all means which the official wood police will allow, boughs, stakes, and pieces of wood, which they convey home with the most incredible toil and patience. [P. 44.]

And again:

In England, with its great quantity of grass lands and its large farms, so soon as the grain is in, and the fields are shut up for hay grass, the country seems in a comparative state of rest and quiet. But here they are everywhere, and for ever, hoeing and mowing, planting and cutting, weeding and gathering. They have a succession of crops like a market gardener. They have their carrots, poppies, hemp, flax, saintfoin, lucerne, rape, colewort, cabbage, rotabaga, black turnips, Swedish and white turnips, teazles, Jerusalem artichokes, mangel-wurzel, parsnips, kidney beans, field beans and peas, vetches, Indian corn, buckwheat, madder for the manufacturer, potatoes, their great crop of tobacco, millet—all, or the greater part, under the family management, in their own family allotments. They have had these things first to sow, many of them to transplant; to hoe, to weed, to clear off insects, to top; many of them to mow and gather in successive crops. They have their water meadows, of which kind almost all their meadows are, to flood, to mow, and reflood; watercourses to reopen and to make anew; their early fruits to gather, to bring to market with their green crops of vegetables; their cattle, sheep, calves, foals, and poultry to look after; their vines, as they shoot rampantly in the summer heat, to prune, and thin out the leaves where they are too thick; and any one may imagine what a scene of incessant labour it is. [Pp. 50-1.]

How much labour human beings can undergo and find it not a burden, but a pleasure, is only known where the fruits to be gathered are for themselves, and the patrimony to be improved their own and their children's inheritance. Nor is the labour bestowed unprofitably. Their tools are imperfect, but industry makes up all deficiencies in the means and appliances.[5] "The peasant harrows and

[5]Once more Mill uses this phrase from Shakespeare, *Henry IV, Part II*, III, i, 29; in *The Riverside Shakespeare*, p. 902.

clears his land till it is in the nicest order, and it is admirable to see the crops which he obtains." [P. 27.]

These are not the statements of one who wishes to make out a case against England, or who is prepossessed in favour of foreign countries in general, or Germany in particular. It is well known to Mr. Howitt's readers that he is as much of a John Bull as is at all reconcileable with a fair share of modern ideas: his feelings, associations, and prejudices are wholly English, and his mental character, in all its elements, of an exclusively English type. In proof whereof, he is as inveterate as Mr. Baines against the state education and the ecclesiastical system of the German monarchies, and does not yield to Mr. Laing in bitterness against the general scheme of German social institutions, and against many points in the German national character.[6] But the admirable effects of peasant properties he could not fail to appreciate, because his heart is with the people; and because any one whose sympathies are with them, and not solely with great landlords, cannot but value and honour a state of society in which they also count for something; in which those who till and fertilize the earth are not disinherited of their fair proportion of its surface; in which a manual labourer is not necessarily a dependent, who "asks his brother of the earth to give him leave to toil," but has obtained that leave once for all from society itself; where the poor, equally with the rich, "walk with a bold step," and are free citizens of the world, by a tenure stronger than that of political institutions—the possession of an assured means of subsistence, which no man has given, and no man has power to take away.

In a future article we shall show how the observations and inferences of the English sojourner concur in their results with the more elaborate researches and more precise statements of the Heidelberg professor.

[6]Howitt discusses education in Chap. xx (pp. 485-501); in fact he gives high praise to the universal provision of education in Germany, while denigrating its practical effects as compared to the English informal education through business and reading (see, e.g., p. 492). Chap. xxi (pp. 502-11), while it strongly criticizes aspects of German religious life, does not dwell, as Mill implies, on the ecclesiastical system. Howitt's mixed views on German social life and character are mainly found in Chaps. xv-xvii (pp. 197-244). For the views of Edward Baines (1800-1890), advocate of public education independent of the State, see his "Letter VIII, The Continental Systems," in *Letters to the Right Hon. Lord John Russell* (London: Simpkin, Marshall, [1846]), pp. 76-86. Samuel Laing (1780-1868), radical author and traveller, devotes about half of his *Notes of a Traveller, on the Social and Political State of France, Prussia, Switzerland, Italy, and Other Parts of Europe* (London: Longman, *et al.*, 1842) to Prussia, whose system of "Functionarism" he severely criticizes.

335. THE CONDITION OF IRELAND [25]

MORNING CHRONICLE, 2 DEC., 1846, P. 4

For the context, see No. 306. This unheaded first leader is described in Mill's bibliography as "A twenty fifth leading article on Irish affairs, in the Morning Chronicle of 2nd Dec. 1846 (peasant properties)" (MacMinn, p. 64).

OUR PAPER OF MONDAY contained a set of resolutions by the guardians of Kilrush Union, in which the Government is urged to devise and carry into effect some plan of extensive emigration, as a remedy for Irish evils.[1] Kilrush is in the county of Clare, in which one-third of the adult male population is receiving pauper allowance, under the name of government employment. No wonder that the guardians should be anxious to rid themselves of this terrible incubus, which, if it continues a single year, bids fair to imbue the whole labouring population with the feelings of sturdy beggars for the remainder of the present generation at the least. But it is a wonder that people should persist for ever in looking five thousand miles off for what they have at their doors. The Kilrush guardians would not send their sheep or their oxen across the Atlantic to graze, when there is ample pasture on the other side of the brook. Why is there a different rule for human beings? Why so anxious to send fellow-creatures out of sight, where their success can be a benefit to nobody but themselves—where no one can be either taught or inspired by their example? A large body of the peasantry are to be drafted off and made comfortable, or put in the way of making themselves so, by giving them land, we suppose, and tools to cultivate it. Is there any peculiar propriety in selecting the Antipodes as the scene of this very simple work of justice and beneficence? Is the light that is to be kindled one that should be hid under a bushel? Ought it not rather to be made to shine before men?[2]

We are as favourable as any one to measures for facilitating emigration. We think that all persons who desire to remove to the colonies should have every kind of information given them for their guidance, and every needless difficulty removed from their path. We would have the system of landed property and the distribution of population in the colonies so regulated as to afford the greatest possible field of employment for emigrant labour. We would give every facility to the formation of a colonial fund for importing labour from the mother country; and we would even advance for the purpose, from the national treasury, any sum which the colonies desired, and could be expected to repay. We would do everything in aid and support of *voluntary* emigration: but that which is now urged upon the Government is compulsory—for what compulsion is stronger than that in which the alternative is starvation? If nature and necessity created the

[1] "Ireland. Project for Public Emigration," *Morning Chronicle*, 30 Nov., 1846, p. 6.
[2] Cf. Matthew, 5:15-16.

alternative we should have nothing to say. Nature has hard laws. If there was actually no room for these people in their own country; if at home they must either starve or be supported by alms, under the frivolous pretence of work; if Canada or Australia was the nearest place where it was possible for them to earn a sufficient subsistence by their own labour on land of their own, we should despise the sentimentality which would bid them remain, and be paupers and beggars at home, instead of freemen, citizens, and independent landed proprietors abroad. But they may be all this at home much better than in Australia or Canada—less expensively to the State, and more suitably and advantageously to themselves. We have said it already, and we repeat it—the Celtic Irish are not the best material to colonize with.[3] The English and Scotch are the proper stuff for the pioneers of the wilderness. The life of a backwoodsman does *not* require the social qualities which constitute the superiority of the Irish; it *does* require the individual hardihood, resource, and self-reliance which are precisely what the Irish have not. The first requisite of a backwoodsman is to be able to stand alone, in all senses, physical, intellectual, and moral. He must propose for himself, contrive for himself, execute for himself. He must never need a leader, nor desire a follower. He must be able to turn his hand to everything, and adapt himself summarily to all novelties of situation and circumstance. The Irishman is the opposite of all this. Sympathy and fellowship are indispensable to him. Instead of insisting, John-Bull-like, upon owing everything to himself, the demand of his nature is to be led and governed. He prefers to have some one to lean upon. He has energy and self-will in abundance, because he has strong desires, but it must be in the line of his previous habits and inclinations. He will never emerge from old habits by his own innate force; but he may be guided and persuaded out of them, as many a priest and many a landlord know; for nature and circumstances have so formed the Irish character, that while Irish landlords collectively have been among the worst in Europe, many individual Irish landlords have succeeded in doing with and for their peasantry such things as no English landlord ever did or could do. Such a people are only fit for an old country, and an old country is alone fit for them. Not to add that it is a questionable thing to take a people whom five centuries of misrule have made lawless and disorderly, and plant them down where there cannot possibly be any law or order to restrain them. Even in the United States the Irish are the most riotous and unmanageable part of the population. An Irish peasantry have already graduated but too well in Lynch law.

The fittest place for the Irish peasant is Ireland. It is there that the greatest number of improving influences can be concentrated upon him. Landed property *there* would precisely supply what is wanting to the formation of his character. What is good for him is that all the influences of civilization should be preserved

[3]See No. 317.

and increased, but that he himself should be gently lifted up and placed *within* the pale, insted of being left outside of it. The possession of property would do this. It would make him an orderly citizen. It would make him a supporter of the law, instead of a rebel against all law but that of his confederacy. It would make him industrious and active, self-helping and self-relying, like his Celtic brother of France. And it would (if anything would) make him, like the same Celtic kinsman, frugal, self-restraining, and provident, both in other things, and in the main article of all, population. These are the natural effects of property, especially landed property, on those who have it, and on those also, almost in an equal degree, who hope to obtain it by exertion and frugality. On our plan every peasant would be either in the one case or in the other. We cannot make them all proprietors; perhaps we would not if we could. But all might have the hope, and, if they chose, the power, of one day becoming so. To remove the surplus labourers is well, but it is well also to do something permanently useful to those who cannot be removed. Their wages, it may be said, would rise. Perhaps they would: undoubtedly so, if the opportunity were taken to get rid of cottier tenure. But very little will have been done for them if they merely look upon these higher wages as convertable into potatoes for a larger number of mouths. The desideratum is, that along with higher wages they should have placed before them an object highly desirable to them, and attainable by saving from their wages. The possession of land would be that object. Of what use is it to create landed properties in New Zealand for Irish peasants, if Ireland is to be given up to cottiers, or even to labourers for hire? Is it so noble a thing, is it an exploit worthy of statesmen and philanthropists, to nurse and cocker up the Irish peasantry with the elevated and enviable condition of Dorsetshire labourers? And this glorious result is the favourite utopianism, the extreme and impracticable ultimatum, of all plans but those which provide a superior class of peasantry, maintained by land and not by wages, in Ireland itself. There is a rather numerous class of regenerators of Ireland who certainly are no visionaries. The ideal of social perfection to which they aspire for her is not pitched high.

We have said nothing on this occasion of the expense of the emigration plan, because enough has been said of it before, and because the thing really speaks for itself. We formerly estimated the cost of transporting the people to Canada, and settling them there, at ten times the expense of locating them on the waste lands.[4] Others have since estimated it at thirty times.[5] We know not, nor is it material, which guess is nearest the truth. Neither have we spoken of the benefit of employing our own labour in the improvement of our own country, instead of the improvement of countries which will not always be ours. These considerations

[4]For Mill's estimate, see No. 317.

[5]This estimate is found in Blacker's *Prize Essay*, p. 36, quoted in No. 321. Mill implies that the estimate postdates his of 26 Oct., 1846, but Blacker published his essay in 1834; perhaps Mill had just become aware of it.

are too obvious to be missed, and too important to be undervalued. But let the plan once come to maturity; let its promoters commit themselves to figures and details, and they will present us with something either on a scale of palpable insufficiency (however useful in a distant future), or bearing on the face of it so lavish a waste of public resources, squandered irrecoverably (for settlers in the wilderness never repay), that no imaginable degree of profusion on the part of Parliament, profuse as Parliament has of late years become, could come up to the mark of seriously entertaining so monstrous a scheme.

336. THE CONDITION OF IRELAND [26]

MORNING CHRONICLE, 3 DEC., 1846, P. 4

Here Mill fulfills his promise to discuss Professor Rau's *Ueber die Landwirthschaft der Rheinpfalz* (see No. 334). For the context of the series, see Nos. 306 and 330. This unheaded first leader is described in Mill's bibliography as "A twenty sixth leading article on Irish affairs, in the Morning Chronicle of 3 Decemb. 1846 (peasant properties)" (MacMinn, p. 64).

PROFESSOR RAU begins his observations on the agriculture of the Palatinate by saying that it is

> unmistakeably carried on with a high degree of industry and dexterity. The indefatigableness of the country people, who may be seen in activity all the day and all the year, and are never idle because they make a good distribution of their labours, and find for every interval of time a suitable occupation, is as well known as their zeal is praiseworthy in turning to use every circumstance which presents itself, in seizing upon every useful novelty which offers, and even in searching out new and advantageous methods. One easily perceives that the peasant of this district has reflected much on his occupation: he can give reasons for his modes of proceeding, even if those reasons are not always tenable; he is as exact an observer of proportions as it is possible to be from memory, without the aid of figures; he attends to such general signs of the times as appear to him to augur benefit or harm.[1]

The intelligence and, what is still rarer than intelligence, the active-mindedness to which this passage bears testimony, it is impossible to assign to any other cause than the possession of a property in the soil. A day-labourer who earns his wages by mere obedience to orders, may become a good artificer in his particular manual operation, but his mind stagnates. He is not paid for thinking and contriving, but for executing. He may be a better peg in some vast machine, though even that is not true in an unqualified sense. But in sagacity, in thoughtfulness, in power to judge of consequences and connect means with ends,

[1]Translated from Rau, pp. 15-16. Mill quotes most of this passage in his *Principles of Political Economy*, *CW*, Vol. II, p. 265.

in all which constitutes the practical talent of a human being, in every intellectual faculty which it ought to be the object of popular education to cherish and improve, which of these men is likely to bear off the palm—the one who drudges through a stated task for daily wages, or the one whose task is the agreeable one of finding every way of improving and making valuable a small farm, of which the whole produce is his own, and which is the permanent inheritance of his children?

The agriculture of this interesting country is not only good, but steadily progressive. The introduction of liquid manure is ascribed to David Mollinger, of Monsheim, near Worms, who died in 1787;[2] its employment is now elaborate and systematic. As in Belgium, Switzerland, and Tuscany, so here, an excellent rotation of crops has been long known and practised; but this also is continually undergoing improvement. Stephen Gugenmus, of Handschuhsheim, near Heidelberg, who died in 1778, in his thirty-eighth year, is considered the chief author of the clover and madder cultivation.[3] The improvements in the culture of tobacco, a staple product of the district, took place mostly between 1770 and 1780. When Rau published his book (in 1830) old men were living who remembered a time when there was little lucerne and no beetroot, when the cattle were not stall-fed, and when the manure, now so carefully preserved, was mostly wasted. Green manure was first brought into frequent use in the present century; and the vine cultivation, long neglected in this district, commenced a course of improvement in the ten years previous to 1830.[4]

As agriculture improved, so also did the condition of the people. Of this there can be no better criterion than the daily wages of that part of the agricultural population who have no land, or not enough to occupy their whole time. During the last years of the war, wages, according to Professor Rau, had been unusually high; they continued so until 1817.[5] From that time they settled down to a lower rate; but the prices of many commodities having fallen in a still greater proportion, the condition of the labouring people was unequivocally improved. The improvement in their diet is not a matter of surmise, but of ascertained fact. In this district it is still the custom for hired labourers to be fed by their employers; and, according to Rau, there is a most decided improvement in the food afforded to them. "Forty years ago the farm servants had no cheese with their bread, and a smaller quantity of flesh-meat and puddings" (Mehlspeisen).[6] We may here remark, that there is no one point more unanimously testified to by

[2]David Mollinger was administrator of a large estate in Monsheim.

[3]Stefan Gugenmus (1740-78), was administrator of four estates and a writer on agriculture.

[4]Rau, pp. 17-18.

[5]*Ibid.*, p. 18.

[6]Translated from *ibid.*, p. 20.

accurate describers of the condition of the country people in the parts of Europe which possess a peasant proprietary, than the occurrence, since the last generation, of a great improvement in the quality of their habitual food. We insist on this point, because it is so much the practice of English observers to judge of the condition of the people by this single test. How many are the travellers who, in rapidly running across the Continent, have pronounced the labouring population to be ill paid and miserable, in comparison with the English, on no better or other evidence than the colour of their bread! For our part, we make little account of such a criterion. The prejudice of English workpeople in favour of white bread is a kind of local superstition, grounded, like most of their preferences in diet, chiefly upon superior costliness. Nor in any case is expensive food the favourite luxury of the continental peasantry. The thing which most strikes the observer on this subject is, how much they can do with small means and inexpensive materials. The peasant of the Continent, when he has anything to spare, usually prefers to lay it by for the purpose of buying more land, rather than expend it in what an Englishman would consider (though *he* probably does not) an improvement in his mode of living. But though we ought to be cautious of inferring poverty from what an English labourer looks upon as inferiority of diet, yet for that very reason the substitution of more costly food is a most decisive evidence of general improvement; and there is ample proof that over a large portion of the Continent this substitution is now actually taking place.

"Such an increase of wages," says Professor Rau, "which must be estimated not in money, but in the quantity of necessaries and conveniences which the labourer is enabled to procure, is by universal admission a proof that the mass of capital must have increased."[7] It is so; but it also proves something more. It proves, not only that capital has increased, but that the increase of the labouring population has been in a less rapid ratio. It proves that the possibility, opened to every labourer who can save money, of becoming a landed proprietor is more than an incentive to industry; that it is also a check to over-population, by affording a motive which pervades the whole people for the restriction of expenditure, as well as for the increase of production; a motive to practise, along with other kinds of economy, that which is of all kinds the most important—economy of mouths. It warrants a hope that this blessing, if extended to Ireland, would be not merely a sovereign remedy for Irish listlessness and indolence, but would do much to correct the still deeper seated and more intractable malady of Irish improvidence.

[7]Translated from *ibid.*, p. 18.

337. THE CONDITION OF IRELAND [27]

MORNING CHRONICLE, 7 DEC., 1846, P. 4

For the context, see No. 306. This unheaded first leader is described in Mill's bibliography as "A twenty seventh leading article on Irish affairs, in the Morning Chronicle of 7th December 1846" (MacMinn, p. 64).

THE RETURNS in our Saturday's paper of the number of persons receiving relief from the Irish Government in the form of public employment, and the weekly expense of that relief, are calculated to inspire serious thoughts in the most reckless promoter of an extended poor-law for Ireland.[1]

Three hundred thousand able-bodied Irishmen now receive wages, and what is called employment, from a public authority; and the expenditure for the purpose has nearly reached half a million per month. It is difficult to imagine how under such circumstances it could be less. Eight months have to elapse before the next harvest; whatever may be the distress now, it must become greater during all that time, and if the distress did not, the clamour for assistance undoubtedly would. Four millions therefore are the smallest outlay we have still to look forward to, in addition to the whole of what has already been expended. But great as is the present amount, it is a less alarming symptom than the rapidly progressive increase, and even *that* is less formidable than the effects already produced on the minds and conduct of the labouring class. The bitterest enemy of a poor law with out-door relief could hardly have anticipated so instantaneous and rank a luxuriance of every form of demoralization which could have been expected from the worst permanent poor-law ever proposed. The whole Irish people are rushing with one impulse to fasten themselves upon the taxes. No one will consent to work, except for Government wages. No wonder—they are higher than any other description of wages, and the work well known to be nominal. The small farmers, though they pay no rent, do not even sow their lands. A few days ago we quoted the assertion from a Kerry paper, that the county *en masse* had discontinued agricultural operations.[2] What need that any one should provide food for himself? The Government is to feed everybody.

We should like to know in what manner this initiatory specimen of what is to be expected from the proposed Irish poor-law can be explained away by its promoters. The system now in temporary operation differs in no material feature

[1]"Ireland. The Public Works—Official Return," *Morning Chronicle*, 5 Dec., p. 6, reported that public employment on relief work projects had grown from 26,193 on 3 Oct. to 273,023 on 28 Nov.

[2]In "Ireland," *ibid.*, 4 Dec., p. 6, such an observation was cited from a private letter from Cork; there is no relevant citation of a Kerry paper. See, however, "Neglect of Agriculture," *The Times*, 3 Dec., p. 6, which quotes a Kerry paper.

from what they desire to introduce into the permanent institutions of the country. Whatever difference there may be is to the advantage of the temporary system. They demand a law which shall guarantee wages and out-door employment to all the destitute. The present arrangement only differs from this in holding out, not the certainty, but only the hope of wages and employment. If the mere hope has the effects we now see, what may we not expect from the certainty? There is another difference: the poor-law project would lay the obligation of finding wages and employment upon each *parish* in Ireland; the present arrangements impose the burthen upon each *barony*. We know not what inexplicable idea haunts some people, of a wonderful difference in efficacy between these two words; but "parish" will raise a spirit as soon as "barony," and every day's experience is giving additional means of judging what sort of spirit it will be.

The present moment is, without exaggeration, the most critical in the history of England's dealings with Ireland. The whole fruits of centuries of oppression and neglect are coming home to us in a single year. The entire population of the country are coming upon us to be fed. And we are called upon to decide instantaneously whether we will or will not undertake the office. There is no retreating, no putting off. The burden of Irish destitution is now to be borne by us. Ireland can no longer suffer alone. We must take our full share of the evil, or put an end to it. For a few weeks or months longer we have the choice which. Wait a year, and we may have it no longer. Wait a year, and the mind of the Irish population may be so thoroughly pauperised, that to be supported by other people may be the only mode of existence they will consent to. There may be a Jacquerie, or another ninety-eight, in defence of the rights of sturdy beggary. It may require a hundred thousand armed men to make the Irish people submit to the common destiny of working in order to live.

Under such a mass of impending evil it is no longer enough not to make the eleemosynary system permanent. That system must be promptly put an end to. We must give over telling the Irish that it is our business to find food for them. We must tell them, now and for ever, that it is *their* business. We must tell them that to find or make employment as an excuse for feeding those who have a head to seek for work and hands to do it, is a thing they are *not* to expect either from the Government, or from the barony, or from the parish. They have a right, not to support at the public cost, but to aid and furtherance in finding support for themselves. They have a right to a repeal of all laws and a reform of all social systems which improperly impede them in finding it, and they have a right to their fair share of the raw material of the earth. They have a right to that part of the earth's surface which is as much theirs as any man's, since no man made it,[3] and no man has ever used or improved it. Millions of acres are lying waste,

[3]Cf. No. 315 for what is probably the first use of this maxim of Mill's, which he employs in several of his works.

requiring little more than labour to render them productive, and to avoid giving these acres to the destitute, we are giving them, instead, many millions of pounds sterling. We are paying gold with both hands to destroy such industry, independence, and self-reliance as they already have, and we withhold what would cost us little or nothing, and would be to them the fountain spring of those virtues for all time to come.

We have read with ineffable disgust the statement made by that highly respectable paper, the *Dublin Evening Post*, of its reason for not having yet advocated the location of the peasantry as proprietors on the waste lands.[4] It classes the scheme with that of an extended poor-law, as two things on which it has not declared itself, because it sees almost insuperable difficulties in the way of both. Those of the poor-law we need not recapitulate; those of the waste lands consist in the almost insurmountable aversion which, the *Post* says, it cannot disguise from itself the existence of, as to any project for giving up those lands to a peasant proprietary. We look upon this simple assertion as equivalent to the most bitter of the denunciations of which the Irish landlords complain that they are so often the objects from this side of St. George's Channel. And these dogs in the manger, who will neither use the land nor let others use it, expect sympathy and *money* from England! And one of them at a public meeting dared to invoke the precedent of the twenty millions which the nation cheerfully paid for the freedom of the negro![5] As much and more would it pay, and pay gladly, for the freedom and comfort of the worse than serf, the Irish cottier. But its gifts are not for the serf's master. It did not pay twenty millions to the slaveowner and leave the slaves no better than they were before. And we are much mistaken if it will go on long paying half a million a month without insisting on having full value for the money, in the shape of a permanent improvement in the industrial and economical system of Ireland.

338. THE CONDITION OF IRELAND [28]

MORNING CHRONICLE, 8 DEC., 1846, P. 4

Mill here comments on yet another waste-land reclamation scheme, that advanced by William Smith O'Brien (1803-64), Protestant Irish nationalist and M.P. for Limerick since 1835, in "The Landed Proprietors of Ireland. Letter III. Drainage and Reclamation of Lands," *Morning Chronicle*, 7 Dec., p. 7, from which Mill's quotations are taken. For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A twenty eighth leading article on Irish affairs, in the Morning Chronicle of 8th December 1846" (MacMinn, p. 64).

[4]Leading article on Irish Land Reform, *Dublin Evening Post*, 1 Dec., 1846, p. 2.

[5]In the Emancipation Act, 3 & 4 William IV, c. 73 (1833). John MacHale (1791-1881), Archbishop of Tuam, made the remark in a public meeting, and repeated it in a public letter to Lord John Russell (21 Aug., 1846), *The Times*, 24 Aug., p. 6.

IN A LETTER to the landed proprietors of Ireland, which we extracted in Monday's paper, Mr. Smith O'Brien has at length entered at large upon the subject of waste lands and peasant proprietors. We are glad to be able to say that his opinions and propositions on the subject are just and rational, and we congratulate the good cause on having acquired, in his person, another and no contemptible champion in Parliament.

There are points in Mr. O'Brien's letter which would afford food for criticism if we were disposed at the present moment to indulge in it. In the double capacity of Irish landlord and Irish Repealer, he gives way to some vagaries of sentiment for which we shall not dispute his claim to be excused. He talks of the "ribald vituperation now daily poured forth against the landlords and people of this country by the most influential portion of the English press." No one, that we know of, is vituperating the Irish *people*. Mr. Foster's crotchets about the inferiority of the Celtic race are the last thing we have seen, in any influential journal, which even prejudice could select to hang that imputation upon.[1] The landlords indeed have lately been receiving part of their deserts, and high time was it that they should, when they were stretching out their hands as "importunate mendicants" (we thank Mr. O'Brien for the word), expecting that as usual the alms designed for the peasantry would be dispensed to *them*, and this time by millions instead of thousands of pounds, and, as far as the uninitiated could perceive, with as much probability as ever of having their expectation realised. It was altogether natural that the "most influential portion" of the English journals, whatever other measures they recommended, should protest with one voice against so scandalous an abuse. England will grudge nothing for the relief of the Irish peasantry; she grudges, and ought to grudge, everything to the landlords. Respecting the measures best adapted to raise the condition of the Irish people there are various opinions, but on this point we believe, on our side of the Channel, there is but one—that whatever is done shall be done for the people, and for the people directly, passing over the landlords.

We forgive Mr. O'Brien for asserting that Ireland (which in this case means the landlords) has a "national claim" to an indefinite drain on the resources of the empire for the relief of poverty which was caused or which might have been prevented by themselves. For while Mr. O'Brien pays this tribute to landlordism, he exhorts the landlords to find a better resource in emergency than this imaginary privilege. He bids them "approach the Legislature with the dignity of men who are themselves prepared to shrink from no sacrifices which can justly be exacted from them, rather than as supplicants endeavouring to wring from the reluctant hand of a taskmaster some wretched pittance of eleemosynary relief." We can pardon much false theory for such a practical corollary. He then says that the landlords have submitted to have imposed on them, by the Legislature, the burden of providing for the subsistence of those who are now suffering; and that,

[1] See No. 308 for Foster's comments in *The Times*.

this duty having been accomplished, "we" (the landlords) "owe not only to ourselves, but also to every other class of our fellow-countrymen, the obligation of *providing an immediate escape from the universal pauperism which the system at present in operation cannot fail ultimately to produce.*" *Rem acu tetigit*:[2] this is the very thing which *required* to be said. We hope that the landlords will listen to the friendly voice of a brother landlord, if that of the vituperative English press is too rough for them, and that they will avert the imminent danger of having the whole people converted into parish paupers, in the only way in which that danger *can* be repelled, by converting them into something better.

Mr. O'Brien's remedial measures partly consist in things to be done by individual landlords on their estates, for which purpose he would have money advanced to them on terminable annuities by the Government; and partly in a general measure for reclaiming waste lands, and covering them with a peasant proprietary.

> Allowing twenty acres to each farm, a million of acres would suffice for the creation of fifty thousand farms, which would give direct employment to as many families, and would indirectly afford a livelihood to nearly the same number. It is not too much to say that from 300,000 to 500,000 persons might be advantageously located upon the unreclaimed soil of Ireland.

Even fifty thousand families of peasant proprietors would be an invaluable element to introduce into the population of such a country, and would be a great draft from the overcrowded cottier tenantry. But twenty acres to each farm, except where the land is very bad, is an unnecessary allotment, and for the sake of accommodating a greater number we should generally be satisfied with ten.

"As there is no land absolutely vacant" (Mr. O'Brien continues), "some difficulty would arise in dealing with tenants at present in occupation, as well as with the proprietors." Tenants of uncultivated land can have rented only the natural pasture, which is seldom of any material value, or else the right of cutting turf for fuel. Compensation for these rights would be as easily awarded to tenants as to landlords. "I am persuaded, however, that if legal facilities were afforded for the alienation of property of this description, and if liberal terms were offered by way of compensation, both to tenants and landlords, large tracts could be purchased on terms of voluntary sale." Mr. O'Brien, however, supports the proposal for assuming a power of compulsory purchase. He takes a more sanguine view of the reception of this project by Irish landlords than the *Dublin Evening Post*,[3] and we sincerely hope he will prove the truer prophet. He is

[2]Titus Maccius Plautus (ca. 255-184 B.C.), Roman comic dramatist, *Rudens; or, The Rope*, V, ii, 19; in *Plautus* (Latin and English), trans. Paul Nixon, 5 vols. (London: Heinemann, 1916-38), Vol. IV, p. 420.

[3]E.g., in the leader of 1 Dec., 1846, cited in No. 337.

"inclined to hope that little difficulty would be raised on the part of Irish proprietors. The substantial impediment to the proposal will be the reluctance of Parliament to apply to such an object the requisite amount of capital."

On this last point Mr. O'Brien has something further to say, and so have we. "It is useless," he says,

> to mislead the public by fallacious calculations. I fear that we could not estimate the amount of money required to purchase the soil, to build houses, and to reclaim as much of the land as would be necessary in order to give subsistence to the settlers during the first year, at much less than £10 per acre. An Irish member who should propose to apply ten millions of money to the reclamation of land in Ireland, would be laughed to scorn in the British Legislature.

Now, in the first place, we believe that Mr. O'Brien considerably overrates the amount of advance which would be required. He probably contemplates the payment to the owners of the land of a much larger compensation than we should consider due to them for what they have never used, and are not able to use; and he includes in his estimate the expense of building houses, which, as we have said more than once, we would for all reasons, and not for reasons of expense merely, leave the settlers to do for themselves and in their own way.[4] But if it did require ten millions, or much more than ten millions, we are convinced that Mr. O'Brien does injustice to England and the English Parliament in supposing that there would be the least difficulty to a Ministry in obtaining that sum, even if it were not, as it would be, a mere loan at interest, with good landed security for repayment in full within a small number of years. Let a well-concocted plan be laid before Parliament, and due provision made against misapplication of the money, and we question if there would be twenty English members who would vote against the plan when brought forward by a Ministry. Mr. O'Brien, not being "so weak as to believe that this operation will be undertaken as a benevolent project by our prudent neighbours," suggests to the landlords, "If you consent to take all the risk of the experiment upon yourselves—if you will mortgage your estates, and pledge your county rates as a collateral security, it is possible that you will be permitted to make the experiment by means of a loan from the Imperial Treasury." Our notion of what it is "weak to believe" differs little from that of Mr. O'Brien, and if the adoption of the plan rested upon the chance of their closing with this suggestion of his, we should indeed tremble for it. The English Parliament will hearken to Mr. O'Brien's recommendations much sooner than, we fear, the Irish landlords will; and if he finds ten to join him in the chivalrous undertaking which he proposes, for the sake of those ten righteous men we could almost consent to be reconciled to the entire class.

[4] See Nos. 316 and 321.

339. THE CONDITION OF IRELAND [29]

MORNING CHRONICLE, 9 DEC., 1846, P. 4

This continuation of the evidence in favour of peasant proprietors draws on *Switzerland, the South of France, and the Pyrenees, in 1830*, 2 vols. (Edinburgh: Constable, 1831), by Henry David Inglis (1795-1835), a writer of books on travel, whose pseudonym was "Derwent Conway." For the context, see Nos. 306 and 330. This unheaded first leader is described in Mill's bibliography as "A twenty ninth leading article on Irish affairs, in the Morning Chronicle of 9th Decemb. 1846 (peasant proprietors.)" (MacMinn, p. 64.)

THE CLASSIC GROUND of peasant proprietors, next to Norway, is Switzerland. Of all countries in Europe, Norway excepted, it is probably in Switzerland that peasant properties, as a general feature of the country, are of longest standing, and have most fully produced their natural effects. The reduction of Switzerland to the condition of a "pauper-warren"[1] ought, therefore, if there was truth in the current maxims of English political economy a generation ago, to have reached a most advanced stage, or rather to be entirely consummated.

"Throughout the cantons of Basle and Argovie," says Mr. Inglis,

> farming out land is unknown, with the exception of gardens near the large towns. The properties of those who are considered respectable Swiss peasants run from 10 up to 40, or at most 50 acres; many of the peasants have amassed considerable fortunes; but accession of fortune is never made apparent in their mode of living. [Vol. I, pp. 25-6.]

This we believe to be the general rule throughout the Continent. Nowhere in continental countries will there be found an entire people, from nearly the lowest up to nearly the highest, absorbed in the mean ambition of pushing themselves, by dint of expense, from the class in which they were born into a richer or finer class, or of maintaining, by apparent expense, the false semblance of a larger income than they really have. "From £100 to £300 per annum is the usual range of expenditure for persons living, as we should say, in easy circumstances; and I learned, from authority that admits of no doubt, that not a single individual in all Switzerland spends £1,000 per annum." [*Ibid.*, p. 26.]

Let us see how this traveller, who stands so high in the reputed correctness of his observations and precision of his information, was impressed by the signs of industry among the Swiss people:

> In walking anywhere in the neighbourhood of Zurich, in looking to the right or to the left, one is struck with the extraordinary industry of the inhabitants; and if we learn that a proprietor here has a return of ten per cent., we are inclined to say, "He deserves it." I speak at present of country labour, though I believe that, in every kind of trade also, the people of Zurich are remarkable for their assiduity; but *in the industry they show in the cultivation of their land I may safely say they are unrivalled.* [*Ibid.*, p. 32.]

[1]For the origin of the term, see No. 328, n2.

Exactly what Mr. Howitt said of the peasant proprietors of Germany, and almost exactly what Arthur Young said of such peasant proprietors as even at the time of his travels were already found in France.[2]

When I used to open my casement between four and five in the morning to look out upon the lake and the distant Alps, I saw the labourer in the fields; and when I returned from an evening walk, long after sunset, as late, perhaps, as half-past eight, there was the labourer, mowing his grass, or tying up his vines. But there are other and better evidences of the industry of the Zurichers than merely seeing them late and early at work. It is impossible to look at a field, a garden, a hedging, scarcely even a tree, a flower, or a vegetable, without perceiving proofs of the extreme care and industry that are bestowed upon the cultivation of the soil. If, for example, a path leads through, or by the side of a field of grain, the corn is not, as in England, permitted to hang over the path, exposed to be pulled or trodden down by every passer by; it is everywhere bounded by a fence, stakes are placed at intervals of about a yard, and, about two and four feet from the ground, boughs of trees are passed longitudinally along. If you look into a field towards evening, where there are large beds of cauliflower or cabbage, you will find that every single plant has been watered. In the gardens, which around Zurich are extremely large, the most punctilious care is evinced in every production that grows. The vegetables are planted with seemingly mathematical accuracy; not a single weed is to be seen, nor a single stone. Plants are not earthed up as with us, but are planted in a small hollow, into each of which a little manure is put, and each plant is watered daily. Where seeds are sown, the earth directly above is broken into the finest powder; every shrub, every flower is tied to a stake, and where there is wall-fruit a trellice is erected against the wall, to which the boughs are fastened, and there is not a single twig that has not its appropriate resting place. [Inglis, Vol. I, pp. 32-3.]

