HISTORICAL
STUDIES: II

Papers read to the third
Conference of Irish Historians
by

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BOWES AND BOWES

This collection of papers read before
the third Conference of Irish Historians
which was held at the Queen's Univer-
sity, Belfast, in May 1957, is edited by
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second in the series.

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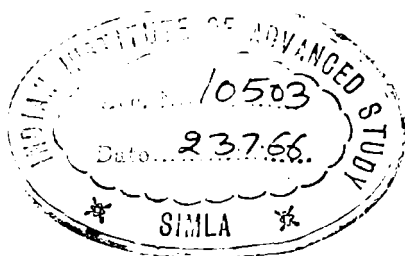DENYS HAY   JOHN WATT

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BOWES & BOWES
LONDON
1959

INTRODUCTION

THE papers in this volume were delivered before the third Conference of Irish Historians, which was held at the Queen's University, Belfast, under the auspices of the Irish Committee of Historical Sciences, in May 1957.

The Committee wishes to express its thanks for a generous grant from the Senate of the Queen's University which has made possible the publication of the present volume.

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Geographical Abstractions and the Historian

DENYS HAY

UNLIKE THE PAINTER or musician the historian has to use words. Unlike the scientist, the historian cannot pretend to give his words any absolute value: he cannot talk of institutions as the chemist talks of apparatus; he cannot (though he sometimes tries to) discuss historical processes as a physicist discusses the phenomena of the natural world; his units are men and women, not molecules or atoms. Moreover his task in using words seems to differ somewhat from the problems of communication facing all writers and speakers. In composing a novel or a poem, an essay or a prayer one acknowledges the rich ambiguity of language, one indeed depends on it to convey all but the simplest ideas. But this ambiguity, the penumbra of associations and implications of a word or a phrase, is for most writers part of their mental climate; one is aware of some at any rate of the responses which one's terms will evoke in one's audience, one is perhaps conscious of a desire to add to or change the colour of the words and so add to the sum of meaning represented by a living expression. The historian as expositor and narrator has, of course, to draw on this; but he derives his matter from other words, from texts of the past, living in their own day, pulsing then with a vitality recoverable now only with difficulty, if recoverable at all.

Some of the hardness in all this comes from the words still existing in our own living language. Some words and phrases, it is true, are totally archaic: 'witan' for example, or 'presentment of Englishry'—these have lost the passion which they must have had in the England of the eleventh and twelfth centuries. But it is astonishing how many old terms still linger on to confuse us with associations irrelevant to our purpose: the legion and the senate are with us still; so are sheriffs and even dukes and kings. The terminology of feudalism still emerges in the conveyances of lawyers, especially in Scotland.

In no field are there more of these *faux amis*, these words which are deceptively familiar, than in political history. For centuries, for millenia in a few cases, men have used the same word—and meant by it something constantly changing and shifting its significance. For a Greek the word democracy had a pejorative sense, and this is retained throughout the middle ages: only in fairly recent times has democracy seemed a desirable thing; but by it is now understood something totally different from what the Greeks meant by it. This is a familiar example. Slightly less so is the history of despotism and despot.[1] Here we have a concept which has a superficial permanence. Did not the Greeks claim for themselves a moral superiority over the Persians and other oriental peoples because those peoples had few and autocratic rulers and thus were not free as the Greeks felt themselves to be? And is this not, roughly

speaking, what we mean when we oppose despotism and liberty? Yet between the twelfth century and the nineteenth the word *despotia* has to be seen in a feudal world and then in a world of autocratic princes; in humanist writings it is jettisoned as a medieval neologism and replaced by *dominatus* or some other impeccably-authentic 'classical' phrase: and in the vernaculars thus appears as 'seigneurie' or 'lordship', perpetuating in this way into the seventeenth century a feudal context—because of the Renaissance, not despite it. For a Frenchman writing under Louis XIV despotism was not easily to be distinguished from absolutism. Beware, then, of treating *despotism* as a term which means the same thing to Aquinas, Leonardo Bruni, Bodin or Hobbes—just because it meant more or less the same thing to Aristotle and John Stuart Mill.

Another political abstraction with a rewarding history is 'revolution'. A useful discussion of the term by Mr. A. Hatto[2] shows that, though the Greeks had a word for it and the Romans a phrase, the real origin of the cataclysmic element in a 'revolution' derives from the conviction that the revolving spheres had a direct bearing on the actions of men here below. The critical moment when radical political change was recognized as a self-conscious political process seems to date from Italy and from the fourteenth century: the frequency of the upheavals in Italian towns in the ensuing century made the term *rivoluzione* common in the Italian vernacular. It did not reach other vernaculars so quickly, for (like *despotia*) it lacked classical authenticity and the humanists preferred the *res novae* or *mutatio rerum* of Cicero—we do not find it in English, for instance, till the start of the seventeenth century. However, it arrived in these islands in time for the first major national revolution. Though its sense was still uncertain (it could still mean a return to a previous situation, as Clarendon describes the 'revolution' of 1660), it rapidly hardened. 'Revolution' by the eighteenth century is a technical term in Montesquieu and Turgot; and 'revolutionary' as a political adjective makes its appearance in English and French prior to the fall of the Bastille. In the nineteenth century the expression becomes a programme to be planned for or resisted; in our own day it has for some become an epoch, almost a synonym for a New World.

If one were better informed (or if wiser persons had discussed such questions more often) one could make similar remarks on a whole host of other words. 'State' is a clear case of an extraordinary evolution[3]; 'church', as opposed to 'regnum' and 'respublica' and 'state', is not one 'church' but at least three.[4] 'Imperium' for the Romans, for the West as a whole in the dark ages, for the Germans and Italians in the twelfth and thirteenth centuries, for the nascent monarchies of France and England in the Renaissance, is a word of extraordinarily various and rich implications, to be continued in the vernacular 'empires' of modern history.[5] 'Liberty' had moved through a maze of 'liberties' or privileges which were often contrary to the enriched 'liberty' of our own day—nearer again to Latin usage, but never again to be dissociated from the precise rights with which the word was associated in the middle ages.

The dangers and difficulties in handling such terms are pretty evident. One can all too easily fall into a morass of uncertainty: what exactly does an expression mean when one meets it in an original source? Is the term encountered in a secondary narrative being used in one of its earlier or later senses?

Yet once the problem has been stated, the very fluctuations in the meaning of words can serve as aids to historical understanding, can perhaps link us with the past in a peculiarly intimate way. Extraordinarily little seems to have been written about this type of semantic exploration from the viewpoint of historiography: I only know of one discussion—by Professor Koebner, in the last volume of the lamented *Cambridge Journal*.[6] Yet the work is rewarding. In trying to penetrate to what men meant by the words they used in their public activities one can throw light on their aims and assumptions, and suggest in turn other questions the answers to which may enlighten us about the reality of earlier times. The following remarks are devoted to abstractions of a geographical kind, which are no less important than the examples from political usage already referred to.

I begin with a brief discussion of three administrative terms: *episcopatus* or bishopric, the *élection* in France, and the French 'province'.

When we talk today of a bishopric we at once envisage an area of determined size, with boundaries round it cutting it off from other bishoprics. In many cases this completely falsifies the true picture of the medieval diocese; frequently a jungle of 'peculiars' peppered a diocese with individual communities, buildings, sometimes considerable tracts of land, which were in no sense in the diocese at all. Yet, though we all know this, it is doubtful how far the consequences are accepted: a notion of the term *episcopatus*, not as a region but as a complex of relationships in space.

Moreover a bishopric was capable of becoming far more than a mere knot in the web of ecclesiastical control: it could become the focal point of loyalties which were essentially secular and political. We may suspect that such sentiments were not uncommon in the middle ages in many bishoprics. But they developed further, as was natural, where the bishop was also a great secular leader. Durham, palatinate, buttress against the Scots, is a good English example; the patrimony of St. Cuthbert had a hold on men's affections and allegiance quite exceeding a purely clerical obedience, and transcending, too, the limits of the normal county system: Norhamshire and Islandshire, we must remember, were not in Northumberland but in the county of Durham.

On the continent bishoprics even mightier and more independent were developed, capable of becoming principalities in the course of time. One such (though its ultimate fate was not as august as the electoral sees in Germany) was Liège, whose history from this point of view has been studied by M. Jean Lejeune.[7] Here we can see the word *episcopatus* expressing a regional consciousness as this gradually arose. The bishop was in the first place a great lord of lands; and in the second place he had a greater ecclesiastical power than any other churchman in the area. Yet though *episcopatus* acquired in the twelfth and thirteenth century a general political connotation in the region of Liège it was ultimately to give way to another term—entirely secular (which *episcopatus* was only in a particular usage) and capable of reflecting loyalties which were in a way hostile to all that *episcopatus* stood for. The successful rival was *patria*. This word, older and richer in its associations than *episcopatus*, emerges in the diocese of Liège in the fourteenth century as the embodiment of an increasingly secular and bourgeois society. But the limits of the new *patria* were the limits of the old *episcopatus*: the bishops were thus the unconscious architects of a principality which was to be clerical only in form. (One may parenthetically remark here how large a part *patria* and

patrie, *pagus* and *pays* have played in French-speaking areas in expressing an awareness of belonging to ever bigger communities, while remaining warm with the more intimate tones of precise localities). But our knowledge that Cologne or Liège or Aquileia (for this too had an *episcopatus* which became a *patria*)[8] were to become principalities in a secular sense can be a source of error. M. Lejeune rightly protests against a recent historian's description of eleventh century bishops of Liège as 'prince-bishops', of their having a principality, of their having created a 'state of Liège'. This was all in the making; and hostility to the bishop among important sections of the community in his diocese is a not unimportant feature of the process which was to make *episcopatus* the predecessor of *patria*.

Before leaving the bishopric, however, we should add one other observation. However tangled and confused a diocese might be in the middle ages, however remote from our contemporary notions of administrative territorial divisions, it nevertheless had a permanence denied of necessity to most political areas at that time. Feudal honours rose and fell, duchies and counties and even kingdoms were created and disintegrated, but the bishoprics of Christendom remained more or less fixed points on the map. This had an interesting consequence. Ecclesiastical geography was a far firmer and more reliable frame of reference than the geography of secular politics. If a writer wished to pin-point a place unfamiliar to his readers he frequently did it by placing it in a diocese: this is particularly true of localities in the bigger territorial areas, such as France or Germany. The size of a country was also often computed by the number of bishoprics it contained, as for instance in some of the Anglo-French polemics during the Hundred Years' War. It was presumably the Reformation (coinciding as it did with a vast improvement in geographical science) which led to the decline in these practices in the sixteenth century.

In describing the government of France under Charles VII M. Coville writes as follows in the *Cambridge Medieval History*:[9]

> For the administration of what were still known as the 'extraordinary finances' France was divided into *généralités*. . . . For the receipt of *tailles* and *aides* the *généralité* was divided into *élections*, each with two *élus* at its head. . . . Further, some provinces had neither *élus* nor *élections*. These were the ones in which the Estates had survived.

One could preach a very long sermon indeed on this text. Here it must be pointed out that six years before this was published in 1936 M. Dupont-Ferrier had published the first volume of his *Etudes sur les institutions financières de la France à la fin du moyen âge*.[10] In this fundamental work the neat pattern of four *généralités*, the *pays d'élections* and the *pays d'états* received a shock. The logical and systematic machinery of the text book was revealed in all its raw complexity, a maze of conflicting flux and rearrangement as a result of shifting expedients from above and vigorous resistance and prevarication from below. Long before we have *généralités* we have *généraux*, long before *élections* appear as such we have *élus*. In fact the picture we derive from Dupont-Ferrier may be messier than the picture in the textbooks, or in those luminously clear works on constitutional law which are produced in France, but it is a much more vital and convincing picture. We now have the truer view of a government grappling with its existing rights and trying to establish new ones, devising machinery with the aim of meeting immediate needs, and then extending devices which are found satisfactory. The result

worked. The *ancien régime* which lasted until the eighteenth century was created in the fourteenth and fifteenth. But we must throw away our eighteenth- and nineteenth-century spectacles if we are to try to see as it was at the start: it fits in with nothing to correspond with the aims of eighteenth-century lawyers; it bears no resemblance to the tidy pattern of modern *départements*.

What are the chief differences? First, the area of an *élection* (and *a fortiori* of a *généralité*) cannot be determined at all. It was not, in fact, an area, but a network of relationships corresponding in many ways with the network of relationships which form the reality of the bishopric, with which the *élection* sometimes roughly corresponded. Round the central town radiated a series of sub-centres owing it their obedience, but among them lay other sub-centres under *élections* much farther away. Nothing in fact could be un- tidier. And to this natural untidiness litigious French tax-payers added further doubts; it was one way of at any rate postponing payment to raise a claim in the courts that the officials at X who demanded the money were not the officials who should have done so; naturally the ambitious officials at Y were prepared to second or even initiate such actions.

Second, it was (to quote Dupont-Ferrier) quite impossible to say at a given moment and quickly in which *élection* a town or village lay.[11] The earliest repertory of parishes showing their respective *élections* seems to date from 1581. Even as late as the eighteenth century there was still no map of France showing this information, though by then it was repeatedly called for by the public and promised by the administrators. Thus the scheme of *généralités* and *élections* was by no means the logical arrangement which it seems at first sight. Moreover, 'it is impossible for the fourteenth and fifteenth centuries to divide France . . . into *pays d'états* and *pays d'élections*; in about sixty regions there were *both* estates *and élections*. . . . It was only in the sixteenth and seventeenth century that such a division was even imagined'.[12] It is tempting to go on to discuss the new light which the researches of Dupont Ferrier have thrown on the problem of the estates. Instead we may consider a more strictly geographical term, which he has also discussed, the word 'province'.

In France, and elsewhere in the middle ages, a wide variety of terms was used in Latin and in the vernacular to describe secular regions which for any reason transcended the normal divisions of feof and honour. *Regio, partes, patria, pagus, terra, territorium, ager, districtum, marcha, natio, lingua*—these eleven words are those most commonly used for this purpose.[13] None had a precise connotation; all were of classical origin save *marcha*, and practically all of them from time to time were made to mean both large areas—as large as a kingdom, and small areas—as small as a castellany. Alongside these there was another word, *provincia*, which was also of Roman origin but which had acquired a separate ecclesiastical sense before the fall of the Empire. This was as a term for a group of bishoprics. From its employment in this sense, other clerical provinces were developed: a single diocese itself could be thus re- ferred to; it became the name of the regions of the Hospitalers and of the friars; it was used by the papacy to distinguish the fiscal areas of the church. A word so currently in demand could not fail to impress itself also on secular usage; it was, in fact, the name of a county, the county of Provence (a direct inheritance of Rome); and of one of the five languages which were used occasionally to describe administrative divisions in France (Provencal, Nor- man, Flemish, Languedoc and Languedoil). The Roman lawyers naturally

cultivated the word *provincia*, and with the quickening of interest in antiquity in the late fifteenth century it evinced charms which made it fashionable not only in Latin but also in vernacular texts. But by the sixteenth century a force was at work which was much more potent than good style: a monarchy anxious to rid itself of an old and more limiting phraseology. Kings and bureaucrats turned to *provincia* and gave it a new and systematic quality. From the six- teenth century (writes Dupont-Ferrier) 'the illusion was created that the word province was as old as France—and so older than the French lan- guage.'[14] And so the old *pays*, large in number, reflecting an infinite gradation of local immunities and privileges, distinct from the crown both in feudal law and in customary law, gradually declined; the regional commands or *gouvernements* of the fifteenth century lost their *ad hoc* appearance; for a monarch tending towards absolutism, the provinces were a logical step in a hierarchy stemming from a central authority.

The significant point here is the way we must now jettison the use of the word 'provincial' for the estates, *parlements*, and governors of the medieval period. The French administration, precocious though it was in some ways, thus falls into line with the other growing monarchies of the west. The resulting picture may lack clarity: but it is truer to life.

Bishopric, *élection*, province are all words derived from administrative practice. Their history illuminates the ways in which men viewed regional associations, and there are many others which could be turned to good account for the same purpose—the English 'county', for instance. But even more revealing are the terms which have what one might describe as an irrational origin, the names of places and areas which have no obvious logic, but begin in an undateable antiquity as names of mountains, rivers or gods now long since passed away; or those more recently evolved which turn a personal name into a symbol of loyalty (like Bolivia) or which proclaim an ideal (like Liberia). The semantic history of such words is often brief and self-evident. But sometimes it can teach a historian a good deal, and prevent him from taking false steps.

A case in point is the word Dauphiné. This region, part of the Empire until the fourteenth century when it became the apanage of the French heir- apparent, was governed by several magnates, of whom the counts of Albon emerged as dominant, thanks largely to powerful relatives in the see of Grenoble. One of these counts, Guigues IV, who succeeded as ruler of the area in 1133, was called Guigues-Dauphin (Guigo Delphinus) and the name Dauphin was also joined to the Christian name of later rulers. From the end of the thirteenth century foreign chanceries were treating the word not as a patronymic but as a title of honour; *delphinatus*, Le Dauphiné, appear for the first time in 1293. Having become the name for the ruler of the Viennois, the title was naturally transferred to the heir-apparent of the French throne in the fifteenth century. The curious way in which a very rare proper name became an office may be mentioned. St. Delphinus was a revered bishop of Bordeaux who died in the early fifth century. In his honour, we may suppose, or because the name was fashionable in England, was named a cousin of Matilda, daughter of Edgar Atheling and wife of Guigues III; Matilda named her son, Guigues IV, 'Delphinus' after this cousin Dolfin. In this odd fashion an English name was to become the title of the French princes. The moral of the story is, however, that there is no Dauphiné in the minds of the inhabitants

of the region until the thirteenth century; and that it is nonsensical to refer to 'early dauphins', or the 'founders of the Dauphiné' as is customarily done; it was man who made a political unit which the outside world first christened Dauphiné, not a predetermined area finding its own independent existence.[16]

The Dauphiné was absorbed into France and never enjoyed a real or fictitious irredentism. Had it lain a few score miles farther north it might have experienced the fate of Burgundy. There at the end of the fourteenth century the Valois dukes set about creating a network of lands which resulted in the next century in the establishment of the Grand Duchy of the West. With the methods by which this was accomplished we are not concerned. What is of interest is the way in which a political mythology was used in the fifteenth century to make plausible the ambitions of Philip the Fair and Charles the Bold. Memories were evoked of that far-off middle kingdom, that area which drew its name Lorraine from a man Lothair, and of the old kingdom of Burgundy or Arles. Such ambitions proved unreal. But the fifteenth-century Burgundians were punished by the nineteenth-century French historians for their attempt to resist the progress of the monarchy. An equally unreal picture was drawn by French writers after 1871 (when a portion of Lotharingia had been lopped off by Germany). If one consults the sober pages of Molinier's great bibliography (for example) one finds a fierce indictment of the so-called 'Burgundian school'. Here is what is said of Monstrelet: 'Sincere up to a point, he sometimes corrects his own mistakes, but he is a Burgundian at heart, and all the more dangerous because he is a shame-faced Burgundian, who prides himself on his moderation and impartiality.'[17] Poor Monstrelet! Would it have been better if he had been one of those members of the 'school' who had 'sung the praises of the house of Burgundy and deluded public opinion down to our own day'?[18]

It is only in the last generation that we have been able to detach ourselves from this particular partisanship. It is now clear what a complicated sentiment loyalty to Burgundy was in the mid-fifteenth century. The French dukes and their French followers regarded themselves throughout as *bons François*; France was only just emerging as a focus of transcendental allegiance and the dukes could resist the king, or extend their influence, without being conscious of betraying an overriding obligation.[19] In 1435, when at Arras the government of Charles VII complied with Burgundian demands in full, these demands did not include renunciation of France, nor even a suspension of the feudal bond beyond the lives of the principal contracting parties. How could there fail to be something equivocal in the policy of a French prince part of whose territories lay in the Empire? And if the duke had become a king, he would not have been the first of the vassals of the French sovereign to achieve this rank: French historians do not inveigh against the Angevins in Naples— or even against the Normans in England.