We make no apology for these minute details. It is the details that make up the picture. Such traits of unwearied assiduity, and what may almost be called affectionate interest in the land, form the staple of all descriptions of the agriculture of peasant proprietors, wherever the properties are not too small to give full occupation to a family, and for the most part even where they are so.

Of another more remote and Alpine district of Switzerland Mr. Inglis thus speaks:

In no country in Europe will be found so few poor as the Engadine. In the village of Suss, which contains about 600 inhabitants, there is not a single individual who has not wherewithal to live comfortably, not a single individual who is indebted to others for one morsel that he eats. . . . In the whole of the Engadine the land belongs to the peasantry, who, like the inhabitants of every other place where this state of things exists, vary greatly in the extent of their possessions. If a peasant owns from eight to fifteen cows, and land sufficient for their support, as well as for growing what is consumed in his own family, he is esteemed in good circumstances. . . . Generally speaking, an Engadine peasant lives entirely upon the produce of his land, with the exception of the few articles of foreign growth required in his family, such as coffee, sugar, and wine. . . . Flax is grown, prepared, spun, and woven without ever leaving his house. He has also his own wool,

[2]See No. 334 for Mill's account of Howitt's *Rural and Domestic Life of Germany*, and No. 330 for his account of Young's *Travels*.

which is converted into a blue coat without passing through the hands of either the dyer or the tailor. The country is incapable of greater cultivation than it has received. All has been done for it that industry and an extreme love of gain can devise. Wherever an ear of rye will ripen, there it is to be found. There is not a foot of waste land in the Engadine, the lowest part of which is not much lower than the top of Snowdon. Wherever grass will grow, there it is; wherever a rock will bear a blade, verdure is seen upon it; wherever rye will succeed, there it is cultivated. Barley and oats have also their appropriate spots; and wherever it is possible to ripen a little patch of wheat, the cultivation of it is attempted. [*Ibid.*, pp. 109-11, 113, 146.]

Mr. Inglis, however, does not find that a similar spirit of intense industry pervades all Switzerland. Like other travellers, he finds a considerable difference between the Protestant and Catholic cantons, to the disadvantage of the last. Even Fribourg, though rich, "might be richer; the people are comfortable, but they might be affluent;" [*ibid.*, p. 257] and the inferiority of the Forest cantons is yet more decided, although peasant properties are as much the general rule in Catholic as in Protestant Switzerland. Mr. Inglis, however, assigns a cause adequate to account for the difference, in the great amount of time subtracted from industry by ceremonial observances. Not only are holidays numerous, but in many of the Catholic districts several hours of every day are devoted to religious purposes:

The strict Catholic, who happens to reside within a jurisdiction where great encouragement is given to the frequency and prolongation of prayers and ceremonials, spends in church those morning hours which an English labourer spends in the fields. The daily custom in many of the Catholic jurisdictions is to spend the morning from six to eight in church. Nor is it only the morning hours that are lost to labour. At two in the afternoon the strict Catholic of Uri and elsewhere must again throw off his labourer's apparel, put on his best clothes, and repair to church. . . . If we allow, as an average, twelve hours for labour, and say that four hours are occupied in the manner I have mentioned—and this is the very least that can be allowed—one-third more labour is bestowed upon the land belonging to the Protestants than that belonging to Catholics; and if to these hours we add twenty-two holidays,

it is easy to understand why in a Lucerne village, divided between the two religions, Mr. Inglis "remarked the most luxuriant crops, and the most neglected land, side by side." [*Ibid.*, pp. 161, 160, 161, 191, 190.]

The Irish peasant, like him of Uri, is a strict Catholic; but the Catholic religion manifests itself to him in no such forms. It is well known that the holidays of obligation prescribed for these islands by the Church of Rome are unusually few, and that any such daily waste of time as that commemorated by Mr. Inglis is unknown.

We would on no account, in the smallest atom, overstate our case, and we willingly admit that Mr. Inglis also speaks in high terms of the great industry of the Bernese peasantry, and of the easy and comfortable condition in which they live; although in Berne the peasant is not generally the owner of the soil, great part of it belonging to large proprietors, and being cultivated by hired servants.

[*Ibid.*, p. 212.] But, in the first place, we never pretended that a country could not enjoy in an eminent degree the moral and economical benefits of peasant properties unless every peasant, without exception, was a proprietor. All the more opulent cantons of German Switzerland are virtually one country; in some parts nearly half the labouring population are citizens of other cantons; and the hired labourer of Berne must, in a great degree, mould his habits and regulate his requirements on the standard set by the peasant properties in the surrounding cantons.

But, in the second place, notwithstanding what is said of the industry and comfortable condition of the Bernese labourer, there is a difference between that canton and the rest of Switzerland of the most disastrous kind, namely, that it contains more paupers than are probably to be found in all the other cantons put together. In 1828 nearly 20,000 persons were receiving public relief, while the population of the canton (exclusive of the Jura district, to which the poor law does not extend) amounted, in 1831, to only 313,000, so that more than one person in every sixteen was an actual pauper. [*Ibid.*, p. 223.] The same canton which comprises the greatest landowners in Switzerland contains nearly all its pauperism. We have no intention of laying any stress on this coincidence, or arguing from it that great landed properties have a necessary tendency to impoverish the labouring class. The pauperism in Berne was not owing to the state of its landed property, but to a system of poor-law administration the worst in Europe, with the single exception of England previous to the new poor law. Of this system a full account, communicated by the Bernese Government, is in the Appendix to the Report of the Poor-law Inquiry Commission.[3] In no country but England was relief so lavishly given, and in no other country therefore had so much progress been made in pauperizing the population. But while it would be unfair to ascribe to any other cause the natural and necessary effects of so bad a poor law, we need not restrain ourselves from the surmise, that if peasant properties had been as largely diffused in Berne as they were in Zurich or Aargau, the people would have been, as they were in those cantons, too manifestly prosperous to have given occasion or temptation to a profuse system of public relief; and thus perhaps even the evils of which no other immediate cause needs be assigned than the poor law, are among the effects for which Berne may ultimately thank her large properties and her cultivation by hired labour.

We have quoted thus largely from Mr. Inglis, because he is an established authority, and because we well know the superior effect, on English readers, of English testimony. But we have ample evidence to the same and to many kindred points from foreign sources, more intrinsically valuable than the passing observations of even the most intelligent traveller; and some portion of this we may impart to our readers in a future article.

[3]See "Canton de Berne, Letter from Consul Morier, . . . Relating to the . . . Maintenance of the Poor in the Canton de Berne," *PP*, 1834, XXXIX, 190-228.

340. THE CONDITION OF IRELAND [30]

MORNING CHRONICLE, 11 DEC., 1846, P. 4

This article carries out the promise at the end of No. 339 by citing the testimony of Sismondi, thus concluding the series of citations begun in No. 330. For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A thirtieth leading article on Irish affairs, in the Morning Chronicle of 11th December 1846 (peasant proprietors)" (MacMinn, p. 65).

IN A LATE ARTICLE we quoted, from one of the writings of Mr. Inglis, a traveller's impression of the careful agriculture of Switzerland, and the exemplary industry of the Swiss peasant proprietors. We shall now cite the testimony of an inhabitant of the country, and owner of landed property in it, who was also one of the most instructed and accomplished political writers of the Continent, and of all political economists the one who had most studied the economical history of nations, and had the greatest practical acquaintance with agriculture. We need hardly say that we mean M. de Sismondi. In his *Studies in Political Economy*, the production of his mature years, a book which merits and would well reward the labour of a translator, this eminent writer thus expresses himself:

> It is especially Switzerland that ought to be surveyed and studied, in order to judge of the happiness of peasant proprietors. It is Switzerland that we should learn to know, in order to be convinced that agriculture, practised by the same persons who receive its fruits, can create great ease and comfort to a very numerous population; great independence of character, the result of independence of condition; a great commerce of consumption, arising from the real affluence of all the inhabitants, even in a country of which the climate is rude, the soil of only middling fertility, and where late frosts and inconstancy of seasons often disappoint the hopes of the agriculturist. It is impossible to see without admiration those wooden mansions of the humblest peasant, so large, so perfectly closed in, so well constructed, so loaded with carvings. In the interior large corridors separate the numerous chambers of the family; each chamber has but one bed, abundantly provided with curtains, coverlets, and the whitest linen, and surrounded by well-kept articles of furniture; the armoires are filled with linen, the dairy is large, airy, and of exquisite cleanness; under the same roof is found a great provision of corn, salted meat, cheese, and wood: in the cow-houses may be seen the most carefully tended and finest cattle in Europe; the garden is planted with flowers; both men and women are warmly and cleanly dressed, the latter preserving with pride their ancient costume, and all wearing in their faces the impress of health and vigour. Let other nations vaunt their opulence, Switzerland can always, with pride, oppose to them her peasantry.[1]

And in another work of the same writer, the *New Principles of Political Economy*, he observes:

> When traversing nearly all Switzerland, and several provinces of France, Italy, and

[1]Translated from Sismondi, *Etudes sur l'économie politique*, Vol. I, pp. 171-3. Quoted also in *Principles*, *CW*, Vol. II, p. 254 (II, vi, 2).

Germany, we have no need to ask, in passing each piece of land, if it belongs to a proprietor-cultivator or to a farmer. The intelligent care, the enjoyments prepared for the labourer, the adornment which the country has received from his hands, very soon point out the former. It is true that an oppressive government may destroy the comfort and brutalise the intelligence which ought to be the consequences of property; taxation may carry off the best part of the produce of the fields, the insolence of the agents of Government may disturb the security of the peasants, the impossibility of obtaining justice against a powerful neighbour may paralyse their minds by discouragement, and in the fine country lately restored to the administration of the King of Sardinia, the proprietor, no less than the day labourer, wears the uniform of indigence.[2]

He is here speaking of Savoy, which is a country of peasant proprietors, and one of the few countries possessing that advantage in which the peasantry are very poor and live wretchedly. "It is in vain," says M. de Sismondi, "to observe only one of the rules of a sound political economy, it cannot suffice by itself to produce good; but at least it diminishes the evil."[3]

M. de Sismondi's evidence in favour of peasant properties is the more valuable, because he is not one of those superficial and sentimental people who think it fine, or peradventure pious, to deny or explain away the penalties which nature has annexed to the unrestrained exercise of the power of increase inherent in the human species. There is not a firmer adherent of the doctrines of Malthus, or rather of common sense, than M. de Sismondi; as, within our experience at least, those who are really in earnest about the improvement and dignity of the labouring classes usually are. And when people are besotted enough to taunt a doctrine which simply declares the actual course of nature, with being the offspring of inhumanity and of an exclusive regard for wealth, it is a sufficient answer to oppose to them the man known to Europe as the proclaimed antagonist of all systems which treat wealth and production, and not human happiness and human improvement, as the ends of political economy. But (not to digress further) when small landed properties have been condemned by some English political economists, it has been chiefly on the ground that they promote over-population, and, by a too minute subdivision of the soil, convert the country into a "pauper-warren."[4] Now, that over-population may coexist with peasant properties we by no means deny; they are not, nor is anything, an absolute safeguard against that evil. But if their general tendency had been to promote it, the tendency could not, with his very varied opportunities, have escaped an observer so keenly alive to the mischiefs of over-population as Sismondi; and

[2]Translated from *Nouveaux principes d'économie politique* (1819), 2nd ed., 2 vols. (Paris: Delaunay, 1827), Vol. I, pp. 168-9. Quoted (from this ed.) in *Principles*, *CW*, Vol. II, p. 256n. The King of Sardinia (and Duke of Savoy) was Charles Felix (1765-1831).

[3]Translated from *Nouveaux principes*, Vol. I, p. 169; quoted in *Principles*, *CW*, Vol. II, p. 256n.

[4]For the term, see No. 328, n2.

would have been utterly incompatible with his strenuous advocacy of the system. Let us hear what he says on the very point:

In countries occupied in the patriarchal manner by small proprietors, population increases regularly and rapidly, until it has reached its natural limits; that is to say, inheritances continue to be divided and subdivided among several children, as long as by an additional application of labour each family can obtain an undiminished income from a smaller portion of land. The father who possessed a large extent of pasturage, divides it among his sons, who convert it into fields and meadows; these sons further subdivide it, to get rid of the system of fallows; every advance in agricultural knowledge permits a further division; but we need not fear that the proprietor will bring up children to make beggars of them. He knows exactly the inheritance which he is able to leave them; he knows that the law will divide it equally among them; he sees the limit at which this division would make them descend from the rank which he has himself occupied, and a legitimate family pride, no less real in the peasant than in the nobleman, makes him pause before calling into existence children whom he will be unable to provide for. If, notwithstanding, they are born, at least they do not marry, or they themselves select, among several brothers, the one who shall perpetuate the family. In the Swiss cantons we never find the patrimonies of the peasants subdivided to such a degree as to sink them below a state of honourable comfort, although the habit of foreign service, by opening to the young a career of undefined possibilities, gives some encouragement to a superabundant population.[5]

We will not close our article without a further extract, to complete the exhibition of the author's judgment on peasant properties:

The peasant proprietor is, of all cultivators, the one who turns the soil to greatest account, because he is the one who thinks most of the future, and who is, besides, the most enlightened by experience. He is also the one who makes the most advantageous use of human labour, because, in distributing occupations among all the members of his family, he reserves employment for every day in the year, so that no one needs ever be idle. . . . He turns to the benefit of his children, and of the ages to come, every instant not required of him by the occupations of the seasons. A few moments are enough for planting the seed which, in a hundred years, will be a noble tree; for digging the trench which will permanently drain his field; for forming the conduit which will guide to it a rivulet of fresh water; for improving by cares often repeated, but in moments which would otherwise be wasted, all the different animals and vegetables by which he is surrounded. His little patrimony is a real bank for savings, ever ready to receive his small gains, to make profitable all his moments of leisure. The peasant has a lively feeling of the advantages enjoyed by a proprietor, and is always eager to buy land at any price. He pays more for it than it is worth, more than it will perhaps return to him; but how great reason has he to esteem highly the benefit of having always at hand an advantageous investment for his labour, without offering it by competition, and being always sure of bread when he wants it, without having to bid for it in the market! . . . Of all cultivators he is the most happy; and, in addition to this, never does the earth maintain in comfort, without exhausting its power, and provide with employment so many inhabitants on a given space, as when they are proprietors; and of all cultivators, the peasant proprietor gives most encouragement to commerce and manufactures, because of all cultivators he is the richest.[6]

[5]Translated from *Nouveaux principes*, Vol. I, pp. 170-1.

[6]Translated from *Etudes sur l'économie politique*, Vol. I, pp. 171, 173; quoted in *Principles*, *CW*, Vol. II, pp. 255-6.

Such is the deliberate opinion of one of the highest modern authorities in agricultural economy on the industrial, moral, and social effects of peasant properties.

341. THE CONDITION OF IRELAND [31]

MORNING CHRONICLE, 12 DEC., 1846, P. 4

Mill here continues his controversy with Scrope (see No. 316), answering Scrope's letter to the editor (9 Dec., 1846), *Morning Chronicle*, 11 Dec., p. 6, from which the quotations are taken. For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A thirty first leading article on Irish affairs, in the Morning Chronicle of 12th December 1846 (peasant proprietors)" (MacMinn, p. 65).

IN A LETTER which we have published, Mr. Poulett Scrope takes up what he calls our challenge to the advocates of his Irish Poor-law, "to show in what particular it differs from the wasteful system of public employment at present carried on under the Labour-rate Act."[1]

It is really a pleasure, and one to which we have not been much accustomed, to find anybody on Mr. Scrope's side of the question who condescends to argue, or to reply to arguments. Gentlemen of that way of thinking, when they see a fact or a piece of obvious truth standing across their path, seldom do it the honour of attempting to move it away. They give the go-by to it; they sneak past it, and leave it behind them, affecting not to see it; and look big when it is fairly out of sight. We expected better from Mr. Scrope; nor are we disappointed. With him it is at least a contest of reason against reason. One who attempts to parry argument, shows himself not invulnerable to it. If he is wrong, there is always hope of setting him right.

First, however, we must repel from ourselves Mr. Scrope's accusation of attacking the poor-law scheme for the purpose of setting up a favourite project in its place, meaning the location of the peasantry on the waste lands, which, however, is as much Mr. Scrope's project as our own. Our advocacy of waste lands colonisation is quite unconnected with our opposition to an extended poor-law, to which we should be as inveterately hostile if there were not an acre of waste land in Ireland. We rejoice cordially that we have something to propose which may raise a part of the Irish peasantry into proprietors; but if we had not, we should not think it any reason for supporting what would lower them all into beggars or buccaneers. And we persist in seeing, in the effects of the present attempt to patch up a sort of tumultuary poor-law for a passing emergency, a foretaste of what would come to pass if those who agree with Mr. Scrope could

[1]The Labour Rate Act was 9 & 10 Victoria, c. 107 (1846).

succeed in converting the temporary expedient into a permanent institution. For neither Mr. Scrope nor any one else can deny that it is the very same expedient. All they can do, and all that Mr. Scrope does in his letter, is to promise, that when they are not in so great a hurry they will pauperize Ireland more carefully, and by a better machinery. The machinery, indeed, is bad enough, and the hurry is the only excuse for it. But the grand evil is, being pauperized at all.

"A methodical, orderly system of public works," consisting of "drainage or embankment, waste lands reclamations, home colonies, a national system of railways, new fishing quays, harbours of defence or refuge," &c., is what Mr. Scrope contemplates, and apparently as a permanent measure. This differs very much, he says, from "the lowering of harmless hills, or making roads to lead nowhere." It does differ; we never said it did not. It differs in being useful instead of useless; it differs in being productive instead of unproductive; it differs in having a chance, if honestly and skilfully managed (no easy matter in Ireland), of repaying a part at least of its expense. But does it differ in what is ten times more important than all this—in the effect on the people's minds? Does it make any difference to *that*, what the work is for? The only thing the people think of or care about is the offer of wages. As yet we have not gone the length Mr. Scrope is anxious to go, of *promising* them wages. We have guaranteed nothing; we have only given, and to a part only of the applicants. Yet already all other employment is abandoned. Accounts, every day more formidable, describe the fields unsown, and the farmers justifying themselves on the plea that if there were any crop the labourers would seize it for food, or the landlord for arrears of rent. Those who should plough or sow prefer government wages, for which (*vide* an extract of a letter in our Thursday's paper)[2] they give work not worth more than threepence a day, receiving tenpence, and with these wages, or the rent withheld from their landlords, they buy arms. The wages bestowed in charity they already look upon as a right, and what the Irish peasant considers his right, he enforces by a penal code of his own; already the officers of the Board of Works are assaulted and fired at for withholding employment. The Whiteboy and Rock system, which has been so successful as a defensive operation, begins to be used offensively. Death is becoming the penalty, not merely of ejecting a peasant from land, but of not paying him wages in addition. Is there any one who can be otherwise than appalled at such a prospect? Is there any one, not wedded to the idea by previous prejudice, who can calmly propose to *make* that a right which it is so terrible a thing that these misguided creatures should be even beginning to consider as one?

One thing, at least, is now clear, that the Government which adopts this proposal, if it wishes the cultivation of the soil to be continued, must prepare to

[2]"Ireland. County of Galway," *Morning Chronicle*, 10 Dec., 1846, p. 6, which quotes a private letter from a clergyman to the *Evening Post*.

take the farming of all Ireland into its own hands. Already a cry has been raised, and re-echoed from Conciliation Hall,[3] that since the farmers will not, or cannot, sow their lands, the Government must do it for them. And the Government will have to plough, and weed, and manure, and harrow, and hoe: reaping is the only agricultural operation which it will find the farmers willing to undertake for themselves.

It is Mr. Scrope's grand argument, and really the thing most like an argument which his view of the subject has yet produced, that the certainty of being saddled with a poor-rate to support the unemployed labourers would incite the landlords to find employment. And so it would; but, alas! where will they find the means of employment? Mr. Scrope himself does not venture to anticipate such a consummation, except by means of "Government loans" to the landlords, "overriding mortgages and other incumbrances;" so that the Government, after all, is to find the means, only using the landlords as the dispensers of them. But grant that the landlords could and would, under this new stimulus, employ the people, not one iota would this subtract from the evil. Compulsory employment is compulsory employment, whether the Government or the landlords are required to find it. The thing which is altogether fatal, the evil which no words can exaggerate and no precautions assuage, is that the people should be told that there is somebody with an unlimited fund who must find wages for them, let what will happen. Imagine the whole able-bodied population of Ireland billeted on the Government, or on the landlords, it is of no consequence which, as their forced stipendiaries; and as for work, remember the sort of work the English farmer obtained from the paupers who used to be quartered upon him under the old labour rate—and then figure a set of so-called work people, as much more inefficient and as much more unmanageable than even these, as a Munster peasant exceeds in indolence, self-will, and lawlessness a Norfolk or Sussex clodhopper. Mr. Senior was within the mark when he said that the demoralization which in England it had taken a bad poor-law two centuries to accomplish, would in Ireland be completed in five years.[4] We tremble lest in as many months it should be already consummated. There is but one thing we can do which can make the state of Ireland worse, and by that it would be made incurable, unless by the miserable chances of civil war and confiscation. That one thing is, the perpetuation, or even the much longer continuance, of eleemosynary employment.

[3]Located on Burgh Quay, Dublin, the Hall was the headquarters of the Repeal Association.

[4]Senior, "Letter to Principal Secretary of State for the Home Department, on the Third Report from the Commissioners for Inquiry into the Condition of the Poor in Ireland" (14 Apr., 1836), *PP*, 1837, LI, 250-1.

342. THE CONDITION OF IRELAND [32]

MORNING CHRONICLE, 15 DEC., 1846, P. 4

The pamphlet discussed by Mill is that issued by the committee of O'Connell's Repeal Association, entitled "On the Employment of the Labouring Class." The quotations are all from this pamphlet, which, unfortunately, has not been located. For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A thirty second leading article on Irish affairs, in the Morning Chronicle of 15th Dec. 1846" (MacMinn, p. 65).

THE REPEAL ASSOCIATION has at last broken ground on the subject of the Irish distress. It is somewhat late in the day, no doubt, for the organ and representative of Irish nationality to be beginning to occupy itself with the question in which, for the last six months, all the immediate and all the permanent interests of Ireland have been summed up. But better late than never; and it is still time for a body of men in that conspicuous position to give the tone to Irish opinion on the subject, and be almost certain of carrying any plan they may support, if it be such as the majority of sensible persons can think it worth while to trouble themselves about. The committee, then, of the Association have presented an elaborate report "On the Employment of the Labouring Class," and this report may, we suppose, be regarded, until further notice, as expressing the opinions of Mr. O'Connell and the other chiefs of the Association.

The tone of the report is generally commendable. Except one brief passage, not a word from beginning to end gives any indication of the body from which it emanates. With that exception, it seems to come from men who know neither party nor sect at such a time, and who at other times may be Whigs or Conservatives, Orangemen or Repealers. It discusses the subject in a methodical, business-like manner; it bears marks of local knowledge and careful consideration, and contains, on points of detail, suggestions well worthy of the attention which they will no doubt receive from those most concerned. Among other things, it gives reasons which seem to us unanswerable against what the active spirits among the landlords are clamouring for, from one end of Ireland to the other—the substitution of assessment by townlands for assessment by electoral divisions or by baronies. The report does not deny the evil which this change is designed to remedy, namely, that the landlords who relieve and employ the labourers on their own estates have to pay as much towards the general relief fund as those who do nothing of the sort. But against this injustice the report proposes a better remedy—that "every landlord who shall undertake the improvement and reclamation of land by draining, fencing, &c. &c., should be entitled to a remittance of the assessment in proportion to the amount expended by him in such work." To this we do not see any decisive objection, the proof resting of course with those who claim the remittance, and being sifted, as it ought to be, severely.

But while we see much to praise in this document, compared with most of the other manifestoes which bodies of Irishmen have yet sent forth on this trying occasion, we are compelled to say that it displays only the more strikingly the total want of preparation in men's minds to deal with a crisis like the present; the want of resource to meet great evils by remedies as great; the utter absence of guiding principles and comprehensive ideas. The committee of the Repeal Association has of course a plan for reclaiming the waste lands; no one who treats the subject of Irish redress can be without one; and the committee's plan occupies well nigh one-half of their report. The plan is well digested and minute, and embraces everything which we could possibly desire to see done with the waste lands—*except* to give them to the people! This great popular idea, which a king or minister who wished his name to live in the hearts of the democracy would greedily seize upon, is the one thing in the whole matter which the popular assembly of the country, the collective democracy of Ireland, cannot seize, cannot appreciate. Yes, the Repeal Association of Ireland actually proposes that the land, after being reclaimed, shall be sold by auction, sold by and for the profit of the Saxon Government, rather than given, for a simple repayment of expenses, to the Celtic peasantry! Reason has indeed a poor prospect in the affairs of men, when Irish partisans give up their strongest prejudices to keep in the beaten path, sooner than follow those prejudices into the most promising new track—new at least to them, though approved by the experience of every civilised people in the world, except the inhabitants of the British Isles.

This experiment on the state of the national mind is the more unhappily significant as there is here no landlordism in the case. The committee do not think of giving up the reclaimed land to the landlords. Theirs is no landlord's scheme. They even propose that those whose estates are relieved by drafting off cottiers to the waste lands, should pay the expense of their removal, and contribute "a further sum for the maintenance for a short time of the cottier, and for contributing to provide him with a cottage." A reasonable suggestion, though not of sufficient importance to be worth persisting in as an essential feature of the plan. It is not for the sake of the landlords, then, that a property in the land is grudged to those by whose exertions it is to be made valuable. From what consideration it is, we know not. The plan is this: For two years the land is to be occupied rent free. From that time rent is to commence, and to rise gradually to £6 per farm in the sixteenth year, the farm consisting of twenty acres; but this is not to be the maximum, for in twenty-seven or twenty-eight years the rental is to average 10*s*. an acre. When the whole farm has been brought under cultivation, the tenant is to be "entitled in all cases to a lease of thirty-one years, at a valuation, with a right of renewal."

Renewal must here mean a lease, not on the same but on a new valuation; for if the rent was not to be raised there could be no motive for not making the lease perpetual. The Repeal Association has made great progress the backward way since 1843. Time was when it did not shrink from the mention of fixity of tenure.

After the tenant has obtained a lease, the land, when the Government is owner in fee, is to be sold by auction, "the occupier having a right of pre-emption" at the auction price. To that length O'Connell and his associates are willing to go; thus much of right they consent to recognise in the industrious peasant over the land which he has changed from waste into fertility. He may keep it, if he pay for it the full value which his labour has given to it. These be thy gods, O Israel![1] If Englishmen have no more generous ideas in Ireland's behalf than her own chosen leaders, it will fare ill with her in this her extremity.

We say nothing now of a peasant proprietary as a measure of social reform and moral regeneration, a means of abolishing the worst of all forms of landed tenure, and raising up a class of peasantry to be an example and a guiding influence to the rest. We will be silent on all the nobler considerations which we have been labouring daily to inculcate for months past. Since the Association have shut their eyes to those considerations, we must aim lower to have a chance of hitting the mark. And we say, that on the very lowest ground on which the decision can be placed, the committee's proposition is vastly inferior to ours. They say that the farms should not be of less than twenty acres each, because smaller allotments "would not support the tenants' families comfortably, enable them to save money, and give trades, or otherwise provide for their children." But at twenty acres to each family the surface of waste land fit for arable, in Mr. Griffith's computation, would accommodate only 75,000 families.[2] Then, if twenty acres will support a family in prosperous circumstances, consistently with paying a full rent, fifteen, or twelve, or ten will do as much, if all rent beyond the interest of the expenses is foregone. If 75,000 families can be supported comfortably, and enabled to save money on the one system, a hundred, or a hundred and twenty, or a hundred and fifty thousand may receive a similar blessing on the other. That is one consideration, and no small one. Now for another. The committee of course intend that the settlers should work vigorously and with ardour on their allotments; that they should reclaim and fertilize them effectually and quickly; that the produce of the country may be increased not a little, but as much as possible by the scheme of reclamation; and perhaps it is not flattering them too much to suppose them desirous that the cultivators may be even an example to their countrymen of the industrial virtues—not of listlessness and indolence, but of energy and activity. With these objects in view, the encouragement they give to the colonists to put their shoulders to the wheel and do the work rapidly and effectually is, that the sooner it is finished the sooner the land will be sold by auction over their heads,

[1]Exodus, 31:8.

[2]For Griffith's evaluation of the usable land in his "Return on the Probable Extent of Waste Lands," see No. 332. The Repeal Association estimated the necessary land at twenty acres per family, and simple division produces the figure of 75,000.

and the more valuable they have made it the higher rent they will have to pay on "valuation" for thirty-one years to come! Everybody must see that the settlement of the waste lands, conducted on such principles, must prove an entire failure. Instead of the zeal and activity which a property in the land, or tenure at a fixed quit-rent would inspire, the settlers then, like the cottiers now, would strive for nothing more than to have enough to supply their daily meal and pay their rent. They would be merely such a peasantry as the Irish have ever been, contented on the brink of starvation; and all things would be as at present, save that there would no longer be, as now, a reserve of improvable waste to bring forth when Ireland's politicians and legislators shall recognise the duty of civilizing her people, and shall have learnt from the experience of nations how high a rank among civilizing agents belongs to the wide diffusion of property in land.

343. THE CONDITION OF IRELAND [33]

MORNING CHRONICLE, 16 DEC., 1846, P. 4

This article answers the advocacy of the addition of outdoor relief to the Irish Poor Law advanced in "The Irish Confiscation," *Spectator*, 12 Dec., 1846, pp. 1187-8; the quotations are from p. 1187. For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A thirty third leading article on Irish affairs, in the Morning Chronicle of 16th Dec. 1846" (MacMinn, p. 65).

THE SPECTATOR, a journal which we regret to perceive has of late joined the Poor-law agitators, attempts, in its last number, to convert the great experimental argument which the present state of Ireland affords *against* an extended Irish poor-law, into an argument *for* it. The *Spectator*'s line of reasoning has the recommendation of novelty. It argues that the mischief is done—that the poor already eat up the whole income of the land. The landlords were nearly insolvent before—they are now quite so. They are paupers themselves, enabled still to draw some rent from the land they call theirs only because England is, in fact, paying poor-rates for them. This result being the worst that could be expected from a permanent poor-law, the expectation of it can be no reason against having the law. The change could do no harm, and might do good; by bringing into evidence what, though unrecognized, is already the fact; by compelling the legal landlords to dispose of their nominal ownership for whatever it will bring; and supplying their place by people of more resources, and more enterprise, who, by means of better agriculture, will redeem the estates from their present condition of insolvency. It is just to ourselves, as well as to the *Spectator*, to give its own words:

The present state of Ireland stultifies the grand argument against a poor-law. It is said that Ireland is too poor for a poor-law; that it would eat up the rental and confiscate the

landed property of the country. Now, that is the very result to which the country has come without a poor-law. . . . Landholders cannot carry on the work of cultivating the land, and they have induced the Government to advance, by way of loan, enormous sums to be expended on "reproductive works.". . .

The mode in which this bounty is used is as extraordinary as its amount. There is not a particle of evidence to show that the landlords of Ireland generally have helped to secure any substantial return for the money so laid out, either in public works or in private "reproductive works:" on the contrary, there are many indications that the work done is but a make-believe. . . . It seems therefore only too probable that the present payment is regarded as temporary subsistence-money; that the land of the country is, at least to a considerable extent, allowed to lie fallow; that it will not be cultivated this year unless English money be furnished for the purpose; and that the whole charge of poor-rates, wages, and the general agriculture of the land, will be handed over to England in the lump. . . .

It follows, that without any poor-law, the landlords of Ireland are insolvent, and their estates confiscated; but that they have an expedient for extricating themselves, by inducing England to redeem their estates for them, and also to carry on their business while they are arranging a composition. The "confiscation" is complete, except that its consummation is staid by the bounty of England.

And again:

The argument that a poor-law would confiscate the rental, is one that admits the utter insolvency of the country: it presumes that the produce of the land is not really more than sufficient for the maintenance of the producing class, and that if they retained *quite enough* for their subsistence there would be no surplus for rent. Now, a great deal of produce is exported from Ireland, and if the above assumption is right, *that* exported produce is not "surplus," but is part of what is necessary for the actual subsistence of the producers. According to this argument, Ireland *is* reduced to the state of Cholesbury,[1] only the want of a poor-law disguises the fact, and enables the landowners to go on drawing income abstracted from the actual sustenance of the people. Now this would be a fact which it would be better not to disguise.

The *Spectator* possesses and deserves the character of an argumentative paper; and persons of its stamp of mind are seldom found on the side of the question which it now advocates. But the poor-law cause has the property of reducing all its champions to the same level. There is such an utter absence of decently presentable arguments for it, that in the rare cases in which thinking persons are led by their feelings to take that side, they are driven either to the mere declamation and assumption which are the substitutes for argument with the majority of its advocates, or, as in the present instance, to ingenious wire-drawn deductions quite wide of the mark. Who could have expected to find a writer of any pretensions to intellect discussing the idea of confiscation in connection with an Irish poor-law, without alluding to the *reason* why it is affirmed that a

[1] An impoverished town in Buckinghamshire, noted by the Poor Law Commission of 1834 as a place where in 1832 the collection of the poor-rate had ceased, the landlords had given up their rents, the farmers their tenancies, and the clergymen their glebes and tithes.

poor-law, on the principle of out-door relief, would be a confiscation of the land? The reason, as the *Spectator* must be well aware, is, that the people would not work; that their labour would be merely another name for idleness, and would not repay its own expenses.

If the consequences of a poor-law could be limited to those of which the *Spectator*'s argument takes cognizance; if the industry of the country would be as efficient, its produce as great, its population not greater, and there were no other change than giving plenty of food and clothing to people who at present have not enough, there are, we believe, but few persons who would have anything to say against it, even if it did swallow up the whole rent. There would be no question then between the landlords and the peasantry, but only between the landlords and the nation, as to the justice of making one small section of the community pay for all. The *Spectator* simply leaves out of consideration the whole question; for the only part of it ever disputed is in fact the whole. The objection made is not that the rates would eat up the present rent, but that they would eat up any amount of rent, and of taxes in addition; that they would outstrip every possible increase of production, while they would at the same time render increase of production impossible. That the work done by those in eleemosynary employment, by those quartered on the poor-rates, would in the long run, and under any superintendence which could be counted on as a permanency, be little more than nominal; and that when everybody could claim nominal work at good wages, from the parish or union, nobody would consent to do any other than nominal work for the small farmer, the capitalist, or the landlord. *This* is our argument, and the argument generally of those who agree with us. It rests upon the familiar laws of human nature, upon the particular character and habits of the Irish peasantry, and upon the fact of their present conduct. This is what the *Spectator* must answer, or do nothing. Nobody has attempted to answer it; nobody has met it face to face. Mr. Scrope, no doubt, has attempted to weaken the last branch of it, by bringing forward the palliations which the present state of the country suggests for the conduct of the peasantry, and the causes, other than unwillingness to accept other employment, which may account for their universal rush to the public works.[2] There is no allowance which can be claimed by any body for this unfortunate people which we are not eager to concede; and it is true that there is far less of private employment to be had than in common years. The reason of this was stated, in an article of this journal on Monday last,[3] as strongly and explicitly as it could possibly be stated by Mr. Scrope. The small farmers have been accustomed to pay their labourers not in money, but in patches of ready manured land, of which the rent is worked out in labour at a stipulated price, and this land the failure of the potatoes has rendered useless; and though

[2]Scrope, "Letter to Lord John Russell," *Morning Chronicle*, 7 Dec., 1846, p. 2.
[3]I.e., No. 337.

the farmers themselves have considerably more money than usual, because all that part of their produce which is grown for sale has produced an unusually high price (not to mention the rent they withhold), they are under the unaccustomed necessity of buying their own food with a part of this money, instead of expending it on their farms. In such circumstances as these, it was inevitable that an extraordinary number of people should be thrown upon the Government for lack of any other available employment. But this does not account for all we hear and read of, on unquestionable authority. It does not explain the universal testimony to the almost entire abandonment of agriculture in whole districts. There are everywhere *some* wages to be had for cultivating the soil; there is everywhere, even now, a great amount. The people throng to the Government works in some cases because they cannot, but in others because they will not, work at their ordinary occupations. Read this extract from the *Limerick Chronicle*, which we printed on Tuesday, but which we reproduce on account of the importance and alarming nature of its announcements:

> The farmers of the south are desirous, for obvious reasons, to put in the soil this month a greater quantity of seed wheat and oats than usual, in proportion to the much greater breadth of potato ground at their disposal, and which else is likely to remain waste after the second year's failure of the staple crop of Ireland. . . . But unfortunately they are bereft of all facilities for this most essential purpose, by the evil operation of the public works system, which in every barony, parish, or townland cripples the farmer; for he has not the able and willing staff of labourers heretofore at his command, whose services are now diverted from field culture to the easier task of destroying a good road or making a bad one. . . . Spade husbandry, under the farmer's eye, is a stiff and vigorous occupation, unlike the task of throwing a shovel of gravel, or tapping a stone hammer on the side of a *boreheen*, while the operators smoke and chat in concert. Universally, therefore, the labourers prefer this free and easy mode of work to the farmer's engagement of 10*d*. and 1*s*. a day, reckless of future prospects, dismal as they are to themselves and others from the neglect of tillage. . . . An active member of a relief committee near this city writes—"In such high estimation is the system of road-making held by the peasantry, that they laugh at the idea of being sent to till the fields, nor will they do so while they have such work, more in prospect, and which they prefer to farmers' employment." A gentleman, near Ballingarry, on Monday last, offered 1*s*. a day to sixty labourers to till his land, but with one accord they preferred being employed on the roads.[4]

Does a picture like this afford no experience by which to judge of the effects of a poor-law grounded on the very principle of the present temporary relief—except in not being temporary but permanent, not partial but general, not contingent but certain? It is idle to dream that any mere improvement of the machinery would obviate evils arising not from the particular choice of means, but from the thing itself.