One of the consequences of the Burgundian literary movement in the fifteenth century was interest in the classical names for the peoples in the area: Allobroges, Burgundiones, Belgae. This last term was to come to life in the nineteenth century and one of the greatest exponents of the myth of a perpetual Belgium was the historian Pirenne. For him nature and human nature conspired to determine the evolution of the Low Countries into an area marked off culturally and economically from its neighbours; and a similar remorseless destiny led to the division into Holland and Belgium. That this view led to a

great history of Belgium none will deny. That in the last resort it is nonsense will, I think, be denied by no one either; Professor Pieter Geyl has demonstrated with cogency the mixture of accidents, and frustrated policies which are the same as accidents, which in the sixteenth and seventeenth centuries led to the United Provinces and the Spanish Netherlands separating.[20] Would Pirenne have been even greater as a historian if he had not been the willing victim of a Belgic tradition which was literary only?

As final examples of linguistic changes I wish to discuss briefly three which may be more familiar: Great Britain, Christendom and Europe.

The Romans gave us the term Britain—deriving the word from a native source which need not detain us. The word becomes part of modern history with the proclamation of James VI and I in 1603 and with its reiteration in the royal title from 1707. Professor Bindoff has provided an excellent survey of the events surrounding James I's proclamation and has pointed out that the expression was in current use from the mid years of the sixteenth century.[21] In fact the expression Great Britain has a much longer and more exotic history than that.[22] Throughout the Anglo-Saxon period English kings occasionally described themselves as 'kings of Britain'; and so, more surprisingly, did the Conqueror and William Rufus on a few occasions. No sooner had this tradition waned than a new romantic impulse began to work in the *History of the Kings of Britain* of Geoffrey of Monmouth. And this time it was to be Great Britain. The existence of Britons in Britanny from the sixth century had produced two Britains, a greater and a less. *Major Britannia*, Greater Britain, received its diffusion in Latin and in the vernaculars from the romances, but the historians took it over almost at once. England (we read in more than one Chronicle) *used to be called* 'Great Britain': this was not true, but since historians thought it was true as early as the thirteenth century we cannot accuse James I of being a shocking innovator in the seventeenth. Moreover the perpetual wars and attempts at pacification of the fourteenth and fifteenth century, following on Edward I's assertion of the rights of Brutus (repeated later by other kings) contributed to the growing use of the term: it was, after all, an age when the chivalry of the romances came near to being re-enacted by the soldiers, where a reader of Gray's *Scalacronica* would not be surprised to find a place described as 'the most dangerous place in Britain'. Ecclesiastical politics and dynasticism also played their part: the English at Constance argued the merits of Great Britain; the marriage planned in 1475 was to pacify 'this noble Ile callit Gret Britanee'. And the humanists, more influential in the north in the early sixteenth century than earlier, naturally preferred a classical *Britannia* to a barbarous *Anglia* and *Scotia*, just as in France they preferred a classical *provincia* to a non-classical use of *partes* or *patria*. Finally, to the outsider the island must have seemed, despite or perhaps even because of its squabbles, very much a coherent unit—the *Insula Britannica* of the contemporary geographers. Certainly the first diplomatic document which uses the term *British* meaning *English* is a brief of Leo X to the citizens of Genoa regarding some bales of 'British', that is English, wool. James I claimed in 1603 that his new style, 'King of Great Britain' was not new-fangled, and that it was 'true and ancient', 'extant and received in histories', in maps and in correspondence. He was right to a certain extent—though the term had only a limited success.[23]

Very different, and of much greater significance, are the histories of the terms Christendom and Europe. I mention them in the same breath for their history is closely interwoven: in a sense, Europe is the inheritor of Christendom; in an even truer sense, Christendom the father of Europe.[24]

It is, I think, generally assumed that Christendom began with Christ. This, however, is not the case from the point of view of historical terminology. Nearly a thousand years were to elapse before men self-consciously regarded the word *Christianitas* as expressing a territorial unity, as having frontiers, a centre, an army. The word, of course, existed from an early date but in a transcendental sense—the faithful and their religion—not in a concrete or limited sense. While this first meaning lingered on for centuries (and even in the vernacular was confused sometimes with derivatives of *Christianismus*, the religion) the notion of a territory which was characterised by its faith in opposition to non-Christian areas gradually took shape in the ninth and tenth centuries—enormously aided and enriched by the concept of *imperium*: like *imperium*, Christendom could be centred on Rome. The moment when Christendom crystallized, when men became aware of the fact of Christendom, was undoubtedly the generation running from Gregory VII to the First Crusade. An eager papacy, focusing the attention not only of clergy but of barons on schemes of reform covering the whole Christian obedience, and a threat in the Seljuk Turks not only to the divided Christian communities of the Middle East but to the accessibility to all Christians of Jerusalem itself, these are the decisive moments in the evolution of the concept of Christendom. In the last decades of the eleventh century a Christendom which had existed for long enough suddenly found itself with a leader and a programme, a perimeter threatened by attack and a submerging of local rivalries in a political effort which demonstrated some common loyalties among the diverse principalities of the Christian world.

Yet the self-conscious Christendom of 1100 had contradictory aspects. Though Western writers and theologians carefully included the Byzantine Church in Christendom, there was much popular hesitation on this point; and as for the weird Christian churches of the middle and far East, these had always been suspiciously regarded. Within the boundaries of Christendom, moreover, there were forces prepared to resist the papal leadership of the nations; even as late as the fourteenth century imperial propaganda could still claim the universal monarchy arrogated to the Church by Innocent III and his successors down to Boniface VIII, while an even more challenging resistance came from the kings of France and England. As for the Crusade, when this was turned against heretics in southern France, the pope's enemies in Italy or the Eastern Empire, it clearly ceased to act as a unifying force. And behind the local and temporal difficulties lay another and greater reason for the ultimate failure of Christendom. It was a dynamic notion. Theoretically, *de jure*, Christendom was the world. In this sense, therefore, Christendom could never have the stability or coherence of an area determined by a less exalted, less oecumenical ambition: to prescribe bounds to Christendom was a contradiction in terms. Certainly this seems to be implied in medieval cartography. In all the hundreds of *mappae mundi* which have survived, apparently not one portrays the bounds of the Christian religion.

The very difficulties which beset Christendom were to be the making of the idea of Europe. It was an old idea. The Greeks, who assumed they were the only part of Europe to matter, had opposed Europe and barbaric, tyrannical

Asia; the Fathers of the Church attributed the three continents of the ancient world to the three sons of Noah. But the Greek world dissolved into the Macedonian Empire, and this, like the world of Rome which followed it, transcended and neglected the continents. The Christendom which grew up in the Roman Empire and which had a universal mission naturally paid small attention to the moral or cultural content of Europe as such.

By the fourteenth century, however, the word *Europe* appears more often in the sources; by the fifteenth century it is ubiquitous and—it appears momentous in retrospect—the adjective *European* makes its appearance. What had happened? There were causes enough for the new development. The church after the schism of 1378, which effectively regionalised the great international orders, declined into an Italian principality; heresy was endemic all over the West—heresy, moreover, of a markedly patriotic kind. The shrinking perimeter of Christendom in the East in the face of Ottoman advance was, it is true, offset by the conversion of the last heathen area in Europe, Lithuania, in 1386; and a century later by the recovery of Moorish Granada. But what did this mean? It meant, in the words of a delegate to the Council of Constance, that 'now only Europe is Christian'. And this being so, more men are found saying Europe who a century later would have said Christendom, or *respublica Christiana*; here (as with provincia and *major Britannia*), humanist diction, hostile to *Christianitas*, friendly to *Europa*, had its small part to play. Moreover, the new mariners' map, the *portolano*, reflected not only a world which no longer pivoted on Jerusalem, but one where the crescent of Islam was often made to indicate infidel regions, the devices of Christian princes to mark the territories of the faithful. At this very moment when Europe and Christendom became to all intents coterminous, the cartographers revealed the identity in their maps. The variety and accuracy of the maps of the sixteenth century geographers was the culmination of this process, while the reformation completed the disintegration of Christendom. When the French, Italians, Spaniards and English surveyed the coasts of America the common denominator in their background was no longer a religion; it was a continent.

One must beware of ante-dating the moment when one can truly say that Christendom has been replaced by Europe. It had happened by the time of Montesquieu; perhaps it had all but happened over a century earlier; *Purchas his Pilgrimes* is striking in this regard. But for the most part men in the fifteenth and sixteenth centuries seem to have lived in a curious world in which Europe and Christendom still remained closely associated, where one could choose, so to speak, between talking of Europe and meaning Christendom or talking of Christendom and meaning Europe; where even the crusade is not yet quite dead. Here again, as with Christendom, we must distinguish between the facts and consciousness of them. Europe as a reality existed (I think) from at latest 1400: as a *self-conscious* entity not till some point between 1600 and 1700.

From the cases I have briefly discussed one might draw certain conclusions about the development of geographical abstractions as such. It is, for example, clear that a new terminology seems to take centuries to establish itself, and that older patterns of geo-political thought are long in losing their currency. From this viewpoint one must regard with interest the patriotism of those Central and South American states which arose in the nineteenth century: perhaps the recent nature of their loyalties explains in part how they have been sometimes so lightly held. Another aspect of the matter consists

in the identity of an area being recognized by the outside world before it is admitted internally: Britain is an example of this, and in a lesser way we can see it at work with Dauphiné: even more striking instances could be found, such as Spain and Switzerland. And, best of all, we can see this principle at work in various guises in that polarity between East and West which seems in the past to have been one of the constants of the sentimental situation: Greeks and Persians, Christians and Infidels, and, in more recent times, the energetic businessman and proselytizing missionary facing the conservative, mysterious Orient. It should, moreover, be possible to establish with some degree of precision the influence of cartography on men's awareness of regional groupings. I am sure that the way in which we visualize the map of the world influences us more than might be supposed. We have a human itch to simplify: yet our simplifications change—from maps with the East at the top of the picture to maps with the North at the top of the picture, and from these sometimes today to maps with the South at the top of the picture and the North Pole at the centre. Such changes may crystallize emotional attitudes and historians would do well to study far more carefully than they usually do the maps of earlier ages. Marco Polo and Columbus both seem to have had in their mind's eye the sort of world depicted in the *mappae mundi*.[25]

Speculations such as these have their uses, but I suspect that this type of material lends itself with difficulty to the formulation of useful generalizations. There are, however, some more practical points to which I should like to draw attention in conclusion.

The first point is a lament. Anyone who has tried to collect the kind of information presented in this paper will have experienced the very great difficulties of working with words without much lexicographical help. The texts of medieval Latin are imperfectly covered by the old Ducange; the new Ducange will (I understand) stop at 1200; and there is no dictionary at all of Renaissance Latin, all the more frustrating as the humanists seem to have exerted a tremendous influence on vernacular vocabularies. As for the vernaculars, we have the *Oxford Dictionary* for English and Godefroy for France: and there we stop. For Italian, German and the languages of Spain we have no adequate dictionaries on historical principles. These difficulties mean in effect that when one pursues the semantics of a historical expression one must virtually do one's own reading, often a formidable task. We can only hope that this situation will change.

The second point of general significance which I believe deserves consideration is the notion of frontiers at different times. There have, of course, always been boundaries—between properties, between regions of obedience in secular or ecclesiastical jurisdiction. The Greeks and the Romans had somewhat modern views on this. But from the dark ages the picture changes and for a millenium such distinctions were not regarded in the same way as we regard them. Two clear examples of this have been mentioned already, the bishopric and the *élection* in France. These were often incapable of precise delimitation not only because men did not make maps like that at all (and the importance in all this of changing cartographical techniques has been mentioned), but because they were not viewed as precisely determined areas. The bishop saw himself not at the centre of an area, but at the centre of a radiating network of controls, direct and indirect, which ended up not in regions but in communities; not in a patch on a map but among a convent of monks or a group of parishioners led by their priest.[26]

If this is true of the bishop, and the French *élu*, does it apply in the sphere of public politics? On this question there can probably be no generally applicable answer. Our need is for facts. There has recently been an attempt to organize research along these lines in France, where geographers and historians have more fruitful contacts than they do in these islands.[27] Recent studies[28] seem to indicate that there may well have been some difference between relatively densely populated centres like the Low Countries and areas where much of the land was lightly populated. It has been argued[29] that in medieval France it suited all feudal magnates that boundaries should not be rigidly defined. In the Low Countries, on the other hand, we apparently find from the fourteenth century onwards more precise limits being fixed between private landowners and between princely territories.[30]

What is clear is that, though in the later middle ages attitudes were changing, and were to change even more rapidly with the advent of both nationalism and accurate mapping in the sixteenth and seventeenth centuries, the territorial frontier was conceived in the middle ages very differently from today. What mattered then was the relationship of men to men. Only this explains, for example, the transactions between English and French kings in the thirteenth century: the acquisition of Champagne or the Agenais did not in any real sense involve *territories* but relationships of a personal kind—involving supposed soldiers and more tangible money.[31] Even in the fourteenth century when Froissart and his contemporaries described the turning of coats by the expert trimmers of the perimeter of Gascony, the phrase used is that they 'became English' or 'became French'—so easy was it to change the 'nationality' of a feof. After all we are still not far away from that moment (at the end of the twelfth or start of the thirteenth centuries) when *Rex Angliae* began successfully to oust *Rex Anglorum*. It was men who mattered, not lines on a map.

Between kingdoms there often lay borderlands which were the very opposite of frontiers. Take, for instance, the Anglo-Scottish boundary, so neatly drawn on historical maps. The reality is the existence of a region, composed in theory of both English and Scottish lands, which in fact paid only the smallest obedience to the government of either of the adjacent kingdoms. The society and the politics of the Borders were based on a pastoral economy in which sheep and cattle knew no frontiers and where the owners of the beasts regarded predatory actions as natural: based, too, on a political attitude which made the Law of the March—entirely distinct from and in some regards much older than the new-fangled ideas of the royal judges—the basic rule for the region. Faced with this, kings of Scotland and England were for long powerless and by agreeing to the recognition of 'debatable' lands they indicated not only a lack of authority but a sense of the genuine problems involved. Even within great kingdoms marcher areas are found, as in the so-called 'marches séparantes' between Anjou, Brittany and Poitou.[32] Everywhere in Europe are found places of asylum (often associated with marcher areas) where the forgotten men could linger waiting for a general pardon from authority, or a paymaster in the person of a new pretender.

Our existing maps ignore all this. The crisp hatching or colours correspond with our own ideas about political organization but as for medieval attitudes they give us 'a fantastic view . . . a travesty of the ideas of the men then active and a mistaken approach to their very activities'.[33] In particular such an anachronistic view-point falsifies the larger political movements of medieval

times; dynastic changes and wars. On the last point we may refer to the sensible remarks of Dr. R. C. Smail.[34] Since kingdoms and principalities were not aggregates of land, but groups of men, the aim of the soldier was to capture or kill the men who were feof-holders and even occupy their strong points, towns and castles. Prior to the fifteenth century the systematic occupation of enemy territory is not a feature of war as such.

I suggest therefore that we must reconsider not only the maps of the past but also our own attempts at mapping the past, at any rate so far as the medieval period is concerned; instead of drawing lines *round areas* we should try to draw lines *between places* and *radiating out from places*. This is not easy or even sightly: it may even sometimes prove impossible to put on one map all that is known about an area. To display (for example) one of the great honours of medieval England would need a map on which there would scarcely be room for another of the great honours—let alone the territorial relationships of one of the great monasteries. But this in itself is important and should serve to remind us of the awkward realities of the past.[35]

A further sphere in which the matters raised here can be helpful is very different and comes nearer to the heart of the historian's problem. In late centuries nothing is more striking than the way in which historians have expressed, consciously or unconsciously, the political programmes of their own day. The case of Belgium has already been mentioned, where Pirenne was merely the latest in a long series of historians who saw the unity of the nineteenth century country in earlier periods when, in fact, men were not really viewing matters in such a way. Britain is a further case. Already by the later middle ages historians and others were saying that the ancient name of the island was 'Great Britain', and with King James this doctrine began to play its part in public policy. In fact the island *was* an island and a certain coherence does impose itself from a very early date. But how limited has been the success of 'Britain' at home! We do not call outselves Britons, save artificially, in some situation where we must avoid the words English, Scottish, or Welsh. Even on the continent the susceptibilities of Welshmen and Scots are constantly being offended by the careless way in which England is used as equivalent to the whole island. Only in one linguistic sphere has Britain risen to the point of enveloping its component parts—in the Dominions. 'Briton', 'Britisher' are real terms there, and especially in those areas of the English-speaking territories overseas which were settled after the Act of Union.[36] In any case one can argue that prior to 1707 or perhaps 1603 there was no Britain: the history of the peoples of the island is only one history from the early or the late seventeenth century. In this case, since there has been relatively little historical activity designed to fortify the Union, our myth has not got out of hand. One can, indeed, hope that it may be more productive in the future than it has been in the past: as it has suggested, perhaps, the approach of Mr. Barrow's book on twelfth and thirteenth century English, Scottish, and Welsh history, which he calls *Feudal Britain*.[37] 'It should be emphasised,' says Mr. Barrow, 'that this book is not a history of England, with a few chapters on the Celtic fringe thrown in for completeness's sake. It is a serious attempt to trace the medieval ancestry of modern Britain. . . .'

But for historians such terms are usually more confusing than helpful—more like Belgium than like Britain. This is perhaps most true of those grander concepts which transcend more familiar patriotism. There is, for instance, no doubt that we have had too much *Europe* about our history, too little *Christendom*.

It is true that Christendom as a unifying idea was long in emerging; but up to its clear emergence in the tenth century its alternative was not Europe, which was only generally accepted as the only framework for politics and culture in the seventeenth century. Can one truly talk about the history of Europe in the eleventh century? One must, of course. A series of books or a course of lectures has to have a general title, and it is legitimate, to paraphrase Mr. Barrow, 'to trace the medieval ancestry of Europe'. But that is what one must do—not treat the modern grouping of countries as the basis of the past. In the eleventh century even fewer men than today concerned themselves about the larger unities; but those who did thought in religious terms and if we wish to penetrate their world we must do something similar—that it was not religion as we now know it makes the problem all the more difficult and exciting. The historian (to put the matter in another way) is not concerned at all with Mr. Toynbee's 'intelligible fields of study'. He is concerned with how men in earlier ages viewed their own world: with flesh and blood, not with experiments; with men not Man.

It seems to me worth while stressing these points, for we are all under some pressure to reflect current politics. We are living in a world where Western Europe and Eastern Europe are forever before our eyes or on our lips. We hear the call 'Europe for the Europeans', or 'Asia for Asiatics'—both of them most loudly from the Soviet Union which can justly claim to be both European and Asiatic. This tendency for whole continents to be aligned is new: before our own day it interested only the geographers and passport officials, to both of whom it was necessary to know where to place awkward areas like the Canary Islands or the Azores.