[4] "Deplorable Neglect of Tillage," *Limerick Chronicle*, 12 Dec., 1846, p. 2, reprinted in *Morning Chronicle*, 15 Dec., 1846, p. 6.

344. THE CONDITION OF IRELAND [34]

MORNING CHRONICLE, 17 DEC., 1846, P. 4

Mill's *Morning Chronicle* leaders on Irish problems were attacked by "B.F.," in "The Irish Land Question," a letter to the editor (28 Nov., 1846), *Spectator*, 12 Dec., pp. 1189-90, reprinted in *Morning Chronicle*, 17 Dec., p. 2. The quotations (except that from Young) are all from this letter. For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A thirty fourth leading article on Irish affairs, in the Morning Chronicle of 17th December 1846" (MacMinn, p. 65).

WE COPY from last week's *Spectator* a letter on the Irish Waste Lands, for the sake of the novelty of having to deal on this question with an avowed opponent. Considering how little the subject had been discussed when we undertook to call public attention to it, and the very small portion of study which has generally been bestowed on the fundamental principles of landed tenure by English politicians, we have ample reason to be satisfied with the amount of response which we have met with. But one of the evidences we shall wait longest for, of having made an impression on the public, and one of the surest harbingers of approaching success, will be to compel our adversaries to speak out. When they do, it will be a sign of their having been forced to reflect on the subject; and the real obstacle the question has to contend with is, that they never have. The cause of their opposition is not, generally speaking, anything which they have to say on the subject, but that it is a new subject to them, and they are ignorant of it. The idea of peasant proprietors awakens in their minds no distinct objection, only a vague general impression unfavourable to it. The battle is half won if they can be induced to think long enough on the matter to make their objection distinct. Meanwhile, it is hard work for us to do their part in addition to our own—to find arguments for them, and reply to the arguments we have found; and we are delighted when we find an opponent who has the use of speech, and tries to give a reason for his non-concurrence, and lets us know what we must satisfy him about before he will give us his support.

The *Spectator*'s correspondent, who signs himself "B.F.," and does us the honour to allude particularly to us, has favoured us with two arguments—if indeed that appellation can be given to more than one of them, for the other is the mere cuckoo cry of "spoliation," "interference with the rights of landed property," "shaking the whole framework of society," and the rest of it. We should be very glad to think that this arose from a misapprehension of our meaning, and not from a supposition pre-occupying all the approaches to the subject. If he supposes that we have recommended anything bearing the smallest resemblance to spoliation, we can only tell him that he is in error. If he alludes to "fixity of tenure" in the sense he attaches to it, namely, to make the present tenants perpetual lessees at a fixed rent, our readers know that we have never

recommended anything of the sort, unless with the free assent of the landlords, and have never even suggested anything beyond making that assent a condition of advancing money to any landlord from the treasury of the State. We fear, however, the fault is not that B.F. misunderstands what we have said, but that, like many other people, he has a turn for seeing spoliation in everything. His ideas of what constitutes it appear to be of a kind which we hardly know how to characterise, so remote are they from any which we could have supposed, *a priori*, to be capable of being held by a rational being. "What," he asks, "does all this mean? Is it, frankly, that Government should, or *can* interfere with the rights of landed property, so as to dispose of the waste or the cultivated lands of any man, embarrassed or not, with or without his own consent? Surely that can hardly be intended." Has B.F. dwelt in the cave of Trophonius, or kept company with the Seven Sleepers,[1] from some old time when nobody had heard of a railroad bill, or a turnpike road bill, or a bill for a new street? With a charity which does infinite credit to the kindness of his disposition, he is unwilling to accuse any body of principles so monstrous as those which are declared and acted upon by Parliament every day of every session, and embodied in a goodly array of statutes in each year, every one of which disposes both of the waste and the cultivated lands of scores, or hundreds of proprietors, often against their strongest opposition, for some partial and secondary motive of public convenience, which B.F. himself would not for a moment put into comparison with relieving the destitution of a people. Does B.F. think all this wrong, or are the rights of Irish landlords to land which is of no value to them, and which they have neither made useful nor ornamental, endowed with a sacredness not accorded to the parks and pleasure-grounds of the English gentry? Is B.F. yet to learn that there is no violation of property when there is adequate compensation? He talks of *pretium affectionis*: who ever heard of a *pretium affectionis* in an Irish bog? As for "the value of his position—his feudal rights," if any man has a satisfaction in calling himself lord of so many thousand barren acres, he has a sufficient equivalent if he receives their money value, together with the relief afforded to the productive portion of his estate by drafting off some of the superfluous mouths which prevent him from improving the cultivation and from realising his rent.

We should apologise for making any answer to stuff so destitute of any glimmering of sense, or even of plausibility, if it were not, as we said before, connected with a superstition. It is well known that we ought not to estimate the

[1]For the cave of Trophonius, see Plutarch, "A Discourse Concerning Socrates's Daemon," in *Moralia* (Greek and English), trans. Frank Cole Babbitt, *et al.*, 15 vols. (London: Heinemann, 1927-59), Vol. VII, p. 460 (590B). For the Seven Sleepers, see St. Gregory of Tours, *Historia septem dormientum*, in *Opera omnia*, Vol. LXXXI of *Patrologiae cursus completus, series latina*, ed. Jacques Paul Migne (Paris: Garnier, 1879), cols. 1106-18.

general good sense or talents of men by the nonsense which they talk on matters in which their superstitions are interested; and the idea of property, especially landed property, calls up associations in many minds which partake of the solemnity of a religious feeling, and quite come up to the most superstitious forms of religion in the incapacity of reasoning which they generate. It is, therefore, very possible that B.F. may be a fair specimen of an intelligent man, as men go, and that there may be no lack of other intelligent men, as men go, who may be ready to subscribe to all he has said. This is the excuse we make for treating it seriously; and if the excuse is not complimentary to human intellect, it is no fault of ours.

The other argument of B.F. is something more deserving of the name, and joins issue with us on the point on which we have from the first desired that the discussion should be engaged. He denies that settlement on the waste land would improve the people. That is grappling with the real question. Their habits, he says, are too inveterate:

> Habits of wild idleness, generated by hopeless despondency, unfit multitudes for that labour which, now offered, would support them in comfort; and who not only stand out themselves against any system of improvement, but hinder others from availing themselves of it. . . . In most parts where gratuitous, or too easy tenure of land has been tried, it has proved a signal failure. A certain amount of responsibility has been found favourable to industrious habits, and a certain amount of rent has excited to diligence; but those indolent, ignorant, and turbulent cottiers of Ireland (as we find them, taken as a class), are to spring, *per saltum*, into a race of quiet, industrious, improving, and thriving farmers, by being put into possession of a few acres of land! Let those who dream this dream be assured that it is a delusion fraught with danger. Such improvement, when it comes, must be gradual, and very slow.

This objection differs from the other in having a tinge of reason in it; but its main strength lies in the appeal it makes to men's natural reluctance to admit a plan to be worth anything which promises great good by simple means; for the credulity which people are apt to show in things relating to their individual interests and objects is seldom called forth by prospects addressed to so feeble a passion as that of the public good. The objection does not admit of being completely answered, for nobody can guarantee the full success even of the most skilfully devised measures of moral and social reform. One thing, however, one might almost venture to guarantee, for we do not believe there is a single example, any where in Europe, of a class of peasant proprietors who are not eminently industrious. To elevate the Irish peasantry into proprietors would, we believe, be a sovereign remedy for their "habits of wild idleness;" habits which B.F. himself describes as "generated by hopeless despondency," and which we propose to remove by changing their despondency into hope and confidence. Does he think that because they "stand out against any system of improvement" which presupposes their removal from the soil, they would stand out against being made landed proprietors? As for the unfavourable verdict which he

pretends has been given by experience, he only shows that he has not mastered the very elements of the scheme proposed. He has overlooked the feature on which the whole efficacy depends—the *perpetuity*. It is not "gratuitous or too easy tenure of land" that is wanted. The charm does not lie there. It is not paying no rent that makes the peasant proprietor industrious; it is that the land is *his own*. Give a man the secure possession of a bleak "rock," as Arthur Young says, "and he will turn it into a garden; give him a nine years' lease of a garden," and, even though you give it him rent free, "he will convert it into a desert."[2] Until the plan of "secure possession" has been tried in Ireland, let us hear no more of its "signal failure." Whoever chooses to study the subject may learn that it has been tried largely in almost every country of the Continent, and, as a source of unremitting industry, never known to fail; and but rarely as an incentive to prudence.

We never thought otherwise than that a great improvement in the habits of the Irish peasantry "must be gradual and very slow." We allow them an entire generation—a term which, under similar circumstances to those we propose, has been sufficient to work a complete revolution in the French peasantry, Celts like themselves, once the most wretched people in Europe, now beyond all comparison the happiest. We know not why an Irish peasantry should take longer to reclaim than a French. It is the grossest exaggeration to pretend that the Irish are incurably indolent: their indolence is the result of a social condition in which they can seldom benefit themselves by exertion; and no people on earth are found capable of more persevering industry under far less encouragement to it than our plan would hold out. But our reliance is not on the existing generation, it is on their children. The faults of the Irish peasantry are the result of their circumstances; and it would be found in Ireland, as it has been found in France, that the generation born and brought up in the new circumstances would be a new people.

345. THE CONDITION OF IRELAND [35]

MORNING CHRONICLE, 19 DEC., 1846, P. 4

In continuation of his debate with Mill (see No. 316), Scrope had replied to No. 341 in a letter to the editor (14 Dec., 1846), *Morning Chronicle*, 18 Dec., p. 3, from which the quotations are taken. For the context of the series, see No. 306. This unheaded leader is described in Mill's bibliography as "A thirty fifth leading article on Irish affairs, in the Morning Chronicle of 19th Decemb. 1846 (the third leader)" (MacMinn, p. 65).

IN YESTERDAY'S MORNING CHRONICLE we inserted another letter addressed to us by Mr. Poulett Scrope, as a rejoinder to our reply to his last letter. There is so

[2]Young, *Travels*, Vol. I, p. 52.

much of good intention in Mr. Scrope, and so much more serious an attempt than usual with his compeers to meet the objections to his scheme on argumentative ground, that we do not grudge him the compliment of a further prolongation of controversy. His reasons, too, are more like reasons than those we usually meet with, and in combating them we have the satisfaction of contending with the best that has been said, or we believe can be said for his cause.

Mr. Scrope in this letter keeps close to the subject, and states succinctly and clearly, and in due concatenation, the grounds of his opinion. This is what an opponent who is a sincere lover of truth must desire. It is the way to show to the reader, and to Mr. Scrope himself, how far he is answered, or whether he is answered or not, and it enables the answerers to know, and to make known, to what extent they perhaps agree with him in his premises, however widely they differ from his conclusion.

Mr. Scrope says, that "in order to civilise Ireland"—to put a stop to the "universal spirit of combination against the law"—it is necessary to secure the people "from the risk of perishing through want, and to impress their minds with the conviction of such security being certain and accessible." This is also necessary for putting "an end to that universal mendicancy and vagrancy which is at least as heavy a tax as a well-administered poor-rate." To do this "you must give a *right to relief* in destitution."

In all this, except the concluding sentence, we entirely agree. We have never thought that Ireland could be civilised without, as a part of the process, not only securing the people against perishing from want, but also making them feel themselves to be secure against it. Unless this security can be afforded, the peasantry will continue, even if the potato famine subside, to revolve in the wretched round of poverty and recklessness, recklessness and poverty. To give them any chance of regeneration they must have food and employment; but it is not necessary that they should have a *right* to food and employment. They must be enabled to earn it, but not empowered to demand it. Strange that it should be so difficult to seize the distinction between these two things. Is it not the testimony of experience in all branches of human affairs (while human nature is what it is, in its ordinary specimens), that men never trouble themselves to earn what they are able to demand? Is not this true, not of money only, but of all things else which human beings claim from one another? Is it not the source of most of the crime and all the tyranny which exist in the world, and of the greater part of the difficulty experienced in governing mankind?

It may be said, perhaps, by Mr. Scrope, that conjointly with remedial measures, and while doing everything in our power to raise up for the people an abundance of food and the amplest field of employment, we must also, to complete the impression on their minds, afford an assurance, not inferential but positive, of a sufficient maintenance. To which we reply, that to give them such an assurance in the present state of their minds is certain to render any and every

remedial measure inoperative. No measure calculated to be of use to Ireland has a chance of effect unless the exertions of the people are called forth with considerable intensity to co-operate with it. With their present habits, the only motive which is found sufficient to produce any real exertion, and *that* not always, is the fear of destitution. From that fear it is proposed permanently to relieve them. What other motive is to be provided? It must be force; for reason and experience are equally against the wild idea that even a much more industrious people than the Irish will work with any efficacy for employers who are not permitted to dismiss them, unless it be like slaves, under compulsion, and if that is to be the resource, it is good to bethink ourselves, in the first instance, whether we can compel them to be compelled.

What the Irish need, and unless it can be given them their case is desperate, is a reasonable assurance of *finding* support by earnestly seeking it, not a guarantee that it will be provided for them unsought. If we might be permitted to look foward to a time when this work of benevolence and duty should have been accomplished, and a generation of Irish people should have grown up under its influence—when the peasant shall have learnt to look to himself for support, with a well-grounded confidence of always finding it—then, to provide for accidental cases of distress, there would not necessarily be the same objection to a compulsory poor-law. When the Irish shall have become what the English were during the century and a half in which the Elizabethan poor-law worked well, they will be capable of bearing an Elizabethan poor-law.

But then it must be the Elizabethan law as it was, and not as it probably would be. It must be the poor-law as practically modified by its administration. It is a known fact, that until near the end of the eighteenth century the provisions of the law were administered with extreme rigidity; that every effort was used by the magistrates and gentry to prevent the rates from increasing, and the population from multiplying, which accordingly increased very slowly; that the landowners not only systematically discouraged the building of cottages, but pulled down many, and even whole villages disappeared in the manner commemorated and lamented in Goldsmith's poem.[1] As soon as this rigid system was discontinued, pauperism and poverty came in apace, and less than half a century brought us to 1834. It was not, as Mr. Scrope seems to think, only or chiefly the allowances in aid of wages which acted thus disastrously; it was that, together with the relaxed system of relief to the able-bodied generally, whether by parish works or the roundsman and labour-rate system. Even now, under an enactment expressly designed to correct these evils, the clamour of the agitators has been so successful in weakening the law, and destroying the influence of those whose duty it is to enforce it, that it is not, in any effectual manner, enforced, and the poor-rates, in a highly prosperous state of the country, have again increased for

[1]Goldsmith, *The Deserted Village* (1770).

the last few years with alarming rapidity. Is it Mr. Scrope's opinion that the rigid practice of the last century would be adopted in Ireland? Is it, even, his intention?

There is now but one argument of Mr. Scrope which we have not answered, either in the present or in former articles, and this is, that the Irish are already pauperized. They are already as miserable, as averse to industry, and as reckless in multiplying their numbers as they could possibly be made, and nothing we can do will make them worse. We must absolutely protest against this, as it appears to us, unworthy mode of treating the question. Not merely because the fact is not so; not merely because almost all Ulster, and parts of the other three provinces, still remain to be degraded to the condition which Mr. Scrope argues upon as consummated; not merely because, if the peasants already multiply recklessly, that is no reason for making a margin for them to multiply farther, until they starve down all other people to the level of themselves. Not for these only, but for more comprehensive reasons. Because Ireland is so wretched, because we have thus neglected our duty to her, is she therefore to be delivered up for an *experimentum in corpore vili*, to a treatment of which, on every principle of reason, the effect must be to render all her maladies incurable? If Mr. Scrope could have said the direct contrary of what he has said; if he could have said the Irish are laborious, self-relying, proudly independent, *they* will never choose to live on alms, *they* will never consent to depend on parish pay, they are a people whom you cannot pauperize, we could have understood *then*, though we should have thought the doctrine a short-sighted one, that it might have been urged that even a bad poor-law would be innocuous. But on Mr. Scrope's way of arguing, it would be a good reason for plying a man with brandy because he is already dead drunk, or administering arsenic because he has been poisoned, or amputating a limb because it is paralysed, or putting out an eye because it has a cataract, or any other folly which would at once aggravate the malady, and close the door on any possibility of cure. He prescribes, not homoeopathic but monster doses of the very thing which caused the disease.

That even in the lowest deep there would be found a lower deep into which Ireland can still be plunged, and also that after every reasonable abatement the phenomena of the existing crisis still afford a strong experimental confirmation of all that we have pointed out, is the conviction of many good judges besides ourselves. The following is an instructive paragraph from the *Northern Whig*:

> As a mode of escape or relief from present difficulties, there is a tendency to press upon us a new poor-law—one which would give claimants a right to relief, and which would secure out-door support when apparently necessary. . . . Surely it is enough to refer to the present mighty rush of pauperism—of determined pauperism—to awaken any one to a sense of the tremendous peril of a system of the kind alluded to. Government proposed a plan of aid which involved low wages—a plan designed to render the work unpopular; but such a shout was raised, and so great was the pressure, that strict prudence became impracticable. Then followed liberal wages (as times go here) with quarter work—pauperism, in fact; and behold, we have crowding multitudes eager for the government wages

and idleness, and ready to let Ireland become a barren waste, for aught they care. Give us such a poor-law as we have referred to, and what would be the consequence? Its dire extent we can hardly attempt to conjecture; but that degradation which we have as yet seen nothing to match, and wasting and blasting idleness and recklessness to which heretofore nothing in Ireland could furnish a parallel, would ensue, is a state of things as clear, from such a system, as any anticipated event, however clear, could possibly be.[2]

346. THE CONDITION OF IRELAND [36]

MORNING CHRONICLE, 22 DEC., 1846, P. 4

Mill's scheme of waste-land colonization had been discussed in a leading article in the *Globe and Traveller*, 15 Dec., 1846, p. 2, from which the following quotations are taken. For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A thirty sixth leading article on Irish affairs, in the Morning Chronicle of 22d Dec. 1846" (MacMinn, p. 65).

THE ADVOCATES OF WASTE LANDS COLONIZATION in connection with peasant proprietorship need no longer complain of having to fight with shadows. As the proposal gains ground, the objections of some and the doubts of others are gradually working themselves into shape, and in time the question will have a chance of being rationally discussed. The *Globe* in a recent number has adverted to the subject in a tone between doubt and dissent. Our contemporary is not satisfied that a large advance of the national capital "would be economically and reproductively employed in the manner indicated. It may be so, but it requires more evidence and more *examples* than have been furnished." He admires our "boldness in overleaping, *per saltum* as it were, all the unavoidable preliminary difficulty and doubt of the operation, to say nothing of the limited *extent* of benefit after all effected, *if* effected." The passage being short, we shall quote the whole remainder of it:

> We do not need to decry the condition of those countries where small properties exist, and which we may consider to have remained in, or reverted to, an accustomed and primitive condition. For our part, indeed, we cannot doubt, notwithstanding Mr. Laing's enthusiasm, that the purely agricultural condition of Norway is anything rather than progressive, or, in all points, satisfactory.[1] A people with whom it is not an unfamiliar expedient to mix their "bread-stuff" with saw-dust, cannot enjoy a condition of well-being quite so superior to the vulgar aids of commerce as appears at first view; and M. de Sismondi's pictures of primitive rural felicity are mingled in all his writings with jeremiades on the changes change of times tends to produce.[2] The question is, whether a

[2]"Landlords and the Poor—A New Poor-Law for Ireland," *Northern Whig* (Belfast), 15 Dec., 1846, p. 2.

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[1]Samuel Laing, *Journal of a Residence in Norway, During the Years 1834, 1835, and 1836* (London: Longman, *et al.*, 1836), pp. 49-50.

[2]For Mill's comments on Sismondi, see No. 340.

favourite system of rural economy can really be reproduced at will "without any loss to the public."[3] This is what we can hardly admit to have yet been shown by all those who have said it—or rather, who have assumed it a work for the state of admitted feasibleness.

It is a great help to our argument when any who differ from us will take the trouble to let us see where the shoe pinches. But in our contemporary's case it seems to pinch so equally everywhere, that we hardly know at which end to attempt easing it. He seems as much in doubt on the points on which we should have thought doubt was impossible, as on those on which it was natural and to be expected. For example, a great part of his apprehension seems to be lest the public should lose money by the proposed operation. He is afraid, apparently, lest the improvement of the waste lands should not *pay*. It is really too much to charge people with assuming, and not proving, such a thing as this. One cannot be always slaying the slain.[4] A time comes when things may be considered as sufficiently proved. Let our contemporary ask any one who has paid any attention to the subject. Let him consult any of the voluminous reports by public officers, committees, or commissions, expressly on the point. He will find in these no lack of the "examples" he desiderates; but it positively weakens the case to rest upon examples what is grounded on the opinion of all competent judges and on public notoriety. The thing would have been done long ago by the landlords for their own profit, if they had not been wanting in three requisites—capital, enterprise, and *concert*. These three conditions the Government can supply. The *Globe* does not surely doubt that the reclaimed land will bear a rent which will repay to the State, as it would have repaid to the landlord, an ample profit on the outlay, even if tenanted on no better principle than the miserable cottier system. Besides, as the work would be done by the labourers whom the State is already maintaining without any profit or advantage whatever, it would really cost the State nothing. All this is so clear that no one now seems to hesitate about the propriety of turning some part at least of the relief expenditure into this channel. For whose benefit to do it, and on what tenure the land shall be thereafter held, are the points about which opinion is not yet unanimous.

"The limited *extent* of the benefit effected," if effected at all, is the next difficulty with our contemporary. He must mean, we suppose, that there is not space enough on the waste lands to locate more than a small part of the surplus population. We believe, on the contrary, that the measure, if vigorously and not languidly carried out, together with the other improvements which it would facilitate, would make over-population in Ireland for many years to come a thing

[3]William Smith O'Brien, "The Landed Proprietors of Ireland. Letter IV, Drainage and Improvement of Land," *Morning Chronicle*, 15 Dec., 1846, p. 3; this passage had been quoted in the evening of 15 Dec. in the *Globe*'s leading article.

[4]Cf. John Dryden, *Alexander's Feast* (London: Tonson, 1697), p. 4 (l. 68).

of memory alone. The time is not arrived for the discussion of details. But we must declare our opinion, that Mr. O'Brien's fifty thousand families,[5] and even the seventy-five thousand of the Repeal Association[6] (though either of those numbers subtracted from the labour market would be no inconsiderable ease to it), are a wholly inadequate estimate of the numbers which might and ought to be accommodated on the reclaimed land. It may be very desirable that the allotments should not be under twenty acres; but it is impossible to have everything that is desirable. All other considerations ought to be subordinate to that of making room for the greatest number of the people who can be supported in comfort. With the present habits of the Irish peasantry, it is perhaps even better that the size of the farm should not be sufficient to enable the holder to support a family in comfort without a considerable degree of labour and perseverance. Both the moral and the economical advantages of peasant properties may be enjoyed in considerable proportion, even where many of them are not of sufficient extent to make the proprietor wholly independent of the labour market. Such is the condition of a great part of the proprietor-peasantry of France, even in its happiest provinces. Since our contemporary likes examples, we will give him a pleasing one. Near Langeais on the Loire, Mr. Inglis, in a pedestrian tour, was overtaken by a countryman:

> He was going to work on some gentleman's property about a mile forward, and as we walked along, I questioned him as to his condition. He said he did not see how any man could be happier than himself. He had a wife and three children, and loved them all; and he had enough to give them. He was employed in field labour every day till three o'clock, and received 25 or 30 sous, according to the species of the labour. When he returned home he looked after his own little kingdom, for he possessed as much land as supplied him with bread, and sufficed to keep a cow and a couple of pigs. In fact, said he, *J'ai tout ce que je désire*. Contentment like this is rarely found in England; but the man, I have no doubt, spoke as he felt. I asked him if he was contented with the Government? All governments, he said, were alike to him, so as they kept at peace, and allowed him to live at home.[7]

Was this man's land of no value to him, although during two-thirds of his time he worked for hire? Would he have been the same happy man without it, or if he had held it, like a parish allotment, as a tenant at will? Observe too the state of wages which co-exists in Touraine with the general diffusion of landed property. For two-thirds of his day's work this peasant received from a shilling to fifteen pence; as much as a Dorsetshire labourer receives for the whole of his, and in a much cheaper country. We do not rest our case upon single instances, but we desire to warn those who share our opinion, that they should not pitch their notions too high with regard to the *extent* of provision in land which is necessary to give a peasant proprietor the feelings of happiness and independence.

[5]The figure is given in O'Brien's article quoted in No. 338.
[6]For the basis of the estimate, see No. 342, n2.
[7]Inglis, *Switzerland, the South of France, and the Pyrenees*, Vol. II, p. 285.

The *Globe* next doubts the authority of M. de Sismondi, because his writings contain "jeremiades on the changes change of times tends to produce." We know not who is a competent witness, if the testimony of one of the most accomplished, instructed, and intellectual men of his time, respecting things which he had all his life observed and studied, is to be overruled because he avowedly disliked some of the features of our commercial civilization. The *Globe* calls his representations "pictures of primitive rural felicity," just as if he was dreaming of things long past, instead of testifying to what took place under his own eyes. In his eulogies on peasant properties, M. de Sismondi was not extolling a thing past from dissatisfaction with the present; on the contrary, it was the intelligence, independence, and comfort which he saw in the present, under the system of peasant properties, and even under the far inferior system of the Tuscan *métayers*,[8] which made him, even to excess, distrustful of those modern tendencies which he identified with doctrines destructive of all this virtue and happiness. It is assuming a great deal, however, to number the destruction of peasant properties among "the changes change of times tends to produce." It is not change of times, but false economical doctrines, now on the wane, which threatened to subvert the social state so justly prized by Sismondi; and it really seems to us, looking at Europe on the whole, that it is the large properties rather than the small which are vanishing before the spirit of the time.

Among so many doubts, the one thing which the *Globe* "cannot doubt" is (of all things in the world), the "satisfactory condition" of the agricultural population of Norway. We did think that the case of Norway was universally conceded to us—so much so, that we have not thought it necessary to say anything about it, except an occasional allusion.[9] But we have no objection to enter at large on the condition of Norway, since we are challenged to it. It will require something more to shake the admitted fact of the enviable condition of the Norwegian peasantry than to remind us of the substitutes to which people may occasionally be driven in a country over a great part of which corn will not grow; while in all parts the climate is so precarious, that it can scarcely be said that there is any sure reliance on getting bread at all.

347. THE CONDITION OF IRELAND [37]

MORNING CHRONICLE, 23 DEC., 1846, P. 4

Continuing the discussion with Scrope on Irish waste lands (see No. 316), Mill quotes from the "Postscript" to Scrope's *How Is Ireland to Be Governed?*, 2nd ed. (London: Ridgway, 1846), pp. 40-66, which had been added since the 1st ed. (London: Ridgway,

[8]For Sismondi's remarks on the *métayer* system, especially in reference to Tuscany, see the sixth essay of his *Etudes sur l'économie politique*, Vol. I, pp. 278-330, from which Mill quotes in *Principles*, *CW*, Vol. II, p. 298.

[9]See Nos. 311, 316, and 339.

1834). For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A thirty seventh leading article on Irish affairs, in the Morning Chronicle of 23d Dec. 1846" (MacMinn, p. 66).

THE TWO PRELIMINARY QUESTIONS respecting Irish waste lands may, we conceive, be looked upon as decided. That their reclamation shall be undertaken on a large scale by the State is commanded by the necessity of the case. Since the State has at any rate to provide support, during months to come, for a large proportion of the whole Irish people, there must be found for them such work as will best repay the outlay, and afford security against the recurrence of a similar necessity hereafter. A second question, we believe, may now also be regarded as a question no longer. When the lands are reclaimed, it will not be to give them back to the landlords. *That* brilliant idea has been hooted out of court. We doubt if there will be found a landlord courageous enough to divide the House upon it.

Discussion therefore may now concentrate itself on the subsequent question —what to do with the lands when reclaimed. Substantially there are but two things which can be done with them. They must either be given to the people, or made the most of as the property of the State. Doubtless there are more ways than one of doing either of these things, and a mixed course also is possible. The land may be granted to a select body of the peasant class in free gift. This, however, is proposed by nobody. It may be granted at a quit-rent sufficient to pay the interest of the expenses, with or without a further payment to redeem the principal. It may be leased in perpetuity at a rent more than adequate to these purposes, but not amounting to a rack-rent. It may be let for a term, either in the Irish or in the English mode. Or, finally, it may be sold outright for the profit of the State. The choice among all these modes of disposing of the land will depend upon the opinion entertained of the comparative importance of the different purposes in view. If any value is attached to the creation of a superior class of peasantry, as a model and an object of emulation to the rest, some one of the plans first mentioned will probably be adopted. If it be thought of any importance to make the British Government popular with the Irish peasantry; to confer on a class who have experienced so little of its benefits a favour which even they can appreciate, and to avoid the appearance of making a profitable concern of our philanthropy; nothing more will be sought, as an equivalent for the land, than repayment of the expenses incurred for purchasing and reclaiming it. But if all that is cared for be to meet the emergency for the present, and improve the productive resources of Ireland for the future, getting at the same time as much money as possible for the State, to be applied to the repayment of the large sums it will have expended from first to last on Irish destitution, the natural expedient is to sell the lands for the most which they will bring.

This course has, however, been advocated by persons sincerely impressed with the importance of waste lands colonization as a means of creating a peasant

proprietary. Mr. Scrope, for instance, in his pamphlet, *How is Ireland to be Governed?* of which all the part relating to waste lands is highly interesting and valuable, gives his countenance to this among other modes of accomplishing the object:

> My proposal is, [says Mr. Scrope,] that the State should, through the medium of the Board of Works, purchase at their present value such portions of the waste lands of Ireland, in masses of not less than 500 or 1,000 acres lying together as may be required; that these should be by the same board opened up, by roads, main drains, and any other improvements the board thinks desirable, and then divided into small farms of from five to fifty acres, and *offered in the open market for sale*, with a clear title in fee, *or* let on perpetuity leases at a fixed quit rent, sufficient, at least, to pay all expenses. I believe by such a measure we might in a very few years locate on these barren wastes some hundreds of thousands of industrious landowners. [Pp. 54-5.]

Mr. Scrope computes that every acre reclaimed will at the utmost have cost the Board of Works £10, and that being in a state worth from £1 to £2 per acre rent, it will sell for at least £20 on the average, yielding to the Government a profit of cent. per cent.; a most promising pecuniary speculation. [P. 56.] But how is this reconcileable with Mr. Scrope's other object, the creation of a peasant proprietary? He has an answer for this too. We will give it in his own words:

> Some persons may doubt whether purchasers will be found for the small farms. Few, however, who know Ireland well, are unacquainted with the fact that there is a vast amount of money in the possession of farmers already in Ireland, some concealed in old stockings, some in the thatch of their houses, but much invested in savings' banks. In the Savings' Bank of Cork, for example, there is no less than £200,000, the property of farmers, averaging £34 a piece, therefore belonging to 6,000 persons in number. The same is true of very many other parts of Ireland. The sum remitted from Ireland to England annually for investment in the English funds is very large, and these unprofitable investments paying but a very low rate of interest, are made only because no opportunity offers for the purchase of land at home, on which the savings and the industry of the farmers may be employed with the certainty of reaping its entire fruits. . . . No one can doubt that purchasers will be forthcoming, who knows that there are plenty to give £10 per acre for the mere good-will of farms held on will at a high rent. [Pp. 56-7.]

This last observation refers to the Ulster tenant-right, and to the high price given for a perpetuity of tenure and limitation of rent, guaranteed, not by contract, but by the fear of being fired at.[1]

The facts stated respecting the hoards possessed by Irish farmers are highly important to the question in hand, because they supply one leading condition of the beneficial operation of the plan—a means of sifting, as it were, the peasant class, and trying the experiment of small properties with a set of proprietors the

[1]Under Ulster tenant-right the tenant could sell his farm to the highest bidder, while eviction was possible only through purchase; land improvements were thereby encouraged and tenants enjoyed greater prosperity. The system was enforced through custom, not law.

best adapted for it. If the possessors of these hoards are indeed *small* farmers—if they are actual cottiers, and not of that class of middling and large tenant-farmers who do, though sparingly, exist even in the South of Ireland—no one will doubt that cottiers who in the unfavourable circumstances of their situation have actually saved and laid by such considerable sums of money, have the very first claim on any boon which is conferred on industry and economy, and are the persons in whose hands the boon will most prosper. We should not hesitate therefore to give the preference in the assignment of the reclaimed lands to those farmers who could repay at once the whole expense incurred for the reclamation. This would not only be a valuable feature of the plan, but *might* be even essential to its complete success.

We would stop here, however. The reasons seem to us unanswerable against selling the reclaimed lands to the highest bidder. We do not say that even in that case no good would be done; it would scarcely be possible to reclaim so much land, and distribute it among a new class of owners, absolutely without any public benefit. But we are strongly of opinion that the benefit would be comparatively trifling, and that the persons benefited would not be the peasantry of Ireland. This is apparent from Mr. Scrope's own data.

Of 6,000 farmers who have deposits in the Cork Savings' Bank, the average deposit, according to Mr. Scrope, is £34. It is not likely that those who have deposits in the savings' bank have also hoards, or that any have hoards exceeding this amount. We may then assume £34 as the largest amount which any considerable number of Munster peasants could invest in land. How far would this go, at Mr. Scrope's estimate of £20 an acre? It would not suffice to buy two acres; and the farms he proposes vary from five to fifty. We have argued that an extent of twenty acres is too high a minimum; but we certainly never thought of reducing it to two. Even two acres bought at that price would drain the peasant, would leave him nothing to buy tools, seed, and manure, or to support his family until the first harvest. If the lands are sold in the manner proposed, they will not be bought by peasants, but by a totally different class—by middlemen, to be leased at rack-rents to cottiers on the present miserable system; or at best by English and Scotch, who may be willing to exchange the state of tenant-farmers in the one island for that of proprietor-farmers in the other. It may be said that the introduction of such people and their capital into Ireland would be a public benefit. Doubtless it would; but not if the new proprietors mainly consisted of such people. It would be senseless to expect any of the moral and social advantages of a yeomanry from a class composed of newly introduced foreigners, more completely separated from the peasantry than even their present landlords; connected with them by no sympathy, having no influence on their minds, and whose position would excite no emulation, because it would have been acquired by no means which it would be in their power to imitate. Unless the new proprietors are Irish peasants, all *that* part of the scheme is a total failure.

If the lands are to be held by English owners, and cultivated by English capital, it is far better that the farms be large, and the processes scientific.

Even supposing that it were deemed practicable and desirable to confine the competition for the new lands to peasants and Irishmen, the plan of selling them by competition would not be less objectionable, while in that case it would, moreover, be illusory. Far from being able to buy a farm of Mr. Scrope's smallest extent, five acres, at a profit to the State of cent. per cent., very few of the peasantry would be able to pay at once even the £50 which he supposes would simply repay the Government for its expenses. Our plan would be to give at once a grant in fee to every peasant who could repay the whole amount, returning a part of it to him, if necessary, on loan, to provide himself with the means of cultivation. Next to those who could pay all, the preference should be given to those who could pay the largest portion: an equivalent for the balance, and for any necessary advances of funds, being imposed on the land in the form of a fixed quit-rent.

348. THE CONDITION OF IRELAND [38]

MORNING CHRONICLE, 24 DEC., 1846, P. 4

The *Globe and Traveller* had replied to No. 346 in the evening of the same day, 22 Dec., 1846, p. 2, in a leader that Mill here quotes. For the context of the series, see No. 306. This unheaded leader is described in Mill's bibliography as "A thirty eighth leading article on Irish affairs, in the Morning Chronicle of 24th December 1846 (the second leader)" (MacMinn, p. 66).

NOW THAT THE COLONIZATION of the Irish wastes is becoming a practical question, the attention of the Government and the public may appropriately be called to a variety of points connected with the mode of execution, which it would have been premature to discuss so long as the main idea floated as a mere project before people's minds. Until its advantages were recognised there was little use in bringing under consideration its practical difficulties. The time, however, has now come when these must be estimated, and a choice made among the various means by which they may be met.

If the introduction of peasant properties failed to realise the benefits expected from it, the cause must either be want of industry in the proprietors, or want of providence, chiefly in respect to population. Of these dangers the latter is the more serious; of the former we cannot entertain any real apprehension. We believe there is no instance of a class of peasant proprietors who are not industrious. In general their industry is an example and a wonder, deserving almost the name given to it in a statistical account of the canton of Schaffhausen, published a few years ago, which says that until the last half century there was

not much to praise in the agricultural condition of the canton, except the *superhuman* industry of the people.[1] This is *instar omnium*.[2] Even where there is nothing else to be said for peasant proprietors, their industry is "superhuman." We mean, of course, in any country where there is protection to property, and where they are not subject to arbitrary taxation. It is because the Irish peasantry have their habits of industry yet to acquire that we have contended that peasant properties cannot but be a benefit to them, even should the experiment fail in every other respect. The *Globe* indeed, in its reply to our article of Tuesday, ridicules the idea of "catching up whole masses of destitute peasantry, with not one habit of methodical industry, or improvement, or forethought about them" . . . "masses whose utmost ambition hitherto has been to vegetate on potatoes," and "planting" these, "at a single stroke, on lands reclaimed at the public expense," in the hope of converting them, "with the touch of an adminstrative harlequin's wand, into thriving proprietors." The *Globe* does not surely imagine that it is proposed to make a progress through Clare or Tiperrary, seize hold of the first fifty thousand ragged people you meet, and drag them *obtorto collo*[3] to be made proprietors of. There are even in Ireland abundance of industrious poor, and still greater abundance who want nothing but sufficient inducements and encouragements to be industrious. There are never wanting, even now, peasants who go through the whole toil of reclaiming several acres of bog or mountain land without any assistance, on the tenure of mere squatters, with no prospect but that of paying a rackrent as soon as the man whom the law calls the owner may think it worth while to make the demand. Surely the human faculties are not unequal to devising the means of reaching these very people, and making them, and not the idle and indifferent, the recipients of the intended boon.

The truth is, that the means of making this distinction are extremely obvious, nothing more being requisite than to leave everything that *can* be done by a peasant to be done by the proprietor. Let him have the land itself, not gratuitously (on that point the *Globe* is fighting shadows), but at cost price, or a *rent* equivalent to it, including in both the cost of the original purchase and the cost of the improvement. But the improvement should be limited to such drainage or other works as can only be accomplished through command of money, and on a large scale. There should be no building of houses, no inclosing, no preparation of the soil for culture; lime or other permanent manures may be supplied, but they should be paid for; and the fertilization of the land by

[1]Eduard Im-Thurn (1813-77), *Der Kanton Schaffhausen* (1840), Vol. XII, p. 59, of *Historisch-geographisch-statistisches Gemälde der Schweiz*, 18 vols. (St. Gallen and Bern: Huber, 1834-46).

[2]See Pliny the Elder (ca. 23-79), Roman military leader, historian, and naturalist, *Natural History* (Latin and English), trans. H. Rackham, *et al.*, 10 vols. (London: Heinemann, 1938-62), Vol. IV, p. 64 (XII, 87).

[3]Cicero, "Pro A. Cluentio habito oratio," p. 282 (lix, 5).

coating it with the subsoil (when of suitable quality) is a thing which the proprietors should be instructed to do for themselves, rather than a thing which should be done for them. Any allotment not reclaimed within a given time should revert to Government, compensation being made for all useful work actually performed; and the land should at once be regranted to a worthier occupant.

There is a larger element of uncertainty affecting the realization of the hoped for benefits, so far as they depend not on the industry but on the prudence of the new proprietors. Property indeed, and the possibility of acquiring it, are to the peasant, as to all others who must work to live, the great school of prudence as of the other industrial virtues. But it is not always an effectual one. Peasant proprietors are invariably industrious; they are generally, but not invariably, provident. The incentives to industry are more direct and nearer at hand than the restraints on over-population; and the bad habits of the Irish peasantry are more inveterate on the last than on the former point. There is no danger that the new proprietors, if selected on any reasonably discriminating principle, would be deficient in industry. But they may increase too fast, and break up the land into minute sub-divisions. It is no reason against trying a remedy of known efficacy, that it is not infallible. But it is a reason for guarding it by all practicable auxiliary precautions.

With this object in view, it would probably be advisable that the State, in the cases at least in which any part of the repayment of its outlay is commuted for rent, should, notwithstanding the fixity of tenure, retain sufficient of the rights of a landlord to prevent the little estates from being subdivided without its consent. It should recognise only one proprietor, and allow on each farm only a single dwelling. These conditions, made known from the first, and expressly inserted in the legal instrument of grant, would bear obviously in their aspect the public motives by which they were dictated, and could neither be complained of nor misunderstood. For another, but equally important reason, the consent of Government should be required to every sale, or a right of pre-emption should be reserved to it. The object of this would be to prevent the small properties from being bought up, and thrown into large ones.

349. THE CONDITION OF IRELAND [39]

MORNING CHRONICLE, 26 DEC., 1846, P. 4

For the context, see No. 306. This unheaded first leader is described in Mill's bibliography as "A thirty ninth leading article on Irish affairs, in the Morning Chronicle of 26th December 1846" (MacMinn, p. 66).

AMONG THE QUESTIONS which present themselves in framing a scheme for the location of peasant proprietors on the waste lands, there is none on which there is

likely to be greater diversity of opinion than on the size of the allotments. The question is not without its difficulties. Excess on either side is attended with serious inconveniences; and no unvarying standard can be applied to so many diversities of soil and situation. Much consideration, under the guidance of local knowledge and practical experience, is requisite for steering skilfully between the two extremes; and it does not belong to us to decide the question. It may be possible, however, to give some indication of the general principles which should be kept in view in its decision.

We think that each estate should be of a size fully to occupy, and at the same time (after payment of the quit-rent) amply to remunerate the vigorous and well-directed industry of a single family. We see strong objections to fixing the average extent either below or above this standard. The portion of land should neither be so extensive as to require the aid of hired labour, unless in an occasional emergency, nor so small as to leave any part of the proprietor's time on his hands which his little estate cannot beneficially occupy.

The disadvantages of making the portions too small are more apparent at first sight, and are likely, in this country at least, to be more generally appreciated than those of making them too large. They are indeed very obvious. A property not sufficient to maintain the proprietor and his family would leave them still dependent on the labour market, and would fail to create the feelings of security and independence which distinguish the proprietor from the hired labourer. A property sufficient for absolute necessaries, but not adequate for comforts, would miss the grand object of raising the peasant's mode of living and standard of requirement. Affording too, as it would, these mere necessaries at a much less expense of labour and perseverance than may justly be annexed as a condition to the boon of being made a proprietor, it would do little towards correcting habits of listlessness and semi-idleness. The chief complaint of Arthur Young respecting the *métayers* and the *very* small proprietors in France before the Revolution, related to the great quantity of idle time they had on their hands.[1] In some states of territorial economy and of the habits of the labouring class, these considerations would not have so much weight. Where large farms are so intermixed with small that employment for hire is within easy reach of every peasant, where the numbers of the people are not disproportioned to the amount of employment, and their standard of living is tolerably high—conditions realised in several parts of the Continent—the peasant may have the security and satisfaction of calling a piece of land his own, on which he can fall back for mere subsistence in case of need, without relaxing his exertions to obtain additional comforts, or acquire the means of saving, by labour for hire. It is scarcely necessary to say that the condition of Ireland is totally different. Allotments barely sufficient to afford potatoes would leave the people what they have

[1]Young, *Travels*, Vol. I, pp. 415-16.

hitherto been, contented and apathetic, with no wants beyond a meal of potatoes, a hovel, and rags.

But the objections are almost as strong to making the portions so large as to require the habitual aid of hired labour for their cultivation. In the first place, it is a sufficient objection, that if the estates are larger than necessary, the valuable class of yeomanry which it is designed to create are proportionally reduced in numbers. With an average extent of twenty acres, we are brought down to, at most, the "seventy-five thousand families" of the Repeal Association;[2] and this, though no inconsiderable number, is not sufficient to clear off the surplus from the old lands, and abolish the cottier system. But, further, the effect of small landed properties in raising the character of a peasantry does not consist wholly or principally in their effect on the proprietors, but still more in the effect on those who may become proprietors. The estates, then, should not be of such a size, and when improved of such a value, as would place them too high above the aspirations of the mere labourer. He should be permitted to feel that by a degree of exertion and economy, not beyond what is possible even to him, he may hope one day to possess himself of one of these farms, and leave it as a property to his children. But, further, the peasants who would become proprietors of estates averaging twenty acres would be of the class now called small farmers, and it is already the habit of this class, when they employ labourers, to pay the wages in land; nor have they, in general, sufficient pecuniary resources to make the payment otherwise. If the new proprietors, having more land than they could themselves cultivate, called in the aid of hired labourers, it would be impossible to prevent them from paying those labourers in the way to which they are accustomed, by *conacre*; that is, by a patch of land on which the labourer grows his own food, and for which he is debited with a rent which he works out in labour. It is by no means clear that conacre (as has been asserted) would perish with the potato,[3] and it is not only not clear, but not at all probable that the potato has perished. To give land, therefore, of such an extent as to require hired labour, which labour would be paid with part of the land, is not to prevent sub-division, but to cause it, and that too in the very worst way. It is to share the land between one proprietor and one or more conacre-men, when it might be shared among the same number of proprietors. If it be said that this kind of sub-letting might be prevented, we answer that we do not think it could; but that, if so, it could only be by making it impossible for the proprietor to obtain hired labour at all; for to refuse him the power of paying for it in the only thing he has to bestow is a tolerably effectual prohibition. It is better surely to withhold the land, than to give it and deny the means of cultivating it. Nor is there anything

[2]For the basis of the estimate see No. 342, n2.

[3]A resolution passed at the meeting in Dungarvon (discussed in No. 331) included the comment that "the conacre system has perished along with the potato that gave it birth." See the letter from the Irish Correspondent (18 Nov., 1846), *The Times*, 20 Nov., p. 5.

gained by making it necessary for him to have hired labour, even supposing that he could pay for it. There is no use in having a class of labourers for hire, scattered singly or by twos or threes over a large district. The advantage of hired labour is the facility it affords for combined action, and the practice of industrial operations on a large scale. For every object which can be attained by the existence of peasant proprietors, holdings which they can cultivate without hired assistance are sufficient; nor between this and farming by large capitals, in the manner of Scotland and Northumberland, is there any reasonable medium. Either a large net produce, or a superior class of peasantry, should be the object. We should not hesitate a moment which to choose; but whichever is chosen, let it by all means be pursued effectually.

350. THE CASE OF THE NORTH FAMILY

MORNING CHRONICLE, 29 DEC., 1846, P. 4

Dudley North, as the result of a coach accident, died on 25 Jan., 1845, leaving a wife, Sarah, and four children, Arabella, Sarah, Dudley, and Helen. A legal contest arose between Sarah North, the widow, on the one hand, and her mother-in-law, Mrs. Wilson, and her sister-in-law, Arabella North, on the other, over the guardianship of the children. The case, which attracted attention because of the anti-Catholic feeling at the time, was heard in the Court of Chancery before James Lewis Knight-Bruce (1791-1866), politician and judge, Vice-Chancellor in the Court since 1841. Counsel for Sarah North was Thomas Chisholm Anstey (1816-73). The case was reported in *The Times* on 21, 22, and 24 Dec., 1846, but most fully in "In the Matter of the Petition of Arabella Frances North and Others," *The Times*, 23 Dec., 1846, pp. 7-8, from which the quotations are taken. This unheaded second leader, the sixth of those on injustice and cruelty jointly authored by Harriet Taylor and Mill (see No. 303), is described in his bibliography as "A leading article on the case of the North family in the Vice Chancellor's Court, in the Morning Chronicle of 29th December 1846. Very little of this article was mine." (MacMinn, p. 66.)

THE CASE OF THE NORTH FAMILY, heard last week before Vice-Chancellor Knight Bruce, and on which that judge has pronounced at least a temporary decision, suggests some queries on the state of the law respecting maternal rights, to which this judgment, if it represents the law correctly, gives anything but a satisfactory answer.

The parties to the cause are the widow of Lieut. Dudley North on the one side, and his mother and sister on the other, and the contest is for the guardianship of the four children. The facts of the case are these:—The parents, originally members of the Church of England, had for some time before the father's death been in the habit of attending, along with two of their children, a Roman Catholic chapel, but had not publicly professed the Catholic religion. The father died from the effects of a coach accident, and on his death-bed refused to receive the

Protestant clergyman who had been brought to the house by one of his relations. The widow soon after became an avowed Roman Catholic, as she asserts on oath that, according to her belief, her husband, but for his untimely decease, would have done. The husband's relations got possession of the children by a stratagem, and refused to restore them to their mother, placing them under the care of a maiden aunt.[1] The mother sought legal redress; and the result is, that the Vice-Chancellor directs a reference to a Master, to appoint a guardian or guardians, and decides that in the meantime the children shall remain in the custody of their paternal relations, the mother "to have access to them for two hours daily," but only in the presence of one or more of the said relations.

We have attempted to discover, from the reported judgment, on what distinct principle this startling decision is founded. Vice-Chancellor Knight Bruce does not positively affirm any principle, but makes indistinct reference to two. He is very positive on one thing—that it is the duty of the court to have the children brought up in the religion of the Church of England. Sometimes it seems as if his reason was, that the father must be presumed to have intended it. But there are other sayings on which it is difficult to put any interpretation but that, even if the father had intended otherwise, the court would not the less have thought it its duty to see the children brought up in the religious belief which this Vice-Chancellor sanctions by his approval.

It is a duty to society that a decision should be given by the highest authority on this question of law: Is, or is not, a widowed mother, in case of intestacy, the legal guardian of her children? The counsel for the widow asserts that she is. The judge, if we understand his meaning, decides that she is not; that there is no legal guardian; that it rests with the court to appoint one; that it is entirely at the court's discretion to appoint anybody, the mother, or any one else. If this is correct; if the mother, even when she is the sole parent, is in the eye of the law a stranger to her own children; if even when the father is silent the mother has no rights over the children, more than anybody has who chooses to claim them, and *can* have no rights unless the court thinks fit to confer them on her, as it is equally at liberty to do on any one else—if this is the law, it ought to be made universally known, in order that the common sense and sense of justice of the community may speedily put an end to so iniquitous an outrage on the most universally recognised and strongest tie of nature. Society is rigid in enforcing this tie *against* the mother; there are no bounds to its aversion and contempt for a mother who deserts her offspring; is it then entitled to arrogate to itself the power to deprive her of them for no presumed or alleged fault—nay, while saying, as in this case, that the mother's conduct is unimpeachable? The idea is monstrous, and repugnant to all feelings of justice. Again, if the widowed mother is not the legal guardian of the children, with what justice can she be bound to maintain

[1] Dudley North's sister Arabella.

them by her labour? In the case of mothers in the lower ranks, can the law, which acknowledges between them and their children no relationship, treat the mother as a parent for the sole purpose of forcing her to work for their maintenance?

But if the mother *is* the legal guardian of the children, unless the court for reasons assigned should appoint otherwise, what reasons appear in the Vice-Chancellor's statement which justify his setting aside her guardianship in this particular case? And here we cannot but express an opinion that the two reasons between which, as we before observed, the Vice-Chancellor halts, are each of them so bad, that we do not think he could have ventured to rest his decision upon the unassisted strength of either of them. He appears to intend to eke them out, one by another, under the idea that two bad reasons added together amount to a good one. In the first place, he argues at some length that the father, having never professed himself a Catholic, must be held to have died a Protestant, and to have intended therefore that the children should be brought up as Protestants. Now, if the mother has no rights, the father by his intestacy having abdicated his, it seems quite frivolous to discuss hypotheses about what the father may be presumed to have intended. The court, on this supposition, is the sole guardian, and ought to decide the matter on its own merits. But if the mother has rights, what can be more irrational than to supersede them on a presumption (not to say on a doubtful one) that the father desired something different? If he had desired anything different, he could have so provided by will; and his not doing so must be taken as complete evidence of his acquiescence in what, he had every reason to believe, would be the consequence of his intestacy—that the children would remain in the society and guardianship of their mother. Would the court have treated the question in this manner if it had been a question of property? A man dies possessed of an estate, which he could have bequeathed to whom he pleased; but he dies intestate, and it passes to the heir-at-law. Would the court receive evidence to prove that he disliked the heir-at-law, and would have preferred leaving the estate to some one else? The proposition is absurd, and would be so regarded. The deceased not having declared his intentions by will, the law would take its course, and the estate devolve on the person whom it had designated.

While, however, Vice-Chancellor Bruce is willing to make all the use he can, in favour of his conclusion, of the imaginary intentions of the father, he intimates the right of the court to direct the children's religion, let the father's purpose be what it may:

> That it should view the religion of the children as a matter of indifference is of course quite out of the question. That no one can do. *That the religion of the children should depend on the mere will and pleasure of the person or persons who may happen to be guardian or guardians*, ESPECIALLY *when there is no testamentary guardian*—appears to me to be equally out of the case. As it is the duty of the court to superintend the education of infants in all cases where its powers are not excluded, so especially and most

importantly it is the duty of the court to superintend that course of religious education in which the children ought, until they are of years of discretion, and able to and think fit to choose for themselves, to be educated.

Not only therefore when there is not, but when there is, a lawful guardian, the court will not permit the religion of the children to depend on the guardian's decision, but will make it depend on the court's pleasure. Nor is the maxim limited to cases in which there is no testamentary guardian. If Mr. North had made a will appointing Mrs. North guardian, or any one else guardian, and the person appointed had been supposed to intend to make the children Roman Catholics, the court would have set aside the will.

Hear this all parents who think that you have the power of confiding your children after your death to the relatives or friends on whose integrity, judgment, and affection you most rely. If the friend or relative be a Roman Catholic, he may be your choice, but some other person, perhaps one you have the greatest reason to despise and dislike, will be Sir J.K. Bruce's. Nay, it is not certain that his interference will wait for your death. It is his duty, he says, to regulate the religious education of the children in all cases from which his powers "are not excluded;" and that they are not excluded from the case of children whose father is alive, Shelley's case[2] and several other cases bear witness. For aught that appears, the children might have been taken out of the control of Mr. North himself, if he had lived to declare himself a Roman Catholic, and the Protestant maiden lady who has them in custody might have been *in loco* of both their parents, as she now is of their widowed mother. If we could smile on so serious a subject, we should be moved to do so by the doctrine that a maiden aunt is as nearly related to children as their mother!

The case has two stages yet to go through. The Master has to report; and his report, when made, must receive the sanction of the court; from which, if the present temporary decision is made a permanent one, we sincerely hope the case will be carried by appeal to the Lord Chancellor,[3] and will not pass by without calling the attention of the public and of Parliament to the principles which it involves. It is they who should decide whether a mother is her child's nearest relation or no, and whether Sir J.K. Bruce, under cover of his court's powers as protector of infants, shall be permitted to commence, in the year 1846, a new form of religious persecution.[4]

[2]When the poet Percy Bysshe Shelley (1792-1822), after the suicide of his first wife in December 1816, sued in the Court of Chancery for custody of his two children, the Lord Chancellor, John Scott (1751-1838), 1st Earl of Eldon, ruled against Shelley on the ground of his unorthodox religious views.

[3]Charles Pepys, Lord Cottenham.

[4]In the event, the case was shortly closed. On 12 Jan., 1847, *The Times*, p. 8, reported that an arrangement had been made between the mother and the grandmother that rendered further application to the Court unnecessary.

351. THE CONDITION OF IRELAND [40]

MORNING CHRONICLE, 1 JAN., 1847, P. 4

For the context, see No. 306. This unheaded first leader is described in Mill's bibliography as "A fortieth leading article on Irish affairs, in the Morning Chronicle of 1st January 1847" (MacMinn, p. 66).

AS THE TIME APPROACHES when the measures in preparation by Government for the present relief and future improvement of Ireland must be brought to maturity, of which measures it is impossible that some plan for the reclamation of the waste lands should not form an essential part, we think it useful to continue presenting, from time to time, what occurs to us on the various points of detail which must be considered in dealing practically with the subject. We have applied ourselves particularly to this portion of the great Irish question, not because any one remedy can possibly suffice to cure evils so inveterate. To give Ireland a chance of redemption, many beneficent agencies must combine. But of all improving influences which can be made operative upon the poorer classes of any people, and especially of a people like the Irish, the most efficacious are those which grow out of the possession of property—its actual possession by a class among the labouring people, and the possibility and hope of it to them all. This, the most powerful of all instruments of good, next to popular education—and itself better deserving the name of popular education than much of what now passes by the name—it is, by a rare concurrence of circumstances, in the power of Government to confer upon Ireland, almost by an effort of will, with scarcely more difficulty or embarrassment than it is at any rate necessitated to encounter for the sake of keeping a whole people from perishing with famine. Yet this, the most important by far of the practical questions arising out of the crisis, was the most neglected. The voices which had made themselves heard on the subject were few and far between, and no echo had followed. It seemed therefore advisable to make the more beaten topics of Irish discussion matters of secondary consideration for a time, and to obtrude perseveringly this great neglected topic upon those who, in their several capacities, had a voice in determining the use, or the no-use, which should be made of the present temporary evil for permanent good.

The question is now, however, in a different position. Sufficient attention has been directed to it, by ourselves and others, to ensure its not being passed over unregarded. And, once entertained, the proposition has so little from which the most timid imagination can conjure up ideas of danger, while if successful it is so full of the richest promise of good, that it can scarcely fail to meet with favour, even if only as an experiment. The chief thing now to be guarded against is, lest a plan, good in its object and general conception, should miscarry in the details.

Details are not here of minor importance. The whole efficacy of the scheme depends on them. A single point of detail decided the wrong way may be fatal to the success of the plan. The details *are* the plan. It would therefore be neither right to the Government nor to the subject to be backward in making suggestions because they relate to matters of detail. We do not offer any suggestions of ours for more than they are worth; they are not given dogmatically as final, but as hints for consideration. If the matter were to be decided by those alone who have reflected on it, they would not require such aid as we can give. But since to be thoroughly conversant with the principle of a measure is not always one of the qualifications required from those entrusted with planning or executing its provisions, it will not do to withhold thoughts which have any bearing on the subject, under the idea that if really valuable they will have occurred to some one else.

In a late article we endeavoured to point out the considerations which should be attended to in fixing the size of peasant properties, and we expressed an opinion that on the average they should neither exceed nor fall short of that which will fully occupy and amply remunerate the labour of the proprietor himself and of his family.[1] It seems necessary to add, in explanation, that in suggesting this standard for the *average* we do not propose that each individual allotment should be made to conform to it. It is, on the contrary, extremely desirable that there should be considerable inequality and diversity among the allotments, in order that there may be peasant proprietors of different grades. Complete equality is only a school of improvement where there is already a strong habitual sentiment of emulation. A multitude of persons occupied exactly alike, all equally well off, and having nobody near who is superior or dissimilar to them, do not improve. Each is confirmed in his own habits by seeing precisely the same habits prevailing all around him. It is not enough that the day labourer aspires to be a proprietor; the man of five acres should aspire to be the proprietor of ten, the man of ten to fifteen or more. The largest size (whatever it be) that a family can properly manage without assistance should be the most usual size of an allotment, but there should also be many smaller and some larger. The best mode of providing for these diversities will soon be discovered by experience, if the executive functionaries are competent to their task. Possibly no more recondite contrivance may be requisite than that of allotting to each selected family as much land as it can bring into a certain prescribed completeness of cultivation within a given time. The different energy and ability of different cultivators would hardly fail to produce as much inequality of possessions as is desirable, and this without departing from the general principle previously laid down, since those capable of reclaiming more would be capable of managing more without calling in the aid of hired labour.

[1] See No. 349.

Another point ought not to be overlooked. In every plan which has to do with Irish labourers the obstacle is—too little ambition, too few wants; the danger that they will be satisfied with a bare subsistence, and will prefer rags, a turf cabin, and idleness, to comfort with labour. When a people of this character is discovered in the South Sea islands or on the African coast, our merchants and navigators excite new wants by placing suitable objects before their eyes. The new colonists must have objects before their eyes sufficiently attractive to be worth working for. Comforts and conveniences must be shown to them—must be brought within easy reach. Many of the tracts now waste, and capable of being colonised, are at a great distance from any existing town or village. In planting these tracts with settlers, it is proper to do what is always done in America—to lay out villages or towns at suitable distances. In these, artisans would settle and shops establish themselves; the peasant proprietors would find a market for surplus produce, and facilities for converting the proceeds into articles of comfort and convenience. Roads should be made, from the very first, to connect these villages with the country round and with the more distant centres of civilization. Individual exertion might here co-operate very usefully with the plans of Government. A society for the improvement of Ireland could hardly find a more useful employment of funds than to establish depôts in convenient situations, where the various things for which it is useful there should be a demand among the peasantry might be provided, and kept constantly in their sight: tools of good construction; seeds suited for various kinds of culture; useful books, good and cheap clothing, solid and useful utensils, and articles of furniture. There might even be established with great advantage (if the term may be permitted) itinerant bazaars of all sorts of articles, at once useful to the peasantry and within their capacities of purchase. A philanthropic society could afford to wait for its reimbursement until a demand had been raised up by its own continued exertions; which, considering all the uncertainties of the case, could hardly be expected from individual capitalists.

352. THE CONDITION OF IRELAND [41]

MORNING CHRONICLE, 4 JAN., 1847, P. 4

Charles Edward Trevelyan (1807-86), Assistant Secretary to the Treasury since 1840, was one of the principal administrators of relief in Ireland. On 15 Dec., 1846, he had written a letter to the Board of Public Works explaining and amplifying a Treasury Minute of 1 Dec. that allowed relief money to be borrowed by individual landowners for reclaiming waste lands (see *PP*, 1847, LVI, 365). Both the Minute and the letter were published in the Irish news of the *Morning Chronicle* on 21 Dec., 1846, pp. 2-3, from which Mill quotes. For the context of the series, see No. 306. This unheaded first leader is described in Mill's bibliography as "A forty first leading article on Irish affairs, in the Morning Chronicle of 4 Jany 1847" (MacMinn, p. 66).

WHILE THE GOVERNMENT are understood to be preparing, among other measures of Irish improvement, a general plan for the reclamation of waste lands, in which the claims of the peasantry to receive some share in the common inheritance of the whole nation are not overlooked;[1] this purpose, if really entertained, is in danger of being defeated, and the whole question conclusively prejudged, through the operation—we hope, the unintended operation—of the Treasury minute communicated to the Board of Works in Mr. Trevelyan's letter of the 15th of last month.

There have been three stages in the arrangements of Government for suppying food and employment to the destitute Irish people. In the first stage all the employment was on public works. The extent of the calamity was not then known. It was expected, doubtless, that the public would have only to feed a small fraction of the poor population, not (as in some counties it has proved) nearly the whole. Still less was it anticipated that Government pay and Government employment would draw off the people from productive occupations, and that there would be little other work done this year, in the west of Ireland, than what the public might provide. The public believed itself to be supplying an addition to the ordinary labours of the season, not a substitute for them; and was startled on finding that while wages were to be got for breaking stones and cutting down hills, ploughing and sowing were forgotten, and that a year hence, if there were no change of measures, Ireland would have roads, but no bread.

As soon as the number of destitute applicants for employment was seen to be what it was, the folly and danger of wasting all this labour on things of very secondary usefulness, or none at all, was promptly recognized; and Mr. Labouchere's letter permitted the landlords, in "presentment sessions," to apply for public money to be expended in drainage and other agricultural improvements, provided they were willing to assess themselves as a body for the ultimate repayment of the advance.[2] This was the second stage of the Government measures; and from this revised version of their original policy much was at first expected. Little followed, however, except complaint and remonstrance. The landlords would not consent to a collective assessment. They felt it unjust that they, residing in the country, and contributing, as many of them did, to the mitigation of the distress by employing much labour, should be taxed as highly for the improvement of lands not their own, as the absentee or the niggard who relieved and employed nobody. They clamoured, therefore, for the adoption of some rule or principle by which, as nearly as possible, the repayment of each advance should be charged upon the person benefited by it; which, they said, would be the case if the assessment was made by townlands, instead of

[1] See Nos. 359 and 361.

[2] Labouchere's letter was in *The Times*, 8 Oct., 1846, p. 5; see No. 313.

baronies or electoral districts, each of the small divisions called townlands being generally the property of a single proprietor. While this demand was urged from all parts of Ireland, hardly any use was made of the provisions of Mr. Labouchere's letter; few or no reproductive works were presented, and the wasteful road expenditure continued and continues as before.

It is apparently to meet these difficulties that the Government, by the Treasury minute of the 1st of December, gave another revised and corrected edition of their policy, constituting the third stage. By this resolution the Government undertake, among other things, to lend money to individual landlords for improvements recommended by the Board of Works. The words to which we now allude in the Treasury minute are these:

> Proceeding to the consideration of the second class of enactments—i.e., 1 and 2 Wm. IV, c. 33, s. 32, and 9 & 10 Vic., c. 1, s. 6—under which *loans may be made to individuals, to enable them to effect the improvement of their estates* for themselves, by drainage, *reclaiming waste lands*, or other works of substantial improvement, *my lords are prepared to make advances to proprietors* who comply with the conditions of the 1st and 2d Wm. IV, c. 33, amended by 9 & 10 Vic., c. 1, s. 6, as to the nature of the works, and who can obtain from a competent person, approved by the Board of Works, the certificate of increased value to be given to the land improved, as prescribed by that act. . . . Their lordships, however, desire that it may be understood that parties applying for loans under any of the enactments above adverted to, must undertake to submit to such terms, in respect to the period of repayment, and such other provisions, as Parliament may hereafter enact. [P. 3.]

Since this resolution was promulgated, the landlords have been quite tranquil, as was very natural, having obtained all they desired; and the public have rather approved than blamed the measure. It was regarded as a help to the landlords for increasing the produce of the country, employing labourers, and ultimately improving the value of their own estates; and though every one felt that the landlords had not deserved, and could not claim public aid in thus enriching themselves, it was acquiesced in, because the public welfare demanded that the cultivated surface of Ireland should be rendered more productive, and there seemed no means by which lands already occupied and tilled could be reached for the purpose of improvement, unless through the instrumentality, and to a certain extent for the profit, of their owners.

But while attention was fixed upon this, the leading and only ostensible feature of the plan, it at first escaped most people (including, we confess, ourselves) that the Treasury minute contained three words, "reclaiming waste lands," which, if acted up to, surrendered gratuitously to the landlords, not only all the increased value which is to be given by State money to what are properly their *own* lands, the lands which they have in cultivation, but also the whole value (after payment of expenses) which may be given by similar means to the entire waste lands of Ireland. This was overlooked here; but it has not been overlooked by those who were to profit by it. At the Frenchpark presentment sessions, in the county of

Roscommon, on the 26th of last month, Mr. Fitzstephen French announced that his brother, Lord de Freyne, "on Monday, would apply, under the minute, for a sum of £24,000, to commence the drainage and reclaiming of his extensive wastes in this barony, the total cost of which could not be less than about £150,000."[3] The following memorial from Lord de Freyne to the Board of Works has since been made public:

The Memorial of the Right Hon. Lord de Freyne

Sheweth—That he, with other estates, is tenant for life of extensive waste lands specified in the schedule annexed hereto, situated in the barony Frenchpark, and county Roscommon: that he is desirous of affording employment to the people resident on his estate, by draining, gravelling, and improving the said waste lands; and that he desires, under the powers vested in the Commissioners of Public Works in Ireland, advances of money may be made to him for that purpose; that 4,275 acres are fit for immediate drainage, gravelling, and reclaiming—and that the estimated expense would amount to £14,716; that memorialist has also 6,669 acres of deep and wet bog adjoining the aforesaid wastes, which the construction of roads and opening of drains would consolidate and make fit for reclamation; that the expense of doing this would amount to £7,671, showing a total expenditure of £24,164; that the estimated increase of value in these lands, when so improved, is £3,000 per annum; that the calculations of the persons employed by memorialist are supported, both in the cost of execution of works, and the return therefrom, by the reports made by the Bog Commissioners, and printed by order of the House of Commons, in 1814; that the said advance of £24,164 is intended to cover the whole expense of the proposed works; that memorialist undertakes to submit to such terms in respect to the period of repayment, and such other provisions, as Parliament may hereafter enact.

De Freyne.

We cannot believe that this result was foreseen, or that any measure leading to it has been deliberately adopted, or will be persevered in by Government. Of all modes ever suggested for dealing with the waste lands, this is the most unjustifiable. What have the Irish landlords done, that the State should double or quadruple their rental for them? Is it not enough that they are to reap the whole benefit of the expenditure which the State, not for their sake, but for that of the starving people, is willing to incur in increasing the value of their old lands? Must it also reclaim the unoccupied soil of Ireland from the worthlessness and barrenness in which they have left it, merely to present it to them? Far better were it that the land should remain as it is, and wait for more propitious times and wiser counsels, than that this rare and unequalled opportunity of rooting out the pestilent tenure which is the chief social cause of Ireland's degradation should be thrown away irrevocably, and that five years hence, instead of a peasantry

[3]Fitzstephen French (1801-73) was M.P. for Roscommon County 1832-73; Arthur French De Freyne (1795-1856), who preceded his brother as M.P. for Roscommon County 1821-32, had been created Baron De Freyne of Artagh in 1839. French's comment of 26 Dec. is given in "Ireland. State of Roscommon," *The Times*, 30 Dec., p. 3.

composed of a fourth or a fifth landed proprietors, and the remainder labourers at good wages, nothing should have issued for Ireland's benefit from this great crisis of her destiny, except merely a larger surface covered with miserable cottiers!