Here again it seems necessary to distinguish sharply between old myths and new ones—between what we should like to see (for instance, a united Europe) and what was true of the past, so that we do not draw mental pictures as false as those modern historical maps which I have criticized. Mythical Europes or Asias are not the only contemporary dangers. We must also guard against allowing the 'One World' concept which dominates much contemporary political speculation and some political action to mislead us into portraying earlier ages as 'one world'. I do not speak *in vacuo*. Professor Barraclough in his recent book of essays[38] seems to me to do just this. While admirably criticizing historians who arbitrarily consider Europe as only Western Europe and who ante-date its reality, he argues for a world-treatment of periods when it seems to me that this distorts the true image of the past. Of course there have always been contacts between the Far East and the West, as also between Europe and America. But these play an infinitesimally small part in the lives of the peoples of Europe and Asia and America before the beginning of the modern age. If we are to treat our task as dealing with actual situations, not with abstract patterns of our own devising, then we must avoid tying up our materials in the chains of contemporary ideologies.

In the task of understanding earlier societies it seems to me to be a central problem to try to determine the concentric boundaries men from time to time drew round their immediate environment. For these limits are the horizons within which men then moved. The *orbis* of the Roman changed its extent as his control over the Mediterranean was enlarged, and was viewed latterly as an *imperium*; *Christianitas* was the ultimate unit of another lengthy epoch; and as it faded into an awareness of Europe, so the world as a whole gradually came into view. I am far from saying that all men shared the same horizons at

a given moment. Some men in the entourage of Charlemagne still talked of the Empire at a time when Christendom was slowly emerging as the ultimate unit; and for many Christendom had actuality long after Europe was the principal term for society in its broadest aspect. In any event most men are fortunately not concerned with the world picture; on those who are, circumstances impose infinite variations. A knight or clerk who made the journey to Jerusalem might have a truer experience of Christendom than a writer, however learned, whose knowledge was book knowledge. A Florentine banker's world was a bigger one than the world of many a contemporary prince or prelate—let alone that of a peasant. The survival of old modes of thought about the world among new ways, the co-existence of a distant background and social contacts bounded by the village fields or the walls of a town—these complexities are the very stuff of history. We must make room in the 1870s not only for Bismarck and Gladstone, the Russians, the Turks and the Americans, but also for the Oxfordshire villagers of Flora Thompson's *Lark Rise*, for whom 'going over' to Buckingham was like circumnavigating the globe.

Above all, we must allow for the constantly shifting meaning of the words we are handling. These words are the main, though not the only, entry into the vanished societies we as historians are concerned with. The words are often still living. Their very changes can be a clue, and not the least valuable, to the emergence of new needs, and the awareness of their existence. As historians we are most of us concerned with regions. We should remember that a geographical region is in the last resort an abstraction with a history which can sometimes tell us much about the past.

[1] R. Koebner, *Journal of the Warburg and Courtauld Institutes*, xiv (1951), 275–302.
[2] A. Hatto, ' 'Revolution': an enquiry into the usefulness of an historical term', *Mind*, lviii (1949), 495–517.
[3] Cf. Condorelli, 'Per la storia del nome 'Stato' ', *Arch. Giurid.* (1923); H. Golzer, 'Status, État', *Bulletin Du Cange*, ii (1925), 39.
[4] Cf. the remarks of J. N. Figgis in *Churches in the Modern State* (1913), pp. 196ff.
[5] R. Koebner has two articles on this theme in *Scripta Hierosolymitana*, vols. i and ii; cf. also his paper in *Bull. Inst. Hist. Res.*, xxxvi (1953).
[6] R. Koebner, 'Semantics and Historiography', *Cambridge Journal*, vii (1953–4), 131–44.
[7] 'Les notions de Patria et d'Episcopatus dans le diocèse de Liège du XI au XIV siècle', *Anciens Pays et assemblées d'états*, viii (Louvain, 1955), pp. 3–51.
[8] F. Arnaldi, 'Ancora sul significato di *patria*', *Bulletin Du Cange*, iii (1927), 30–31.
[9] *Cam. Med. Hist.*, viii, 262.
[10] 2 vols, Paris 1930–2. His 'Essai sur la géographie administrative des elections . . . 1357–1790' had appeared earlier in the *Annuaire-Bulletin de la Societé de l'histoire de France*, 1928–9.
[11] i. 9.
[12] i. 37–38.
[13] Dupont-Ferrier, *Revue Historique*, clx, 240–67, clxi, 278–303.
[14] Op. cit., pt. i, 257.
[15] See index to E. A. Freeman's *History of the Norman Conquest of England*.
[16] For some account of these proceedings, and examples of the term 'early dauphins' see G. Letonnelier, *Histoire du Dauphiné*, 1946.
[17] *Manuel de Bibl. hist.*, *Moyen âge*, v. 193.
[18] Ibid., p. 187.
[19] J. Huizinga, 'L'état Bourguignon, ses rapports avec la France et les origines d'une nationalité néerlandaise', *Moyen âge*, 3rd series, i (1930), 71–93; ii (1931), 11–35 83–96.
[20] P. Geyl, *Debates with Historians*, The Hague, 1955, pp. 179–97.
[21] 'The Stuarts and their Style', *Eng. Hist. Rev.*, lx (1945), 192–216.

[22] For what follows see my paper in *Trans. Soc. Ant. Scot.*, lxxxix.

[23] See below p. 13.

[24] For what follows, see my *Europe: the emergence of an idea*, Edinburgh, 1957; to the references there given should be added (for the period up to 1100) J. Fischer, *Oriens-Occidens-Europa*, Wiesbaden, 1957.

[25] Cf. L. Olschki, *Storia letteraria delle scoperte geografiche*, Florence, 1937.

[26] It is a sobering thought that in the England of the 1860s there were 595 areas that belonged to no parish, and that 1,294 parishes had detached portions, islands in other parishes. H. of C. Committees, 1873, viii, 4–5, 195.

[27] See the 'Instructions générale pour assurer l'unité des recherches sur le mode de representation des limites anciennes' in *Annales*, ii (1947), 202–4.

[28] J. F. Lemarignier, *Recherches sur l'hommage en marche et les frontières féodales*, Lille 1945, introduction. Roger Dion, *Aux Frontières de la France*, 1947; P. Bonenfant, 'À propos des limites mediévales', *Éventail de l'histoire vivante* (à L. Febvre), 1953, ii. 73–79.

[29] By R. Dion.

[30] Bonenfant, op. cit.

[31] That the wealth involved in this ultimately derived from fields which were often precisely delimited was to be important in the future: it does not seem to have been regarded as important at the time; and the extent of the same field could, of course, vary very considerably from time to time.

[32] E. Chénon, 'Les marches séparantes . . .', *Nouvelle Revue de Droit Français et étranger*, xvi (1892); Lemarignier, op. cit., discusses the borders of Normandy and those between Champagne and Burgundy.

[33] *Annales*, ii, 204.

[34] *Crusading Warfare* (1097–1193), 1956, esp. pp. 19–25.

[35] Cf. Lemarignier, p. 7, and the ingenious maps in Dupont-Ferrier's *Études* (quoted above p. 4).

[36] Cf. Soc. for the Prop. of Good English, *Tract xiv* (1923), essays by H. Bradley and R. Bridges.

[37] G. W. S. Barrow, *Feudal Britain*, 1956.

[38] *History in a Changing World*, 1955.

The Development of the Theory of the Temporal Authority of the Papacy by the Thirteenth Century Canonists

JOHN WATT

THE RECENT ESTABLISHMENT of an international Institute for Research and Study in Medieval Canon Law[1] is ample testimony of the widespread and intensive attention which medieval ecclesiastical jurisprudence is now attracting. By means of this co-ordinating centre, it is to be expected that knowledge of a whole segment of medieval civilization will be consolidated and extended.

One need hardly elaborate the significance of that segment. It was Maitland, speaking of the twelfth century renaissance, who pointed out that 'in no other age since the classical days of Roman law had so large a part of the sum total of intellectual endeavour been devoted to jurisprudence'.[2] The canonist achievement was nothing less than the assimilation into Christian civilization of Rome's greatest intellectual monument, its law and jurisprudence—an achievement which it would be rash to rate second to that parallel assimilation of Greek philosophy which has, by comparison, received far more attention from modern historians. But if the place of canon law in the history of medieval civilization belongs primarily to the history of ideas, this is not to relegate it to the realm of pure abstractions. For canon law is a reflection of all the history of the Church, because it seeks to translate into an academic discipline the interpenetration of the concrete realities of social life with immutable Christian principles[2a]. It has, therefore, a direct relevance to the study of the structure of medieval civilization, not least with reference to the crucial issues of medieval politics, wherever they involved the spiritual power. Since Western political thought grew up in the margins of ecclesiology, it is clear that the canonists, in their carefully balanced position between law and theology, occupied a key place in the development of political ideas.

This place has, of course, been generally recognized, and the canonists have their allotted space in the textbooks of medieval political thought. The classic treatment of the subject is that of A. J. Carlyle in his great work *The History of Medieval Political Thought in the West*.[3] His interpretation has been extraordinarily influential, and is the basis of most of the generally accepted views. In fact, Carlyle's book is still the only synthetic treatment of the first one-and-a-half centuries of the canonist tradition. However, with considerably more manuscript material available now than was the case in Carlyle's

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day, a copious recent literature has appeared and made of this hitherto peaceful scene something of a scholarly battleground.[4] Through the smoke of battle, it can be clearly discerned that the older synthesis is not altogether satisfactory. But the new synthesis has not yet emerged. The new material is largely confined to the early decretist and decretalist phases, hence the new work has concentrated almost exclusively on this period. When the great post-Gregorian writers such as Innocent IV and Hostiensis have been studied in the light of preceding canonist tradition, properly estimated, the new synthesis will appear. This paper will not provide it; but it may perhaps be regarded as a tentative exploration—a presentation of the broadest features of canonist political thought as it stood in that half-century between 1227 and 1277 when the medieval canon law reached its full maturity. At any rate, if it does something to indicate the shifts of emphasis in interpretation brought about by the increased number of canonist texts now available, by a better charted history of the canonist literature, and by recent monographs in the canonist and related fields, it will have achieved its aim.

There are few more conventional judgments than that which sees the thirteenth century as marking the apogee of the power of the medieval papacy: the Gregorian programme brought as near to fulness as it was destined to be brought. 'The authority of the apostolic see,'declared Innocent III, 'is such that beyond it there can be no right order in ecclesiastical business.'[5] It was a policy as much as a claim, less original in its statement than in its realized effectiveness, a policy which gave the Church the structure of an empire, complete with institutions of universal government, made her mistress in her own house and set her seeking to extend her competence to every category of human act. It was this growth which was both cause and effect of canon law's becoming one of the major intellectual preoccupations of Christendom. The canonists were *ex professo* the technicians of papal government, since to them fell the task of fashioning that common law by which unity and order under papal monarchy were ever to be sought. As the political experience and, perhaps, audacity of the papacy grew, in the pontificates of such active international figures as Alexander III, Innocent III, Gregory IX, Innocent IV, it was embodied in a distinctively canonist tradition. Thus was built up a common stock of ecclesiastical political orthodoxy, itself to be the starting point of a considerable amount of medieval political discussion.

The canonists did not write systematic political treatises; they dealt with political topics very often somewhat incidentally. One can never go to a canonist work and find all relevant political matter gathered together in one place. It is to be found scattered throughout the length of the work, whether it be a commentary on the *Decretum* or the *Decretales*. This fact of canonist methodology is the breeding-ground of most of the present controversy on canonist interpretation. Faced with the task of that physical reconstruction, so to say, of the canonist edifice, historians differ widely on what are its foundations. The difficulty is the greater since the nearest the canonists themselves got, in this period, to the systematic treatise, usually began with a reference to the 'two-swords' allegory. But some of the most convincing of recent research has shown the complete unreliability, as a guide to the substance of canonist political thought, of what hitherto has been cherished as its most characteristic expression, the two-swords metaphor. It seems clear that the notion that the pope possessed both swords meant different things to different thinkers at

different times.[6] It is clear also that some of the canonists themselves regarded the attempt to express a complex series of doctrines in a metaphor as a rather unhappy one.[7] It is also clear that, as between two canonists, one of whom rejected the notion that the pope possessed two swords (as did Huguccio), and one of whom accepted it (as did St. Raymond of Peñafort and all decretalists after him),[8] there was little real difference in their over-all positions. Such difference as there was, was considerably more terminological than substantial.

We might begin a reconstruction of canonist political logic on the general assumption that whatever the period or type of writer, in the medieval discussion of the problem of Church and State, there were always three constant elements to be considered; the distinction of the powers, their co-operation, and the superiority of the spiritual. These were the basic abstractions, even with those who were challenging the superiority of the spiritual power. For canonists, this basic position was expressed very broadly by Gelasius I in three canons of the *Decretum*. The rubrics under which they appeared summarised them in general and even platitudinous terms.[9] But the statement that canonist thought about the relations of the powers began with the traditional Gelasian formulation, though true, is not very informative. In fact, such a statement—which has been often made—begs most of the important questions. The generalities are not in themselves enough. It is only when the canonists have descended from the higher levels of abstraction that the immutable principles, scriptural in origin, can be adequately interpreted—in terms of their concrete practical implications.

The characteristic feature of the first half-century of canonist thought was the concentration of its emphasis on distinguishing the powers for defensive purposes. Early decretist thought was preoccupied with the dualism of the powers in order the better to set limits to the area of operation of the secular power. The overriding need was to assure, in juridical theory, the autonomy of the spiritual power in its own concerns, to mark out the limits of the sphere of operation of the secular power. This trend of thought looked on the secular power negatively, to define what it might not do.[10] That done, decretists could turn to considering secular power positively, to define what it might do, to ordain what it ought to do. Naturally since these were ecclesiastical and not royal jurists, they considered secular power in terms of what it ought to do for the spiritual power, rather than for its own sake. The inevitable canonist concern was with the aptness of secular power as an instrument of ecclesiastical service. It was in this context that canonists made use of another of the traditional generalities, one hardly less well-known than that of Gelasius. St. Isidore of Seville had enjoined on princes the support of sacerdotal preaching with 'the 'terror' of secular force'. The canonists read St. Isidore as saying that the secular power was under obligation to put its force at the disposal of the spiritual power whenever required. In a number of particular cases—those of clerical criminals and heretics most prominently—secular princes were called on *quasi ministri*, and they were not free to withhold their action.[12]

By the end of the first half-century of canonist activity, the traditional abstraction about the distinction and co-operation of the powers had been made relevant to felt practical needs. Emphasis had not been on the examination of fundamental principles but on *quotidiana et practicatoria*.[13] Certainly, decretists held with Gelasius that the powers were distinct and the spiritual power pre-eminent, and with Isidore, that the duty of a Christian prince

urged his support of the spiritual power. But consideration of a variety of concrete issues had given the generalities new force. And in turn, the principle of dualism with sacerdotal pre-eminence was rephrased to take account of the practicalities, and form a specifically canonist interpretation of Gelasius and Isidore.[14]

It was, of course, that sacerdotal pre-eminence which determined the conditions of dualism and co-operation. *Quis dubitet sacerdotes Christi regum et principum omniumque fidelium patres et magistros censeri?*[15] What, for the canonists, were the basic effects of this paternal and magisterial position? Here one must be content to summarise, and cite three of their deductions as representing the fundamentals of their concept of the pre-eminence of the spiritual power.

The first concerned those privileges, generically the *libertas ecclesiae*,[16] by which the superior position of the clergy was marked by certain rights to be recognised by the laity—the *privilegia fori et canonis*, the payment of tithe, clerical immunity from secular exactions. Since these were allegedly concessions of divine, not human, law they ought not to be revoked by secular rulers. Neither ought the 'mixed' matters involved with them to be determined by secular rulers. The second concerned the requisitioning at will of the secular power for ecclesiastical purposes. The third concerned what one decretist called the *imperium spirituale*, that power over the souls of men which in practice, on one level, brought cases of sin into the ecclesiastical courts, and, on another, held every ruler accountable for his misdeeds, even to the point of deposition. These three themes supplied the broad framework within which canonists considered the superiority of the spiritual power. They were present in canonist thought from the earliest decretists onwards. For the most part, they were not new, and on the whole, they did not change substantially. They were the essential bases of the continuity of canonist thought.

One wishes to emphasise the continuity throughout this formative period. The accepted interpretation based on Carlyle is that at some stage in the opening decade or so of the thirteenth century, the canonists began to forsake an earlier established 'moderate' position in favour of an increasingly uncritical 'extremist' position.[18] The view seems no longer acceptable. Whether it is thought that the early canonists were moderate or extreme in their views, it can scarcely be maintained that their successors were substantially different. There were changes—in terminology, in systematization, in emphasis, in length of treatment—but the fundamentals remained the same.

Perhaps the most striking illustration of this continuity that can be made in a few words, is in the matter of the papal deposing power. Few categories of papal action demonstrate more fundamentally the nature of papal authority in temporal affairs, and the deposition of Frederick II by Innocent IV in 1245 was perhaps the most drastic of all applications of it. Whatever view might be taken of the prudence of that act, there can be no doubt that, as far as the canonists were concerned, it contained no doctrinal novelty. Innocent IV based his action on a deposition theory drawn from the *glossa ordinaria* of the *Decretum*, itself the compressed summary of the common opinion of the early decretists.[19] And, taking continuity further back, it is to be observed that the decretists' case for papal deposition made no doctrinal additions to the case advanced by Gregory VII when he deposed Henry IV; with which action the decretists had a direct textual link.[20] In the light of this sort of continuity in so

fundamental a matter, it is difficult to believe that canonist thought changed radically in any of its essential positions.

There is a second train of thought, however, which suggests the same conclusion more powerfully, a train of thought which clarifies the whole notion of papal superiority in canonist thought, and its relation to non-canonist writers both before and after our period.

Anyone who seeks to understand the fundamentals of medieval political thought must inescapably treat of the theme of unity, that principle, which, as Gierke so finely saw, was the source and goal of the medieval view of human society.[21] But Gierke's brilliant sketch of the medieval *ordinatio ad unum* was basically the analysis of a philosophical system; his sources Augustine and, to a great extent, the medieval Aristotelians. Some of the most interesting of recent research has been devoted to the theme of unity as a policy, actually pursued by the popes, particularly in the early middle ages. From the ninth century, it has been made clear, the popes were deliberately directing men's thoughts to the idea that Christendom, the universal society of the faithful, should be regarded as an organic whole, that it should be considered as the noblest of communities, that to belong to it was the first and most natural duty of a Christian ruler and his people.[22] The terms *Christianitas, Christianus populus* and the like, though lacking theological precision, were specific enough to disseminate the idea that the spiritual solidarity of the practice of the same faith constituted the bond of an external visible community. The Roman Church, it was postulated, was not merely the 'mother of churches'; it was also 'mother of nations'.[23] Again the term was ultimately somewhat vague, but the papal intention in using it is clear enough. It was to evoke recognition of the principle that the diversity of Christian peoples formed a unity because the papacy existed to promote a common good of all Christians, transcending the particular goods of individual rulers and peoples. Thus this society, Christendom, existed because there was in the Roman Church a focus of institutional unity, both spiritual and temporal. The pope, it was claimed, as pope, by right of his apostolic mission itself, was the foundation of a single Christian *respublica*, exercising a charge over all Christian nations.