353. THE CONDITION OF IRELAND [42]

MORNING CHRONICLE, 6 JAN., 1847, P. 4

Mill here defends his article on the Treasury Minute (No. 352) against criticisms in a leading article in the *Globe and Traveller*, 5 Jan., 1847, p. 2, from which the quotations are taken. For the context of the series, see No. 306. This unheaded leader is described in Mill's bibliography as "A forty second leading article on Irish affairs, in the Morning Chronicle of 6th Jany 1847. (The second leader)." (MacMinn, p. 66.)

THE GLOBE of yesterday evening has put forth an answer to our observations on Monday respecting the Treasury minute of the 1st of December, as connected with the question of waste lands. The *Globe* would be "extremely sorry to have to acknowledge the correctness of the opinion" that the forthcoming measure of the Government is in danger of being defeated, and the whole question prejudged, by the offer so bountifully made to lend the money of the State to any landlord who chooses to reclaim waste land, and is willing to pledge his estate for the repayment. We should rejoice to think that there was no ground for this apprehension; but the article of the *Globe* has certainly no tendency to reassure us; for though the writer commences as if he meant to affirm that the consequence anticipated will not take place, the whole drift of his article is, to justify it if it does take place, and even to make out that the Government will be greatly to blame if it does not.

The point is—shall Government take measures for reclaiming the waste land in *such a way* that the whole value given to the land by public money shall be made a present of to the landlords? On this the *Globe* says, it will not be a present, for the waste land, belonging to them by law, is as much theirs as the cultivated land. Be it so. And the owner has "an equal right to invest his capital in adding value" to the waste land as to the cultivated land. True. And as much right to borrow for the one as for the other purpose. True again; but who questions or obstructs his right? Let him borrow; but why is the State obliged to lend? "Nor, to carry the principle to the full extent of the case, do we see why the reception of a loan from the State should be held to affect his right to the increased value." Such is the last step in this ladder of propositions, and a most astounding step it is.

The *Globe* should really reconsider the subject, and think twice before determining to stand to this doctrine. Will any one admit as a principle, that

whatever A has a right to do without asking leave from B, he has a right to B's unconditional assistance in doing? Or that because A has a right to do as he pleases with his own, and to borrow if he can whatever he is able to pay, this constitutes the smallest approach to a reason, as respects B, why *he* should become the lender? Is any one, either Government or private person, under an obligation to lend money for the purpose of enriching another? Besides, a Government has properly no money. Its money is the money of the public, and is neither to be given nor lent for any reason but the public good, nor in any manner but the manner most conducive to it. One would imagine that the State kept a shop for lending money, and was glad to do any little job in the way of business, without asking questions. On the contrary, lending money is a thing entirely foreign to the usual business and functions of a State; a most exceptional transaction, justifiable only as a means to some public benefit of a high order, not to be attained otherwise; and as it would be the height of impudence in any individual or any class to say to the Government, Lend us public money for our convenience, it would also be the grossest dereliction of duty in the Government to do so, unless it had ascertained that no other mode of employing the money would produce so much public benefit.

We could understand, though we should marvel at, any one who should say, that the money which Government may bestow would be more beneficially employed in improving the land for the landlords than in improving it for the people. But the *Globe* says the direct contrary. It expressly allows, that "if the Government improved the land, it would make the better disposal of it by dividing it into small farms, instead of continuing the cottier and conacre system," which our contemporary calls, in as strong language as any we have used, a "vile system." And does this make scarcely any difference? Does the public good indeed count for so little? Is it so new a thing to consider great social objects and the welfare of a people, in a question about land, that such considerations are not allowed even to turn the scale—are not suffered to outweigh a fanciful claim of men, who have made no use of the land for twenty generations, to be the only persons whom the State shall help to make use of it now! Men who, in any newly formed colony, would have been ousted of their land if it had remained unused for as many years as it now has centuries. Can any one wonder at Socialism, or Communism, after this? Can we be surprised that men should be found who passionately reject and denounce the principle of property, when we see into what a base superstition the worship of it has grown—how it deadens men's minds to the ends for which property exists, erecting property itself into an end—and how intellects fit for better things are held in bondage by the mere name, though the idea which it ought to represent be absent!

The second argument of the *Globe* is an extremely original one. You object, it says, to bestowing on the landlord the whole value given to the land by

reclaiming it at the public expense; this, however, you are bound to do; for you admit, and so does every one, that property ought not to be taken away without compensation; though the land lie waste, the landlord is entitled to its present value; and its present value is the same thing as its future value when improved, minus the expenses. How this should be is rather difficult to conceive. The *Globe*, therefore, illustrates it by an example. If Lord De Freyne, whose application to Government we noticed on Monday, be right in his estimate,

> his land is of such a nature that for every pound he may now spend upon it he is sure to receive about *four* in return. . . . Now, either his lordship is right as to the value of his land, or he is wrong. . . . If he is wrong, then the State, by lending him what he asks for, will *not* "make him a present of £2,150 a-year for ever.". . . If he is right, his interest in those 10,900 acres of land is *now* fairly worth (to anybody who has £25,000 to spare for its improvement) some 60 or 70,000 pounds; for as land has recently sold in Ireland, if taken into the market when improved, with an annual value of £3,000, it should not bring much less than £100,000.

So that compensation for the present value of the land could not be made to Lord De Freyne (if his calculations are right), unless he were paid £60,000, or £70,000.

Now, does any human being believe that if Lord De Freyne's waste, or the waste of any other Irish landlord who allowed it to remain a waste, could have been sold for £60,000, it would have been unsold to this day? Have so needy a class possessed a valuable commodity of great value for all these generations, and never sold it? The dilemma of the *Globe* will not hold. He argues that *either* the land when reclaimed will *not* yield a net profit of £60,000, or if it will, it can be sold for something approaching to that amount now. But everybody knows that waste land in Ireland *cannot* now be sold for anything more than a trifling price, and that this is no argument at all against its capacity to be made valuable by improvement. Persons who have large sums to buy land with, and large sums to sink in improving it, and who are willing to adventure all this upon the chances of an agricultural enterprise in the most lawless parts of Ireland, are not abundant. Has it not been a complaint and lamentation as far back as any one living can remember, that because of Whiteboyism, or O'Connellism, or the priests, or the Repealers, or some other small fragment of the mass of social evil which presses upon Ireland, capital *will not* go thither to find employment, although there is a fairer field for it than in almost any other part of the British dominions? If Lord De Freyne *can* sell his land at what it would be worth under a good Government and in the midst of a pacific and industrious people, in Heaven's name let him; but if he cannot, the Government is not to pay him that price for it. The Government is only bound to give him what he could get for it now, or the equivalent in money of any benefit he now derives from it, whichever of the two is most to his advantage. Government does not want his land if he is prepared to improve it himself, or to borrow from any other quarter

to improve it. But if he can do neither, Government, instead of lending him money to improve it, has a right to take it at its present value; and it rests with Government to create, in and by means of it, a higher value for the benefit, first and preferably, of the Irish people, and if not for them, for the State; for any one rather than for the landlord.

354. THE CONDITION OF IRELAND [43]

MORNING CHRONICLE, 7 JAN., 1847, P. 4

The evening *Globe and Traveller* responded in a leading article of 6 Jan., p. 2, to the *Morning Chronicle* leader on the Treasury Minute (No. 353), of the same day. The quotations are from the *Globe*'s leader of 6 Jan., except as indicated. Though Mill continued to write leaders for the *Morning Chronicle* on Ireland into April of 1847, this unheaded leader is the last of the series on Irish land that began on 5 Oct., 1846, with No. 306. It is described in Mill's bibliography as "A forty third leading article on Irish affairs, in the Morning Chronicle of 7th Jany 1847" (MacMinn, p. 67).

WE EARNESTLY HOPE that the rejoinder of the *Globe* to our yesterday's article has not correctly stated or surmised the intentions of Government on the question of the waste lands. For if so, the forthcoming measure[1] will indeed, truly enough, not be thwarted and nullified by the operation of the Treasury minute, but only because the principle of the Treasury minute, if the *Globe* be rightly informed, is itself the principle of the measure.

The doctrine which the *Globe* lays down, and which it supposes to be adopted by the Government is this: That the money which the State disburses for the employment of the people ought all to pass through the hands of the landlords, up to the point at which the landlords will not accept any more. When the landlords have had all that they will consent to take, it is supposed "that there will yet be men with idle hands and empty stomachs, with none to employ and feed them," and that the State having done its very utmost to bribe other people to employ them without effect, will be driven, "as a necessary evil," to employ them itself. Under these painful circumstances, the State, it is conceded, might as well employ them in converting such waste land as the landlords may have spared into small farms, which, however, when fit for cultivation, are to be sold by auction, so that if the scheme does introduce any small proprietors, they will not be peasants, and probably not Irishmen. We have written to very little purpose for months past if it is necessary for us to waste any more argument upon a scheme which makes no pretence of doing anything to amend the landed tenure or the agricultural system of Ireland. It is a mere expedient for the emergency, with no

[1]For the measure, see No. 359.

attempt at permanent social improvement; and if such be the plan propounded by Government and adopted by Parliament, there is nothing left but to mourn over an opportunity lost, never to be recovered.

The *Globe* charges us, though with perfect amenity, and doing us the full justice which we sincerely reciprocate, with a palpable misconception of its arguments; but it does not state what it is which we have misconceived. It restates one argument, which we certainly did not misstate, but, as we candidly confess, passed over entirely—"the peculiar value of individual agency, and the danger and difficulty attending all official interference, however well contrived, with either the agriculture or the commerce of the country."[2] Individual agency, no doubt, is generally (though not always) more efficient and economical than Government agency. But it does not follow that we should employ individual agency for what we do not want, in preference to Government agency for what we do want. If all that *is* wanted is mere temporary employment for the people, nothing more needs be said. Worse *cannot* be said, and we will think nothing so bad of a Liberal Ministry, until facts compel us to it. But if it is desired to reform the industrial system of the country, and raise the permanent condition and character of the people, the individual agency of the landlords will not do this at all; and the question, therefore, whether Government or individuals would do it best, is at least superfluous. The *Globe* tries a little to maintain that the landlords will surely do away with the "vile" cottier system, because it is in the end as unprofitable to them as degrading to the peasantry. The system "is not now willingly continued by any of that class of Irish landlords who are likely now to sink capital in the improvement of their estates."[3] Perhaps not by those who sink *their own* capital; but sinking the capital of the State is another matter. We hardly know what landlord, who has any wastes pronounced improvable by the Board of Works, is likely to refuse an unlimited offer of public money for accomplishing a transaction so profitable to himself. But grant the landlords willing to get rid of cottiers, how will they set about it? Will they make the tenants proprietors? No one supposes that they will hear patiently of such a thing. Will they even make them hired labourers? Then the public must find capital for that too. What remains but to fix them on the soil as cottiers, like their fathers before them.

But, further, it is yet to be shown that individual agency will have one particle more to do, or that Government agency will have less, on the plan which the *Globe* patronizes, than on one directed to nobler and larger objects. Government does not intend to leave everything to be done by the landlords which is done for the landlords' profit. The Treasury minute tells them what they are expected to do, and what the State will do for them. The State undertakes the general

[2]This passage is in the *Globe and Traveller*'s leaders of both 5 Jan. (see No. 353) and 6 Jan.

[3]*Ibid.*, 5 Jan., p. 2.

drainage of the country. It consents to deepen the larger watercourses, and provide great conduits for carrying off all waters which will flow or can be guided into them. Now this, which it must necessarily do for the great landlords, since they cannot themselves combine to do it, is almost all that it needs necessarily do for the poor peasants, since it is the only thing which peasants cannot possibly do for themselves. No doubt the drainage would, in that case, require to be extended into more numerous and smaller ramifications; but the arrangements which must be made and the machinery which must be erected for the one purpose would suffice for the other; and the whole would be better done, and perhaps even more economically, if done under one general systematic supervision.

The *Globe* fights us with an *argumentum ad hominem*, asking how we can object to making the landlords a present of the value which is to be given by public money to the waste, when we do not object to lending them money for the improvement of their cultivated lands, and how we can make any distinction between the two cases? We can easily satisfy our contemporary on this point. In the first place, it is not we who ever advocated loans to the landlords, even for their cultivated lands. We have acquiesced because there was no help for it. Making a present to the landlords is to our minds what making a present to the peasantry is to our contemporary—a "necessary evil." And, like him, we would have nothing to do with it unless it *is* necessary. Our own opinion is, that the whole of the Government expenditure should be directed, in the first instance, to the waste lands. But since there might be a greater number of persons to employ than could be usefully set to work at one and the same time in reclaiming the waste, we have no objection to employing the remainder in improving the cultivated land, even though this can only be done by lending to the landlords. The distinction we make between the cultivated and the waste land is simply that the State *can* give the one to the peasantry, and can*not* the other. Of course, in abstract justice, it could do both, making due compensation, as in the common case of making a railroad; but the one would be an extreme assertion of an acknowledged right, the other a very temperate one, and we are content with the moderate measure.

355. THE QUARTERLY REVIEW ON FRENCH AGRICULTURE [1]

MORNING CHRONICLE, 9 JAN., 1847, P. 4

This article is the first of a series of four that appeared in the *Morning Chronicle* (see Nos. 356-8) in response to John Wilson Croker, "Agriculture in France—Division of Property," *Quarterly Review*, LXXIX (Dec. 1846), 202-38. Croker was reviewing favourably *De l'agriculture en France, d'après les documents officiels*, 2 vols. (Paris: Guillaumin, 1846), by the royalist and intensely conservative French economist Maurice

Rubichon (1766-1849) and his nephew L. Mounier, an engineer, his frequent literary collaborator. Mill's mistrust of this book is seen in a letter to Chadwick of 19 Nov., 1847: "What I thought about Rubichon's book I have said in the Morning Chronicle of the 9th, 11th, 13th & 16th of last January. It is I think right that the author of the article [an unidentified article on Rubichon] should see those papers, & should be aware of the facts & books there cited." (*EL*, *CW*, Vol. XIII, p. 724.) The letter continues with a reference to more information Mill had gathered about the French population that further weakened Rubichon's case. (See *CW*, Vol. II, pp. 288n-9n, where Mill uses the new figures.)

This article, an unheaded first leader, is described in Mill's bibliography as "A first leading article in reply to the Quarterly Review on French Agriculture, in the Morning Chronicle of 9th Jany. 1847" (MacMinn, p. 67).

About the time of writing these articles Mill resumed work on his *Principles of Political Economy*, completing the first draft in March (Bain, *John Stuart Mill*, p. 87). He incorporated most of the final three articles in the series in an Appendix to Volume I, and commented to Bain on 27 Jan.: "I have so indoctrinated the *Chronicle* writers with my ideas on Ireland, that they are now going on very well and spiritedly without me, which enables me to work much at the *Political Economy*, to my own satisfaction. The last thing I did for the *Chronicle* was a thorough refutation, in three long articles, of Croker's article on the Division of Property in France." (*EL*, *CW*, Vol. XIII, p. 707.) Mill's slip in mentioning three rather than four articles may indicate that he had already decided to use the three in the *Principles*. In the Appendix, the extracts are introduced by an explanatory note: "In 1846 there appeared an elaborate treatise,* by two authors, MM. Mounier and Rubichon, the latter of whom was by his own statement a public functionary for ten years preceding the French Revolution, and both appear to take their ideas of a wholesome state of society from the institutions and practices of the Middle Ages. In this book it is maintained, that while French writers and administrators are in a conspiracy to represent their country as making rapid strides in prosperity, the progress of the *morcellement* is in fact reducing it to beggary. An imposing array of official details, adduced in apparent support of this assertion, gave a degree of weight to it which it could not claim from any correctness of information or capacity of judgment shown by its authors. Their work was cried up as a book of authority by the *Quarterly Review*,† in an article which excited some notice by proclaiming, on the evidence produced by these writers, that 'in a few years the Code Napoleon will be employed in dividing fractions of square inches of land, and deciding by logarithms infinitesimal inheritances.' As such representations ought not to be without a permanent answer, I think it worth while to subjoin the substance of three articles in the *Morning Chronicle*, containing as complete a refutation of these writers and of their reviewer, partly from their own materials, as appears to be either merited or required." (*CW*, Vol. II, p. 433.) The text of that Appendix was printed from a manuscript consisting of pasted-up clippings from the *Morning Chronicle*, with the introductory comment and linking passages added in ink (all on rectos), and notes added in ink (on versos); occasionally alterations are made in ink on the clippings themselves. (For full description, see *CW*, Vol. III, p. 1129.) The variants betwen the original versions and the manuscript of the *Principles* are given in notes to Nos. 356-8 below, in which "MS" indicates the manuscript of the *Principles*. (Alterations in later editions of the *Principles*, indicated in *CW*, Vol. II, are not here given.)

**De l'Agriculture en France, d'après les Documents officiels. Par M.L. Mounier, avec des Remarques par M. Rubichon.* Paris, 1846.

†For December 1846. [The following quotation is from p. 217 of Croker's article.]

THE NUMBER of the *Quarterly Review* just published contains a dissertation on the division of property in France, avowedly intended as a manifesto against peasant proprietors. The article is a mere abstract of a recent work on the state of French agriculture, by MM. Mounier and Rubichon, written for the purpose of showing that all French statesmen and administrators are in an unintentional conspiracy to represent their country as rapidly advancing in prosperity, when, on the contrary, it is sinking lower every day, morally and physically, through the progressive division of landed property, and is now not far from starvation point, which it will not fail speedily to reach. These dismal predictions, ushered in by an imposing array of statistical details, cannot but produce some effect on those who are ignorant of the subject, and have no time to inquire into it. We expect to find the *Quarterly* largely drawn upon in the approaching discussions concerning Ireland, and the *Globe* of Thursday has already commenced pelting us with M. Rubichon.[1] We desire no better than to try conclusions with that gentleman and his copyists; and before we have done, our readers will be able to judge for themselves on which side the truth lies. But though quite ready to encounter the assailants of peasant properties on French ground, we cannot consent to stake our cause on that issue. If the condition of France under her present laws were ever so disastrous, it would prove nothing against what is proposed for Ireland, as will appear from three several reasons:

First: The state of France is a state of *compulsory* division. The French law, by an inexorable rule, parcels out every inheritance equally among the children, recognizing in the parent no power either of bequest or of gift beyond the amount of one child's portion.[2] No one, that we are aware of, proposes to import this law into Great Britain or Ireland. If under such a law peasant properties are too minutely subdivided, can there be a more complete *non sequitur* than to infer that they would be so if things were left to their natural course? It is true, division of the inheritance does not necessarily imply division of the land; and accordingly the *Quarterly* reviewer does not make out his case even against the French law, as we shall presently show from his own facts. But when the sole option is between dividing the land and selling it to share the proceeds, it will often be divided in cases in which, if there had been a power of bequest, the foreseeing prudence of the parent would have provided otherwise. When a testator knows that the sub-division of his land will diminish its produce, and leave his family impoverished, he has a strong motive to guard against this result by either bequeathing it in joint-tenancy (if that be legally in his power), or giving the whole to one child, with legacies charged on it for the remainder.

Secondly: France is not, like Ireland, a country of large properties, among

[1]Leading article in reply to the *Morning Chronicle*, *Globe*, 7 Jan., p. 2.

[2]Code Napoléon, Livre III, Titre I, Chap. iii, Art. 745, and Titre II, Chap. iii, Arts. 913-19.

which it is proposed to introduce an infusion of small ones, but a country in which the great majority of the population are small proprietors. The argument from France therefore can by no means be transferred to a country for which nothing analogous to this is proposed, or to be expected. It is quite possible that a country entirely cut up into small properties might be as badly off as is pretended, while small properties duly intermixed with large might be the very *beau idéal* of agriculture. Large properties have their characteristic advantages as well as small; and it is as ill to be without one as the other. Not that France is without large properties; there has been as much exaggeration on this as on every other point of the case. The portion of the productive soil of France which is cultivated by the proprietors (*teste* the *Quarterly*) is considerably less than half, being fifty millions of English acres out of 114. Still there must be many large districts in which small peasant proprietors occupy the whole land, and have no example near them of more skilful or more successful cultivation to stimulate their ambition and correct their prejudices. The examples cited unfavourable to peasant properties will be found generally, if not always, to be of this kind.

But, thirdly, what would it avail could it even be proved that the subdivision of farms, if left to itself, would be indefinite—that (as the *Quarterly* says) "in a few years the Code Napoleon will be employed in dividing fractions of square inches of land, and deciding by logarithms infinitesimal inheritances."[3] Cannot the law stop this subdivision at whatever point it thinks fit? If peasant properties when of a certain size are a valuable feature in the condition of a people, and only threaten to be otherwise when they become too small, cannot the law determine how small it will allow them to be? This is actually done by some of the German Governments. Bavaria and Nassau have laws fixing a minimum of subdivision, and the Prussian Government proposed a similar law to the provincial states of its Rhenish provinces (where the Code Napoleon is still in force), by whom, however, it was rejected. It is not statesmanlike, nor hardly candid, to confound subdivision with *unlimited* subdivision, and argue as if a State could not make room within its boundaries for an unquestionable good, without allowing that good to be perverted at the pleasure of individuals into an indefinite amount of evil.

This is a valid answer to the *Quarterly* and the *Globe*, but not to MM. Mounier and Rubichon. Those writers enjoy the full advantage which extreme opinions give, in being invulnerable against many attacks which fall heavy on those who keep any terms with common sense. It is not too minute subdivision which they complain of, but *any* subdivision. The evil, according to them, dates from the middle ages, and the irreparable error consisted in allowing any portion whatever of the feudal domains to be divided or alienated. They avow the opinion, that there has been no good agriculture in Europe except by a territorial nobility or by the monastic orders, and that no country need expect to have a good agriculture

[3]Croker, p. 217.

hereafter, unless by the same means.[4] The *Quarterly* therefore throws MM. Mounier and Rubichon overboard, saying "The bias on the minds of these gentlemen against *all* the results of the Revolution is so strong, and often so unreasonable, that we should set no great value on their individual speculations or opinions, from which we differ in many essential points—and more especially from those of M. Rubichon, in whose generally too favourable statements of the condition and policy of England we should have much to rectify."[5]

This is as much as the *Quarterly* could be expected to say. The fact is, that it is impossible for an educated Englishman, whatever may be his opinions, to read with gravity these gentlemen's assertions about England. Since the famous General Pillet there has been nothing so *impayable*.[6] The *aplomb* with which in every chapter they deliver, as certified and admitted facts, things which they have either dreamed or been mystified about by some cruel jester, must be seen to be believed. We hope their countrymen will not be misled by the pretension they keep up through the whole book of knowing all about England. The safest rule for a French reader would be, to disbelieve indiscriminately whatever they state is a positive fact, whether of the nature of compliment or censure. In this country it will be evident to whoever reads the book itself, that any statement resting on the authority of MM. Mounier and Rubichon might as well rest on nothing at all; and that the sole value of the book consists in the official documents, and other statements by more competent judges, of which the greater part of it is made up.

In this respect, however, it is extremely important. It reduces to a manageable compass and an intelligible order much of the information contained in the statistical account of France, compiled and published by the present French Government—probably the most valuable record ever made of the existing condition of a great nation.[7] It is creditable to the good faith of these writers (which indeed we should not think of questioning), that their own materials afford the means of overthrowing many of their conclusions. As for their reviewer in the *Quarterly*, he knows, if we will take his word for it, the opinions and sentiments of "every wise man in France," and particularly of "the wisest of them all, Louis Philippe;"[8] but he knows nothing whatever of his subject except what he learns from his authors, and shows so little capacity of understanding even *that*, that his instructors have reason to be ashamed of him. But the exposure of his blunders must be deferred until we have more space for it.

[4]Mounier and Rubichon, Vol. I, pp. 195-208.

[5]Croker, p. 205. The praise of British agriculture and politics runs through Mounier and Rubichon's work.

[6]René Martin Pillet (1762-1816), French general, author of *L'Angleterre vue à Londres et dans ses provinces* (Paris: Eymery, 1815), almost proverbial for its hostile, uninformed criticism of English life and manners.

[7]*La statistique de la France, publiée par le ministre de l'agriculture et du commerce*, 1840 ed.

[8]Croker, p. 237.

356. THE QUARTERLY REVIEW ON FRENCH AGRICULTURE [2]

MORNING CHRONICLE, 11 JAN., 1847, P. 4

For an account of the origin, text, and variants in this second in a series of four leaders responding to the praise of Mounier and Rubichon by Croker in the *Quarterly Review*, see No. 355. The unheaded first leader is described in Mill's bibliography as "A second leading article in reply to the Quarterly Review, on French agriculture, in the Morning Chronicle of 11th January 1847" (MacMinn, p. 67). In the letter to Chadwick quoted in the headnote to No. 355, Mill remarks that the author of the unknown article "will easily detect one error in the second article of the Chronicle, into which the Quarterly reviewer misled me. But it does not touch the main question." (P. 724.) (The error—corrected in the *Principles*—was in following Croker, who copied the error from Mounier and Rubichon, p. 101, in estimating the increase in properties that paid land-tax at 60,000 rather than 600,000; see variants [e-e], [f-f], and [g-g].)

WE TRUST that in examining the evidence produced by the *Quarterly Review* of the dangers which threaten France from the excessive and progressively increasing subdivision of landed property, we shall not be thought to be demanding the attention of English readers to a thing which does not concern them. The question is not of mere local interest. It is not a French, nor solely an Irish question. It is the question, whether the labouring classes of a country are improved or deteriorated in condition by possessing property. For hitherto land is the only property which they have ever been able, as a body, to retain permanently. It is less liable than any other to be lost by vicissitudes; it inspires a stronger attachment, and greater habits of providence; and a much smaller amount of saving is sufficient, when laid out in land, to enable a labouring family to subsist and to be independent. Whoever is interested in the great question of the time, the condition of the labouring classes, is proportionally concerned that false notions on such a subject should not become generally accredited.

The reviewer makes an extraordinary slip at the threshold of his subject, in estimating the extent to which the *morcellement* has actually proceeded. He finds it stated,[1] that among nearly five millions and a half of landed proprietors there are 2,600,000 the revenue of whose land, as rated to the land-tax, does not exceed forty shillings, which sum, he very candidly says, should rather be sixty, as the rated value is very much lower than the real value. On this he exclaims, "There already exist in France millions of examples that a *propriétaire* may be poorer than a peasant. . . . 2,600,000 families, comprising 13,000,000 persons, of each of which families the rated income does not exceed forty shillings, but say sixty shillings, sterling, for the maintenance of five persons—and these are

[1] Mounier and Rubichon, *De l'agriculture en France*, Vol. I, p. 101.

[a-a1045] [*reprinted in CW*, II, 434.7-439.36]

proprietors! The poorest day labourer would earn four times as much."[2] He seems actually to suppose that these small proprietors, like great landlords, live only upon the *rent* of their land, forgetting that they have its *whole produce*. He might have known from the very documents he has quoted, and might have guessed if he had not known, that the forty shillings at which the land is rated in the [b]collectors'[b] books are not the gross produce of the little estate, but its *net* produce, the surplus beyond the expenses of cultivation, which expenses include the subsistence of the cultivators, together with interest on the capital. The reviewer himself shows that the rated *revenue* of all the landed property of France is about 4 per cent. of its rated *value*, and does not therefore much exceed a reasonable rent.[3] A writer who can mistake this for the whole income of a peasant cultivating his own land, gives the measure of his competency for the subject, and of the degree of attention he has paid to it.

We will now attempt to discover, from the reviewer's data and those of his authors, what may really be the condition of these 2,600,000 proprietors. As the French Government estimates the land-tax at one tenth of the revenue of the land, families rated at £2 or 50 francs pay, it is to be presumed, five francs. The average of the *contribution foncière* for all France is 2½ francs per hectare, and in the southern half of the kingdom, which is the most divided, two francs. A hectare being about 2½ English acres, this gives from five to between six and seven acres as the portion of land which falls to the lot of each of the reviewer's forty-shilling or sixty-shilling freeholders. But it may be said, this is not the *average* but the *maximum* of their possessions. We will therefore take another estimate, grounded on official documents, from the reviewer's authorities, MM. Mounier and Rubichon. "It is hardly credible," they say, "that there are in France more than four millions of proprietors so poor, that they pay no more than 5*f.* 95*c.* [say 6*f.*] to the *contribution foncière*."[4] In this case the 5*f.* 95*c.* are certainly the average. Six francs of land-tax corresponds to six acres per family on the average of all France, and to seven and a half on that of the southern division, which contains the greatest proportion of small proprietors. A still more favourable result is given by the calculations of M. Lullin de Chateauvieux, a much better authority than these authors, who estimates the average holdings of the 3,900,000 poorest proprietors at eight acres and a half.[5] Now, take any one of these computations in a fertile country like France, suppose as bad an agriculture as exists anywhere in Western Europe, and then judge whether a

[2]Croker, "Agriculture in France," p. 216.

[3]*Ibid.*, p. 210.

[4]Mounier and Rubichon, Vol. I, p. 102.

[5]Jacob Frédéric Lullin de Chateauvieux (1772-1841), *Voyages agronomiques en France*, 2 vols. (Paris: Maison Rustique, 1843), Vol. I, p. 35. Chateauvieux's estimate is also cited by Croker, p. 211n.

[b-b]MS collector's [*treated as typographical error in this ed.*]

single family, industrious and economical as the French of the poorer classes are, and enjoying the entire produce of from five to eight and a half acres, subject to a payment of only tenpence an acre to the Government, can be otherwise than in a very desirable condition? We do not forget that the land is sometimes mortgaged for part of the purchase money, and the reviewer makes a great cry about the tremendous incumbrances by which the land of France is weighed down; not amounting, however, on his own showing, to forty per cent. on the rental, which we should think is as favourable a return as could be made by any landed aristocracy in Europe. The interest on the mortgages of all France is estimated at twenty-four millions sterling[6] for one hundred and fourteen millions of acres—less than five shillings per acre: the owner of from five to eight acres could afford to pay double this amount, and be very well off.

We are aware that this is an average, and that four millions of properties averaging, according to M. de Chateauvieux, eight acres and a-half, imply a great number of proprietors who have less. But there must be a proportional (though not an equal) number who have more; and it must not be supposed that this statement includes the large properties, one of which would be enough to keep up the average against a hundred extremely small ones. No properties are included which pay so much as twenty francs land-tax, corresponding on the average of France to twenty acres, of the south to twenty-five. When it is considered that of the whole soil of France much less than half is in the hands of peasant proprietors, and that this half is not more subdivided than we now see, it will probably be thought that hitherto at least the mischiefs of subdivision have not reached a very formidable height.

But it is not what France now is, so much as what she is becoming that is the material point. Is the *morcellement* increasing, or likely to increase? The apologists of the French system have never denied that the land in many parts of France is too minutely divided. What they deny is, that it is a growing evil. They assert that the subdivision has reached its height, and that the reunions, by purchase, marriage, and inheritance, now balance the subdivisions. How stands the fact in this respect? Are the small properties tending to become still smaller or not? The reader will be surprised when he finds that, with all their straining, M. Rubichon and his reviewer have failed of proving that the *morcellement*, in this sense of the term, is making any progress at all.

The reviewer has a curious theory on the subject. He thinks that "on the calculated average of three children to each inheritance," the piece of land now held by one proprietor must *necessarily* be divided among three in the next generation, and among nine in that which follows.[7] Under what system of landed property could a population increase at this rate, and not be reduced to

[6]Mounier and Rubichon, Vol. I, p. 166; Croker, p. 219.
[7]Croker, pp. 212 and 219.

starvation? But is it a fact that population is *anywhere* trebled in the space of a generation? We have here blunder within blunder of a very complicated description. In the first place, he should not have said three children to *one* inheritance, but to *two* inheritances; for as the French law in questions of property observes that impartial justice between the two sexes in which other laws are so often deficient, the mother's patrimony is on an average equal to that of the father. In the next place, could not the reviewer have taken the trouble to ascertain at what rate the French population is *actually* increasing? If he had, he would have found that in the 27 years from 1815 to 1842 it only increased 18 per cent., and during that period with progressively increasing slowness, namely —in the first eleven years 9 per cent., in the next nine years less than 6 per cent., and in the seven years from 1835 to 1842, 3 1/10th per cent. only. [c] This retardation we must take the liberty of attributing mainly to the prudence and forethought generated in the poorest class by this very subdivision of property.

Instead, therefore, of trebling in a generation, the population increases in that period about 20 per cent.; [d] and if the growth of towns, and of employments not agricultural, in the same space of time is sufficient to absorb this increase, there needs not be, and will not be, even if the law does its worst, any increase of subdivision. Now, the towns of France have increased, and are increasing, at a rate far exceeding the general increase of the population. We read only the other day in the *Siècle*, as the result of the census just concluded, that Paris, which in 1832 had only 930,000 inhabitants, has now more than 1,350,000, an increase of nearly fifty per cent. in fourteen years.[8] There is every reason then to infer, from these general data, that the *morcellement* is making no progress.

What facts have M. Rubichon and the *Quarterly* reviewer to oppose to these? One fact; which at first sight appears a very strong one. Between 1826 and 1835, the number of properties rated to the land-tax exhibited an increase of nearly [e]60,000[e].[9] Let us first remark, that [f]60,000[f] separate assessments are equivalent only to about [g]30,000[g] proprietors, it being the common estimate of French writers, that on the average about two *cotes foncières* or separate accounts with the land-tax correspond only to a single proprietor. But if the

[8]Unheaded leader, *Siècle*, 29 Dec., 1846, p. 2.

[9]Both Mounier and Rubichon, Vol. I, p. 101, and Croker, p. 212, give 60,000. In fact, 600,000; see the variant notes.

[c]MS [*footnote:*] These facts are taken from M. Passy. In page 289 of the present work, from a more complete comparison, which includes the results of the last census, the increase of population has been shewn to be even slower than is here represented.

[d]MS [*footnote:*] Even this is a considerable overstatement. The census of 1806 shewed a population of 29,107,425. In 1846, according to the census of that year, it had only increased to 35,409,486, being an increase of little more than 21½ per cent in forty years. The longest term ever assigned to a generation is thirty years.

[e-e]MS more than 600,000; being about six per cent in ten years

[f-f]MS 600,000

[g-g]MS 300,000

reviewer had [h]turned a few pages back[h][10] he would have found a cause [i]amply[i] sufficient to account for a [j]much larger[j] increase. There were sold between 1826 and 1835 domains of the State to the value of nearly 134 millions of francs, or five and a half millions sterling. The very nature of such a sale implies division. [k]If this immense alienation of public lands created *no more* than the whole of the 60,000 new accounts which were added to the tax-gatherer's list during the period, we must suppose that they were sold in portions exceeding in average value 2,200 francs, which the state of France renders extremely improbable. There is every probability, therefore, that during those ten years the *morcellement* on the remaining lands of France diminished, instead of increasing.

A confirmation of this opinion is, that in the ten years preceding those in question the *cotes foncières* increased in number only 21,000[k];[11] an alarming proof, according to the reviewer, of the progressive advance of the evil; but, as we suspect, arising from the fact, that during the earlier decennial period a smaller, though still a considerable amount of public domains were alienated.

[l]We grant that portions of these lands must have been bought by persons who were already proprietors of other lands in the same *commune*, in which case no additional *cotes foncières* would be created, and to that extent the force of our argument is weakened. But against this we have to set the fact, that in[l] addition to the State lands, a great extent of [m]*communal*[m] lands were likewise alienated during the same period: and it is further necessary to subtract all the additions made to the number of *cotes foncières* by the extension of building, and the natural subdivision of town property, during ten years. [n]On the very data, therefore, afforded by our adversaries, we should infer that the subdivision at present, if not receding, is at the worst stationary.

But it[n] so happens that facts exist more specific and more expressly to the

[10]Actually the reviewer should have turned not back, but forward to p. 110; see [h-h].
[11]Mounier and Rubichon, Vol. 1, p. 101.