If then, the idea of unity is the key idea in medieval political thought, it was born not so much of the abstractions of the *De civitate Dei*, much less of the philosophical concepts of order, derived from Plato and Aristotle, as of the travail of a particular historical context. The papal insistence on a unity of Western Christian nations in Christian solidarity under the *principatus* of the Roman Church was the papal reaction to a century of disintegration—the period of the break-up of the Carolingian empire, of Arab and Scandinavian invasion, of rupture between Rome and Constantinople. If Christianity remained the one light in this darkness, Christianity (it was asserted) lived solely through the Roman Church.[24] The papal guardianship over a universal Christian society in its temporal aspect was, therefore, only the corollary of the popes' spiritual function.

The second half of the eleventh century was of crucial importance in the development of this line of thought about the papal headship of Christian society. This was the period of completion in the sense that it was now brought to maturity, and of new beginning in that its scope of application was widened. Gregory VII laid down the characteristic political attitude of the twelfth-century papacy: its role as *princeps super regna mundi*,[25] its *cura totius Christianitatis*,[26] its function as *debitor iusticiae in omnibus qui in Christo sunt*.[27] Such

phrases, expressing the notion of a supreme judge of Christian society, conventionalised in the phraseology of the papal chancery, became the terms of reference of twelfth-century political thought.

These terms were sufficiently well-established for the canonists to rest content in assuming them. They formed the context within which canonist political ideas were worked out, but for the most part it was a framework which they took for granted. Their task was not to speculate about the nature of this Christian society, a line of thought left to other types of writer to develop. Canonist concern was with the more prosaic work of registering the occasions of the exercise of the papal headship of *Christianitas*. This work they did assiduously and in general agreement.

It was especially in the early decretalist phase of canonist scholarship that the canonists reached a common opinion as to the occasions on which the pope intervened in temporal affairs. In listing them, they were drawing on what had actually happened. Their work was not speculative; it was a recording of the acts (or some of them) of the pope acting in his function as judicial head of Christendom.[28] The catalogue of such acts became a standard feature of canonist political writing for the rest of the thirteenth century, and represents, perhaps, its most characteristic expression. What received special emphasis was the principle that the pope intervened in temporal affairs to ensure that no individual Christian or people should be denied due measure of justice for lack of recourse to a superior tribunal. The thirteenth century canonists agreed that redress could be had from the pope either by application to him, or on his initiative, when the normal judicial machinery was obstructed through the negligence or culpability of a secular ruler, or through a vacancy in the office of ruler, or when the matter in question was especially difficult, or existing law made no adequate provision, or when the impartiality of judges was suspect. Thus the canonist fashioned a distinctively juridical formulation of the papal *cura totius Christianitatis* in a theory of prerogative power, based on the known instances of its exercise.

This was the uniquely canonist contribution to medieval thought about the papacy as an international power, and it passed into all future discussions of the problem. Yet it developed very slowly. Canonists of the early part of the thirteenth century were content to assume much. They took for granted the idea of the papacy as the constitutive principle of Christendom. They applied a notion of prerogative power without stopping to try to disentangle the notion as such from the circumstances of its exercise. It was the prick of controversy, the propaganda attacks of Frederick II on the whole notion of a papal power in temporal affairs which stimulated the first canonist examination of these two basic features. The major canonists of the century, Innocent IV and Hostiensis, did not add occasions on which the power was exercised to the number listed by their predecessors; but they did attempt to consider the fundamentals in themselves. We need not, for present purposes, go far into the detail by which they did this. Much of their thought and language appears extravagant indeed. But the gist of the argument can be noticed briefly. It was urged, by way of a somewhat eccentric-sounding theology of history, that, from the creation of the world, God had not ceased to rule it. After a brief period of direct divine government, the divine charge had been entrusted to a succession of vicars, the rulers of the chosen people, continuously through the Old Testament to the New, through the history of the *populus Dei* to its transformation into *Christianitas*.[29] Divine law thus reached

the world through a visible head, charged to rule as divine vicar, empowered with all things necessary for the welfare of Christian society. To the pope then, as wielder of the plenitude of spiritual power, had been given sufficient power in temporal affairs, to the extent of supplying defect of secular justice, punishing culpable negligence in the actions of any king, and generally upholding the harmony, security and peace of Christendom. Thus there emerged the central tenet of the whole theory of the papal power in temporal affairs, whatever subordinating justificatory arguments might be involved: with the pope resided a plenitude of power extending to all that was necessary and expedient for the *salus reipublicae Christianae*. It is perhaps significant that the papacy had long been acting on the principle before the canonists arrived at its conscious formulation.

To consider the distinction and co-operation of the powers, as also the notion of papal supremacy in the context of Christendom, is to examine those major elements in canonist political thought which link it with preceding tradition. The consequent deduction, which places strong emphasis on essential continuity, suggests a further problem. Is canonist thought to be seen merely as a re-presentation of traditional thought, with only such incidental changes as were the product of the increasing pressure of papal affairs or were appropriate to the specifically juridical order of ideas?

An unqualified affirmative to this question would run the risk of overlooking not the least interesting segment of canonist political thought, and perhaps its most original one. This is the segment dealing, if not with the theory of the State, at least with the theory of the sovereignty of its ruler.

At first sight, this statement might seem surprising. It is almost axiomatic in the established expositions of medieval political thought that the ecclesiastical theory of papal power, especially that of the canonists, found no place for a true conception of lay monarchy. In this opinion, ecclesiastical theory so limited its view of the temporal power that it refused to visualise it as having any but derivative or delegated terms. Princes were but simple auxiliaries of the spiritual power: the natural order was absorbed into the supernatural:[30] the monarchic instinct, so to say, was to be suppressed.

It can be readily agreed that this is a valid judgment on the logic when pressed too far, as was to happen so often from the later thirteenth century onwards. It can also be agreed that canonist writing of the mid-century showed some signs of applying an over-rigorous logic. But there can be little doubt that there is much to be found in canonist writing to suggest that the general view of lay monarchy was a more exalted one. The ultimate canonist concern with practical problems and real situations acted as a check on the development of a theory so purely speculative as to see a king as nothing but a sort of lower ecclesiastical official. It is, of course, true, as has been seen, that the canonists did consider the king in a ministerial role, ancillary to the spiritual power. Canonists were interested in the king in so far as his activity thwarted or forwarded ecclesiastical purposes. They had only an incidental interest in the king *qua* king. Nevertheless it was an interest of some importance in the history of the concept of sovereignty.

This is readily understandable when one considers the way the independent discipline of canon law appeared. Ecclesiastical jurisprudence became a mature science when the revival of Roman law had brought it to the point where it could assert its autonomy and independence of theology. Gratian's *Decretum* inaugurated a period of Romano-canonical study. When Hostiensis,

the greatest of thirteenth century canonists, declared that his *Summa* was a synthesis of civil and canon law, he was paying just testimony to the intimate fusion of two branches of Christian jurisprudence.[31] One of the major consequences of this integration was the further analysis of the notion of papal primacy according to norms and terminology of Roman law. Roman law supplied criteria for the analysis of monarchical power, and technical formulae in which to express them.[32] Men who made such thorough use of Roman law for the better understanding of the nature of papal jurisdiction could hardly fail to notice that their imperial model revealed a concept of secular monarchy more far-reaching than anything so far known to Western thought.

From the texts of Roman law there re-emerged such terms as *iurisdictio, potestas publica, utilitas communis (aequitas, necessitas, bonum commune)*, categories of the analysis of monarchy. Each of these terms was examined by the canonists in relation to the position of the pope as ruler both of the clerical order and of Christendom. But, in a less prominent way, canonists accepted them as attributes of secular monarchy also,[33] amounting to an imperial or royal *plenitudo potestatis*.[34] The typical content of this concept could be stated as a list of the occasions of its exercise—the making of war and peace, the levying of taxes and the granting of exemption from them, the hearing of final appeals. It could be shown to be inalienable and imprescriptible. But above all, the holder of the fulness of power was known in his law-making capacity. He was the unique possessor of what was still, to Bodin, the *primum caput* of sovereignty, comprehending all its other marks, the power of making and breaking positive law. 'It may have been the Aristotelians who extracted from the *Politics* an extended concept of the state as a collective entity, born spontaneously from the nature of man, but it had already been Roman law which had yielded the lesson that political authority originated in human reason, in natural law.'[35] By the mid-thirteenth century the canonists, in learning that lesson, had clearly defined the essence and scope of the royal *principatus*.

Clearly, this was not an absolute sovereignty. Limits were set to this *principatus*. No thirteenth century theorist, whatever his sympathies, urged a king to rule arbitrarily without regard for the fundamental law of nature derived from the eternal divine law. The thirteenth century canonists went further than this general postulate of limitation to insist that regard for the absolute principles of political morality was not merely a restraint imposed by the royal conscience. It was enforceable by the spiritual coercive power. The papal power, to them, was the surety, divinely ordained, for imposing under sanction, royal respect for the natural law and international order.[36] Nor could they regard the temporal order itself as autonomous, for the temporal was related to the spiritual as means to end. Hence when the realization of the end was endangered by defects, deficiencies and failures in the means, whatever their cause, the papacy held just that reserve of power in the constitution of Christendom by which the blockage could be removed. *Plenitudo potestatis papae omnia supplet:* the dictum of Hostiensis[37] expressed the basic canonist thought about the papal international position.

On the whole, the historians have dealt severely with the thirteenth century canonists. They have been castigated for extremism. They have been held responsible for an intellectual sterility, arrogance and rigidity, itself responsible, ultimately, for an increasing divorce between political realities

and the papal apprehension of them. Recently, they were re-portrayed as claiming an unrestricted papal absolutism in temporal affairs and as professing a 'genuine contempt for the secular power'. More recently still, reaction has set in, and they no longer lack sympathizers, enthusiastic for canonist realism, caution and moderation. No doubt the safest place for an interim judgment is the middle position. Even from the early fourteenth century, canonist texts could be manipulated by different parties to establish antithetical positions. It seems prudent to recognize that there existed at all times a certain disharmony within the canonist tradition. From the early decretists to the early decretalists, and continuously to the post-Gregorian commentators, canonist thought knew a two-fold tendency, a tension between two lines of thought, the reflection, perhaps, of the perennial precariousness of the balance between Church and State. To affect the classical jargon of the subject, it must be said that canonist thought, from its earliest days, knew both dualism and monism. It was dualist whenever it was nearest to particular practical problems and to the lessons of Roman law. It was monist when it wished to emphasize the existence of a single Christian society under a single head. For much the greater part of canonist writing, it was the dualist emphasis which had the more significant place. But emphasis on unitary Christian society was the almost automatic canonist and papal reaction to attacks on the papal power in temporal affairs. This reaction was already discernible in the time of Frederick II. It was the distinctive note of the works of Innocent IV and Hostiensis. It was not a new note in itself, but the prominence given to it by these writers was new to the canonist tradition.

The two-fold tendency remained. One trend emphasised the separation of the powers, knew the natural political order, paid adequate regard to what was due to royal rights, solved particular points of mutual interest quite realistically. The other trend made the unity of Christendom its overriding concern. The two trends were never harmonised. Perhaps harmony was impossible to come by. At any rate, the attempt was not made, and a major thirteenth century canonist, such as Hostiensis, will often seem to a modern student of his work to have advanced at one place positions inconsistent with positions advanced in another part.

It might be argued that in one sense, the existence of the two-fold tendency, with final conclusions left unpressed, was the strength of canonist thought in the thirteenth century, for it gave it flexibility. But as far as the future was concerned, it was to prove a weakness. For the failure to reconcile the two into a coherent system, to face the basic problems involved in the relation of each line of thought in a systematic and extended way, served the papacy ill when the pressure of events sent its apologists to the established authorities.

There are few things more instructive about the thirteenth century canonists than the study of how their views were used by the polemical writers of all sides in the days of Philip the Fair and Louis of Bavaria. Papal, royal and imperial propagandists were all to find in the standard canonist commentaries important material to advance their cases. The champions of the papacy would claim Hostiensis and his predecessors for their contribution to the logic of the papal headship of Christendom.[38] The champions of the secular power would claim them for their contribution to the logic of dualism.[39] It is exceedingly difficult to say definitely which side was guilty of the more serious mis-representation. Modern historians have remembered the canonists for their service to papal theocracy. Before making this the whole story, however, they should

bear in mind that Aegidius Romanus, perhaps the most extreme papalist of all, devoted a substantial part of his treatise to demolishing the dualist position as made by the thirteenth century canonists,[40] while on the other hand, William of Ockham, the most penetrating of anti-papalists (writing at a later date) used that same dualist position to point his attacks.[41] It was the fate of the moderate aspects of canonist thought to be ignored or attacked by the papal apologists. But they were put to constructive use in helping to re-establish a new theoretical equilibrium between the two powers. It was ironical that this was a canonist service more appreciated by the anti-papalists than by the orthodox. But the real significance of the thirteenth century canonists' work is thereby brought out. Not merely did it record the distinctively medieval political idea, that of Christendom, but it looked also towards the more distinctively modern one, that of the sovereign ruler.

[1] In Washington, under the direction of Professor Stephan Kuttner. The *Bulletin* of the Institute is published as a part of *Traditio*.

[2] *A History of English Law*, i, 111.

[2a] Cf. the penetrating observations of G. Le Bras, *Histoire du droit et des institutions de l'Eglise en Occident*, t. I. *Prologomènes* (Paris, 1955), pp. 77f., 99, 197.

[3] Vol. II (1909), pp. 198–249, vol. V (1928), pp. 318–38.

[4] Excellently summarised by B. Tierney, 'Some Recent Works on the Political Theories of the Medieval Canonists', *Traditio* 10 (1954), 594–625, especially 596–608. There must now be added W. Ullmann, *The Growth of Papal Government in the Middle Ages* (1955), and M. Pacaut, *Alexandre III. Etude sur la conception du pouvoir pontificale dans sa pensée et dans son oeuvre* (Paris, 1956).

[5] . . . in tantum apostolicae sedis extenditur auctoritas ut nihil praeter eius auctoritatem in cunctis ecclesiarum negotiis rationabiliter disponatur. *Reg. II. Ep.* cclxxviii, P.L. 214, 845.

[6] Cf. the various studies of A. M. Stickler, 'Il 'gladius' nel Registro di Gregorio VII', *Studi Gregoriani* III (Rome, 1948), 89–103. 'Il 'gladius' negli atti dei concilii e dei RR. Pontefici sino a Graziano e Bernardo di Clairvaux', *Salesianum* XIII (1951), 414–45, 'Der Schwertbegriff bei Huguccio', *Ephemerides Iuris Canonici*, 3 (1937), 201–42.

[7] Cf. Stickler's remarks on a text of the *Summa Bambergensis*, 'Sacerdozio e Regno nelle nuove richerche attorno ai secoli XII e XIII nei decretisti e decretalisti fino alle decretali di Gregorio IX', *Misc. Hist. Pont.* XVIII (Rome, 1954), 4–5.

[8] Cf. 'The Papal Monarchy in the Thought of St Raymond of Peñafort'', *Irish Theological Quarterly* XXV, n.2 (1958).

[9] Dist. 10, c. 8: Reges pontificibus pro eternis et pontifices regibus pro temporalibus indigent.
Dist. 96, c. 6: Nec eciam imperator iura pontificis nec pontifex iura regia usurpet.
Dist. 96, c. 10: Auctoritas sacra pontificum et regalis potestas huius mundi gubernacula regunt.

[10] The most important *loci* in the *Decretum* from this point of view were dist. 10 (concerned with the force of secular law in ecclesiastical matters), dist. 63 (freedom of papal and episcopal elections), dist. 96, 97 (the general principles of ecclesiastical autonomy), C. 11 q.1 (the jurisdictions of the respective *fora*), C. 16 q. 7 (patronage).

[11] C. 23 q. 5 c. 20 (*Principes*), under the rubric: Quod sacerdotes efficere docendo non valent, discipline terrore potestas exstorqueat.

[12] Cf. Huguccio: *lex imperatorum:* utitur quando vult, ut di. xvii, Nec licuit, et xxiii. q.v, Principes, et di. lxxviiii, Si duo: non tamen uti cogitur, ut xxiii.q. ii, Inter hec. Set si uti voluit seculari brachio, ille a quo petitur auxilium, tenetur ei obedire, et eam (ecclesiam) defendere, ut xxiii. q. v, Principes, Administratores. Et est argumentum quod quis per se potest inducere, quod non cogitur contra se recipere . . . (dist. 10 c. 1. Pemb. Coll. Camb. 72, f. 122 vb). *id.: Boni principis est . . . sacerdotes honorare atque tueri.* Nam ad hoc sunt constituti seculares quod per se nequit ecclesia per eos quasi ministros exercetur, et per eos tuicionem et potestatem, ut xxiii. q. v, Principes, Administratores . . . (dist. 96, c. 16. Lincoln Cath. Chapt. 2, f. 172 va).

[13] A phrase of Hostiensis, *Summa*, Proemium §1 col. 2 (ed. Cologne, 1612).

[14] Hostiensis: Una enim potestas alia semper eget, et ideo tenentur se ad invicem adiuvare, ut xcvi dist., Cum ad verum, et c. Duo sunt, x di. Si in adiutorium, et c. seq. (Quoniam idem) et c. in lombard., ut episcopi et comites invicem sibi auxilium dent, in rubro et in nigro. Sed secundum dominum nostrum (i.e. Innocent IV) hec est differentia: quod secularis iudex potest cogi ad prestandum auxilium, sed per secularem ecclesiasticus non cogetur, ut infra c. Ad reprimendum, secundum dominum nostrum et melius, infra de iud. Qualiter. Quidni? Secularis enim inferior est, ut patet in eo quod leg. et no. infra, de mai. et obed. Solite. § potuisses: ergo in superiorem potestatem non habet, infra, de mai. et obed., Cum inferior. Et est secunda differentia, quod secularis non habet examinare processum ecclesiastici. Ecclesiasticus nunquam ad peticionem secularis excommunicabit, nisi ex causa rationabili et canonica forma observata, infra de sen. excomm., Sacro, extra. domini nostri, Cum medicinalis (=in VIo 5.11.1) . . . et scientia ecclesie eget potencia secularis. (*Lectura* 1.31.1 s.v. *fuerit* f. 146 rb (ed. Paris, 1511)).

[15] Gregory VII to Hermann, bishop of Metz. *Reg. Greg. VII*. VIII. 21 (ed. E. Caspar), p. 553; *Decretum* Dist. 96 c. 9.

[16] Hostiensis followed Innocent IV in giving this definition: *contra ecclesiae libertatem:* que consistit in privilegiis super spiritualibus sive temporalibus generaliter vel singulariter sive a Deo sive a papa sive ab aliis principibus concessis. A Deo multa concessa sunt ecclesie sancte Dei, hic tangimus tantum tria. Primum est illud, quodcunque ligaveris etc., xxiiii.q.i, Quodcunque ligaveris: et quantum ad personam pape extendit ad omnium dubiorum solucionem, qui fil.s.leg., Per venerabilem § racionibus. Secundum est illud quod decime, primicie et oblaciones ad clericos spectent. Hoc enim a Deo concessum intelligimus, xvi.q.i Revertimini, quod dic ut le. et no. supra, de decimis, A nobis et c.Tua, et infra. Est et tercium a Deo concessum scil. quod ecclesia sola res ecclesiasticas administret, xcvi dist., Si imperator, supra de re. ecc. non alien., Cum laicis, et quod de spiritualibus ius condere et iudicare potest, xcvi dist., Denique et c. Cum ad verum. Multa et alia privilegia sunt concessa a Deo clericis quod continentur in novo et veteri testamento. (*Lectura* 5.39.49. f. 148 rb).

[17] The justification for the privilege was argued by Innocent IV on the basis of glosses by Laurentius and Tancred: Sed quis eximit (clericos) de iure imperatoris cum prius ei subessent. Respondeo, quod papa consentente imperatore, xi q. iii c. iii. in aut. de sanc. epis. § si quis contra. in aut. ut cler. apud proprios epis. § vl. infra, de iur. cal. c.i. This was the solution of Laurentius: to it Tancred added: Sed hec non plene eximunt, unde dicimus quod exempti sunt a Deo, xcvi di. Si imperator. Innocent added: vel dic quod papa eciam sine consensu imperatoris bene potuit eos eximere a iurisdictione imperatoris per suas constitutiones, quia cum clerici spirituales res sint, et ex toto corpus et animam dederunt in servitium et in sortem Christi transtulerunt, xii. q.i.c. iii: per consequens pape in iudico et constitutionibus subsubsunt, x di. Imperium, Suscipitisne, et infra c. Solite. (*Commentaria* 1.34.2 s.v. *principi* f. 60 ra, ed. Venice, 1491).|Hostiensis repeats substantially the same gloss, *Lectura loc. cit* s.v. *abiiciatur* f. 157 ra, pointing out, however, that this was a 'privilegium personale' and not 'reale' and also that there were exceptions to the former. These exceptions which he was careful to indicate were 'de licentia ecclesie, are given, *Lectura* 3, 30.25 s.v. *de spiritualibus* f. 99 rb.

[18] Most strongly argued by J. Leclercq, *Jean de Paris et l'ecclésiologie du XIIIe siècle* (Paris, 1942), pp. 66–67.

[19] See the *casus* of C. 15 q. 6. c. 3 in the *glossa ordinaria*; Innocent IV, *De sent. et re iud. c. Ad apostolice* (=in VIo 2.14.2) s.v. *concilio* and Hostiensis, *Summa* 1. 6. § 10. col. 94.

[20] C. 15 q. 6. c. 3, though it was erroneously attributed to Gelasius I.

[21] O. Gierke, *Political Theories of the Middle Age* (transl. F. W. Maitland, Cambridge, 1900), especially pp. 7–12.

[22] See particularly J. Rupp, *L'idée de Chrétienté dans la pensée pontificale des origines à idée Innocent III* (Paris, 1939). W. Ullmann, *The Growth of Papal Government*.

[23] Cf. John VIII: (Romana ecclesia) omnium gentium retinet principatum et ad quam totius mundi quasi ad unam matrem et unum caput conveniunt nationes. MGH. *Epp.* vii. Ep. 198, cited by Rupp, *op. cit.*, p. 46. See also Ullmann, *op. cit.*, pp. 219–25.

[24] See the text of Nicholas I cited by Ullmann, pp. 193–4.

[25] *Reg.* I. 63, p. 92 (ed. Caspar).

[26] *Reg.* I. 15, p. 24: I. 29, p. 46: V. 2, p. 349.

[27] *Reg.* II. 44, p. 180: VI. 13, p. 416.

[28] A good example, that of Tancred (on *Compilatio III a.* 2.2.1), has been printed by Stickler, 'Sacerdozio e Regno', p. 24. But similar lists by Laurentius, Vincentius, Joannes Teutonicus could be cited. Thus Innocent IV summarising the early decretalist glosses which he had reproduced earlier: Licet in multa distincta sint officia et regimina mundi, tamen quandocunque necesse est ad papam recurrendum

est sive sit necessitas iuris quia iudex dubius est quam sententiam de iure proferre
debeat, vel necessitas facti quia alius non sit superior, sive facti puta quia de facto
minores iudices non possunt suas sententias exequi vel nolunt ut debent iusticiam
exercere, infra qui fil.s. leg. Per venerabilem (*Commentaria* 2.2.10 f. 75 rb).

[29] Full text in Carlyle *op. cit.*, V., p. 323.

[30] This is the thesis for example of H. X. Arquillière, *L'Augustinisme politique* (2nd
ed., Paris, 1955).

[31] *Summa*, Proemium, col. 2.

[32] See especially G. Le Bras 'La formation du droit romano-canonique', *Actes du
Congrès de droit canonique* (Paris, 1950), pp. 335–8, and 'Le droit romain au service
de la domination pontificale', *Revue historique de droit français et étranger*, xxvii
(1949), pp. 377–98. Some illustrative decretist texts are printed, *Irish Theological
Quarterly* XXV. n.1 (Jan., 1958), p. 41.

[33] See especially S. Mochi Onory, *Fonti canonistiche dell'idea moderna dello stato*
(Milan, 1951). G. Post, 'Two Notes on Nationalism in the Middle Ages', *Traditio*
9 (1953), pp. 281–320.

[34] Used of the power of the secular prince by Hostiensis, *Summa*, 2.28, § 4, col. 795.

[35] L. Genicot, *Les lignes de faîte au moyen-âge* (Louvain, 1951), p. 315. Cf. as illustrat-
ing the point, Hostiensis on the origins of imperial power. After citing several
Roman law texts, he commented: Hec iura probant quod imperator a populo
eligitur: et habet iurisdictionem: alibi tamen dicitur quod Deus misit ipsam legem
animatam in terris, ut in auten. de consu. § ult. col. iii. unde sacerdotium et im-
perium non multum differunt scilicet quo ad principium ut in auten. de non alie.
aut permu. rebus eccle. § sinimus igitur. col. ii . . . vel de iure id est, naturali
ratione a qua procedit ius, ut insti. de iure natu. § quod vero et i. dist. Consuetudo,
infra § obiectioni v. quod autem, et no. infra, de verbo signi. Forus § causa (*Lectura*
1.6.34, f. 52 vb).

[36] Cf. Hostiensis: Nec est verum quod iurisdictiones sic immediate a Deo procedant
quod una non subsit alii, vel quod ecclesia non habeat se intromittere de tem-
poralibus, quod dic ut not. infra, qui fil.s.leg. Causam. ii. Talis enim opinio parum
distat ab heresi, nam secundum ipsam datur secularibus occasio conculcandi fidem
et ecclesiam, nec restat nisi quod qui fortior est iustior sit. Sed absit quod sic iusticia
pereat. (*Lectura* 2.13, f. 50 vb).

[37] *Summa* 1.44. § 4. col. 373.

[38] Most notably by Henry of Cremona, *De potestate papae* (ed. R. Scholz, *Die Pub-
lizistik zur Zeit Philipps des Schönen und Bonifaz' VIII* Stuttgart, 1903), pp. 459–71,
and Alvarus Pelagius, *De planctu ecclesiae* (Venice, 1560), especially *Lib.* I c. 13,
37, 44.

[39] As, for example, *Quaestio in utramque partem* (ed. Goldast, *Monarchia* II); John of
Paris, '*De potestate regia et papale* (ed. Leclercq); John of Jandun *Informatio de
nullitate processus papae Johannis XXII contra Ludovicum Bavarum imperatorem pro
superioritate imperatoris in temporalibus* (*Monarchia* III f. 18–21).

[40] *De ecclesiastica potestate* (ed. R. Scholz, Weimar, 1929), *Lib.* III. James of Viterbo,
on the other hand, made a much more integrated use of the canonists, *De regimine
christiano* (ed. H. X. Arquillière, Paris, 1927), pp. 254–5.

[41] Especially throughout the *Octo Quaestiones* (*G. de Ockham Opera Politica*, I)
(Manchester, 1940).

The Confederation of Kilkenny Reviewed

J. C. BECKETT

MORE THAN A CENTURY has passed since the publication of the first history of the Confederation of Kilkenny, by C. P. Meehan—a slight sketch, based largely on Carte's *History of James, duke of Ormond*, and intended to edify as well as inform the general reader.[1] Since Meehan's time, a great body of documentary material bearing on the period of the Confederation has appeared in print. This is not the place for a detailed bibliographical survey, which would require a paper in itself; but reference must be made to three collections of documents. Sir John Gilbert's *Contemporary history of affairs in Ireland* and *History of the Irish confederation and the war in Ireland* are, in name, editions of contemporary narratives; but the voluminous appendices, which occupy the greater part of the space, contain so many letters and papers from Irish, English, and continental sources that the two collections might, by themselves, serve as a basis for a detailed history of the Confederation.[2] A third contemporary narrative, dealing with Rinuccini's nunciature in Ireland, has been edited by Fr. Stanislaus Kavanagh and published by the Irish Manuscripts Commission.[3] It embodies a great mass of documents, less varied in interest than those printed by Gilbert, but of equal importance.

Though the first of these three collections appeared almost eighty years ago, and though the period with which they are concerned is of great interest and obvious importance, the work of interpretation has lagged far behind the publication of source material. An enlarged edition of Meehan's book, incorporating some of the material published by Gilbert, appeared in 1882. A brief essay, entitled 'The Confederation of Kilkenny', contributed by James Donelan to R. B. O'Brien's *Studies in Irish history, 1603–1649* (Dublin, 1906), is not so much a study of the Confederation as a general survey of Irish history between 1641 and 1649. The same period is covered, in much greater detail, in the second volume of Richard Bagwell's *Ireland under the Stuarts* (London, 1909) and in Diarmid Coffey's *O'Neill and Ormond* (Dublin, 1914); neither of these, however, makes the history of the Confederation its central theme. More recently, some valuable specialized studies have appeared in learned periodicals;[4] but the need for a comprehensive history of the Confederation remains.[5]

This paper does not attempt even a summary survey of the whole Confederation period. Its purpose is to examine the Confederation, considered as an organization expressive of Irish national feeling; and it treats of political and military events only as they illustrate this theme.

'Confederation of Kilkenny' is a historian's term, of modern origin; the earliest use of it that I have been able to find is in the title of C. P. Meehan's

book, published in 1846. The term thus came into currency at a time when its meaning had so altered as to be not only inapplicable but dangerously misleading. The Confederates themselves did not speak of their system as a 'confederation'. The title that they used officially was 'The Confederate Catholics of Ireland', and we find occasional less formal variations.[6] But even if they had used the word 'confederation' it would have borne a rather different meaning from that to which it had become restricted by the nineteenth century. By that time it meant, as it does today, a permanent, or semipermanent, alliance of states, or at least of politically organized groups. In the seventeenth century it could also have meant an alliance of individuals, bound together in pursuit of a common purpose.[7] This is the sense behind one of the rare uses of the word in any Confederate document. Richard Bellings, in his defence of the policy of a cessation of arms (July, 1643) writes as follows: 'By an oath of confederation we have bound ourselves to carry on the war for our faith, our king, and our country'.[8] The oath to which he here refers (most commonly known as the 'oath of association') was an oath taken by individuals, and was individually binding; neither in form nor in substance did it constitute an alliance or pact between separately organized groups or territories.[9]

This distinction is not merely a matter of verbal nicety. Both in composition and in organisation the 'Confederate Catholics of Ireland' appeared to have some of the elements of a confederation, in the modern sense; and the use of the term 'Confederation of Kilkenny' tends to give these elements undue prominence, or at least to disguise the fact that they were incidental and not essential parts of the system. The most obvious and most important of these elements was the combination of the native Irish, with whom the insurrection of October 1641 originated, and the Old English, who joined with them before the end of that year.[10] At first sight, indeed, we seem to have here the basis of a genuine confederation. By December, when the union between the Ulster Irish and the recusant lords and gentry of the pale took place, the former had already established so much of a political system as was necessary for the raising and maintaining of their forces, and the palesmen had made use of the existing machinery of county organization to meet together and discuss the policy they were to follow.[11] The dramatic meeting on Crofty Hill, when Lord Gormanston formally demanded of Rory O'More and the Ulstermen wherefore they came armed into the pale, was not a casual encounter, but a carefully-staged demonstration, intended to give both parties an opportunity of declaring their principles in public. The union of which this meeting marks the formal beginning, and which was subsequently extended to include native Irish and Old English in almost every part of the kingdom, was not a harmonious one; for though both parties professed the same principles and subscribed the same oath of association, their political and economic interests were not identical. Friction, rivalry, and distrust between them continued throughout the whole period of the war, and contributed in some measure to their defeat. But this makes it all the more important to remember that the continued existence of distinct racial groups within the system of government that they had jointly set up was directly contrary to their professed intentions. The General Assembly, which was their parliament, and the Supreme Council, which was their executive, were elected on a territorial basis, and the very use of the terms 'native Irish' and 'old English' was condemned:[12]

> And it is further ordered and established, that there shall be no distinction or comparison made betwixt old Irish, and old and new English, or betwixt septs or families, or betwixt citizens and townsmen and countrymen, joining in union. . . .

This territorial basis, however, suggests another way in which the Confederates' organization had some element of a modern confederation. In the early stages of the war the provinces had tended to act as separate units. The ecclesiastical congregation which met at Kilkenny in May 1642, and which prepared the way for the first General Assembly, which met there in the following October, thought it necessary to decree that 'embassage sent from one province to foreign nations shall be held as made from the rest of the provinces', and that 'great men taken prisoner in one province may not be set at liberty . . . without the consent of the prelates and nobility of the other provinces united'.[13] When a regular system of government was instituted, the separate rights of the provinces were still recognized. The Supreme Council consisted of an equal number of members from each province, and though the final election was made by the General Assembly as a whole, it had to choose from lists drawn up by the members from each province, acting in separate groups.[14] Again, the military organization was provincial: there was a separate army and a separate commander for each province, and there was no commander-in-chief.[15] On these grounds, it might seem reasonable to describe the system of government as a confederation of the four provinces.[16]

The force of this argument, however, is outweighed by other considerations. The final authority in the Confederate system was the General Assembly, to which the Supreme Council was responsible. It was composed in the same way as a parliament: that is to say, of spiritual and temporal lords, with representatives of the counties, and of those cities and boroughs normally represented in parliament.[17] Thus it had a direct relationship to the kingdom as a whole, and there was no deliberate balance of representation between the provinces. Secondly, though the Supreme Council was constituted on a provincial basis, its rules of procedure enabled decisions to be made without the assent, or even the presence, of members from all four provinces.[18] Thus the system of government established by the Confederates was, in purpose and effect, a unitary one: the first General Assembly explicitly laid down:[19]

> that no temporal government or jurisdiction shall be assumed, kept, or exercised in this kingdom, or within any county or province thereof, during these troubles, other than is before expressed, by this General Assembly or the Supreme Council.

Finally, the maintenance in each province of a district army under its own commander was in part a matter of convenience in conducting a scattered war of sieges and skirmishes, and in part a reflection of problems of personal relationship: Thomas Preston and Owen Roe O'Neill were the leading Confederate generals, and neither would serve under the other. But though there was no commander-in-chief, the war was, as far as possible, directed from the centre; the Supreme Council appointed the provincial commanders and issued instructions to them.[20] In short, the fact that military organization was on a provincial basis gives no support to the view that the Confederate system of government was, in any formal way, a confederation of the four provinces.

The true nature of what we call the Confederation of Kilkenny appears most clearly when we consider the importance attached by the Confederates to the 'oath of association'. The first formal proposals for uniting the whole

body of the insurgents throughout the kingdom under a single government seem to have been those put forward in the provincial synod held by Archbishop O'Reilly of Armagh, at Kells, on 22 March 1641/2; and in these proposals an oath occupies a significant place:[21]

> Erigatur statim concilium ex personis simul ecclesiasticis et saecularibus sufficientibus: iuret nobilitas saecularis et clerus se observaturos debitam correspondentiam: coniuret in correctionem severam offensarum, exhibendo concilio et legibus et statutis factis et faciendis.

The congregation at Kilkenny in the following May expanded this proposal, and linked the necessity for an oath even more firmly with the necessity for securing obedience to the proposed governing council.[22] Finally, the first General Assembly decreed:[23]

> that to prevent the springing up of all national distinctions, the oath of association or union be taken solemnly, after confession and receiving the sacrament in the parish churches, throughout the kingdom, and the names of all the persons of rank and quality in every parish that take the same to be enrolled in parchment, and to be returned, signed and sealed by the parish priest, to the ordinary of every diocese, who is to keep the same in his treasury. . . .

The taking of this oath was enforced by the threat of excommunication, and though it was considered particularly important that the nobility and gentry should conform, it was intended to be taken by persons of all ranks.[24]

The Confederation thus appears as an alliance of individuals, bound by oath to the pursuit of common objects, and in this respect it suggests a comparison with the Scottish national covenant of 1638.[25] But the position of the Scottish covenanters was different from that of the Irish Confederates; they had possession of the capital, and control of the machinery of government, so that, however, revolutionary their actions might be in fact, they had the appearance of legality that comes from the use of wonted forms. The Irish Confederates, on the other hand, had to improvise a new government in open rivalry with the royal government already established in the capital; there had to be some basis on which the new government could claim allegiance; and that basis was the oath of association.

It was particularly significant that the oath of association was also an oath of allegiance to the crown. This was more than an empty assertion of loyalty, such as rebels have often used to disguise the true nature of their actions. In effect, it involved acceptance of a constitutional position against which almost the whole of Gaelic Ireland had been in revolt less than fifty years earlier; and it committed the Confederates to maintaining the English connexion, though they might dispute the terms on which it was to be settled. The loyalty of the Confederates was no doubt based on self-interest, and it was certainly not unconditional; but it was an important factor in the political situation, and it must be taken into account in any assessment of the Confederation as a 'national' movement.