[h-h]MS consulted his author just ten pages farther on,† [*footnote:*] †Mounier and Rubichon, Vol. 1, p. 110.
[i-i]MS
[j-j]MS considerable portion of this
[k-k]MS And we are the more inclined to ascribe much of the apparent increase of division to this circumstance, because in the ten years preceding those in question, the *cotes foncières* increased in number by little more than 200,000
[l-l]MS [*paragraph*] In
[m-m]MS Communal
[n-n]MS All these items must be accurately estimated and deducted, before it can be affirmed with certainty that in the rural districts there was during those years any increased division of landed property at all. And even if there was, increased *division* does not necessarily imply increased *subdivision*. Large estates may have been, and we believe were in many instances, divided, but the division may have stopped there. We know of no reason for supposing that small properties were divided into others still smaller, or that the average size of the possessions of peasant families was at all diminished. [*paragraph*] It [*last word altered in ink*]

point than any of M. Rubichon's. A new *cadastre*, or survey and valuation of lands, has been in progress for some years past. In thirty-seven cantons, taken indiscriminately through France, the operation has been completed; in twenty-one it is nearly complete. In the thirty-seven the *cotes foncières*, which were 154,266 at the last *cadastre* (in 1809 and 1810), have only increased by 9,011, being less than 18 per cent. in considerably more than thirty years, while in many of the cantons they have considerably diminished. From this increase is to be subtracted all which is due to the progress of building during the period, as well as to the sale of public and communal lands. In the other twenty-one cantons the number of *cotes foncières* is not yet published, but the number of *parcelles*, or separate bits of land, has *diminished* in the same period; and among these districts is included the greater part of the *banlieue* of Paris, one of the most minutely divided districts in France, in which the *morcellement* has actually diminished by no less than 16 per cent. The details may be found in M. Passy's little work, *Des Systèmes de Culture*.[12] So much for the terrible progress of subdivision.

°Long as this article is, we cannot close it° without noticing one of the most signal instances which the reviewer has exhibited of his incompetency for the subject he treats of. He laments over the extraordinary number of sales of landed property which he says the law of inheritance constantly occasions;[13] and indeed the sales of land are shown to have amounted in ten years to no less than one-fourth part of the whole territorial property of France. Now, whatever else this extraordinary amount of sale and purchase may prove, the whole of it is one gigantic argument *against* the reviewer's case; for every sale of land which is caused by the law of inheritance must be a sale for the express purpose of preventing subdivision. If land, sold in consequence of an inheritance, is nevertheless subdivided, this cannot be an effect of the law of inheritance; it would only prove that land sells for a higher price when sold in small portions: that is, in other words, that the poor, and even, as the reviewer would have us believe, the very poor, are able to outbid the rich in the land market. This certainly does *not* prove that the very ᵖ*poor*ᵖ of France are *so* very poor as these writers try to make out, while it *does* prove that if so they must be by far the most industrious and economical people on the face of the earth, for which ᵠ, also,ᵠ some credit ought surely to be given to the system of peasant properties.°

[12]*Des systèmes de culture et de leur influence sur l'économie sociale* (Paris: Guillaumin, 1846), pp. 170-4, by Hippolyte Philibert Passy (1793-1880), economist and minister under Louis Philippe. (In his text Passy gives 154,216 as the first figure; in his table he gives 154,266.)

[13]Croker, p. 213.

°-°MS We cannot leave this part of the subject
ᵖ-ᵖMS poor [Rom *written in margin*]
ᵠ-ᵠ–MS [*altered in ink*]

We need not trouble our readers any further with the *Quarterly* reviewer; but the state of French agriculture, and the social condition of France, as connected with it, are subjects on which we have much more to say; and we shall take an early opportunity of attempting to show what is really amiss in these matters, and to what causes it is imputable.

357. THE QUARTERLY REVIEW ON FRENCH AGRICULTURE [3]

MORNING CHRONICLE, 13 JAN., 1847, P. 4

For an account of the origin, text, and variants in this third in a series of four leaders, see No. 355. This unheaded second leader is described in Mill's bibliography as "A third leading article in reply to the Quarterly Review, on French agriculture, in the Morning Chronicle of 13th January 1847" (MacMinn, p. 67).

[a-b]WE SHOWED ON MONDAY[b] that the four millions of landowners in France who can be reckoned among peasant-proprietors, those whose holdings fall short of twenty acres, are computed by one of the best living authorities to possess on the average eight and a half English acres each,[1] and that from no authentic documents can the average be brought much below that amount; a fact wholly incompatible with their being in the state approaching to starvation in which M. Rubichon and his reviewer would represent them. It is equally certain that if there is bad agriculture on these small estates, it is from some other cause than their smallness. Farms of this size are consistent with agriculture equal to any on the face of the earth. [c]Whoever doubts this, let him refer to *any* account of the agriculture of West Flanders, originally as barren a soil as is to be found in Europe, and in which a large proportion of the farms do not exceed from five to ten acres. If Irish testimony be wanted, listen to that high practical authority, Mr. Blacker:

> I am firmly persuaded, that the small farmer who holds his own plough, or digs his own ground, if he follows a proper rotation of crops, and feeds his cattle in the house, can undersell the large farmer, or in other words can pay a rent which the other cannot afford; and in this I am confirmed by the opinion of many practical men who have well considered the subject.[2]

The farms of which Mr. Blacker is expressly speaking are those which vary from five to eight acres.[c]

We shall now, however, touch upon another kind of *morcellement*, which

[1]Lullin de Chateauvieux, *Voyages agronomiques*, Vol. I, p. 35; see No. 356, n5.
[2]Blacker, *Prize Essay*, p. 23n.

[a-a]105[] [*reprinted in CW*, II, 439.38-444.24]
[b-b]MS We have shown [*altered in ink*]
[c-c]–MS

does amount to a serious inconvenience, and wherever it exists must have a strong tendency to keep agriculture in a low state. This is the subdivision, not of the land of the country among many proprietors, but of the land of each proprietor into many detached pieces, or *parcelles*, as they are technically designated. This inconvenience has been experienced in other countries besides France, as in the canton of Zurich, in the Palatinate, and (as respects holdings, though not properties) in Ireland. In France it is carried to so great an excess, that the number of *parcelles* is ten times the number of *cotes foncières*; and as there are supposed to be twice as many *cotes foncières* as proprietors, the curious fact is disclosed, that on the average of France the estate of every landowner consists of twenty fragments in twenty different places. The consequences are a subject of general and increasing complaint. Great loss of time and labour; waste of cultivable soil in boundaries and paths; the inaccessibility of many *parcelles*, without trespassing on other properties; endless disputes and frequent litigation, are enumerated among the evils; and it is evident what obstacles the small size and dispersed position of the *parcelles*, and their intermixture with those of other proprietors, must oppose to many kinds of agricultural improvement.

For a considerable portion of this evil the French law of inheritance may fairly be held responsible. A certain amount of it is inevitable wherever landed properties are undergoing a double process of division and recomposition: marriages, for example, must in general bring together portions of land not adjacent. But if parents had the power of bequest, the owner of twenty *parcelles*, even if he adhered to the spirit of the law of equal division, would give some of the portions entire to one child, and others to another. The law, on the contrary, must divide with *exact* equality; and as it is generally impossible to adjust the value of patches of unequal fertility, vineyards, meadows, arable, &c., so as to satisfy everybody, it continually happens, especially in the more backward parts of France, that when the settlement is made by division instead of sale, each co-heir insists on taking a share of every *parcelle*, instead of the whole of some *parcelles*; from whence, no doubt, the amazing multiplication of these little patches in many parts of France.

This evil, while it would not exist to any very material extent except under the peculiar French law of inheritance, is not inevitable even under that law. The enormous extent of sales of land, amounting in ten years to a fourth part of the landed property of France, are a clear proof that in general the adjustment of inheritances is not effected by a subdivision of the land, but by sale: which it needs scarcely be remarked, does not necessarily imply parting with the land, there being nothing to hinder the heirs themselves from becoming the purchasers. We have no doubt it would be found that this rational mode of executing the law is tending more and more to become universal. To hasten the undoing of the mischief which has been already done, the Government has been often urged (in some instances by Councils-General of Departments) to propose a law authorising the consolidation of landed properties by a general valuation and

exchange of allotments in every commune in which the majority of the proprietors may apply for it; and unless the evil is seen to be correcting itself by a spontaneous process, nothing, we should think, can long prevent the adoption of so salutary an expedient.

That French agriculture, and the condition of the peasant population, are injuriously affected by this sort of *morcellement* is so far true, that it must considerably retard the improvement which might otherwise be expected, and which, in spite of all hindrances, does even now, to a great extent, take place. More than this we cannot admit. There are conclusive proofs of great and rapid improvement in some parts of France, and M. Rubichon and his reviewer have no evidence whatever of retrogression in any.

They produce tables of the average amount of different kinds of food consumed by the population; also tables of the number of cattle, the amount of produce per hectare of the different kinds of cultivation, &c., calculated from the official documents. These estimates, assuming their correctness (which, so far as that quality is attainable, we generally see no reason to discredit), are indicative, doubtless, of a low and backward state. But statistics are only evidence of the present. Where are the statistics of the past? That the agriculture of a great part of France is rude and imperfect is known to all Europe; but that it ever was better is an assertion opposed to all evidence, and we shall not take M. Rubichon's word for it, no more than for the notion that the food and general condition of the mass of the people has been deteriorating from the time of Louis XIV, [d] if not earlier. At this last proposition we cannot repress our wonder. In the reign of Louis XIV, Marshal Vauban, a great authority with all who are themselves authorities, and even with M. Rubichon, estimated that one-tenth of the population of France were beggars, and five of the remaining nine-tenths little above beggary.[3] In the same reign, Labruyère claimed credit for apprising the *salons* of Paris that a

[3] *Projet d'une dixme royale* (n.p., 1707), pp. 3-4, by Sébastien le Prestre de Vauban (1633-1707), Marshal of France. For Mounier and Rubichon's use of Vauban see, e.g., Vol. I, p. 13.

[d] MS [*footnote:*] It did deteriorate in the early part of the reign of Louis XIV, not because the peasants *bought* land but because they were compelled to *sell* it. "Au moment" says Michelet (*Le Peuple*, Chap. i [pp. 7-8]) "où nos ministres Italiens, un Mazarin, un Emeri doublaient les taxes, les nobles qui remplissaient la cour obtinrent aisément d'être exemptés, de sorte que le fardeau doublé tomba d'aplomb sur les épaules des faibles et des pauvres qui furent bien obligés de rendre ou donner cette terre à peine acquise, et de redevenir des mercenaires, fermiers, métayers, journaliers. . . . Je prie et je supplie ceux qui nous font des lois ou les appliquent, de lire le détail de la funeste réaction de Mazarin et de Louis XIV dans les pages pleines d'indignation et de douleur où l'a consignée un grand citoyen, Pesant de Boisguillebert, réimprimé récemment dans la Collection des Economistes. Puisse cette histoire les avertir dans un moment où diverses influences travaillent à l'envi pour arrêter l'oeuvre capitale de la France, l'acquisition de la terre par le travailleur." [The reference is to Pierre le Pesant de Boisguillebert (1646-1714), *Factum de la France* (1707), in *Economistes financiers du XVIIIe siècle*, Vol. I of *Collection des principaux économistes*, ed. Eugène Daire (Paris: Guillaumin, 1843), esp. pp. 304ff.]

strange nondescript sort of animals, who might be seen in the fields, and were much addicted to grubbing in the earth, were, though nobody would suppose it, a kind of men.[4] Some readers may remember the picture drawn by the old Marquis Mirabeau of the rural population in the middle of the eighteenth century;[5] nor was Arthur Young's, at the opening of the Revolution, much more favourable.[6] [e]While now,

> the classes of the population who have only their wages, and who for that reason are the most exposed to indigence, are much better provided with the requisites of food, lodging, and clothing than they were at the beginning of the century. The fact may be established by the testimony of all who have a personal recollection of the earlier of the two epochs. If there could be a doubt on the subject, it might be dissipated by consulting aged cultivators and workpeople, as I have myself done in various localities, without meeting with a single opposing testimony: we may also refer to the facts collected on the subject by an exact observer, M. Villermé. (From a recent work by an intelligent writer, *Recherches sur les Causes de l'Indigence, par A. Clément.*)[7][e]

M. Rubichon's statistics comprise no returns of the rate of wages. We are quite willing that our case should rest upon the result of an inquiry into that one point.

As for agriculture, when it is recollected that, at the beginning of this century, in the greater part of France the culture of artificial grasses might be said to be unknown, and that the course of cultivation consisted solely of grain crops and fallows, it will be difficult to make us believe that, even in the most backward parts of the country, there has not been a considerable improvement from so miserable a level.

The blind zeal with which M. Rubichon presses everything into the service of his theory, in which he is faithfully echoed by his reviewer, makes them lay great stress upon the increase of roots, and other inferior kinds of culture, as a proof that the population is sinking to an inferior kind of nutriment;[8] as if the same

[4]Jean de Labruyère (1645-96), "De l'homme," *Les caractères* (1688), 4th ed. (Paris: Michallet, 1689), p. 333.

[5]Victor Riqueti, marquis de Mirabeau (1715-89), economist, was father of the more famous Revolutionary statesman, Honoré Gabriel Riqueti, comte de Mirabeau. In the *Mémoires biographiques, littéraires et politiques* of the son, ed. Gabriel Lucas-Montigny, 8 vols. (Paris: Auffray, *et al.*, 1834-35), the father's comments on the rural population will be found at Vol. I, pp. 364-94, and Vol. II, pp. 186-8 (cf. *CW*, Vol. XX, p. 148 for Mill's reproduction of Carlyle's quotations of the portraits).

[6]Arthur Young, *Travels during the Years 1787, 1788, 1789, passim.*

[7]*Tableau de l'état physique et moral des ouvriers*, 2 vols. (Paris: Renouard, 1840), by Louis Renée Villermé (1782-1863), French doctor and statistician, cited in Ambroise Clément (1805-86), French economist, *Recherches sur les causes de l'indigence* (Paris: Guillaumin, 1846), pp. 84-5.

[8]E.g., Mounier and Rubichon, Vol. II, pp. 82-3; Croker, p. 230.

[e-e]MS Compare this with any authentic account, or with the testimony of any observant resident or traveller, respecting their condition now.[†] [*footnote:*] [†]Vide supra, p. [290].

thing was not happening in England; as if it was not a necessary condition of an improved rotation of crops that other cultures should increase in a greater proportion than grain culture, and even at the expense, in some degree, of the inferior kinds of grain.

We have admitted, and again admit the unsatisfactory state of cultivation on a very great portion of the soil of France; but would it be any better if the estates were large? Is it any better now on the large estates? When M. Rubichon and his reviewer talk of the small properties as "creating a new Ireland in France,"[9] his own pages make it known that the large properties, in the backward parts of France, are already an Ireland, in the very worst feature of Irish landed mismanagement, the system of middlemen. It is a general practice, according to M. de Chateauvieux, with the great proprietors of the central departments, to let their land *en bloc* to a middleman, usually an attorney or a notary, who sublets it in small portions on the *métayer* system, and is not only, as in Ireland, the hardest and most grasping of landlords, but having only a temporary tenure, and being no agriculturist, of course expends nothing in improvements.[10] Of fifty-seven millions of acres cultivated by tenants, twenty-one millions only are held by farmers at fixed rents, and thirty-six millions on the *métayer* tenure; which in France implies all the defects with very few of the advantages of proprietary cultivation; the only exceptions being La Vendée and a few of the adjoining departments, where the large proprietors are resident /; a sort of patriarchal/ relationship subsists between them and their tenants, and the *métayers* have in general, as in Tuscany, a virtual fixity of tenure. We do not believe it will be found in any part of France that the small properties are under a bad agriculture, and the large properties under a good one. They are both bad or both good. Where large farms exist and are well cultivated, the small properties also are well managed and prosperous.

And this brings us to the principal cause, both now and formerly, of the unimproved agriculture and scanty application of capital to the soil of France. This is, the exclusive taste of the wealthy and middle classes for town life and town pursuits, combined with the general want of enterprise of the French nation with respect to industrial improvements. It is truly, though epigrammatically, said somewhere in these volumes, by M. Rubichon, that the Frenchman, generally, knows but one way of getting rich; namely, thrift.[11] He does not understand sowing money freely to reap it largely. This is the true cause why, when large properties are sold, they bring the greatest price by being much subdivided. The peasants, thanks to the Revolution, to the small properties, and

[9]Mounier and Rubichon, Vol. I, p. 297; Croker, p. 230.
[10]Lullin de Chateauvieux, Vol. I, p. 49.
[11]The place in the volumes remains unidentified.

/MS , a primitive [*altered in ink*]

to their own unparalleled prudence, are able to purchase land, and their savings are the only part of the wealth of the country which takes that direction. We are often told, that it does not answer [s] capitalists to buy land at the extravagant price which the passion of the peasantry for land induces *them* to give, amounting often to forty years' purchase. It does not answer to pay that price, in order to live idly on the rent in Paris, or the large provincial towns. But if there was one particle of the spirit of agricultural improvement in the owners of the monied wealth which is so largely increasing in the manufacturing and commercial districts, few speculations would be more profitable than to buy land in many fertile and ill-cultivated parts of France, at even more than forty years' purchase of its wretchedly low rental, which would soon be doubled or trebled by the application of capital, with ordinary agricultural knowledge and enterprise. If the *petite culture* is half as wasteful and unprofitable as is pretended, the profit would be proportional of substituting *la grande culture* for it. The thing would be soon done if the love of industrial progress should ever supplant in the French mind the love of national glory, or if the desire of national glorification should take that direction. But with a people who dislike rural pursuits, and in the pursuit of money-getting prefer the beaten ways, there can be no other farming than peasant farming.[a]

In one article more we hope to dispose of the remainder of the subject.

358. THE QUARTERLY REVIEW ON FRENCH AGRICULTURE [4]

MORNING CHRONICLE, 16 JAN., 1847, P. 4

For an account of the origin, text, and variants in this last of a series, see No. 355. This unheaded third leader is described in Mill's bibliography as "A fourth leading article in reply to the Quarterly Review on French agriculture, in the Morning Chronicle of 16th Jany 1847" (MacMinn, p. 67).

[a]THE CHEVAL DE BATAILLE of M. Rubichon and his English followers against the *petite propriété* is the cattle question; not without cause, since on this subject they have an indisputable basis of fact, however inadequate to sustain the superstructure they have raised upon it.[1] The supply of butcher's meat to some of the principal towns, especially Paris, is less copious than formerly. It has increased greatly, but in a less ratio than the population. Of the fact there is no doubt, since on this point there are trustworthy statistics of the past as well as of the present. In 1789 the consumption of meat in Paris averaged 68 kilogrammes

[s]MS to [*added in ink*]

[1]Mounier and Rubichon, Vol. II, pp. 139-74; Croker, pp. 232-4.

[a–a]1058[*reprinted in CW*, II, 444.26-451.39]

(150 lbs.) for each person; in 1841 it was but 55 (121 lbs.),[2] and there are also complaints of a falling off in the quality.[3]

The *Quarterly* reviewer treats very cavalierly the explanation given of this fact by M. Cunin-Gridaine, Minister of Commerce and Agriculture. "This is to be accounted for by the revolution which has taken place in the working classes; Paris having become the *most manufacturing town* in Europe."[4] *Industrielle* is not exactly synonymous with manufacturing, but let that pass. On this the reviewer:

> This seems a strange explanation. The new population of Paris is to starve on an [b]ounce of meat [*quaere* five ounces][b] per diem. How is that? Pooh! says the Liberal Minister, they are only manufacturers. This solution will not be very agreeable to those theorists amongst us who confound the extension of manufactures with the welfare and comfort of the working people. The more candid Minister of Louis Philippe *assumes* that a manufacturing population must of necessity be worse fed than other classes.[5]

The reviewer is evidently no Oedipus. But he might have found in another page of M. Rubichon's treatise what the Minister meant.[6] In a town such as Paris before the Revolution, in which there was, comparatively speaking, no production at all, but only distribution—the population consisting of the great landlords, the Court and higher functionaries paid by the State, the bankers, financiers, government contractors, and other monied classes, with the great and small dealers and tradesmen needful for supplying these opulent consumers, and few labourers beyond those who cannot be wanting in so large a town—all will see that the richer must bear an unusually high numerical proportion to the poorer consumers in such a city. Suppose now that a Manchester or a Glasgow grows up in the place. It is pretty evident that while this would add a little to the richer class, it would add twenty times as much to the poorer. Considering now that the upper and middle classes in France are great consumers of animal food, while the poor consume very little, the ration of each poor person might in these circumstances increase very much, while yet the average consumption per head of the whole city, owing to the diminished proportional numbers of the richer class, might be considerably diminished. We have little doubt that this is the fact, and that the great increase in the inferior kinds of animal food introduced into Paris would prove to be for the use, not of those who formerly used the superior kinds, but in a great measure for those who seldom obtained animal food at all.

[2]Mounier and Rubichon, Vol. II, p. 158.

[3]*Ibid.*, pp. 188-9.

[4]Laurent Cunin-Gridaine (1778-1859), Speech of 28 Apr., 1841 (*Moniteur*, 1841, p. 1148), quoted in Mounier and Rubichon, p. 158; Mill takes the quotation in translation from Croker, p. 234.

[5]Croker, pp. 234-5.

[6]Mounier and Rubichon, Vol. II, pp. 279-83.

[b-b]MS ounce" (five ounces) "of meat [*altered in ink*]

This, however, does not explain the whole of the change which has taken place, for the *price* of butcher's meat has also risen in the Paris markets so materially as to be a source of great privation and complaint. The rise may be ascribed to various causes. In the first place, "France has till lately always been a large importer of cattle; and down to 1814 they were exempted from all duty. In that year, however, a duty of three francs was laid on each head of cattle imported;" and in 1822 the duty "was suddenly raised to 55 francs, an increase which has well nigh put a stop to the importation" (M'Culloch's *Geographical Dictionary*, art. France).[7] Secondly, the *octroi*, or town custom duty, now so burthensome, did not exist at all in 1789, and has been largely increased at various periods both in Paris and most other towns since its first establishment. These causes are enough of themselves to account for a considerable part of the enhancement complained of.

But if there were not these causes, there is cause almost sufficient in the very fact of an increased and rapidly increasing population. Paris has added, in 14 years, between four and five hundred thousand to its inhabitants—an increase of nearly one-half. The agriculture of a country must be rapidly improving indeed, if an increase like this can take place in a single market without compelling it to draw its supplies from a larger surface and a greater distance, and therefore at an increased expense. Where would London have been by this time, for the supply of its markets, but for our great coasting trade, and the invention of steam navigation, which conveys not only cattle but carcasses from the extremity of Scotland, as cheaply as they can be brought from Buckinghamshire? The cattle for the supply of Paris must travel by land, from distances varying from 50 to 150 leagues (this rests on the authority of a committee of the Municipal Council of Paris, in 1841),[8] and after so long a journey have either to be brought to market out of condition, or to be fattened in the immediate neighbourhood. Can any one, then, be surprised that a doubled population cannot be so well or so cheaply supplied as one of half the number?

To these three causes of the diminished supply of butcher's meat in the towns, we are not afraid to add a fourth, which, though resting mainly on general considerations, we should not be wholly unable to support by positive evidence. This is, the increased consumption by the country people. They have less animal food in proportion, to spare for the towns, because they retain more of it for their own use.

On what evidence is it asserted that small properties imply deficiency of cattle, and consequent deficiency of manure? That they are not favourable to sheep farming seems to be admitted; but the breeding and fattening of horned cattle is

[7]John Ramsay McCulloch, *A Dictionary, Geographical, Statistical, and Historical*, 2 vols. (London: Longman, *et al.*, 1841), Vol. I, pp. 855-6.

[8]Mounier and Rubichon, Vol. II, p. 216 (based on quotation from the Committee's report).

so perfectly compatible with small capital, that in the opinion of many continental authorities, small farms have the advantage in this respect, and so great an advantage as to be more than a compensation for their inferiority in sheep.[c] [d]West Flanders exports a great quantity of dairy produce. In one of the most minutely divided parts of Switzerland, the canton of Zurich, the extent of arable is said to have diminished because the cultivators have found "that with more limited tillage and more numerous cattle breeding they can raise as much grain on a smaller space, and gain the profits of their cattle besides" (*Statistical Account of Zurich*, by G. M. von Knonau, published in 1834).[9] In Thurgau, a most minutely divided canton, since the sub-division of the large holdings "a third or a fourth part produces as much grain and as many head of cattle as the entire holding did before" (*Statistical Account of the Canton of Thurgau*, by U.P. Strohmeier, 1836).[10] In Soleure, a similar authority states that the commonest day labourers usually eat flesh meat twice a day.[11] Schaffhausen has changed, between 1829 and 1840, from one of the most backward districts of the confederacy, in the article of cattle, to one of the most advanced.[12] In French Flanders and in Belgium, according to M. Passy, the districts where the farms are smallest contain the greatest abundance of live stock.[13] The following remarkable facts are from a statistical work on the commune of Vensat, in Auvergne, one of the least improved provinces of France, lately published by M. Jusseraud, mayor of the place. We have not seen the work itself, but our citation is from M. Passy's essay, *Des Systèmes de Culture*:

> In the commune of Vensat, which comprises 1,612 hectares, divided into 4,600 *parcelles*, belonging to 591 proprietors, the land in cultivation is composed of 1,466 hectares. In 1790, seventeen farms occupied two-thirds of this extent, and twenty others the remainder. Since that time the land has been divided, and at present the smallness of the *parcelles* is extreme. What has been the effect upon live stock? A considerable augmentation. In 1790 the commune contained only about 300 horned cattle, and from 1,800 to 2,000 sheep; it now reckons 676 of the former and 533 of the latter. Thus, to replace 1,300 sheep it has acquired 376 oxen and cows; and (one ox or cow being considered equivalent to ten sheep by French agriculturists) all things computed, the

[9]Translated from Gerold Ludwig Meyer von Knonau (1804-58), *Der Kanton Zurich* (1834), p. 83, Vol. I of *Historisch-geographisch-statistisches Gemälde der Schweiz*.

[10]Mill has confused his authorities; for the passage here quoted see Johann Adam Pupikofer, *Der Kanton Thürgau*, *ibid.*, Vol. XVII (1837), p. 72. For Strohmeier, see the next note.

[11]Urs Peter Strohmeier, *Der Kanton Solothurn*, *ibid.*, Vol. X (1836), p. 74. ("Soleure" is the French version of "Solothurn.")

[12]Eduard Im-Thurn, *Der Kanton Schaffhausen*, *ibid.*, Vol. XII (1840), p. 60.

[13]Passy, *Des systèmes de culture*, pp. 116-17.

[c]MS [*footnote:*] See this question discussed in Book I. ch. 10 of the present work, pp. [144-7]. [*in the published work, the discussion is in* Bk. I, Chap. ix]

[d-d]–MS

quantity of manure has increased in the ratio of 490 to 729, or more than forty per cent. In addition to which, the animals, being stronger and better fed, contribute much more largely to keep up the fertility of the soil.[14]

The conclusions which follow from these facts, follow also from the reason of the case.[d] It is argued that the *petite propriété* must diminish cattle because it leads to the breaking up of natural pasture. But when natural pasture is fit for the plough, a greater number of cattle than were supported on the whole may be supported on a part, by laying it out in roots and artificial grasses; and it is well known that on the stall-feeding system there is much greater preservation of manure. The question of *petite culture*, in relation to cattle, is, in fact, one and the same with the question of stall-feeding. The two things must stand or fall together. Stall-feeding produces, *caeteris paribus*, a greater quantity of provisions, but in the opinion of most judges a lower quality. Experience must decide.

This brings us back to the causes assigned, by the committee of the Paris town-council, for the falling off in the quality of the beef consumed at Paris. One is, the extraordinary increase in the consumption of dairy produce.[15] Milk is now brought from distances of thirty leagues, and within six or eight leagues of Paris no calves are now bred up, all being sold at the earliest moment possible. In consequence, a great part of the beef sold at Paris is the flesh of cows too old to be fit for producing milk. A second cause assigned is, ᵉas before-mentioned,ᵉ the increase of stall-feeding. But the committee makes an instructive distinction. In Normandy, which affords the greatest portion of the supply, the quality, they say, has deteriorated; but in La Vendée, and the central provinces, the Limousin, Nivernais, Bourbonnais, and La Marche, "there is improvement in weight, in fatness, and from some districts in number,"[16] although these countries have also adopted stall-feeding; and in this, say the committee, there is no contradiction, since "what is a deterioration in the rich pasturages of Calvados, is improvement in the *petites herbes* of the Allier and the Nièvre."[17]

It may now be left to the reader to judge if the case of our adversaries has not broken down as completely on this, their strongest point, as it has done on every other point of any importance.

We cannot close this long controversy without producing evidence of the extraordinary improvement, extraordinary both in amount and in rapidity, which is taking place in the productiveness of the agriculture of some parts of France.

[14]Translated from *ibid.*, p. 119; Passy takes the passage from Jean Francisque Jusseraud (1797-1863), *Statistique agricole de la commune de Vensat (Puy-de-Dôme)* (Clermont: Perol, 1843).

[15]Mounier and Rubichon, Vol. II, p. 191.

[16]*Ibid.*, p. 188.

[17]*Ibid.*, p. 189.

ᵉ-ᵉ-MS

We quote from another work by an authority already cited, M. Hippolite Passy, several times a minister of Louis Philippe, and well-known as one of the first politicians and publicists of France. This tract, published in 1841, is an examination of "the changes in the agricultural condition of the department of the Eure since 1800."[18] The Eure is one of the five departments of Normandy, and belongs to the region of which M. Rubichon admits the agriculture to be the best in France;[19] but only (as he contends) because the *morcellement* has not had time to produce its effects, having commenced in that region only from the Revolution, and he assigns to it accordingly no privilege but that of Outis in the *Odyssey*, to be devoured the last.[20] Let us now see the facts. This department fortunately possesses an accurate agricultural *statistique* for the year 1800, drawn up by a *préfet* who took great pains to be correct in his information. M. Passy's pamphlet is a comparison of these returns with those collected by the present French Government in 1837.

In this interval of thirty-seven years scarcely any new land has been taken into cultivation, nearly all fit for culture being already occupied. But fallows have diminished from 172,000 hectares to a little more than 80,000. The cultures which supply cattle have increased in a much greater proportion than any others: instead of 17 per cent. of the cultivated area, they now occupy 37 per cent. Horses have multiplied from 29,500 to 51,000, horned cattle from 51,000 to 106,000, sheep from 205,000 to 511,000, and as their food has increased in a still greater ratio, and there is importation besides, all kinds of live stock are better fed, and have gained in size, weight, and value. The produce per hectare of all kinds of grain, and of most other kinds of produce, has considerably increased, of some kinds nearly doubled. These changes have chiefly been effected during the second half of the period, so that the improvement is as progressive as on M. Rubichon's theory should have been the deterioration. There has been no perceptible variation in the proportion between the *grande* and the *petite culture*; nor has the division of properties at all promoted the division of farms. On the soils where small farms are most profitable, large properties are rented to small tenants; where the reverse is the case, a single farmer often rents the lands of several proprietors, and this arrangement extends itself more and more as the subdivision of property advances. The consumption of food per head of the population has largely increased, in the ratio, according to M. Passy, of about 37 per cent.; and while the agricultural wealth of the department has increased, according to his estimate, by 54 per cent., the population has only increased 5 per cent. [f]

[18]Passy, "Des changements survenus dans la situation agricole du département de l'Eure depuis l'année 1800," *Journal des Economistes*, I (1842), 44-66.

[19]E.g., Mounier and Rubichon, Vol. II, p. 57.

[20]Cyclops's promise to Outis, Homer, *Odyssey*, Vol. I, p. 328 (IX, 369-70).

[f]MS [*footnote:*] During the last quinquennial period, the population of this department on the shewing both of the Census and of the register of births and deaths has actually diminished.

Though the Eure belongs to the most productive and thriving region of France, it is not the most productive or the most thriving department. The Nord, which comprises the greater part of French Flanders, and is a country of small farms, maintains, according to M. Passy, proportionally to its extent, a third more cattle than the Eure, and the average produce of wheat per hectare, instead of seventeen, is twenty hectolitres, about twenty-two English bushels per acre.[21]

Results almost as satisfactory may be deduced from a statistical account of a much less improved district than the Eure, the most eastern district of Brittany, the arrondissement of Fougères, published in 1846, by the *Sous-préfet*, M. Bertin. "It is only since the peace," says this intelligent functionary, "that the agriculture of the arrondissement has made much progress; but from 1815 it has improved with increasing rapidity. If from 1815 to 1825 the improvement was as one, it was as three between 1825 and 1835, and as six since that period."[22] At the beginning of the century little wheat was cultivated, and that little so ill that in 1809 the produce per hectare was estimated only at 9 hectolitres. At present M. Bertin estimates it at 16. The cattle being better fed, and crossed with more vigorous breeds, have increased in size and strength; while in number, horned cattle, between 1813 and 1844, multiplied from 33,000 to 52,000, sheep from 6,300 to 11,000, swine from 9,300 to 26,100, and horses from 7,400 to 11,600. New and valuable manures have been introduced, and have come largely into use. The extent of meadow land has increased and is increasing, and great attention has of late been paid to its improvement.[23] This testimony comes from an enemy of the *morcellement*, who, however, states that it is advancing very slowly, and is not likely to advance much further, the co-heirs not dividing each *parcelle*, but either distributing the *parcelles* among them, or disposing of them by private or public sale. Some farmers, he ˢalso says, who areˢ proprietors, have the good sense to sell the few fields which belong to them, in order to increase their farming capital. M. Bertin is an enemy to stall-feeding, which, he says, is not practised in his arrondissement.[24] The increase of live stock is all the more remarkable. It may not be useless to mention an assertion of this writer, that the official publication from which M. Rubichon's data are taken greatly understates the number of horned cattle in France, by the accidental omission of a column in summing up, by which the number is brought below ten millions, when it ought, according to M. Bertin, to be thirteen.[25]

[21]The account in the preceding two paragraphs is taken from Passy, "Des changements," pp. 48-63.

[22]Amédée Bertin (b. 1805) and Léon Maupillé, *Notice historique et statistique sur la baronie, la ville et l'arrondissement de Fougères* (Rennes: Marteville and Lefas, 1846), p. 352.

[23]*Ibid.*, pp. 354, 356, 374-5.

[24]*Ibid.*, pp. 401-2.

[25]*Ibid.*, p. 391; see Mounier and Rubichon, Vol. I, p. 388.

ˢ⁻ˢMS says, who are also [*altered in ink*]

Of the food of the inhabitants, he says, that not long ago it was composed almost exclusively of milk, buckwheat cakes, and rye bread, but has greatly improved in quantity, quality, and variety, especially in the last ten years, and now consists of wheaten bread, or bread of two-thirds wheat and one-third rye, with butter, vegetables, and "in good farms" about a kilogramme, or [h]2½[h] lbs., of pork per week for each person. There is also some consumption of other flesh-meats among the labouring people, and the arrondissement contains 63 butchers' shops, where fifteen years ago there were not 30; the increase not being in the [i]towns,[i] but in the villages.[26] The clothing of the rural population is substantial, "and different for every season, which is always a sign of general comfort," and "persons in rags are very rare in the arrondissement."[27]

We cannot further extend this long [j]article[j], but enough has been said [k]; and our readers will now be able[k] adequately to appreciate the terrible predictions of alarmist writers [l]on the consequences of the division of property[l].[a]

359. THE IRISH DEBATES IN THE HOUSE OF COMMONS

MORNING CHRONICLE, 5 FEB., 1847, PP. 4-5

This article discusses the long-awaited plans of the Government to deal with the Irish crisis, announced by Russell on 25 Jan. in his speech on the state of Ireland (*PD*, 3rd ser., Vol. 89, cols. 426-52) and debated on 1 and 2 Feb. (cols. 619-90 and 694-765). Among many suggested measures, Russell proposed that £1 million be set aside to purchase waste lands from the landlords (if necessary by expropriation), drain them, create roads, and erect necessary buildings. The land was to be divided into lots, perhaps of twenty-five to fifty acres, and sold or let to small proprietors (cols. 442-3). However, on that day the only Bill introduced by Russell was the "Bill to Make Further Provision for the Relief of the Destitute Poor in Ireland," 10 Victoria (25 Jan., 1847), *PP*, 1847, III, 187-212, establishing outdoor relief. Mill's unheaded first leader (which follows immediately after the report of the previous day's session in the Commons) is described in his bibliography as "A leading article on the Irish debates in the House of Commons, in the Morning Chronicle of 5th February 1847" (MacMinn, p. 67).