This loyalty to the Crown was insisted upon from the first outbreak of the insurrection in Ulster in October 1641. The spurious royal commission exhibited by Sir Phelim O'Neill[26] probably brought him no support that he would not otherwise have had, and the insurgents soon dropped the claim to be acting under the direct authority of the king; but they never ceased to maintain that they were his loyal subjects, and that they were fighting in defence of his prerogative. Their first public declaration setting out their reasons for taking arms begins with the assertion that 'we, the Roman

Catholics of this kingdom of Ireland, have been continual loving and faithful subjects to his sacred majesty';[27] and the 'gentry and commonalty' of County Cavan, in a remonstrance issued a few days later, declare that they 'harbour not the least thought of disloyalty towards his majesty, or purpose any hurt to any of his highness's subjects in their possession, goods or liberty'.[28] Indeed, one of the main grounds on which the insurgents justified their taking arms was the invasion of the royal prerogative by the 'puritan faction' in England and Scotland, which they not unreasonably regarded as a threat to their own religion.[29]

It was this declared loyalty of the northern insurgents that made possible a union with the lords and gentry of the pale. In a 'humble apology', drawn up after the union, the latter assure the king that they would rather 'sacrifice all our fortunes, estates, and lives in the defence of your crown and kingdom, than join with them [the Ulstermen] in drawing our swords contrary to our allegiance and duty against your sacred majesty, our dread and only sovereign lord'; but, they go on, the Ulster forces have given them 'full assurance' of their loyalty, and of the justice of their cause.[30]

Along with their professions of loyalty and of their determination to protect the royal prerogative, the insurgents put forward two more specific grounds for taking arms: the defence of the Roman Catholic church, and the redress of national grievances; thus we have from the beginning the triple programme tersely expressed in the motto of the Confederation *Pro Deo, pro rege, pro patria*.[31] The three elements in this programme were closely linked. In 1641 the Irish recusants enjoyed a considerable measure of practical toleration; but this, having no basis in law, depended on royal favour, and would certainly be swept away if the puritan party in the English parliament got control of affairs. Again, the main national grievances alleged in the insurgents' early declarations and remonstrances were the exclusion of Roman Catholics from opportunities for education and from public office, the maladministration of justice, and the confiscation of estates on flimsy excuses; there was little reason to suppose that an English puritan parliament would make any concessions on such matters. It was almost inevitable, therefore, that the Irish Roman Catholics should exalt the royal prerogative against puritan and parliamentary attack, and should place their hopes of re-settling the government of Ireland in a manner more satisfactory to themselves on an understanding with the king. Nor was it surprising that their first step towards reaching such an understanding should have been to take arms; this method had been employed by the Scots with a success which, at least in 1641, seemed to justify others in following their example. In their 'humble petition', drawn up in December 1641, 'the lords, knights, gentlemen, and others, inhabitants of the English pale of Ireland' defend their union with the Ulster insurgents, and beg that the king 'would make no worse construction of us for what we have done, than our loyalty and affection to your majesty do deserve, and no worse than your majesty hath made of others of your subjects, who upon less or the same occasions have done the like'.[32] And in the statement of the Confederates' case printed (in French) at Lille (January 1642/3) it is expressly stated that they were moved to take arms by the example of the Scots.[33]

The Confederates' readiness to defend the royal prerogative had a direct bearing on their view of the constitutional relationship between the two kingdoms; along with their exaltation of the king's authority went a denial that

the English parliament had any right to legislate for Ireland. The Confederate lords of the pale, in urging the nobility and gentry of Galway to join with them (29 December 1641), express their purpose in taking up arms as being to 'vindicate the honour of our soverign, assure the liberty of our consciences, and preserve the freedom of this kingdom, under the sole obedience of his sacred majesty. . . .' In writing to Clanricard two months later (23 February 1641/2), they make the last point more explicitly: they are fighting 'for the liberty of this our country, which the parliament of England (our fellow-subjects) seeketh to captivate and enthral to themselves. . . .' The same purpose is expressed in the 'Humble petition of the Catholics of Ireland', sent to Ormond to be forwarded to the king (31 July 1642) and signed by Gormanston and about thirty other lords and gentlemen. They have taken arms, they say, 'to that end only, that you, our gracious sovereign . . . might alone reign over us; and we, in the just freedom of subjects, independent of any jurisdiction not derived from your majesty, live happily under the crown of England'.[34]

This insistence on parliamentary independence, which later gave rise to much debate during the negotiations for peace, was undoubtedly stimulated by the contemporary attitude of the English parliament towards Ireland, and especially by its passing of legislation for the confiscation of two and a half million acres of Irish land.[35] But it was not a new issue raised by the Confederates, who simply continued a campaign begun in the Irish house of commons in the spring of 1641.[36] The continuity is strongly marked. Many of the Confederates had, as members of the house of commons, taken part in the debates and negotiations connected with the claims then put forward; and Patrick Darcy, afterwards the leading constitutional lawyer of the Confederation, had been chosen by the commons as their prolocutor in a conference with the house of lords, to present the case for the legislative independence of the Irish parliament.[37] It is significant that the 'Argument' which he then delivered was first printed at Waterford, in 1643, by Thomas Bourke, 'printer to the Confederate Catholics of Ireland'.[38] The date of publication is important, for it was this year that saw the beginning of formal negotiations between Ormond and the Confederates, which led first to a cessation of arms (September 1643) and then to the peace of 1646. In all these negotiations one of the points most strongly insisted on by the Confederate commissioners was that the independence of the Irish parliament should be asserted.[39]

The strong interest taken by the Confederates in the constitutional claims of the Irish parliament has a special significance when considered in the light of the dual character of the Confederate movement. On the one hand, the Confederates could claim, with some show of reason, to be, in fact, the Irish nation, and such a claim might be said to be implicit in their conduct of affairs; they lived under a government devised by themselves, they raised and directed their own armies and their own fleet, they maintained diplomatic relations with the powers of Europe. On the other hand, the Confederate movement was a party organization, a 'confederation' (in the seventeenth century sense) of a section of the population associated for the attainment of particular objects; the Confederates were, to use the terms in which they described themselves in their dealings with Ormond, 'his majesty's Roman Catholic subjects . . . now in arms'.[40]

In retrospect, it is natural that the former character should appear the more

striking, and some historians have represented the Confederation of Kilkenny as primarily an expression of Irish nationalism and the General Assembly as the true parliament of the kingdom.[41] But to the Confederates themselves one of the most important factors in the situation was that the Assembly was *not* a true parliament; it was a temporary expedient: 'they were necessitated', they explained to Ormond, 'to rule and govern their party to avoid the extirpation of their religion and nation, plotted and contrived by the said malignant party, and to preserve his majesty's rights, and their proceedings were and are as near and consonant to the laws of the kingdom as the state and condition of the times did or can permit'.[42] Their object was not to perpetuate their new government, but to obtain a settlement of their claims in a legal parliament.[43] It was because they wanted this settlement to be secure from interference by the English parliament that they insisted on the independence of the Irish parliament being recognized.

In so far, then, as the Confederate movement was a 'national' one, it represented a continuing development within the existing constitutional framework; it looked backward to Magna Carta, rather than to any tradition of Gaelic independence,[44] and it based its claims on legal precedent, not on general principles: 'this your majesty's kingdom of Ireland in all successions of ages since the reign of King Henry II . . . had parliaments of their own, composed of lords and commons, qualified with equal liberties, powers, privileges and immunities with the parliament of England, and only dependent of the crown of England and Ireland'.[45] This may be bad history and doubtful law; but it is a fair indication of the attitude of the men who wrote it towards the character and rights of the Irish nation.

The validity of this description of the character of the Confederate movement must be tested by reference to the internal disputes which divided the Confederates; for though these disputes arose (at least ostensibly) out of questions of ecclesiastical policy, they involved other factors, bearing on the general character of the Confederation and its place in the tradition of Irish nationalism. In their negotiations with Ormond for a settlement of religion the Confederates found themselves in a dilemma. By their oath of association, by their professions to foreign powers, and by their own actions within the territories they controlled, they were committed to a policy of establishing the Roman Catholic church on a basis of legal security. But how was this to be reconciled with the policy, to which they were also committed, of supporting the royal prerogative and the existing law of the land?

There was an obvious theoretical solution to this dilemma in the claim that the anti-papal legislation was invalid. Such a claim is perhaps implied in the 'Humble petition of the Catholics of Ireland', addressed to the king in December 1642, in which they express their determination 'to observe and to be ruled only by your common laws of England, and statutes here established and enacted by parliament among us, which are not contrary to our Catholic Roman religion . . .';[46] and in the third of the four 'propositions' added to the oath of association in January 1646/7 it is required that all laws and statutes made since the twentieth year of King Henry VIII whereby any restraint was laid on clergy or laity in the exercise of the Roman Catholic religion or of 'their several functions, jurisdictions, and privileges' should be 'repealed, revoked, and declared void' by act of parliament.[47] But the very demand for an act of repeal shows the weakness of the legal ground on which the Confederates would stand if they relied on a one-sided declaration that the

statutes complained of were invalid. In practice, the Confederates' dilemma was insoluble: if they insisted on full satisfaction for the claims of their church, no agreement could be made with the king; if they wanted a settlement within the existing constitutional framework, they must be satisfied with such conditions as they could induce the king to grant; and though political necessity drove Charles to make large concessions, both the same necessity, and his own conscience, made it impossible that he should consent to what the nuncio and the bishops demanded—the establishment of Roman Catholicism 'in as full lustre and splendour as it was in the reign of King Henry VII, or any other Catholic king',[48] with all the rights of authority, jurisdiction, and property that this implied.

This dilemma split the Confederates into two groups: one, led by the Old English nobility and gentry, advocated peace with the king on the best terms available; while the other, supported by most of the clergy and the native Irish, advocated active prosecution of the war until their full claims had been satisfied. The division was reinforced by economic considerations. The Old English leaders were anxious for the security of their estates, and since they had suffered comparatively little in earlier confiscations, they were more concerned about guarantees for the future than about restitution for the past. In the religious settlement, the benefits they particularly looked for were a guarantee of practical toleration, and admission to public office; and since many of them held monastic property, they feared that if the clergy were made too powerful they might demand the restoration of secularized church lands. The native Irish (and more particularly those of Ulster) who had lost much, or all, of their estates by successive confiscations, were correspondingly less cautious in their policy, and more exacting in their demands, so that they had a natural bond of union with the clergy. They opposed the 'Ormond peace' of 1646 not only because its religious terms were condemned by the ecclesiastical authorities, but also because it held out no hope that they would recover their own, or their ancestors', estates.

This party conflict, nourished on religious and racial animosity, bred a bitterness which has sometimes infected even historians of the period. But the bitterness must not be allowed to hide the fact that the Confederates as a whole stuck to the principles with which they set out. Though each party accused the other of treachery, to church or crown as the case might be, each repudiated the charge, and protested loyalty to both. It is not, of course, surprising that the Old English, while defying the censures of the bishops, should insist on their loyalty to the church; but it is easy to overlook the fact that the native Irish, while refusing to come to terms with Ormond, were equally insistent on their loyalty to the king.[49] The difference between the parties was one of emphasis, not of principle; of means, not of ends. Neither thought of separating Ireland from the crown of England, neither aimed at a constitutional revolution, and neither could conceive of any final settlement except in alliance with the king. The conflict that split the Confederates was in some measure a continuation of the long-standing struggle between the Old English and the native Irish, and in some measure a struggle between the secular and the ecclesiastical power,[50] but it was not a struggle between 'nationalist' and 'anti-nationalist' forces.

The conflict of opinion between Old English and native Irish naturally extended to questions of military policy. Contemporary commentators and later historians, hostile to the Old English, have accused them of lukewarm-

ness and even of duplicity in the conduct of the war, and have censured them for their readiness to negotiate with Ormond. It seems desirable, therefore, to offer some comment on the relation between the policy of the Confederate government and the course of military operations.

Less than one-third of the period from December 1641, when the recusants of the pale joined the Ulster insurgents, to January 1648/9, when the Confederation was formally dissolved, was occupied by active warfare between the Confederates and the royal government in Dublin. A cessation of arms for one year, concluded in September 1643, was followed by negotiations for a definitive peace, and was extended from time to time until peace was publicly proclaimed in July 1646. This proclamation precipitated a clerical *coup d'état* in Kilkenny, and the new Confederate government formed by Rinuccini resumed hostilities with Ormond. But it was not long before fresh negotiations were on foot, and these continued intermittently until the eve of Ormond's departure from Ireland, after handing over Dublin to the commissioners of the English parliament, in July 1647. They were taken up again on Ormond's return in September 1648 and issued in the peace of January 1648/9, the terms of which included the formal dissolution of the Confederation.

Some modern historians, from Meehan onwards, have criticized this policy of negotiation, on the ground that the Confederates, if they had pressed on with the war instead of making a truce, would have won a speedy and decisive victory. Donelan, in his essay on the Confederation already referred to, writes as follows:[51]

> The Confederates failed to take the tide of victory when it served, and wasted their time in futile negotiations with a man who certainly had not the power, even if he had the will, to grant them what they haggled for.

But the interpretation of the period presupposed in such criticism is open to serious objection. In the first place, the constitutional position taken up by the Confederates compelled them to seek an understanding with the king; this, and not a military victory over the royal forces, was their main purpose. For them to reject an opportunity of negotiating would be directly contrary to their own repeated declarations of policy.[52] It is true that within the Confederation itself the cessation of 1643 aroused some controversy, and was opposed by Scarampi, the papal envoy, and by some at least of the native Irish. But the importance of this opposition must not be over-emphasized. Scarampi was not a Confederate, his interests were purely ecclesiastical, and he was not concerned about the royal cause save as its fortunes might affect his church. For our knowledge of the attitude of the native Irish leaders we are largely dependent on the 'Aphorismical discovery', and the chief arguments there put forward against the cessation are that Ormond was really in league with the English parliament, and that to come to terms with him was to betray the interests of the king. To blame the Confederates (as Meehan, for example, seems inclined to do) for not taking the opportunity to destroy completely English power in Ireland, is to blame them for not acting contrary to their own professions, or, we might perhaps say, for belonging to the seventeenth century instead of to the nineteenth.

Even from a purely military point of view, it may be questioned whether the Confederates were in a position to win a decisive victory in the summer of 1643. They were certainly stronger than they had been a year earlier, and Ormond was desperately short of men, money and supplies: both these points were stressed by Scarampi in his case against the cessation, and there is a good

deal of other evidence to the same effect.[53] Ormond's weakness prevented his maintaining the offensive, though he made a temporarily successful incursion into King's County in July;[54] but it does not follow that the Confederates could have driven him out of Dublin. Sir John Temple, master of the rolls and a member of the Irish council, who opposed the cessation, thought their position very precarious: 'the rebels are almost starved and worn out in Ulster, beaten in Munster, and in great want of munition in Leinster'.[55] The ill-success of the Confederate armies in 1644 and 1645 suggests that Temple's estimate may not have been far wrong.

The cessation neutralized the armies under Ormond's command, and left the Confederates free to deal with the Scots and parliamentary forces in Ulster, who rejected the cessation from the beginning, and with Inchiquin, who transferred his allegiance to the English parliament in 1644. But in fact the Confederates accomplished almost nothing. By June 1644 Owen Roe O'Neill had been, to use his own words, 'driven' into Louth, 'by the invincible power and force of the Scots in the north';[56] and Castlehaven's expedition into Ulster later in the year, which was intended to restore the position, ended in fiasco. In 1645 Castlehaven gained some initial successes in Munster, but failed completely to dislodge Inchiquin. Coote's capture of Sligo, opening the way into Connaught, more than counterbalanced all that the Confederates had gained since the cessation.[57] It would be rash to conclude from this that the Confederates, if they had continued the war in 1643, would have had no chance of a speedy victory; but there is little reason to regard it as inevitable, and certainly not enough evidence to justify Butler's sweeping statement that 'they could easily have conquered all Ireland and then made their own terms with Charles'.[58]

Whatever chance the Confederates may have had, in 1643, of bringing the war to a rapid and successful conclusion did not recur. By June 1644 they were appealing, almost desperately, to Rome for money and military equipment; and in August, De la Monnerie, French agent at Kilkenny, in a report to Cardinal Mazarin, declared that the Confederates were so short of supplies that if the truce ended, and they had to fight Ormond as well as the Scots and parliamentarians, they would be unable to sustain the struggle without powerful foreign protection.[59] Even O'Neill's great victory at Benburb, in June 1646, had a merely negative effect on the military position; it prevented the Scots from marching south to attack Kilkenny, but it did not open the way for a general Confederate victory. This negative character of what appeared at first to be a decisive success, has been commonly attributed to the lack of unity among the Confederates themselves.[60] Lack of unity certainly had a disastrous effect on Confederate strategy; but it does not wholly explain O'Neill's failure to follow up his victory. This was due also to military considerations: the Scots forces in Ulster, even in defeat, were too strong to be ignored,[61] and O'Neill was in no position to bring them to another engagement; though he had replenished his supplies with the spoils of battle, he was still short of equipment and money. Within eight weeks of Benburb he was writing to Ormond: '. . . as for my part, I protest before God I know not how or which way I could at the present time bring one hundred men to a head, for want of means or provision.'[62]

By this time, in any case, the failure of the king's cause in England had decisively altered the whole situation in Ireland. Whether or not the Confederates had lost a chance of imposing a settlement by force in 1643, the

dilatoriness of their negotiations with Ormond during the succeeding years certainly destroyed their chance of gaining one by agreement. By October 1644 the Supreme Council admitted that the king had already promised 'as much as is reasonable for us to demand in temporal matters, either for the freedom of the nation or the assurance of . . . estates', but they still held out for better terms in religion;[63] yet they accepted the peace of 1646, which did not give them anything more, in principle, than they might have had two years earlier. A junction of forces between Ormond and the Confederates, which Rinuccini was able to prevent in 1646, was still possible in 1644, and would have changed the whole course of the war, not only in Ireland, but also in Great Britain. The really damaging criticism of the Confederates' policy is not that they preferred negotiation to fighting, but that in their negotiations they refused to face the realities of the situation. Scarampi had warned them, in July 1643, that if parliament were victorious, their cause would be ruined.[64] He had used this as an argument against making a truce with Ormond, and in this respect the Confederates may have been justified in ignoring it; but the warning was soundly based, and they should have realized that having decided to agree with their adversary they must do so quickly.

The political and military ineptitude of the Confederates opened the way for the Cromwellian conquest, the catastrophic effect of which serves to underline the magnitude of their failure. But despite this failure, the Confederation is a significant landmark in Irish history. In it was first established, though imperfectly, a fusion of Old English and native Irish on the basis of a common faith and a common allegiance to crown and constitution. By the reign of James II the fusion was virtually complete, and the principles of Kilkenny had a brief triumph in the 'patriot parliament'. Not until the nineteenth century did they once more enter the field of active politics, and contribute to the complicated pattern of modern Irish nationalism.

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[1] C. P. Meehan, *The Confederation of Kilkenny* (Dublin, 1846).
[2] *A contemporary history of affairs in Ireland from 1641 to 1652. . . . With an appendix of original letters and documents*, 3 vols. (each in two parts) (Dublin, 1879–80) (hereafter referred to as *Contemp. hist.*); *History of the Irish Confederation and the war in Ireland, 1641–1649 . . .*, 7 vols. (Dublin, 1882–91), (hereafter referred to as *Confed. and war*).
[3] *Commentarius Rinuccinianus de sedis apostolicae legatione ad foederatos Hiberniae catholicos . . .*, 6 vols. (Dublin, 1932–49) (hereafter referred to as *Comm. Rinn.*).
[4] Special reference may be made to the work of the Rev. D. F. Cregan (*Irish historical studies*, ii. 394–414), and the Rev. Professor P. J. Gorish (*ibid.*, vi. 83–100, viii. 217–36; *Irish theological quarterly*, xviii. 322–7, xxi. 32–50, xxii. 49–57). The Rev. D. F. Cregan's unpublished thesis, 'The Confederation of Kilkenny: its organization, personnel and history' (National University of Ireland, 1947), contains a very valuable account of the Confederation's governmental system.
[5] It cannot be said that this need has been met by Professor T. L. Coonan's *Irish Catholic confederacy and the puritan revolution* (Dublin, London, New York, 1954); see review in *Irish historical studies*, xi. 52–55.
[6] E.g. 'His majesty's Catholic forces for the province of Munster' (Terms of surrender of Askeaton Castle, 14 Aug. 1642, in *Confed. and war*, ii. 51).
[7] Cf. *O.E.D., s.v.*
[8] *Confed. and war*, ii. 320.
[9] For the form of the oath of association see *Confed. and war*, ii. 210–12; and cf. D. Coffey, *O'Neill and Ormond*, pp. 238–40.
[10] The terms 'native Irish' (sometimes 'old Irish' or 'ancient Irish') and 'Old English' were regularly used by contemporaries, including the Confederates themselves. It might be argued that by the mid-seventeenth century the distinction that they indicated had become, through frequent intermarriage, one of politics rather than descent; but in so far as surnames are a guide to descent the distinction between

the two main groups among the Confederates had some national basis in fact as well as in terminology. There were, of course, some exceptions: Lord Muskerry (Donough MacCarty) always acted with the Old English, and might, for all practical purposes, be reckoned as one of them.