ALTHOUGH THE MINISTERIAL PLAN for dealing with the waste lands of Ireland falls far short of what we contend for, and is anything but such as might have been expected from the enlightened general view of the subject taken in Lord John Russell's speech, yet when we contrast the principles which he

[26]Passy, pp. 315-16.
[27]*Ibid.*, pp. 312-13.

[h-h]MS 2¼ [*altered in ink*]
[i-i]MS towns (or rather town) [*altered in ink*]
[j-j]MS discussion
[k-k]MS , to enable our readers
[l-l]MS respecting the consequences of the Division of Landed Property in France

propounded, and which he is prepared, though in an inadequate manner, to act upon, with the profound unacquaintance with the subject hitherto manifested by those speakers in Parliament who have constituted themselves his critics—Sir Robert Peel being one[1]—it is impossible to refuse to Lord John Russell and his colleagues a considerable share of comparative praise. Certainly, if we had indulged the hope that any other political leaders or notabilities would be found better furnished with ideas applicable to the reform of that disgrace to England and to civilization, the social condition of Ireland, the debate of Monday and Tuesday would have wofully undeceived us. The Ministerial measures, timid and *mesquin* as they appear to us in some points, rash and headlong in others, are absolutely resplendent by the side of the objections which have been made to them. On no point is this more the case than on the question of the waste lands.

If the objectors to this feature of the Ministerial measures had made themselves so far acquainted with the subject as to know what point they were really asked to discuss; if from one single word of any of their speeches a bystander could have suspected that the question at issue was that of peasant *proprietors*; if they had betrayed the smallest consciousness that there *was* such a subject, or that the idea had ever entered into anybody's head that the cultivator of the soil could be the owner of it; one would have listened respectfully for what they had to say on the point—what facts or what arguments they were about to produce, that could assist rational persons in making up their minds on that momentous social question, either generally or in relation to Ireland. We certainly did expect that something of this kind would have been attempted. It might be good reasoning or bad reasoning, but we did think there would have been some reasoning that would have touched the point. It appears we were wrong in expecting any *thought* at all; we ought to have laid our account with seeing the question disposed of by a summary appeal to a common-place. "Land is too much subdivided in Ireland; would you subdivide it more?" "The poverty of Ireland arises from the mischievous custom of having land *held* in small patches by labourers; and this is a plan for making a still greater number of these small land*holders*."[2] This is positively the substance of all that these gentlemen have to say. So that all modes of *holding* land are in their opinion alike. The difference between holding it as cottiers and as proprietors—between the very worst tenure, morally, socially, and industrially, on the surface of the earth (slave countries alone excepted), and the very best—is in their estimation not worth considering. They claim to know Ireland, to prescribe for Ireland, leaving the cottier system out of the case.

[1]Peel, Speech on the Labouring Poor (Ireland) Bill (2 Feb., 1847), *PD*, 3rd ser., Vol. 89, cols. 758-64.

[2]See, e.g., the speeches of John Arthur Roebuck and Ralph Bernal Osborne (1811-82), Liberal M.P. for Wycombe (1 Feb., 1847), *ibid.*, cols. 647-8 and 629-30.

Let us briefly go over some of the points of practical difference between a cottier and a peasant proprietor. A cottier, in a county overpeopled in proportion to the efficiency of its labour, has nothing that he can call his own. He has agreed to pay for the land, not simply its very utmost value, but a rent generally higher than it is possible he should really pay and continue to live. Except, therefore, the daily meal of potatoes, everything he raises from the soil belongs to the landlord. Everything the peasant proprietor can raise is his own. The proprietor, if he invests any labour in the soil, improves his own property; the cottier only the landlord's. If the proprietor works hard, early and late, the gain is his; if the cottier were fool enough to do so, the whole benefit would be the landlord's. If the proprietor has a larger family than can either be useful on the land, or find employment elsewhere, the burthen is his; if the cottier does so, it is the landlord's. The landlord alone gains by the cottier's industry, and alone loses by his indolence or misconduct. That Ireland under this system does not exhibit a very pleasing picture of prosperity, is no great argument against a system precisely the opposite. We are quite willing to have it proved that peasant properties are not the right thing for Ireland; but whoever thinks that *this* proves it, has no business to have an opinion on the question. If he is such a stranger to the whole subject of the tenure of land, that he knows no difference as to the condition and habits of a people between cottier tenancy and proprietorship, we tell him, in all civility, that no one who is competent to form an opinion on the matter can learn anything from *his* opinion on it.

The remaining one of the two solemn common-places which have done laborious duty as arguments in the speeches of Sir Robert Peel and others, is this: The improvement of land is not a business for a Government; it should be left to private enterprise. If the waste lands were worth reclaiming, individuals would reclaim them. If they are not worth reclaiming by individuals, they are not worth it at all.[3]

One cannot wonder at the distrust in which general principles are held, when one sees this kind of abuse of them. They *are* dangerous things in the hands of men who use them *à tort et à travers*, without considering, when they run away with a principle, whether the reason of the principle accompanies them or not. In the first place, we ask Sir Robert Peel, or any one who agrees with him, if they are prepared to stand by the proposition, that everything in Ireland which would answer as a pecuniary speculation, every improvement which would remunerate capitalists for undertaking it, is, in point of fact, now actually done and accomplished? We thought it had been a settled matter that capital *will not* go into Ireland to undertake even the most promising speculations; and, indeed, while society there is on the footing it is, we should almost as soon expect capital to go and employ itself among the Bedouin Arabs. A country must be peaceful

[3]See Roebuck and Peel, *ibid.*, cols. 648-9 and 763.

and industrious before it can be assumed, that whatever private capitalists cannot be found to do is not worth doing at all.

But, in the next place, we must suggest that reclamation of land by capitalists and reclamation by peasants are two things. They are undertaken from different motives, conducted on distinct principles, and land not worth anything for the one purpose may be excellently adapted to the other. When a monied man buys land and improves it, by draining, inclosing, and the like, the reumuneration he looks to is the saleable price of the land, which is of course grounded on its capacity of yielding rent. When a peasant reclaims land, his remuneration is the whole of the gross produce. Is it a new proposition in political economy, that land may afford a large gross produce and ample support to labourers, and yet yield no rent? Is it a new doctrine in commonsense, that a bog or a mountain may not remunerate a capitalist for reclaiming it by paying wages to hired labourers, and yet may be a most valuable possession to a peasant who gets the labour for nothing, having but too much of it already idle on his hands? Whoever has not drawn this distinction has not yet adverted to the very first elements of the subject. Setting principle and reason aside, whoever has studied the facts of this question, knows that some of the most productive soil in Europe consists of land originally reclaimed from absolute worthlessness in this very manner. What are the Polders of West Flanders? Originally land precisely similar to the Goodwin Sands, or rather a part of those sands themselves: the pounded *débris* carried down by the Rhine, the Meuse, and the Scheld, and deposited on the coast. No landlord or capitalist could or would have cultivated this land: peasants reclaimed it, and made it produce some of the finest crops in Europe, and made themselves one of the most prosperous populations. But those peasants were proprietors: it was the "magic of property," as Arthur Young says, which turned those "sands into gold."[4] As we said before, we are quite willing to have it proved that these splendid results would not happen in Ireland. But we do not care for any man's opinion thereupon, who has no reason to give but that if the thing was worth doing, rich men would find their account in doing it for profit. Whoever has nothing but this to say, had better hold his peace. He shows that he has no grounds for an opinion on the matter.

If no more were meant than that in reclaiming the waste lands everything which can be done by the peasants should be left for the peasants to do, it is only what we have ourselves repeatedly urged. The plan of the Government, as we understand it, appears to err in this point, among many others; it aims at doing too much to the land. It should do little or nothing, in our opinion, but the general drainage; what was aptly called in the debate the *arterial* drainage of the country.[5] This the Government has engaged to do for the great landlords, and

[4]*Travels*, Vol. I, p. 88.

[5]Charles Wood (1800-85), Chancellor of the Exchequer since 6 July 1846, Speech on the Labouring Poor (Ireland) Bill (1 Feb., 1847), *PD*, 3rd ser., Vol. 89, col. 687.

nobody then complained of it as a thing unfit for a Government, and which individuals should be left to do for themselves. Individuals could almost as well maintain fleets and armies for themselves. But what can be done and done well by individuals, should not be done for them by a Government. If the Ministers understand their own principles, they will reconsider as much of their waste-land project as implies that any land shall be completely prepared for cultivation at the expense of the State.

360. AUSTIN ON CENTRALIZATION

MORNING CHRONICLE, 6 FEB., 1847, PP. 4-5

John Austin (1790-1859), husband of Sarah, lawyer and jurisprudentialist, with whom Mill had studied law in the early 1820s, had reviewed works by Cormenin, Vivien, Dunoyer, and Laing in "Centralization," *Edinburgh Review*, LXXXV (Jan. 1847), 221-58 (anonymously, but the author's identity was known to Mill). Austin was by temperament and habit unable to publish much, a circumstance that explains Mill's comment to him in a letter of 13 Apr., 1847: "The notice in the *Chronicle*, to which I am indebted for your letter, was, as you supposed, mine. It is really a pity that all the trouble you must have taken with the article on Centralisation should have produced nothing more than a review article." (*EL*, *CW*, Vol. XIII, p. 711; for further praise of the article, and comment on Austin's abilities and problems, see Mill's letter to Alexander Duff-Gordon of 27 Jan., 1847, *ibid.*, pp. 706-7.) This unheaded third leader (not a review) is described in Mill's bibliography as "A leading article on Mr. Austin's article in the Edinburgh Review on Centralizaton, in the Morning Chronicle of 6th Febry 1847" (MacMinn, p. 67).

THERE ARE TWO MODES of arguing disputed questions, whether speculative or practical: one of these has the recommendation of being most to the purpose, the other has that of being the easiest, and very often the most persuasive. The first is, to discuss the thing on its special merits: if what you are contending against is a principle, to prove that it is false; if a project, to show that it is ill adapted to its purpose, or point out some pernicious consequences which it tends to produce. The other, and shorter mode of attack, is to find some phrase which, for reasons good or bad, is understood in an alarming sense, and which is sufficiently elastic to bear any little stretching that may be necessary to enable the opinion you are desirous of discrediting to be brought within it. Many a moral and political truth, many a salutary proposal, have been hooted down, without the compliment of examination, because they were said to be *theory*. Every newspaper presents examples of some wiseacre who thinks he has completely demolished some maxim of reason and common sense by calling it *political economy*. If it is proposed to take anything from anybody, no matter how little right he may have to it, or how ample a compensation it is intended to give him, *spoliation* is the

word. We have often thought that a dictionary of catch-words, with a full analysis of the proper meaning of each in the English language, and an enumeration of its misapplications, distinguishing the ideas it ought to convey, and those which it only serves to confound, would be a valuable service, both to public discussion and to philosophy.

A service of this nature has been rendered by an admirable article in the last number of the *Edinburgh Review*, with respect to a word continually bandied to and fro by loose talkers on government and administration, when discussing subjects beyond their comprehension—the word "*Centralization*." The article is the production of an eminently clear and precise thinker; qualities which ought to be much commoner than they are, for every one is not capable of thinking profoundly, but all ought to be able to think with exactness, to be fully masters of their ideas, and of the meaning of the terms they use. But this writer has still higher merits; a power and a determination to go to the very bottom of his subject, and be satisfied with no explanation which leaves any real difficulty unsolved. His style of writing is worthy of such a thinker; he uses no word by which something is not added to the sense.

> Any interference by a government, [says the reviewer,] with the interests and concerns of its subjects, however expedient that interference may be, is reproached by those who would raise a prejudice against it with a tendency to *centralization*; and by this brandishing of a word (which, as being imperfectly understood, is full of mysterious terrors) they can work on the practical convictions of their hearers or readers with an effect which they could not produce by a perspicuous statement of their reasons. To obviate the prevalent mistakes concerning centralization, and to obviate the obstacles to improvement which they have raised, and are likely to raise, is the purpose of the present article. [P. 221.]

And with this view he endeavours to define and fix the idea of centralization, and to distinguish it from the things with which it is habitually confounded, more especially from "over-governing, that is, an over-meddling by governments with the interests and concerns of their subjects." [*Ibid.*]

Centralization, according to the reviewer's simple and comprehensive conception, means, such a constitution of the subordinate authorities in a state, and such a determination of their functions, as tends strongly to make them practically dependent upon the supreme or sovereign authority. In theory, they are always thus dependent. It is assumed in all governments, that every subordinate authority exercises only such powers as the legislature confers, and exercises them for the end and in the spirit which the legislature intended and approves. It is never supposed that they assert any independence of the supreme power in the state, or exercise any other discretion than what that supreme power knowingly and purposely entrusted to them. A centralized administration, then, is an administration so organized as to insure that the conformity thus assumed in theory, between the intentions of the supreme and the conduct of the subordinate

authorities, shall exist in fact. And the reviewer has no difficulty in showing that centralization, thus understood, is one of the main elements of good government; that, "if the form of the government be good, centralization will enhance its good tendencies; if the form of the government be bad," the same thing will "go far to correct its bad ones." [P. 236.]

But we are most desirous to draw attention to the portion of the article which combats the prevailing misconceptions. A centralized government, as commonly conceived, is "an over-regulating, over-restraining, over-protecting government; paternal, as its friends would call it; a pestilent busy-body, as it would be called by its enemies." In opposition to this notion, the writer contends that "centralization has no tendency whatever to lead a government to excessive interference;" that the over-meddling of certain centralized governments is not an effect of their centralization, but of the erroneous opinions which pervade alike the governments and the people, respecting the legitimate province of government, and the proper limits of its interference. [P. 237.]

> In France, Prussia, and Austria, protection for national industry against the competition of foreigners is still part and parcel of the economical creed of the majority: the same may be affirmed of police regulations determining the prices of provisions, or interfering with the rates of wages or the hours of labour; nay, the vexatious passport system, considered as a precaution against crimes, is generally regarded with favour, and endured with cheerful resignation. In these cases (produced as examples), and in many analogous cases, the cause of the over-governing is the false and prevalent opinion; [and as opinion improves,] the excessive governing has already diminished, and the disposition to it is rapidly declining. [Pp. 237-8.]

The writer also shows, that the uncentralized governments which preceded the present governments of those countries, carried over-governing to a much greater excess. [Pp. 238-9.] The ignorant and mischievous meddling of the French Government, before the Revolution, with the freedom of labour and the processes of industry, was immeasurably worse than anything which can be justly imputed to the present centralized government of France.

The reviewer fully examines two other current misconceptions respecting centralization; that it implies a needless multiplication of public functionaries, and gives, therefore, large means of corruption or influence to the head of the administration; and that it is inconsistent with the existence or with the proper power and influence of popular local authorities. On the first point, he shows that under a regularly and systematically constituted administration there would, on the contrary, be fewer functionaries required than when the organization is crude and confused, and he points out the real causes which have made the countries of the Continent of Europe suffer under the evil of an undue multitude of functionaries. [Pp. 242-9.] With respect to local authorities, he shows that undue jealousy of their powers, and improper limitation of their discretion, are in no respect inherent in centralization; which merely requires that the functions of

each local authority shall be precisely defined, and limited to purely local objects. [Pp. 249-56.] When thus defined and limited, he justly considers not only their existence, but, to a great degree, their freedom of action, to be important elements of a well constituted government.

> The immediate end of local government, [he observes,] is a good administration of local affairs: the social education of the country at large is, or ought to be, its ulterior and paramount object. It appears to us, that the friends of centralization make a mistake which seriously damages their cause. In reference to the attributes of local governments, they look too much to the immediate end of the institution, and think too little of its remoter and larger purpose. There has been (for example) in France, till within the last few years, an excessive disposition to limit the powers of such governments, and to subject them to the control of the general administration. In respect to the immediate end, the disposition may be justified or excused; for, owing to their crude conceptions of local interests, the local governments, if not so limited and checked, might frequently abuse their powers, to the detriment of the country and the localities. But by this grudging and jealous policy, the remoter and larger purpose is nearly or altogether defeated. It may prevent the authorities of local origin from abusing their powers. But it also perpetuates their indifference about public interests, and their ignorance of public affairs; since no man enters with heart and mind into any business committed to his care if nothing is left to his discretion, and he is treated with systematic mistrust. The policy, moreover, thwarts the ends of centralization, by a more direct and obvious consequence; for, by offending the self-love of the local authorities and populations, it tends to set them in opposition to the central authority. [Pp. 253-4.]

After a careful consideration of the different modes in which the connection between the local authorities and the general government may be regulated, he gives a deliberate preference to the plan according to which

> the active government of every locality would be placed in authorities of local origin; the general administration having a consultative voice. Specified administrative powers, calculated as well as might be to prevent the administrators from abusing them, would be given to the local authorities; these being bound, however, to ask the preliminary advice of the appropriate department of the general administration in every matter of importance and difficulty. [P. 255.]

By this system

> the immediate and remote ends of local government would probably be reconciled to no inconsiderable extent. The obligation of the local administrators to consult the general administration would be a considerable (though a merely moral) security against their abusing their powers. Their habitual exercise of considerable discretionary powers would give them a political education, and a care for public interests. By their habitual contact with the chief departments of the general administration, this important effect of their unshackled activity would be greatly enhanced. As those departments are constantly occupied with all the sections of the country, their experience of local affairs is far more varied than that of the local authorities in any particular locality; and being accustomed to regard such affairs in relation to the general interests, they are naturally superior to the local partialities and prejudices by which such authorities are as naturally blinded and misled. The results of their varied experience and dispassionate judgments would be

constantly offered to the consideration of the local governments; and, as coming in the shape of advice rather than the form of command, would find a ready acceptance with the local governments and populations, and insensibly correct their misconceptions of their special interests. [Pp. 255-6.]

Citations like those we have made give a most imperfect idea of the contents and merits of an essay so crowded with matter, and valuable not only as a contribution to its special subject, but as a model to the philosophical student. We must for the present be satisfied with having called attention to a paper which, from its elaborate character, is in danger of being overlooked by the mere review reader; but we shall have future opportunities for availing ourselves of some of the important and forcibly expressed thoughts continually thrown out by the writer on points incidental to his subject.

361. THE PROPOSED IRISH POOR LAW [1]

MORNING CHRONICLE, 17 MAR., 1847, P. 5

This is the first of two articles commenting on the "Bill to Make Further Provision for the Relief of the Destitute Poor in Ireland"; see also No. 362. Russell's Bill radically revised the Irish Poor Law by allowing guardians, at their discretion, to provide out-door relief to the able-bodied unemployed when the workhouses were full. At the same time, the "Bill to Facilitate the Improvement of Landed Property in Ireland by the Owners Thereof, and Thereby to Afford Employment to the Labouring Classes," 10 Victoria (8 Feb., 1847), *PP*, 1847, II, 137-64, continued the practice of extending loans to landlords. Mill's unheaded first leader, which follows the parliamentary report, is described in his bibliography as "A leading article on the proposed Irish Poor Law, in the Morning Chronicle of 17th March 1847" (MacMinn, p. 68).

AMONG THE MANY SUBJECTS of contemplation offered to an unprejudiced observer by any popular frenzy, one of the most worthy of thoughtful attention is, the theories which it developes. Though mankind in general do not usually act or feel *by* theory, they never go on long acting or feeling without a theory; they must have something to say for themselves, some weapon with which to face objectors; and though there needs but little—generally indeed some word or phrase is enough—to satisfy the utmost exigencies of the multitude in the way of a reason for the faith which is in them, there are almost always leaders or advocates who must have something more. All the reason on one side, and nothing but feeling on the other, never answered yet on any except religious questions. In politics the post of theorist to a popular movement is always filled, either better or worse; there are always people who take upon themselves to find doctrine and argument in justification of what other people are crying out for.

The present frenzy on the subject of Irish poor-laws has accordingly its *doctrinaires*; its men with an idea or two beyond that of merely pointing with

their fingers to those who have something, and saying to those who have nothing, "up boys and at them"; men who aspire to a sort of philosophical theory. And it is important to consider what this theory is; for however little the actions of most people are consciously influenced by theories, they may depend upon it that the goodness or badness of their conduct is in exact proportion to the goodness or badness of the theory that is requisite for defending it.

The supporters of permanent out-door relief for Ireland have a theory which they very complacently oppose to all gloomy predictions respecting the effect of the measure on the character and habits of the Irish people. They say that their poor-law must be good not only for the immediate alleviation, but for the ultimate prevention, of distress, because it gives to the owners of property an interest in the permanent well-doing and well-being of the poor. This interest of the rich in making the poor well off is their staff of reliance for keeping all things right; and in this they are not single, for theirs is at present the doctrine of all modish philanthropists, and all political vendors of new wine in old casks.[1] The grand *arcanum* is supposed to consist in a great fuss and bustle among the rich to make the poor moral, religious, and fat; except that the Court ladies and Lord John Manners are for making sentiment the *primum mobile* of all this stir, while the poor-law folks trust rather to the substantial influences of pounds, shillings, and pence.

This last view of the subject is that with which we are at present concerned. The well-being, even in a physical sense, of any but the hereditarily wealthy, cannot be made independent of their own qualities; if they are indolent and improvident, nothing that can be done for them by other people will enable them to prosper; nothing can improve their condition permanently that does not improve their opinions and conduct. This is so evident that it is admitted even by the poor-law advocates, ready as they have shown themselves to disown every doctrine of common sense and experience which stands in the way of their conclusions. Their theory therefore must be, that any conduct which it is desired to encourage is best promoted by taking away the motives to it from the person who is to be induced to practise it, and at the same time laying a strong motive for making him practise it upon the shoulders of somebody else. We remember in history no parallel instance of a practical bull, except that institution of our ancestors which supplied royal pupils with the needful stimulus to their studies by stripes vicariously administered on the back of a substitute.

Try the same principle on other things. There have been penal laws now for a long time, and crimes have not ceased; we are sometimes even told that they are increasing. Perhaps it is a wrong plan to punish the thief himself: we now propose every time a theft is proved at the Old Bailey to let the thief go free, and impose a handsome fine on the sheriff and magistrates, that they may have an

[1]Cf. Matthew, 9:17.

interest in preventing thieving. The same plan will apply admirably to education. Parents or teachers should never allow the child to gain instruction and moral discipline by being left to feel any of the consequences of his own negligence or misconduct; much less let them presume to punish; but require them, on the contrary, to take all consequences *off* the child, and *on* themselves, that they may have the strongest possible motive to *say* to the child, "Don't be naughty;" for of all power over the child except that of words they would, by the supposition, have divested themselves. The poor-law people, because the natural motives to industry and providence have not been sufficient to produce those virtues in the Irish peasantry, are for supplying the deficiency, not by strengthening the natural motives, and adding others to them, but by taking them entirely away, and arming the landlords with "O fie!" and "Don't be naughty!" as a substitute. Really this plan of correcting A's faults by making B smart for them, depriving B at the same time of every possible mode of restraining or educating A, is one of the most curious instances of unreasonable expectation on record. Pharaoh's requisitions from the Israelites were nothing to it.[2]

There was a time when this doctrine was not quite so self-contradictory as it now is. About twenty years ago there was a rather general move among political economists and other thinking persons in favour of poor-laws, on a theory the same, at least in words, as that now assigned. They said that a poor-law gave the rich an interest in preventing any such degree of poverty as involved any danger of becoming chargeable on the parish, and that the English poor-law had long worked well, because the rich had really felt this interest, and had acted in consequence. In this we believe there was some truth; but what is it that was in fact meant? That the rich had exerted themselves to keep down population, and that it was desirable they should continue to do so. They did this in various ways: by preventing the building of cottages; by pulling down those already built; by discouraging marriages within the parish; by contriving that children should not be born within it; by throwing obstacles in the way of a labourer's obtaining a settlement, and getting their work done as far as possible by labourers settled elsewhere. These are the things which landlords can do, in obedience to the pecuniary interest created by poor-rates, and these things, we sincerely believe, did contribute greatly in England, during the eighteenth century, to render the poor-law innocuous. Are these the things which the present clamourers for poor-laws desire to see done? So far from it, that no landlord can do any of these things without becoming an object of their unmeasured vituperation. There is nothing which a landlord can do to keep down the rates, with their good will, except to "employ the people;" that is, to go on paying the money, calling it not rates, but wages. The landlords must be made to "find work;" and pray, when

[2]See Exodus, 1:11-14 and 5:6-9, for the requirements of hard bondage and making bricks without straw.

they have found work, how are these so-called labourers, whose inveterate dislike to work we heard so much about even before the relief works had still further demoralized them—these people, who will now know that they are to be supported at all events—how are they to be made to *do* the work which has been found for them? No means have been found adequate to produce real work in circumstances at all analogous, except enthusiasm or the cart-whip. On which of these is our reliance to be placed from this time forward?

One other question. To how many *more* than the six or seven hundred thousand families now thrown or to be thrown upon public support is the obligation on the owners of property to find work for everybody considered to extend? We will make the extravagant supposition that there are the means of employing all this number, and that they may be employed so as to replace the expense of their maintenance, in improving the estates of the landlords—what is to be done with the fifteen or sixteen millions of people to whom, under such ample encouragement, the rural population of Ireland will assuredly have multiplied, twenty or twenty-five years hence? Is work to be found for the whole of these also at other people's expense?—and for thirty or thirty-two millions in twenty or twenty-five years more? If not, where is the obligation to stop, or at what point shall the attempt commence to substitute some artificial check on the increase of population for the natural checks which are now going to be removed? But we proceed no further in this argument, lest we offend the susceptible philanthropists of the present time, who think they annihilate the laws of physical nature by refusing to hear of them, and who are really unlucky in having been born into so refractory a planet as this earth, instead of a world flowing with milk and water like themselves.

362. THE PROPOSED IRISH POOR LAW [2]

MORNING CHRONICLE, 19 MAR., 1847, P. 4

Continuing the criticism of the Irish poor law begun in No. 361, this unheaded first leader (following the parliamentary report) is described in Mill's bibliography as "A leading article on the same subject [as the preceding one, No. 361], in the Morning Chronicle of 19th March 1847" (MacMinn, p. 68).

EVER SINCE the notable scheme for rendering the Irish people industrious and provident, by making them pensioners on the landlords, has been taken off the hands of its authors and launched into legislation by the Ministry and Parliament of Great Britain, with an almost unanimity of popular acclamation, we must plead guilty to having so completely forgotten the state of the question six months ago, that it is a sort of surprise to us to find our old correspondent Mr. Poulett Scrope, in a letter in to-day's *Chronicle*, still doing duty as champion in

the cause, and thinking it incumbent on himself to take up the gauntlet which we threw down, without a single thought of him, in our paper of Wednesday last.[1] We are not inclined to revive any discussion with Mr. Scrope on a subject on which we have antagonists so much more powerful, if not in argument, at least in position and influence, than himself; and his opinion that "the Malthusian theory" (whatever, for the moment, he may happen to mean by that term) "is exploded for ever," and that "Mr. Jenkinson's cosmogony" was its prototype, shall remain, so far as we are concerned, uncontroverted.[2] Events will have spoken for themselves, in a sufficiently loud voice, before many years have passed over the heads of the authors of the new Irish poor-law; to whom their bitterest political enemies could not wish a severer doom than that of being sentenced to execute the law they are about to enact.

They have taken upon themselves to do one of two things; either to make out-door paupers of the whole Irish people, or to announce to them that they may be and ought to be made out-door paupers, and yet attempt in detail to avoid making them so. We should have thought that nothing less than desperation would have induced any men, placed at the head of a nation, to face the consequences of either side of the alternative. Let them not flatter themselves that boards of guardians will long stand between them and the devouring monster that they are raising up. So long as they go on feeding the people from the Imperial Treasury, the guardians, we doubt not, will be true to their post. But on the first attempt to carry the new law really into effect in the parts of Ireland where the poor are most numerous and the rateable income smallest, there will not be found a guardian to vote the poor-rate, or a collector to attempt enforcing it. Government officers must assess, and Government officers collect it: and as the whole rent of the more poverty-stricken counties will probably be absorbed without effectually relieving the people, the comparatively fortunate condition of the north-eastern counties will not long be seen with equanimity, and a vehement clamour will be raised for equalizing the burthen by a national rate. If the Ministers yield to this clamour—and after what they are now doing no amount of yielding to clamour on their part can be considered improbable—the *onus* of working the poor-law throughout all Ireland will fall directly upon their shoulders. If, on the contrary, they resist, at least the operations in the more distressed districts will fall upon them, either by the absorption of the rateable income of those districts, or by the refusal of the landlords to be the agents of their own ruin. It is on the officers of Government, therefore, that the

[1]Scrope, Letter to the Editor (17 Mar., 1847), *Morning Chronicle*, 19 Mar., p. 6, in reply to No. 361.

[2]Scrope was referring to Malthusian population theory, and to Ephraim Jenkinson, a character in Oliver Goldsmith's *Vicar of Wakefield*, 2 vols. (London: Newbery, 1766), who pretends to a learned cosmogony as part of his swindling (see Chaps. xiv and xxv for his preposterous displays of learning).

responsibility will in the end devolve of exercising the discretion reserved by the proposed law, that of either giving or refusing out-door relief to a whole people.

We wonder if the authors of this measure have ever attempted to realize in imagination the details of the task which, when the act shall have passed, lies to be performed either by them, or, as they would be glad to believe, by poor-law commissioners and boards of guardians. If, as a general rule, out-door relief is given, and if the relief is such in quantity and quality as the law intends, that is, sufficient for healthful support, those must be blind to all recent experience of Irish habits and character who suppose that any work whatever will be done, by the majority of the relieved class, unless from compulsion, and it will therefore be absolutely necessary to have recourse to a labour test. But if the persons relieved are required to work, and this not nominally but really, we wonder whether any one has calculated how many tens of thousands of armed men it will require to superintend the whole agricultural population of the south and west of Ireland, and keep them to their prescribed duty. If, on the other hand, the general rule is to be not the grant of out-door relief, but the refusal of it, we wonder whether it has been calculated how many tens of thousands of armed men will suffice to protect the refusers from the peculiar form which popular displeasure assumes in Ireland towards those who withhold from the people what they consider as a right, even when not promised to them, as out-door relief will now be, by a deliberate enactment of the Legislature. What escape the Government will find from this dilemma we in vain attempt to divine: some escape from it they must find. And if the argument which has now prevailed with Lord John Russell, "What else have you to propose?"[3] is to prevail, then there is no experiment so opposed to reason and practicability as not to have a chance of being tried in so really desperate a condition as that of the Irish Government will then be.

Some persons, whose opinion is entitled to respect, are reconciled to the intended measure by the persuasion that the unspeakable embarrassments which it will immediately create will force the Government to undertake a great national measure of emigration; and Mr. Scrope, we perceive, indulges the pleasing illusion that the same cause will induce the landlords to grant peasant properties. These, in fact, are the only two things which any sane person has proposed as means of making the intended poor-law a safe measure, and we give Mr. Scrope credit for as much of sanity as is implied in that idea. But can we give the same credit to Ministers, and to the majority which supports them? That very appeal of Lord John Russell, which he thinks so irresistible, demonstrates the contrary. "What else is proposed?" asks the Minister. Why, these very things, emigration and peasant properties, are proposed. And so worthily does the Minister

[3]Russell, Speech on the Poor Relief (Ireland) Bill (12 Mar., 1847), *PD*, 3rd ser., Vol. 90, col. 1251.

appreciate these remedies, so acutely sensible is he of their being necessary safeguards or necessary consequences of his poor-law, that he allows it to be affirmed in his presence, without contradiction, that he means to abandon even the small measure which he promised respecting peasant properties; while as to emigration, he has from the first declared that he means to have nothing to do with it.[4] If a national effort were to be made for emigration, the proper time would be now, when the vast sums which it must cost (in the way of advance at least) are to be expended at any rate, and when the people are still willing to go. Wait till out-door relief has become a habit, and try emigration then if you can.

For the most deplorable feature of the new social system preparing for Ireland is, that it threatens to put an extinguisher on the real remedies. If emigration or home colonization would be efficacious with a poor-law, they would be efficacious without a poor-law; no one can doubt that if effected on a sufficient scale they would enable every Irish peasant to live in comfort, on condition of vigorous industry. And let us remark, by the by, that it is great thoughtlessness (to say no worse) in Mr. Scrope to assert that we are for keeping down population by starvation. No one is better aware than Mr. Scrope that with the measures we recommend no danger of starvation would exist. But adopt even those measures, together with an out-door poor-law, and it is impossible any longer to guarantee their efficacy. Make every Irish family secure of food without work, or even without hard work, and no one can answer that what you have to offer to them more than food, in return for unremitting toil beyond the ocean, or as settlers on the waste, will be a sufficient inducement to them. Some there are who, being above the poorest in industry and prudence, have raised themselves somewhat above that level in pecuniary circumstances: these, the *élite* of the class, the nucleus of improvement, the hope of the country for the future, these will emigrate, as they are already doing: the impending poor-rate will be effectual to extinguish them. But the indolent and listless, the cottier or conacre-man, whose favourite pursuit is to "sit by the fire till the praties are done,"[5] *he* will beg to be excused from emigrating, nor will he even care to undergo the very considerable labour of reclaiming waste. So long as the poor-rate is available to him, he will accept of nothing which is only to be obtained by real work. When the vast number of the paupers shall have consumed, or their disinclination to work shall have destroyed, the fund from which the eleemosynary support is drawn, they will throw themselves upon England; and then, if ever, when the evil returns upon ourselves, we shall be

[4]Russell made these statements in his speech of 25 Jan. (see No. 359). The affirmation was made by Lord John Manners in a speech on the Poor Relief (Ireland) Bill (15 Mar.), *ibid.*, 1387-8.

[5]In "State of Ireland," *Quarterly Review*, LXXIX (Dec. 1846), 246, Mortimer O'Sullivan (1791?-1859), an Irish Protestant divine, quotes from the Irish song: "The finest of fun / That there's under the sun, / Is to sit by the fire till the praties is done."

forced to begin treating the Irish people as moral agents, influenced by motives, and who must be acted on by a system of moral government, and not as creatures whom we can feed like pigs or turkeys, and prevent as easily from straying out of the bounds of the stye or poultry yard.

363. THE GENERAL FAST

MORNING CHRONICLE, 23 MAR., 1847, P. 4

Queen Victoria had issued a Proclamation setting 24 Mar. as a day of General Fast (*London Gazette*, 12 Mar., p. 1025, from which Mill quotes). Several groups, including the Society of Friends, refused to observe the day. This first leader (following the parliamentary report) is described in Mill's bibliography as "A leading article on the General Fast, in the Morning Chronicle of 23d March 1847" (MacMinn, p. 68).

TO-MORROW HAS BEEN APPOINTED for what is called a "public fast and humiliation," in consideration of "the heavy judgments with which Almighty God is pleased to visit the iniquities of this land, by a grievous scarcity and dearth of divers articles of sustenance and necessaries of life." The extraordinary document in which this observance is enjoined—copied, we suppose, from some similar notification in the reign of Henry VIII or Elizabeth,[1] with the omission only of the strength of expression which in that time was given by sincerity—not only assumes such familiarity with the Divine councils as to threaten all "who contemn and neglect the performance of so religious and necessary a duty" with the "wrath and indignation" of God, but menaces them, in addition, with temporal punishments which the authors of the proclamation perfectly well know that they have not the power to inflict. Perhaps it is well that a manifest untruth should thus stand on the threshold, as a stumbling-block to those—they must be very few, we think—who might be in danger of supposing that there was any sincerity in the remainder of the exhibition. We do not share the opinion, that those who have ordained the fast will not observe it: this would be contrary to good taste, and to the spirit of the time, which being a spirit of minute criticism on all persons who are before the public, requires a certain consistency in that assumption of being what they are not, which friends call by the name of decorum, and enemies by that of hypocrisy. But whoever has any knowledge of the opinions of the educated classes of the community, is quite aware of the real state of the case. The authors of the proclamation just as much believe that the potato failure is a judgment on our national sins, or that fasting will be any help

[1]The wording is close to that of a document of Charles I, issued 14 Feb., 1629: *A Proclamation for a Generall Fast to Bee Held Throughout This Realme of England* (London: Bonham, *et al.*, 1629).

towards averting the Divine anger, as they believe that "punishment may be inflicted on all such as contemn and neglect the performance" of the farce.

No persons with any pretensions to instruction now see a special interposition of Providence in a blight, any more than in a thunder storm. The only difference is that we now know something about the physical causes of the one, and do not yet know those of the other. That it has physical causes is just as certain as that thunder, a century ago, was as much a mystery as the potato disease is now. We do not imagine that there is one person in the Court or Cabinet, or fifty in the House of Commons, who in private would affect to believe that the potato failure is a miracle, or who does not look upon this so-called religious observance as a piece of empty mummery, and upon the notion of propitiating Heaven by ascetic practices on the occasion of a public calamity as belonging to an entirely gone-by order of religious ideas.

If the Government had thought that there was any reason or meaning in the observance, would they have waited for the prompting of Mr. Plumptre?[2] The portion of the public of whom that gentleman is the spokesman, is not one whose lead the present or any other Government is accustomed to follow. The fast is ordered, as so many other things are done, to avoid a discussion in the House of Commons; and because our public men shrink from the responsibility of asserting the good sense of the community against the nonsense of an unimportant section of it, the same who regard the scarcity as a Divine judgment on the nation for increasing the grant to Maynooth,[3] or some other enormity of that description, committed by anybody *but* those on whom the calamity has fallen.

The line of the *Gazette* which preceded the Order in Council is a comment on the *bonâ fide* character of this national "humiliation." It announced that the drawing-room, which was to have been held on the day following that appointed for the fast, would be held not on that day, but two days later.[4] When people, believing that for their "manifold sins and provocations" they are under the wrath of an infinitely wise and just Being, manifested by a "sore punishment," rush to make confession of those sins, and with "contrition and penitence of heart" "humble" themselves before this Being, and implore that, in consideration of their repentance, He will "withdraw his afflicting hand," do they, three days after, go flaunting in the pomps and fopperies of the emptiest form of human

[2]John Pemberton Plumptre (1791-1864), banker, M.P. for East Kent 1832-52, who in his concern for the plight of Ireland had urged in his Speech on the Address to Her Majesty (21 Jan., 1847), the adoption of an "act of general humiliation before God" (*PD*, 3rd ser., Vol. 89, cols. 203-4).

[3]An annual parliamentary grant to Maynooth College, a seminary in Ireland for training Roman Catholic priests, had been substantially increased in 1845, against considerable Protestant complaint, by 8 & 9 Victoria, c. 25.

[4]The item preceding the proclamation, headed "Lord Chamberlain's Office, March 9, 1847," announces the postponement.

vanity? Was it thus that people acted when they believed in the reality of judgments and in the efficacy of fasts? If there were any sense in the words used by the proclamation, if it entered into the mind of any person to understand them seriously, would there not be something actually monstrous in having gala days and Court receptions until the judgment had been taken off? Could such things be if men believed what this proclamation asserts? Would not the theatres be closed, all amusement suspended—would there be any balls or dinner parties, any marrying or giving in marriage[5]—would any one set out on a journey of pleasure, or undertake projects either of recreation or of worldly advancement, while labouring under this deep sense of guilt and of Divine wrath, and unknowing as yet whether the prayer and atonement had been accepted? The agony and distress of Wednesday, with the levity and frivolity following by pre-arrangement on Saturday, seem to show the absence of any intention to make the demonstration appear more than a form. There is the grimace of deep religious feeling, but there is not the affectation of its actual existence.

The Government probably thought that the *nodus* was not *dignus vindice*,[6] and that it was better to reserve their strength for more practical matters. We think this wrong; for there are few things more practically mischievous than giving the countenance of authority to the religious notions characteristic of a rude age. It is to such notions, and the deference paid to them, that we owe the wreck of all good schemes of Government education, a thing far otherwise important than the obsolete ceremonies announced for to-morrow's representation.

364. EMIGRATION FROM IRELAND

MORNING CHRONICLE, 7 APR., 1847, P. 4

This article comments on "A Plan of Colonization for Ireland" (23 Mar., 1847). *Spectator*, Supplement, 3 Apr., 1847, pp. 1-7, a memorial prepared by a committee headed by W.H. Gregory, M.P., and M.J. O'Connell, which bore the signatures of such dignitaries as the Archbishop of Dublin, the Marquis of Ormonde, and the Earl of Devon. The page references in the text are to the *Spectator*. This unheaded first leader is described in Mill's bibliography as "A leading article on Emigration from Ireland, in the Morning Chronicle of 7th April 1847" (MacMinn, p. 68).

THE MEMORIAL addressed to Lord John Russell by a body of influential Irish landlords, on the subject of emigration, is the answer, so far as they are concerned, to his apparently triumphant but really desperate interrogation, "What else have you to propose?"[1]

[5]Cf. Matthew, 24:38, with reference to the days just before the Flood.
[6]Horace, *Ars Poetica*, in *Satires, Epistles, and Ars Poetica*, p. 466 (191).

[1]For Russell's question, see No. 362, n3.

A plan for removing, in the course of three years, two millions of the population of Ireland, and locating them in the wilds of Canada, would have been little likely to meet with serious attention a year ago. But the potato disease in presence, and the poor-law in prospect, constitute a state of things which demands the remedies termed heroic. When the first of these calamities is costing England a million monthly, with no visible termination and no permanent result, while the other is threatening every Irish ratepayer with literal, not metaphorical ruin, it is no time to shrink from measures of permanent benefit because they are large, difficult, and costly. The memorialists accordingly propose that the interest and redemption of the loan necessary for this gigantic emigration should be defrayed by extending the English property-tax[2] to Ireland. They have made calculations which satisfy them of the sufficiency of this resource. [Pp. 5-6.] Thus provided for, the proposed colonization combines the importance of a great national measure with the essential characteristics of an operation grounded on the voluntary principle. It resolves itself into a combination of the tax-paying classes to effect collectively for Ireland what every landlord, of ordinary foresight and adequate pecuniary means, is already attempting on his own estate. Ireland, for the first time in history, offers to defray the cost of her own regeneration, and asks nothing from England but the sanction of Government, and the removal of local obstacles.

The plan, of which the outlines are given in the printed memorial, bears marks of sober and intelligent consideration. The most obvious difficulties are foreseen, and more or less successfully met. The colonies cannot possibly absorb, as mere labourers, anything like the number of emigrants supposed in the project. Accordingly, it is proposed that the greater part should be located as settlers, not labourers for hire. The Irish do not adapt themselves easily to a settler's life, singly, or in the midst of a population not Irish and Catholic; it is proposed, therefore, to transplant them, not individually, but as small village communities, with their priest at the head. [Pp. 2, 5.] The preparation of the locality, and the superintendence of the location, require a degree of concert and organization which scarcely any emigrants, and least of all Irish emigrants, can achieve for themselves, and which cannot be efficiently or conveniently conducted for them by salaried officers of Government. To meet these difficulties, it is proposed that an incorporated company should undertake the whole of these details, receiving from Government a fixed sum, suppose five pounds, for each emigrant; employing the emigrants in the first instance as hired labourers, to make the roads and execute the other works requisite for their own location; becoming itself the proprietor (by purchase) of large tracts of land, and deriving its profits from the value given to this land by the public works executed and the population

[2]The provisions of 5 & 6 Victoria, c. 35 (1842), had been continued for three further years by 8 & 9 Victoria, c. 4 (1845).

created in the district. [P. 6.] The practicability, and in many respects eligibility, of colonization thus conducted, are upheld by the memorialists with considerable success, and their plan recommends itself at once by just conceptions of the nature of colonization, and by an unusual degree of adaptation to the Irish national character.

It would be easy to raise difficulties and find objections, even formidable ones, to this project; and it is sufficiently known that our remedy is a different one. We do not think the Irish a good stock to colonize with, and we see neither justice nor expediency in sending people to be settlers in Canada who could be made settlers at home. But the desperate condition of Ireland requires *all* remedies. The land and labour market must be cleared at once of a much larger number of starving competitors than we have any hope of seeing located upon the waste lands of Ireland on the proprietary system; and on the cottier system it is far better abstained from entirely. Besides, the grand difficulty of all remedial measures, in the condition into which things have now been thrown—the doubt whether they can be carried into operation—affects, we lament to say, the question of home still more profoundly than that of foreign colonization. A poor-law, in which out-door relief is to be a reality, in addition to its own peculiar evils, poisons the sources of all improvement. By far the strongest objection to the plan of the memorialists is the uncertainty whether, even after the machinery is constructed and the path smoothed, a population which has been told that it is to be fed and employed at all costs and through all consequences at home, will consent to go abroad. But it is still more doubtful whether any person whose industry and forethought qualify him to become a peasant proprietor, will not think it a better calculation to be a receiver, than a payer, of such poor-rates as every one must expect under the new act. It is almost a fruitless hope which looks to the creation of a superior and independent class of peasantry, when those who would compose the class are even now rapidly quitting Ireland, taking their small savings with them. A law which threatens to leave no creature in the rural districts of Ireland but the mere landlord and the mere cottier or labourer, is an infelicitous preparation for a future yeomanry. It seems as if an immense clearance of the soil of Ireland by emigration, were now a necessary condition of such a state of poor-law management as is compatible with the very existence of society in Ireland, not to talk further of its improvement.

And after all which can be said of Irish inertness and indifference, no reasonable person can for a moment doubt the eminent benefits of well-conducted Irish colonization to the colonists themselves. The magic of property is the same in Canada as in Ireland. The salutary shock to inveterate bad habits would be even stronger in so complete a change of outward circumstances. And if there is more labour and hardship to be undergone, there is also still greater temptation to undergo it. The emigrant settler and the home colonist would both have subsistence and a competency placed within their reach; but the first would

have, in addition to this, the possibility of wealth. Both alike would be removed from the fatal influence of cottierism and landlordism, of working solely for another, and multiplying at another's expense; both alike could claim as their own all that their industry could produce and their frugality accumulate; but this *all* is a far larger provision, an ampler encouragement to the industrial virtues in distant regions, where the soil is more fertile, and a larger portion of it may fall to the share of each colonist in absolute property. We have full faith in the efficacy of proprietorship, both in the eastern and in the western hemisphere. Turn cottiers into proprietors, and you have done for the Irish the best you have it in your power to do. Turn cottiers into proprietors in Ireland, if possible, but it is better that they be proprietors in America, than cottiers, or even Dorsetshire labourers, in Europe.

365. "SANITARY" V. "SANATORY"

THE TIMES, 7 APR., 1847, P. 3

This letter to the editor is in response to "H.," "'Sanatory' v. 'Sanitary,'" *The Times*, 6 Apr., 1847, p. 3. (Another response, by "F.P.," generally supporting Mill's view, appears immediately under his.) Mill was probably unaware that "sanatory" (meaning *curative*, not as a synonym for "sanitary") was used in Bentham's *Deontology* (1834)—but in any case he always maintained that Bowring was the real author of that work. "Sanitary" had been used, to "H."'s annoyance, by George William Frederick Howard (1802-64), Viscount Morpeth, in a speech on the Public Health Bill, discussed in a leader in *The Times* on 2 Apr. It had been used, of course, in the title of Chadwick's "Report on the Sanitary Condition of the Labouring Population of Great Britain" (1842), the first use cited in the *Oxford English Dictionary*. The letter is Mill's second to *The Times*, his first having been written nearly twenty years earlier (No. 36). Headed as title, with the subhead, "To the Editor of The Times," it is described in Mill's bibliography as "A letter signed 'Orthographicus' in the Times of 7th April 1847 on the spelling of the word Sanitary" (MacMinn, p. 68).

SIR,—Your correspondent "H.," in your paper of Tuesday, must be under a strange delusion in supposing that "sanatory" is the authorized English spelling, and that "sanitary" is an improper orthography requiring to be "vigorously resisted at its very first appearance." "Sanatory," as a substitute for "sanitary," is a piece of affected slipslop, only introduced within the last two or three years. All the good English authorities write, and have always written, "sanitary."

"Sanatory," if there be such a word, derived from *sano*, *sanare*, must necessarily mean "curative" or "remedial," since *sanare* signifies to cure. Sanitary laws and sanitary precautions are not intended for cure but for prevention. A hospital is a "sanatory" establishment; quarantine is a "sanitary" regulation. "Sanitary" is a word similar to "salutary," "voluntary," "arbitrary," not derived from the verb *sanare*, to cure, but from the substantive *sanitas*,

health, like "voluntary" from *voluntas*, and signifies "regarding" or "relating" to health. Sanitary measures are measures relating to health.

The Times, to its credit, has usually resisted the corruption of the English language, and it has now an opportunity of exercising its power against a very flagrant instance of that corruption.

Orthographicus

366. THE OPENING OF THE PRUSSIAN DIET

MORNING CHRONICLE, 16 APR., 1847, P. 4

The House of Hohenzollern, Electors of Brandenburg, became Kings of Prussia in 1701 with Frederick I. The current King, Frederick William IV (1795-1861), who had in 1840 succeeded Frederick William III, of whom Mill approved, reluctantly yielded to liberal pressure in calling the first United Diet or parliament. His speech of 11 Apr. opening the Diet was printed in the *Morning Chronicle* on the same day as Mill's article, 16 Apr., p. 5. This unheaded second leader is described in Mill's bibliography as "A leading article on the opening of the Prussian diet, in the Morning Chronicle of 15th [*sic*] April 1847" (MacMinn, p. 68).

THE FIRST SPEECH of the King of Prussia at the opening of the first Prussian Parliament, which we print to-day, is an historical event. Of all persons interested in the question, the King himself is probably the one who has the least idea of the significance of his own act. To him it may present the aspect of a mere formality—a tardy and imperfect accomplishment of promises too long eluded, and which might never, but for the sharp twinge of a financial embarrassment, have received their completion. He may cast his eye back on ancestors few in number, but mighty in deed, and nurse himself in the fond expectation that the house of Hohenzollern will be as able permanently to control, as they were to call into existence the united energies of a great people.

Whereas all other nations that we read of have been of slow growth, and that spirit which we call *nationality*, or patriotism, the hardest of all to be breathed into the souls of mankind, the Prussian people stand prominently out from the canvass as the great exception to the rule. By how short a period are we separated from the time when the foresight, judgment, and perseverance of the Great Elector laid deep the foundation of his future kingdom, and the genius of the still greater Frederick, who was at once King, Minister, Treasurer, the first general and the most skilful diplomatist of his day, reared upon this foundation a fabric which seems destined to withstand the shocks of time.[1] To Frederick William III it was given to prove how solid had been the work of his predecessors, when not

[1]Frederick William of Brandenburg (1620-88), known as the Great Elector, and Frederick II (1712-86), known as the Great.

even a military occupation of his country could stamp out of the hearts of his people that they were "Prussians before all." The mild and religious spirit of the late King may, however, have gone for something in preparing the present intellectual and commercial development of a people who, with scarce a century of existence, have obtained peaceful possession of the highest and most responsible rights of freemen.

The speech of the King is a most voluminous document, utterly different from the short and pithy sentences which are the peculiar properties of Royal speeches in other constitutional countries of Europe. This perhaps was necessary to the occasion—necessary certainly in the King's apprehension of it, as it appears to be his object to indoctrinate his subjects in what he considers to be correct views of the theory and practice of constitutional liberty. We find his Majesty congratulating his subjects upon the solemn nature of the occasion that had called them together, and then passing to an eulogy upon the paternal anxiety of his deceased father for his subjects, and an explanation why the constitution had been so long deferred. From this the King passes to a review of the situation of the monarchy on the map of Europe, and points with justifiable pride to the external triumphs which Prussia has won by her military valour, and to those still higher triumphs in her internal development which are due to the intellectual qualities of the people. He next proceeds to point out those objects to which he wishes them peculiarly to direct their attention—means of communication, bridges, roads, &c. It is not, however, from a speech delivered under such peculiar circumstances that we can expect a full exposition of the policy of Government, or even such indication of its views as we are accustomed to look for on similar occasions in older constitutional countries. The true significance of the event will be found rather in the fact itself—in the opening of the Diet than in the speech of the King.

We took a former occasion of commenting upon the terms in which the Magna Charta of Prussia was promulgated.[2] These, however, matter but little. When a king and a people are brought face to face, a wise spirit of concession is the policy of the weaker party. Since the events of 1815 restored permanent tranquillity to Europe, the history of Prussia has been the history of the reluctance of two successive kings to grant the constitution they had promised to their people; but to the constitution they have come after all—

> There is a destiny doth shape our ends,
> Rough hew them how we will![3]

All who have taken any interest in Prussian politics can remember the endless *pourparlers* and discussions between the late King and the Minister Hardenberg,

[2]Leading article on the New Prussian Constitution, *Morning Chronicle*, 10 Feb., 1847, p. 5 (presumably not by Mill, who is using the editorial "we").

[3]Cf. *Hamlet*, V, ii, 10-11; in *The Riverside Shakespeare*, p. 1181.

to settle the precise form of the constitutional Utopia best suited to the genius of the country. No homely serviceable plan would suffice: the necessity was felt of devising a mystic something which should reconcile the fantastic requirements of a coy royalty with the rude wants of a people, and the difficulty of the task became the hackneyed pretext for eluding the sacred obligations of a pledged word. Squaring the circle is nothing to devising a scheme of polity in which the despotism of the one and the freedom of the many shall co-exist. The more the Minister pressed, the more the King shrunk back. Hardenberg's plan was, if we remember right, to be modelled upon that of France. The project which he laid before the King for a new organization of the communes (*Communal-Ordnung*);[4] the promise which he drew from him conditionally of instituting the States of the kingdom; and his design of subjecting all domains to a land-tax, by which he purposed to render the royal domains contributory to the revenue of the country, are proofs that Hardenberg at least was sincere in his intentions. Still, at the very moment of projection, the late King always interposed with the objection that it was indispensable, above all, to remove and smooth down everything which might tend to bring on collisions or misunderstandings, and as this desirable end was difficult of accomplishment, the promised constitution stood over to a perpetually receding "next term." Then Hardenberg died; then Voss died;[5] and then, as we are somewhat *naïvely* told by a German writer, it came into the King's mind that he was not worthy to accomplish the sacred task of giving a constitution to his subjects, and he determined to bequeath the responsibility to his successor, even as David devolved on Solomon his son the duty of erecting a temple for the people.[6]

To carry the history of this change in the form of the Prussian Government down to our present time—In 1841 the King sent forth a decree, which, in place of giving a real constitution to Prussia, simply remodelled the States or Diets upon a somewhat more liberal foundation than before.[7] By the decree of March, 1841, Diets of the provinces were to be held every two years. A committee was to continue to sit after the Diet had been dissolved, for the despatch of business, and to form a channel of communication between the King and the nation. The King would, upon proper cause appearing, call together the different committees for the purpose of common deliberation.

[4]*Hardenburgs Verfassungsentwurf für Preuszen vom 3 Mai 1819 in Form eines Kgl. Kabinetsbefehles* was actually published only in 1894, in Vol. I, pp. 649-53 of Alfred Stern, *Geschichte Europas seit den Verträgen von 1815 bis zum Frankfurter Frieden von 1871*, 10 vols. (Berlin: Hertz, 1894-1924).

[5]Otto Karl Friedrich von Voss (1755-1823), Prussian minister 1789-1807 and 1817-23, was Hardenberg's opponent and a leader of the anti-reform group.

[6]See II Samuel, 7 (esp. 13); and I Kings, 6 (esp. 12).

[7]The confirming decrees, Verordnungen über die Bildung eines Ausschusses der Stände, were issued a year later; see *Gesetz-Sammlung für die Königlicher Preuszischen Staaten*, 20 (1842), 215-41.

In this arrangement two things were wanting. First, that a *periodical* meeting of all the committees of the provinces should be appointed, in order to deliberate together; and, secondly, that the control over all the receipts and expenditure should be vested in the committees. Both of these requirements are now in some measure satisfied, although so shackled and hampered with restrictions that, were it not for our full confidence in the *vis medicatrix libertatis*, we should almost have looked upon the constitution, the inauguration of which we this day record, as nothing better than a jest.

367. ENLIGHTENED INFIDELITY

UNPUBLISHED LETTER TO THE REASONER [AFTER 2 JUNE, 1847]

George Jacob Holyoake (1817-1906), secularist, libertarian, promoter of cooperatives, and social reformer, in 1845 founded and edited the weekly *Herald of Progress*, which became, on 3 June, 1846, the *Reasoner and Herald of Progress*. It was mainly an outlet for Holyoake's secular views, and always had financial problems. In "Propagandism," *Reasoner*, 2 June, 1847, pp. 299-301, Holyoake appealed for subscriptions; this letter in response, clearly intended for publication, but not published, is undated. The holograph MS in Mill's hand is in the British Library of Political and Economic Science, Mill-Taylor Collection, Vol. XLI, No. 4, on East India Co. paper watermarked 1845. In view of the opinions expressed in Harriet Taylor's letter to Mill of 25 July, 1848, one may infer that this is a joint production (see F.A. Hayek, *John Stuart Mill and Harriet Taylor* [London: Routledge and Kegan Paul, 1951], pp. 124-7). The draft is headed "To the Editor of the Reasoner." As the letter was not published, it is not listed in Mill's bibliography.

SIR,—Observing that a subscription has been opened in aid of your publication, I send a small contribution towards it. I should much regret that the flag of avowed unbelief, unfurled by the *Reasoner* alone among English periodical writings, should be lowered for want of the support necessary to keep it flying. When you commenced writing, some courage was still required for the public profession and dissemination of infidel opinions, and although we may now hope that the time for legal persecution, such as that which you have undergone,[1] has passed away, the willingness to defy, in behalf of what is sincerely believed to be truth, even the idle talk of the multitude is unhappily sufficiently rare in all classes, to be entitled not only to honorable recognition, but to such positive assistance as the case admits of.

It would however be a bad compliment to writers whom I am commending for speaking out their whole mind to the public, were I to be less free in expressing

[1]On 24 May, 1842, Holyoake made a flippant reference to the deity in replying to a question after a lecture to the Cheltenham Mechanics' Institute. He was arrested on 1 June, tried on 15 Aug. for blasphemy, and sentenced to six months' imprisonment. See *The Trial of George Jacob Holyoake* (London: Anti-persecution Union, 1842).

to them, my opinion of their performances. And I am compelled to say that my good will to the *Reasoner* does not arise from my thinking it at all an adequate representative of either the argumentative or the moral strength of enlightened infidelity. I give its writers credit for being partly aware of this, and I trust that they may become fully so, and may succeed in making the *Reasoner* a more valuable organ, than I think it has yet been, of the opinions it professes.

The strongest point of your writers is certainly the metaphysical argument on the existence of Deity, though even there they offer, I think, great hold to any dexterous adversary, and might learn, for example, from Hume's *Dialogues on Natural Religion*, far more conclusive modes of stating their argument.[2] But this part of the subject, though it ought not to be neglected, is neither the best suited for popular effect, nor in itself the most important. Whether the world has had a creator, is a matter of hypothesis and conjecture on which, in the absence of proof, people's judgment will vary according to the particular bias of their imagination: but the mischievous superstition consists in identifying this Creator, with the ideal of abstract perfection, and making him, as such, an object of adoration and imitation. Any one who considers the course of nature, without the usual predetermination to find all excellent, must see that it has been made, if made at all, by an extremely imperfect being; that it can be accounted for on no theory of a just ruler, unless that ruler is of extremely limited power, and hemmed in by obstacles which he is unable to overcome. Mankind can scarcely chuse to themselves a worse model of conduct than the author of nature. None but a very bad man ever manifested in his conduct such disregard not only of the sufferings of sentient creatures, but of the commonest principles of justice in the treatment of them, as is manifested by the Creator of the World if we suppose him to be omnipotent.

It is by treating such topics as these that infidel writers would strike the most effective blow at superstition while they would, by the same effort, plant something better in its place. On the subject of revealed religion there is room for a similar exposure; setting forth the essential wickedness of the character of the Deity, as Christian writers have been forced, often against their own better feelings, to conceive it: the atrocious conception (for example) of a Being who creates on the one hand thousands of millions of sentient creatures foreknowing that they will be sinners, and on the other a hell to torture them eternally for being so. With regard to the question of Evidences, I am sorry to see that after all the light which has been thrown upon the origin and history of the Christian and other religions by many authors in the last and present age, your writers have not got beyond the crude guesses and fanciful theories which were current a century ago, when historical criticism, or any real sense of historical truth, had not yet come into the world.

[2]David Hume, *Dialogues Concerning Natural Religion* (1779), in *Essays and Treatises on Several Subjects*, new ed., 2 vols. (London: Cadell, 1793), Vol. II, pp. 472-597.

On the subject of morals, I regret to observe that you do not even aim at any improvement of the common notions, but give in an apparently unqualified adhesion to them, exactly as they stand. This is a retrograde step on the part of infidel writers. Mankind have, as a race, hitherto grounded their morality mainly on religion, and if their religion is false it would be very extraordinary that their morality should be true. For my part I hold that the philosophy of morals is still in its infancy; that in its practical doctrines there is as much room for improvement, as in any other department of human thought; and that even now it is easy to lay down a far better, juster, nobler set of moral principles and rules than those generally received: the maxims of the Gospel though admirable in much of their spirit being both vague and most incomplete, while the attempts to supply their deficiencies by St. Paul and others amount, in my opinion, to very much worse than nothing.

368. GROTE'S HISTORY OF GREECE [2]

SPECTATOR, 5 JUNE, 1847, PP. 543-4

This is the second newspaper notice by Mill of his friend's *History* (see No. 304, where details of Mill's reviews are given). It is the first review in the "Spectator's Library," where it is headed "Grote's History of Greece—Volumes III-IV." It is described in Mill's bibliography as "A notice of the 3d and 4th volumes of Grote's History of Greece, in the Spectator of 5th June 1847" (MacMinn, p. 68).

IN THE FIRST AND SECOND VOLUMES of Mr. Grote's *History*, he had not advanced much beyond the heroic age, or legendary period of Grecian antiquity: and some readers will be disappointed by finding that even the present publication brings down the narrative no lower than the battle of Marathon and the death of Miltiades.[1] This slow progress, however, does not arise from prolixity in the delivery of the matter, but from the abundance of matter to be delivered. In criticizing history, every distinct class of readers usually seem to be of opinion that the author should address himself to them alone, and that they have a right to complain if he inserts anything which is not required by their particular tastes. Readers of this sort have found fault with the former volumes for containing too much of discussion and dissertation; but we do not anticipate a similar complaint against the present. They are, indeed, copiously interspersed with reflections: a history would be of small value if it were not. But the reflections are varied; never unnecessarily prolonged; and not only grow out of the facts, but form, in general, an essential part of the exposition of them. Many of the principal facts

[1]Miltiades (ca. 540-489 B.C.), Athenian general, commanded the victorious Athenian and Plataean army that decisively defeated the Persians at Marathon in 490 B.C.

would be neither interesting nor intelligible without the ideas by which they are illuminated.

That the progress made in these volumes is not greater chronologically speaking, arises from the necessity under which the author felt himself, of bringing together what was known of the early history not only of Continental Greece, but of the Greek communities in Asia Minor, Italy, Sicily, and Africa; at all times an important, and in the early times of Grecian history the most important, portion of the Hellenic people, being the most wealthy, the most commercial, and the most intellectually cultivated. It was also needful to give some account of the nations by whom the Greeks were surrounded, and their contact with whom, politically and intellectually, so materially influenced their development. There could be no delineation of the Greek mind without a picture of the Grecian world; of the several countries and civilizations known to the Greeks, both as they were, and as the Greeks conceived them. The Lydians, the Medes, the Persians, even the Scythians and Cimmerians, are passed successively in review, and the little which can be ascertained respecting them is carefully distilled from the mixed mass of materials, by Mr. Grote. And when he comes to nations really remarkable, respecting whom also there is more to be said—the Phoenicians, the Assyrians, and the Egyptians—the chapters which he devotes to them are models of condensed information interestingly and instructively delivered.

But we are anticipating on the order of the subjects; which it will be better to enumerate in the succession in which the author presents them. Having in his former publication treated of the early history of Peloponnesus and the institutions of Lycurgus, he takes occasion in opening the present with Corinth, Sicyon, and Megara, to depict the "age of the Despots," a period of nearly a century, during which those and many other Greek commonwealths were ruled by the usurpers called *tyranni*. [Vol. III, pp. 1-64; Pt. II, Chap. ix.] After this striking chapter, the next two are devoted to Athens; the first embracing what is known of Athenian history and institutions prior to Solon; the second relating to Solon himself, and the memorable reforms, administrative, legislative, and constitutional, which have rendered his name immortal. From this great subject Mr. Grote passes to a survey of the outlying Grecian states, and of the surrounding nations. This, which forms the largest division of the present publication, being completed, he returns to Greece Proper; and, after a rapid sketch of the early literature of Greece posterior to the Homeric period, and of the initial stage of Grecian science and philosophy, he enters, early in the fourth volume, into the period of history in which a continuous narrative becomes possible. The despotism of the Pisistratidae at Athens;[2] the revolution which

[2]Hipparchus (d. 514 B.C.) and Hippias (d. 490 B.C.?), sons of Pisistratus, joint tyrants of Athens from 527 to 514 B.C., when Hipparchus was assassinated; Hippias ruled alone until 510 B.C., when he was expelled.

shook them off, and the important constitutional changes which followed; the absorption of the Asiatic Greeks into the Persian empire; the tragical history of their revolt and resubjugation, from the effects of which their freedom and political greatness never rallied; the important events in Continental Greece intervening between the expulsion of Hippias and the arrival of the first Persian armament; and lastly, the heroic repulse of that armament by the almost unassisted force of one small city-community; these complete the list of the principal topics of this second portion of the history. It thus contains the whole process of the formation of the Athenian constitution, in the first two stages at least, of which the third and completing stage under Pericles was but the natural development. It exhibits (and this is no trifle in the dreary moral waste of most regions of history) two genuinely exalted characters, Solon and Pittacus;[3] and an anticipated glimpse of a third, Aristides.[4] It rescues from obscurity another eminent man, of whom we know not enough to place him by the side of the three preceding, but enough to show that history has done him scanty justice—Cleisthenes, the real founder of the Athenian Democracy.[5] It narrates the fall of a great people, the Ionic Greeks, and the beginning of the rise of a far greater, the Athenians. It brings the great barbarizing power and the great civilizing power of the world, Persia and Greece, into each other's presence; and presents the first scene of that conflict between the two, on the issue of which depended (as far as such things can ever be rationally said) the futurity of the human race.

To no part of "this great argument"[6] has Mr. Grote proved unequal. These volumes surpass the promise of their predecessors: as his subject advances in interest, so does he in the manifestation of the various powers necessary for dealing with it. His familiarity both with the great highways and the obscurest bypaths of Grecian literature and antiquity, has seldom been equalled, and not often approached to, in unlearned England; while those Germans who have rivalled it have seldom possessed the quality which eminently characterizes Mr. Grote, of keeping their historical imagination severely under the restraints of evidence. Niebuhr and Otfried Müller are skilful in conjecture, but they often pass off upon themselves and upon us their guesses for facts: Mr. Grote never does. His deep respect for truth, and the strong tendency of his intellect towards historical scepticism, enable the reader, who has seldom the means for sifting the evidences of early history, to place great reliance on him in the cases (and they

[3]Pittacus (ca. 650-570 B.C.), one of the Seven Wise Men, tyrant of Mytilene, 589-579 B.C., when he voluntarily gave up power.

[4]Aristides (ca. 530-467 B.C.), Conservative Athenian statesman and military commander, known as "the Just."

[5]Cleisthenes (565-500 B.C.) ended factional strife and the power of the old aristocratic families by redistributing the population into ten new tribes with equal representation in a Council of Five Hundred.

[6]Milton, *Paradise Lost*, I, 24; in *Poetical Works*, p. 2.

are neither few nor unimportant) where he has so put together evidences as to elicit new and unexpected results. His scepticism, too, being a rational principle and not a prejudice, he now and then shows good grounds for crediting a statement which previous writers had distrusted. Thus, the circumnavigation of Africa by the Phoenicians, more than two thousand years before Vasco da Gama,[7] appears to him perfectly credible, on account of the very circumstances in the story which made it incredible to the ancients, but which accord with our present astronomical and geographical knowledge. [Vol. III, pp. 377-85.] Again, the wonders related by Herodotus respecting the city and fortifications of Babylon,[8] Mr. Grote fully believes, because they are, as he says, in no respect more extraordinary than what we have still ocular evidence of in the Egyptian Thebes; while his examination has given him the fullest confidence in the trustworthiness of Herodotus when testifying to things which he had himself seen or heard. [Vol. III, pp. 394n-8n.]

That the scrupulous regard for evidence which distinguishes this history, arises from no want of historical imagination, is proved by the author's remarkable power of realizing and of identifying himself both with Greek feelings and with the external and internal circumstances of Greece. This, indeed, is so conspicuous as to constitute the most marked originality of the book; giving a life to the history which it has never previously had, and teaching even readers not unfamiliar with the original authorities, to see many things with Greek eyes for the first time. Yet the author never so far adopts Hellenic ideas and sentiments as to lose sight of his own standard. He enters into the feelings and opinions of the actors, not to supersede but to assist his applications of the general principles of justice and political experience.

With these qualities, he must indeed be an unskilful writer if his narrative, when it has once become continuous, could be deficient in vivacity. In this, as in other respects, Mr. Grote's powers are adequate to his subject. As a narrator, he can claim a high rank. In mere brilliancy and picturesqueness he has often been excelled; but in history these praises (where the historian is not, like Thucydides, an eye-witness, or living in the midst of eye-witnesses) are seldom earned except more or less at the expense of truth. A much greater deficiency in these qualities would be well supplied by the feeling of life and reality which never flags, and the moral and imaginative charm thrown over the narrative by the author's lively sympathy with greatness, both that of heroic individuals and of the true hero of the epopee of Greek history, the most gifted community of human beings which the world has yet seen, the Athenian People.

[7]The Portuguese navigator (ca. 1469-1524), in 1498 became the first West European to reach the East by sailing round the Cape of Good Hope.

[8]*Herodotus* (Greek and English), trans. A.D. Godley, 4 vols. (London: Heinemann, 1946), Vol. I, pp. 220-6 (I, 178-81).

The superior nobleness and superior gentleness combined, in which Athens shone preëminent among all states Greek or barbarian, together with that wonderful development of intellect which has made her the light of the world from that time to this, Mr. Grote unhesitatingly ascribes to the superiority of her institutions: first, to her unlimited Democracy;* and secondly, to the wise precautions, unknown to the other free states of Greece, by which the sagacity of Solon and of Cleisthenes had guarded the workings of Athenian institutions against the dangers to which they were most liable,—precautions which insensibly moulded the mind of the Demos itself, and made it capable of its heritage of freedom. The grounds of this conviction are not embodied in a formal dissertation, but, as the narrative advances, come out with ever-increasing clearness from the facts of the history. And among the many valuable lessons which are likely to result to the world from this history when completed, it is already obvious that one will be the triumphant vindication of the Athenian Democracy. Agreeing, as we have long done, with the fullest conviction, grounded on much study and examination, in our author's principal conclusions on this most interesting subject, we were not ourselves fully aware of the whole strength of the case which could be made out in support of his and our own opinion.

*Unlimited at least in respect to free male citizens. Even in the most liberal of ancient free constitutions, the "sovereign people" was but a fraction of the whole body of inhabitants. It excluded women, resident aliens, and slaves.