[11] See the contemporary accounts of the proceedings of the recusant lords and gentry of Leinster, 1641–2, in *Confed. and war*, i. 268–88, 299–301.

[12] Acts of the General Assembly, Oct. 1642, in *Confed. and war*, ii. 80.

[13] Acts of the congregation at Kilkenny, May 1642, in *Confed. and war*, ii. 36, 37.

[14] Ibid., i. 112.

[15] R. Bagwell, *Ireland under the Stuarts*, ii. 26.

[16] It is, in fact, so described in Stephen Gwynn, *History of Ireland*, p. 292.

[17] *Confed. and war*, i. 87, 111.

[18] The Supreme Council consisted of twenty-four members, but business was normally conducted by twelve 'residents', three from each province; the quorum was nine, and the concurrence of at least seven was necessary to the validity of any act. (Acts of the General Assembly, Oct. 1642, in *Confed. and war*, i. 75–76.)

[19] Acts of the General Assembly, Oct. 1642, in *Confed. and war*, ii. 80.

[20] Numerous examples of orders issued by authority of the Supreme Council both to provincial commanders and to subordinate officers will be found in *Calendar of the state papers relating to Ireland . . .1633–47* (London, 1901), e.g. pp. 374–5, 429, 430, 441, 469, 478, 479–80, 635, 674, 693.

[21] *Comm. Rinn.*, i. 314–19.

[22] *Confed. and war*, ii. 37.

[23] Ibid., ii. 83.

[24] Declaration of Bishop John Burke, of Clonfert, 2 March 1642/3 (ibid., ii. 219–21).

[25] G. Davies, *The early Stuarts, 1603–1660* (Oxford, 1937 (The Oxford history of England)), p. 86.

[26] S. R. Gardiner, *History of England, 1603–42* (1883–4), x. 92 *n*.

[27] J. Nalson, *Impartial collection of the great affairs of state, 1639–49* (1682), ii. 555–7.

[28] *Cal. S. P. Ire., 1633–47*, pp. 347–8.

[29] *Desiderata curiosa Hibernica* (Dublin, 1772), ii. 78, 83.

[30] Ibid., ii. 111–12.

[31] The motto inscribed on the Confederates' seal was 'Pro Deo, pro rege, pro patria Hibernia unanimis'. (*Cal. S. P. Ire., 1633–47*, p. 336; *Confed. and war*, i, preface, p. lxv).

[32] *Confed. and war*, i. 236.

[33] Reprinted ibid., iii. 336–9.

[34] Ibid., i. 245, 265–7; ii. 49.

[35] 16 Car. I, cc. 33, 34, 35, 37; cf. *Commons' jn.*, ii. 425; Gardiner, *History*, x.173.

[36] *Commons' jn., Ire.*, i. 290–91, 303–5; *Cal. S.P. Ire., 1633–47*, pp. 303, 315.

[37] *Commons' jn., Ire.*, i. 313, 319, 348, 374, 399, 400, 407.

[38] *An argument delivered by Patrick Darcy, Esquire; by the expresse order of the house of commons in the parliament of Ireland, 9 Iunii, 1641.* (Reprinted, Dublin, 1764.)

[39] *Confed. and war*, ii. 141–3, 238, iii. 130, 286–7, 303, 310–11.

[40] E.g. in 'Articles of cessation of arms. . . .' (ibid., ii. 365–76), signed by Muskerry and eight other representatives of the Confederates.

[41] See, e.g. R. Dunlop, *Ireland from the earliest times to the present day* (Oxford, 1922), p. 105; cf. same author in *Cambridge modern history*, iv. 525.

[42] Answers made by the Confederates' commissioners to Ormond's demands, Sept. 1644 (*Confed. and war*, iii. 321–2).

[43] 'An explanation of some of the answers given in the behalf of the Confederate Catholics of Ireland . . .' (ibid., iv. 243).

[44] Cf. Castlehaven (*Memoirs* (ed. 1680), p. 23): 'If a letter came to them [the Supreme Council] written in Irish, it would be wondered at; and hardly could one be found to read it'.

[45] 'A remonstrance of grievances in the behalf of the Catholics of Ireland . . .' (17 Mar. 1642/3), in *Confed. and war*, ii. 238.

[46] Ibid., ii. 131.

[47] Ibid., ii. 212; *Comm. Rin.*, ii. 510ff.

[48] The first 'proposition' of January 1646/7 (*Comm. Rin.*, ii. 510ff.).

[49] Cf. O'Neill to Ormond, 13 Oct. 1648, 24 Sept., 1 Nov. 1649 (*Contemp. hist.*, i (pt. 2). 751; ii (pt. 2). 276–7, 314).

[50] Apart from the major conflict over the terms of peace, there were disputes over episcopal appointments, in which the Supreme Council wished to have the same sort of influence as had been exercised by the crown before the reformation (see, e.g. Supreme Council to Wadding [28 June 1643], 13 June 1644 (*Confed. and war*, ii. 277–8, iii. 182–4)), and over monastic estates in lay hands. Perhaps the most dramatic clash of lay and clerical claims was the attempt to arrest Bishop MacMahon in November 1647 (Bagwell, *Stuarts* ii. 160–61, and authorities there cited).

[51] J. Donelan, 'The Confederation of Kilkenny', in *Studies in Irish history, 1603–1649* (ed. R. B. O'Brien), pp. 321–2.

[52] Cf. The reasons for the cessation, sent by the Supreme Council to Luke Wadding, at Rome, 1 Oct. 1643: 'It was the king's pleasure, whose rights and prerogatives we have sworn to maintain, that there should be a cessation of arms.' (*Confed. and war*, iii. 23–24). For a discussion of Wadding's attitude to the negotiations see Fr. Canice Mooney, O.F.M., 'Was Wadding a patriotic Irishman?', in *Father Luke Wadding commemorative volume*, ed. by the Franciscan fathers, Dun Mhuire, Killiney (Dublin, 1957).

[53] *Confed. and war*, ii. 321–7; lords justices and council to Lenthall, 11 July 1643, same to Nicholas, 9 Sept. 1643 (H. M. C. *Ormonde*, n.s. ii. 297, 309).

[54] T. Carte, *History . . . of James, duke of Ormonde* (1736), i. 439–40.

[55] Temple to Rev. Thomas Temple, 16 June 1643; cf. same to earl of Leicester, 20 June 1643 (*Confed. and war*, ii, intro., pp. xlvi–xlviii, l–liv). Temple's evidence might be suspected on the ground that the parliamentary party in England, which he favoured, opposed the cessation as likely to strengthen the king. But Temple was in Dublin at the time, and must have believed that the city could hold out until help arrived. The uncertainty resulting from conflicting arguments over the policy of cessation is well summed up by E. Borlase (*History of the . . . Irish rebellion* (1680), p. 134): 'To what party the cessation was happy will be hard to determine'.

[56] O'Neill to Ormond, 17 June 1644 (*Contemp. hist.*, i (pt. 2). 588–9).

[57] Carte, *Ormonde*, i. 515–16, 528–9; Castlehaven to Supreme Council, 17 June 1645 (*Confed. and war*, iv. 281–7); Bagwell, *Stuarts*, ii. 59–60, 90–93, 95–96.

[58] W. F. T. Butler, *Confiscation in Irish history* (Dublin, 1917), p. 120.

[59] *Confed. and war*, iii. 190–4, 263–4.

[60] See, e.g. E. Curtis, *History of Ireland*, p. 248.

[61] Bagwell, *Stuarts*, ii. 121.

[62] O'Neill to Ormond, 25 July 1646 (*Contemp. hist.*, i (pt. 2). 690).

[63] Supreme Council to Wadding, 26 Oct. 1644 (*Confed. and war*, iv. 35–36).

[64] *Comm. Rin.*, 413–20 .

Chartism Reconsidered

ASA BRIGGS

The time is ripe for a reconsideration of Chartism. For a straightforward narrative historians are still dependent on R. H. Gammage's colourful but patchy contemporary study first published in 1854 (second edition, 1894) and on Mark Hovell's useful but unfinished (and in places one-sided) *Chartist Movement* which first appeared in 1918.[1] Since Hovell's book came out there have been several popular but partisan histories of Chartism such as Reg. Grove's lively *We Shall Rise Again* (1938),[2] a handful of biographies including Professor David Williams' *Thomas Frost* (1939), John Saville's *Ernest Jones: Chartist* (1952) and Professor Cole's illuminating *Chartist Portraits* (1941), several foreign assessments of which the latest is in Italian,[3] and a mass of articles on local Chartist history, many of them scattered about in the most unlikely places.[4] No attempt has been made recently, however, to provide a modern synthesis.

This paper in no sense sets out to fill in the details of the Chartist chronicle. It is largely based on an examination of printed literature, newspapers, national and regional magazines, Chartist reminiscences and the invaluable (if sometimes inadequate) Home Office Papers. It consists of reflections on two of the main themes in Chartist history (1) the relationship between the birth of Chartism as a political movement and its economic background, (2) the implicit and sometimes explicit social theories of the Chartist leaders, notably their sense of 'class'. Chartism was a snowball movement of local grievances, and the balance between local and national factors in its appeal needs to be weighed at every point in its story.[5]

I

The general significance of the economic background of Chartism was recognized by contemporaries, who saw the central issue of the movement as 'a knife and fork question'. There is much local evidence to confirm the ponderous verdicts of Carlyle—'food, shelter, due guidance, in return for all his labour—candidly interpreted, Chartism—and all such *isms*—mean that.'[6] While Bronterre O'Brien was describing universal suffrage as the 'grand test of radicalism' and stating the case for it in highly sophisticated terms,[7] J. R. Stephens was defining universal suffrage far more simply to a crowd on Kersal Moor near Manchester—with a banner which had been carried at the Massacre of Peterloo in the background. 'If any man asked him what he meant by universal suffrage', Stephens exclaimed, 'he would tell him he meant to say that every working man in the land had a right to a good coat on his back, a good hat upon his head, a good roof for the shelter of his household, a good dinner upon his table, no more work than would keep him in health whilst at it and as much wages as would keep him in plenty, and in all the enjoyment

of all the pleasures of life which a reasonable man could desire.'[8] Stephens wrapped up his simplicities in blankets of rhetoric, and claimed that he was addressing a 'mighty mass of living, moving ethereal spirit', 'an ocean of intellectual patriotism'. There were no such wrappings to a similar definition given at a village meeting in Wiltshire—as, no doubt, in many other parts of the country—when William Carrier, a Trowbridge Chartist, promised his audience 'plenty of roast beef, plum pudding and strong beer by working three hours a day'.[9]

While contemporaries, followed by Hovell and Rosenblatt, were clear about the general significance of the economic background of Chartism—Rosenblatt believed that 'economic factors are the very seed of historical causation'[10]—it is only relatively recently that the background has been examined systematically. By separating structural and cyclical economic factors in the 1830s and '40s a more detailed analysis may be attempted.

The British economy in the 1830s was still far from completely industrialized, and even within industrial Britain itself conditions of employment, size of plant, dependence on machinery, and the levels of wages, prices, and employment varied considerably from place to place. The virtual absence of a national transport system, of a national capital market and of a national system of distribution need to be taken into account. Within this variegated economy Chartism seems to have been strongest in two kinds of places—first, in old centres of decaying industry like Trowbridge in Wiltshire or some of the small Welsh towns, which, as Professor Williams has pointed out, were more influential in the early stages of Welsh Chartism than the mining areas,[11] and second, in the mushroom single-industry towns, like Huddersfield or Oldham, which had grown in numbers and importance during the previous fifty years. It was not strong—and in some cases it was non-existent—in completely agricultural villages, those of Dorset, for example, in old market towns like Ripon or Bedford, and in new industrial centres with a mixed economy, like St. Helens.[12]

There was a second feature of the variegated economy which influenced the statement of grievances. The industrial labour force often included a large number of new recruits: it was always segmented and heterogeneous. As the political economist, Thornton, put it in 1846, 'the labouring population has been spoken of as if it formed only one class, but it is really divided into several, among whom the rates of remuneration are far from uniform, so that in order to represent with perfect fidelity the state of the labouring population, it would be necessary to describe each class separately.'[13]

If the geography of employment opportunity helped to determine the local strength of Chartism, the divisions within the Chartist ranks owed much to economic divisions within the labour force. There was bound to be a difference in outlook between two of the leading groups in the movement—the better-off, sometimes independent artisans and skilled workers on the one hand and the 'fustian jackets and unshorn chins' on the other. One group included a substantial number of self-educated men, some of them with experience of political organization: the other included a large mass of illiterates. One group enjoyed a considerable economic differential:[14] the other included some people who in times of bad trade were worse off than the agricultural labourers. One group looked, as Owen did, to the further development of machinery in the future and to the gains in economic power it might bring if properly used: the other group looked longingly back to the past, if

not to the remote past, at least to the period of relatively high earnings and full employment during the Napoleonic Wars.

The better-off artisans, with shoemakers, tailors, carpenters and compositors prominent in their ranks, whether in London, Leeds or Birmingham, were willing from the start to state the case for universal suffrage, the ballot and other political reforms in abstract terms, in the same way that *The Poor Man's Guardian* had been stating it since 1830, indeed in the same way that political radicals had been stating it from the late eighteenth century. To them the drafting of and petitioning for the Charter was one incident, which they hoped would be the decisive incident, in an already lengthy story of reform. To understand the attitudes of men like Hetherington, Cleave and Lovett, it is necessary to go back long before 1830 at least to the attempts of the London Corresponding Society in 1792 to organise working men in the battle for the vote. The London Working Men's Association, founded in June 1836, was designed on very similar lines to those of its persecuted precursor. It had as its object that of drawing 'into one bond of UNITY the *intelligent* and *influential* portion of the working classes in town and country' and Henry Cleave was at pains in its first address to stress that 'we seek not a mere exhibition of numbers, unless indeed they possess the attributes and character of *men*'.[15]

Neither the London Corresponding Society nor the L.W.M.A. stopped at abstractions. They explicitly directed attention to the link between economic discontent and the statement of political grievances. In its *Address to the People* in 1792 the Corresponding Society had promised the blessings of 'taxes diminished, the necessaries of life more within the reach of the poor, youth better educated, prisons less crowded, old age better provided for, and sumptuous feasts, at the expense of the starving poor, less frequent'.[16] In a more complex economy the L.W.M.A. attacked with equal emphasis 'fund-holders, landlords, speculators, manufacturers and capitalists' and set out to collect statistics regarding 'the wages of labour, the habits and condition of the labourer, and all those causes that mainly contribute to the present state of things'. The missionaries whom the L.W.M.A. sent out to the provinces were called upon to engage in social reporting as well as political propaganda, to uncover practical grievances as well as to preach doctrines. But the remedies for the social grievances were never worked out with care, any more than the remedies of the Corresponding Society had been. Malthusian and Owenite ideas were in circulation, but they were ideas rather than plans. The main contribution of the L.W.M.A. to Chartism was the stress on the transfer of political power within the framework of a representative system of government, on a parliamentary rather than a revolutionary—or quasi-syndicalist—ideal. 'The House of Commons', they affirmed, 'is the People's House, and *there* our opinions ought to be represented, or we are serfs'. They claimed that the representatives of landed and monied interests in the existing House of Commons took no account of their interests—indeed, that their 'continual strife for power and plunder is and has been the curse of the country'.[17] When parliamentary radicals, like J. A. Roebuck and Sharman Crawford, with whom they were closely associated in 1836 and early 1837, suffered a setback at the general election of 1837, the leaders of the L.W.M.A. regarded the setback as a challenge to them to strengthen the impetus of their missionary activity in the discontented provinces, to rally a new platform agitation, and to mobilize the collection of petitions. They were not unoptimistic about their chances. As Robert Hartwell, one of the London leaders put it, 'in 1832 the working

classes by their physical and moral organization beat the Tories for the sake of the Whigs, by the same means they can in 1837 beat both Whigs and Tories for the sake of themselves'.[18]

It was natural that the leaders of the L.W.M.A. should rally support in the provinces mainly from men somewhat like themselves. Local evidence suggests that they were able to tap considerable reserves of radical experience. At Ipswich, for instance, the leader of the local Working Men's Association, founded in the autumn of 1837, was Henry Lovewell, a journeyman tailor, who already possessed the franchise and who some years before had been a founder-member of the Mechanics' Institute. The chairman at the first meeting of the Association was Robert Booley, a skilled coachmaker and a Nonconformist lay preacher. 'Let such societies as this be formed throughout the country,' Booley said, 'let our principles be adopted by them, let them act with prudence, and carry forward their principles by argument and moral energy, and a voice will be raised that no legislature will be able to silence.'[19] In industrial Leeds the composition of the local Working Men's Association, founded in September 1837, was very similar to that of the L.W.M.A. All the nine original members of the Committee had already participated in radical politics, two of them, Joshua Hobson and Robert Nicholl, having founded in December 1835, a Leeds Radical Association with a programme based on five of the subsequent six points of the Charter.

From a study of the local working-men's associations and, of course, of the biography of well-known figures like William Lovett, who, in 1836, had already been identified with a long chain of radical causes, it is evident that there was in 1837 a small but purposeful minority, largely consisting of superior artisans, whose belief in radicalism did not depend on hunger, the movements of the trade cycle, or even on the existence of the Charter itself, which was not finally drafted until 1838. The leaders of this minority recognized, however, that the suffering of other sections of the labouring community was often more acute than their own—there are some interesting accounts by Hetherington of his travels in the Midlands which confirm this recognition[20]—and after the beginning of the economic depression of 1837 they were willing to associate their agitation with many other thriving local and national agitations, particularly those concerned with factory reform and the attack on the Poor Law of 1834. Chartism was the result of this merger, and once it gathered strength it was bound to express within itself the divergences of outlook and experience between men like Lovett and Lovewell and those local leaders who were less well grounded in principle and less prepared (or able) to wait for principles to establish themselves. Already by 1837 Lovett had quarrelled with O'Connor,[21] already there were divergences of principle apparent between Lovett's philosophy and that of men like Oastler in Yorkshire. Most of the strains and divisions in Chartism ante-dated the publication of the Charter.

In the North of England, where O'Connor was establishing his personal position in 1837 and 1838, it was not the 'most intelligent and influential portion of the working classes' which dominated the scene but the struggling domestic workers. Enough has been written about the plight of these workers to obviate the need for any lengthy description. Two official reports—that of the Select Committee on Handloom Weavers' Petitions[22] and the Royal Commission appointed in 1838 'to report whether any, and if so, what measures could be devised for their relief'[23]—were agreed that 'the sufferings of that

large and valuable body of men' were not exaggerated, but it was the Commission rather than the Committee which stated frankly and without sentiment the helplessness of the workers' condition. If manufacturers plied the weavers with orders, the prosperity 'carried in itself the seeds of an early decay'. If the workers tried to increase their earnings by working harder and longer, they brought prices down and did nothing to 'improve' their condition. If the hated factories closed, as they did during the depression of 1837 and 1838, the employment opportunities of the hand workers stopped also. The market was always unequal and hostile. At Ashton-under-Lyne which the Assistant Commissioners visited in 1838-9, 213 looms out of 483 were idle: even those which were still working were yielding an average income of 4s. 11¼d. a week. At the same time a woman power-weaver in average employment was receiving 9s. 4d.[24] and a third-grade male cotton spinner turning out coarse yarn 16s. 5d. The Committee's report of 1835 praised 'the unexampled patience' of the handloom weavers who had 'for years continued to an extent and intensity scarcely to be credited or conceived": the Commission of 1838 guided by Nassau Senior and the science of political economy, placed the plight of the weavers in a firm theoretical context of supply and demand, and emphasised not the patience of the weavers but their dogged liking for 'the pleasantness, flexibility and independence of the weaver's way of life'. The Committee of 1834, like most select committees, had talked rather generally of possible remedies, including some "legislative enactment" which they deemed urgently necessary: the Commission stated bluntly that the only real remedy was a decrease in the number of weavers relative to the demand. They rejected 'Boards of Trade' to fix legal wages rates, a tax on power looms and a tax on imports of fabrics, and suggested only one temporary palliative—the establishment of schools of design to set standards equal to those of the French, and two more general improvements—the repeal of the corn laws and other protective duties, and the introduction of compulsory education. There was a cold remoteness about these proposals which did nothing to heal festering social sores. 'The power of the Czar of Russia,' the Commissioners noted, 'could not raise the wages of men so situate. He might indeed order a scale of prices to be paid for them for the work which they did, but in such cases the manufacturer would soon cease to give them work, as it would be against his interest to do it. The Czar of Russia, either by fixing on a high scale of wages or by a direct command might put an end to the occupation altogether, and such would be a most merciful exercise of his unlimited power; but the authority of a free country cannot thus control the subjects even for their own good, and all that remains, therefore, is to enlighten the handloom weavers as to their real situation, warn them to flee from the trade, and to beware of leading their children into it, as they would beware the commission of the most atrocious of crimes.'

Such advice, backed up as it was by economic logic, in considerable measure justified Carlyle's emphasis on 'lack of due guidance' besides lack of food and shelter as the foundation of the *isms* of his time. Long before the Commissioners reported in 1841, the handloom workers had been told locally that their request for a legislative minimum wage was 'absolute folly', 'founded in utter ignorance of the circumstances which regulate the wages of labour which it is impossible for Parliament to control'.[25] It is not surprising therefore that when times were particularly difficult they looked not to the authority of a Czar of Russia but to the authority of Chartist leaders. The

leaders who were preferred were those who were prepared and able to use militant language. While during the autumn of 1839 the Manchester Political Union was meeting quietly every Monday evening in the Carpenters' Hall—'peace, order, unity and legality' were its watchwords—large crowds were gathering on Kersal Moor and in the smaller Lancashire towns to hear O'Connor exclaim that 'he had preached peace all his life, but he was always prepared for war. One torch is worth a thousand speeches: it spoke a language so intelligible that no one could misunderstand'.[26] R. J. Richardson, a radical printer, one of the founders of the Manchester Political Union, and first Manchester delegate to the Chartist National Convention of 1839 was denounced as a moderate in May 1839 and replaced by another local representative. Behind the replacement was a shift in Chartist support from the 'thinkers' to the crowds. 'One would have thought that politicians such as Richardson went far enough to satisfy anybody,' commented the *Manchester Guardian*, 'but such appears not to be the fact.'[7]

In the West Riding of Yorkshire the same shifts can be noted in 1838 and 1839. Leeds, which had its own Radical Association in 1839, became less important in Yorkshire Chartism than the smaller communities around it, communities which had a higher proportion of hand workers. Benjamin Rushton, who warned Yorkshiremen in 1835 that the condition of the hand workers was 'so ruinous that if matters are suffered to go on as they have done, and are doing . . . that useful body will very soon be annihilated, or they must degenerate into paupers, poachers or thieves'[28]—led the weavers into Chartism as a last desperate measure. Before 1838 the anti-Poor Law agitation and the movement for factory reform, led by Richard Oastler, had absorbed local working-class energies, and an attempt to preach universal suffrage at a mass anti-Poor Law demonstration at Peep Green during Whitsuntide 1837 met with little response. At a later demonstration in October 1838 the Poor Law had been pushed into the background, and the meeting occupied itself with the election of O'Connor and William Rider as delegates to the National Convention.[29] Whilst Leeds Chartists were divided between men like Rider and the 'moderates', in smaller Yorkshire towns, such as Halifax, O'Connor was supreme. Whereas in Leeds after the series of Chartist imprisonments in 1839 the Chartists turned back to their indigenous radical tradition, established long before 1838, and set up a Radical Universal Suffrage Association—they eventually elected Chartist members to the Town Council, as did the Sheffield Chartists—in Halifax the weavers were busy 'grinding their pikes and casting balls'. 'Every labouring man who gave up the principles of the Charter,' Rushton exclaimed, 'ought to be made to crawl on his belly to the aristocracy all the days of his life, and be fed as they are fed at the Bastille.'[30]

It is difficult to exaggerate the strength of O'Connor's position among the northern crowds of 1838 and 1839. Not worrying too much about principles, not caring too much about the elucidation of the Six Points of the Charter, he seized on the practical grievances of a generation accustomed to violent talk and craving dramatic leadership—an overworked generation, pitched, as the Leeds socialist John Francis Bray put it, between periods of 'inordinate idleness and incessant toil',[31] an uneducated generation only recently introduced to politics, an excitable generation easily stirred by dramatic language. O'Connor encouraged the proliferation of grievances rather than canalized them: he followed as much as he led.[32]

There is no space in this paper to look further at the basic differences of outlook between handloom weavers and skilled artisans, a difference which can be directly related to the transitional structure of the economy. It is sufficient to add that in other parts of the country the influence of structural factors was equally important. In the West Midlands there was a difference of outlook between the highly skilled artisans of Birmingham, men who had been closely associated with the reform agitation of 1830-2, and the heavy workers and domestic workers of the Black Country. The former had experience of working with middle-class leaders, and the middle-class leaders were themselves convinced of the importance of gathering 'the masses with them':[33] the latter were able to unite with 'new men' in Birmingham itself to push the cause of O'Connor against that of Attwood. In the West Midlands, as in the North of England, initiative was passing in 1838 from an older and more moderate school of reformers to militant and at times desperate men. Friction in the council of the Political Union was noticeable in November 1838. In December of that year Attwood and Scholefield, the two radical M.P.s for the city and the heroes of 1832, stopped attending its meetings. Before the celebrated break of Attwood and Scholefield from the 'General Convention of the Industrial Classes' in March 1839,[34] the local break had already taken place in Birmingham itself. Attwood feared the domination of 'imprudent and dangerous men'—men like Edward Brown, who quoted with approval J. R. Stephens's remarks on the usefulness of an 'ounce of lead' and cold steel, and John Donaldson, who attacked the middle classes for betraying 'the interests of the working men on whose shoulders they were carried to the eminence they now enjoy'.[35] It is difficult to trace in detail the social antecedents of the 'new men' of Birmingham, who broke with an established local tradition of political co-operation. What is clear is that they had a growing appeal outside the city, in places where middle-class leaders or highly skilled artisans could make little impression,[36] and that among the key groups they attracted outside the city were the distressed nail makers[37] and the heavy metal workers.

In Leicestershire and the East Midlands the framework knitters were the key group in the history of Chartism. Like the handloom weavers of the North they were working in an over-stocked occupation in which there was not enough work to go round. It was because all other attempts at betterment broke down—they included the attempt to form a trade union—that the framework knitters turned towards Chartism. 'Social independence,' wrote the editor of the *Leicester Chronicle*, 'is a position not attainable by the masses of the poor in this town, however prudent or provident they might be the periods of full employment. . . . With these things before us . . . we should not be surprised if, to a man, the framework knitters of this town and district were proved to be Chartists. In their ideas Chartism has an import of which the unsympathetic can form but a feeble notion. It means a renovation of all things—a regeneration of the social state—a political millennium. It means better wages, limited hours of labour, comfort, independence, happiness—it means, in short, all that the fond heart of suffering man pictures to him of joy and prosperity in his happiest moments.'[38] O'Connor was far more qualified to paint this picture of a political millennium to a despairing audience than Lovett and his friends[39]—or the Birmingham middle-class radicals—and he made his first visit to Leicester in November 1838 advising his audience to break all existing links with Liberal radicalism.[40] Although in the town of

Leicester itself the middle-class radicals handled the Chartists with considerable tact,[41] in neighbouring places like Loughborough by the end of 1838 pikes were being sold and framework knitters were being arrested. A study of Chartist strength in Leicestershire as a whole suggests that there was a remarkable correlation between the number of Chartists and the number of framework knitters. It was estimated in 1844 that there were 20,311 knitting frames in Leicestershire of which 4,140 were the borough, the rest being in eighty-six different places in the country.[42] The distribution of frames was not even, but wherever they were concentrated, as in Hinckley or Loughborough, Chartism was strong: in the eastern half of the country, where there were practically no stocking frames, Chartism was non-existent.

Handloom weavers, framework knitters and other domestic workers—along with a large and important contingent of Irish labourers—played a big part in the revival of Chartism in 1848. Their relative quiescence in the 'good years' from 1843 to 1847 did not mean that they were a spent force or that Chartism had ceased to exist. The structure of the economy was changing quickly during those years as a result of the great burst of railway building, the increased economic unification of the country, and the greater hold of the 'factory system', but the causes of social discontent were not removed. To understand the strength of Chartism not in particular places but at particular times it is necessary to turn from the discussion of economic structure to the cyclical movements of the economy, to fluctuations in employment, wages and prices. For long general historians retained an unquestioning trust in the simplicity and sufficiency of the Biblical distinction between 'good' and 'bad' years. More recently, however, economic historians have done much to set 'good' and 'bad' years in an intelligible economic framework. Professor W. W. Rostow in his *British Economy in the Nineteenth Century* (1948) directed attention to the influence of the cyclical pattern on political initiative as well as on economic expectations: his social tension chart is a very useful piece of apparatus. More recently still Robin Matthews in his careful and scholarly *Study in Trade Cycle History, Economic Fluctuations in Great Britain*, 1833–42 (1954) has analyzed fully much of the economic data relevant to a study both of Chartism and the Anti-Corn Law League. We need no longer be content with a straightforward description of 'good' and 'bad years' as Hovell was: we can see the analytical relationship between bad harvests and bad trade and separate out necessity from coincidence. We can understand *why* there was a business crisis in 1837, following the financial crisis of the previous year, why business depression reached its depth—particularly in the North—in 1842, why there was marked recovery in the years from 1843 to 1846 and why there was a further crisis again, of different dimensions, in 1847.

This paper is not concerned with the economic mechanisms of the 1830s and 1840s—outflows of gold, restrictions of credit, movements in interest rates—but with some of their social results. A run of good harvests and expanding trade between 1832 and 1836 favoured the Whigs, and business property reached a climax in the boom of 1836 itself when stocks were built up to exceptionally large totals. During these years the main emphasis of working-class politics was on trade unionism, not only the Grand National Consolidated Trade Union, but a host of large 'unions', like the Builders' Union, the Potters' Union and the Spinners' Union, designed not only to raise wages but, in Bronterre O'Brien's phrase to bring about an 'entire change in

society—a change amounting to a complete subversion of the existing order of the world. The working classes aspire to be at the top instead of at the bottom of society—or rather that there should be no top or bottom at all'.[43]

The relationship to this trade-union movement of Lovett, Hetherington, Cleave and their friends—the men who later founded the L.W.M.A.—was not unlike their later relationship to Chartism. They had previously been active in the British Association for the Promotion of Co-operative Knowledge, and they welcomed the new trade-union agitation without fully understanding it, taking up a position of leadership which inevitably led them into quarrels with other agitators whose outlook they did not share. They prevented, for instance, the unionist-minded members of the Metropolitan Trades Union, formally set up in March 1831, from establishing themselves as a 'body for raising wages and reducing the hours of working' and changed the title of the organization to the National Union of Working Classes.[44] In other words they were canvassing exactly the same ideas in 1831 as in 1837 and 1838, though there was no 'People's Charter' to provide a rallying point. The *Poor Man's Guardian* discussed almost all the key issues of Chartism—including the relationship of London to the provinces, the use of force and ulterior measures, the corruption of the new House of Commons—several years before the Charter was drafted.

In the prosperous years 1833 and 1834, however, the opportunities for straight political action were strictly limited, particularly in the provinces. As a witness said of working men before a select committee, 'you cannot get them to talk of politics so long as they are well employed'.[45] Initiative temporarily passed, therefore, to a newly articulate militant class-conscious section of the Owenites of whom by far the most eloquent was James Morrison, the editor of the *Pioneer*, and the idea of 'general union' or 'universal compact' was as potent for a time as the idea of the Charter was to be five or six years later.[46] The dream of most of the 'unionists', however, was not imprisoned like the dream of the Chartists, in a parliamentary shell. The builders were planning a Grand National Guild which would take over the whole building trade of the country and replace capitalist contractors by an organization representing the whole body of operatives: an imposing Temple of Concord was planned in Birmingham which would certainly have put the existing House of Commons to shame. The Grand National Consolidated Trades Union was seeking to 'consolidate all the Trades Unions in the country into a single united body' and in February 1834 drafted a constitution based on a hierarchy of branch, district and Grand Lodges with a central Grand Council and an Executive Committee of five. With claims to nearly a million members, the G.N.C.T.U. could legitimately look Parliament in the face. The true House of Commons was to be a House of Trades[47] which would represent the whole of a functional society, not a politically articulate or privileged portion of it. As J. E. Smith, the editor of the *Crisis*, remarked during one of its conferences, 'there are two Parliaments in London at present sitting; and we have no hesitation in saying that the Trades Parliament is by far the most important, and will in the course of a year or two be the more influential'.[48] Owen himself explicitly repudiated universal suffrage, but Morrison in more grandiose terms related it to unionism, and talked of an 'ascendant scale' by which universal suffrage would be realised. 'With us universal suffrage will begin in our lodges, extend to the general union, embrace the management of trade, and finally swallow up the political power.'[49]

The reasons for the failure of this precocious burst of union organization lay not so much in the pricking of these giant bubbles (they fairly quickly pricked themselves) but in the resistance both of employers and government to specific local trade union claims—both wage claims and claims of the right to organize, if need be in secret, with oaths, insignia and regulating ordinances. Before the prosperous years drew to a close, trade unionism had been almost completely destroyed. Hetherington put the reasons for the collapse extremely clearly in the *Poor Man's Guardian*; 'the employers of labour could not be expected to consent, with their eyes open, to be the first victims on the altar of combination, especially as they possessed more than adequate means of resisting the intended sacrifice in the combined power of money and concert, backed by the authority of the law.'[50] Stamping on the movement in the key centre of Derby and in the industrial districts of the West Riding, the employers forced workers back either into complete passivity or into local movements of grievance. Owen himself, who had never agreed with the views of many of the unionists and had failed to understand the nature of the agitation he had inspired, retreated without regret into sectarianism. 'I am termed a visionary,' he had told Ricardo years before, 'because my principles have originated in experiences too comprehensive for the limited locality in which people have hitherto been interested.'[51] The origins of national Chartism are to be found in the localities.[52] Before another wide-spreading movement could be built up there first had to be a breaking down, a breaking down of utopian hopes as well as of vast organizations, for Chartism grew not only out of hunger, anger and industrial depression but out of disillusionment—both with the Reform Bill of 1832 and with the ambitious trade unionism of the good years. The new hopes Chartism quickly generated, for all their extravagance, were usually more realistic than the prosperity dreams of 1833 and 1834,[53] and O'Connor, for all his megalomania and ultimate madness, understood his followers far better than Owen. Their numbers moved with the trade cycle, and it was only when economic conditions after 1848 had unmistakably improved that Chartism became a sect.

In one respect Chartism was something more than an alternative to large-scale unionism: it was directly influenced by two episodes in trade-union history. The Dorchester Committee set up in March 1834 to protest against the sentences imposed on George Loveless and his fellow Dorsetshire labourers—the famous Tolpuddle Martyrs—had William Lovett as its secretary. It included many of the men who later drew up the Charter, and collected subscriptions from all the trades which played such a big part in ensuring the subsequent success of the L.W.M.A.—tailors, saddlemakers, shoemakers, joiners, cordwainers and coachpainters. It called protest meetings in all parts of the country—in factory districts, country towns and large cities as well as the metropolis—and remained in existence until the sentences on the 'martyrs' were revoked in 1838. By that time not only had the way been prepared for the growth of Chartism, but a second and more complicated trade-union episode had begun. The Glasgow cotton spinners, who had reorganized their union as early as 1827, were in a militant mood and determined to resist severe wage cuts by the local employers: in April 1837 there was a turbulent strike during which local mills were attacked and the homes of blacklegs entered. After one of the blacklegs had been shot, a member of the Cotton Spinners' Association was accused of the murder and the leaders of the Association were charged with conspiracy to hire him to commit the

crime. Although acquitted of complicity in the murder, the leaders were sentenced in January 1838 to seven years' transportation for simple conspiracy. There was an immediate burst of working-class protest, with which O'Connor identified himself, and nation-wide sympathy was expressed for the new 'Tolpuddle martyrs'. The leaders of the L.W.M.A., who had played such an active part in denouncing the Tolpuddle verdict, were placed in an uneasy position by Daniel O'Connell's bitter hostility to the unions and his demand for a full parliamentary inquiry into the conduct of union affairs, and the *Northern Star* did its best to blacken Lovett's reputation.[54] It had only limited success, for Lovett was a man of undoubted integrity and acted as secretary of the Committee of Trades Delegates which lent assistance to the union during the parliamentary inquiry.[55] The dissensions had shown, however, that 'Chartism' was just as likely to run into difficulties as militant trade unionism. The leading question—where could unity be found?—was answered (imperfectly) in two ways—unhesitating adherence to the Charter as the key document of the movement[56] and a theory of class solidarity. It is to the second of these two answers that I wish to turn.

II

In the early discussion between O'Connor and Lovett, the former accused the latter of neglecting the 'unshaven chins, blistered hands and fustian jackets', and of seeking middle-class support.[57] It was a cruel charge, for the L.W.M.A. from the start of its activities had emphasised class solidarity as an essential ingredient of social and political action. 'If they whose interests are [so] identified do not investigate the causes of the evils that oppress them,' the L.W.M.A. stated in its original manifesto, 'how can they expect others to do it for them?' This conception of mutual self-help was associated with the view that 'union of sentiment is essential to the prosecution of any great object',[58] that the 'division of classes' made it essential for the working classes to preserve and develop an intense sense of emotional identification. In the North of England there was no need to dwell on the reasons for 'union of sentiment'. Engels, who compared the outlook of the Chartists and the 'Socialists', remarked that while 'the Chartists are theoretically the more backward, the less developed . . . they are genuine proletarians all over, the representatives of their class'.[59] Sometimes the *Northern Star* described class conflict as part of 'the law of nature': it needed no further analysis or *rationale*.

Any full investigation of the Chartist approach to 'class' must take account not only of the demand for 'union of sentiment' but of the impact of recent working-class history and the diffusion of a number of basic economic propositions on the attitudes of different labour groups. The history may be disposed of briefly. It went back before the Reform Bill of 1832, although descriptions of how the bill had passed and a discussion of the motives behind it provided the usual starting point for much popular oratory. It was a middle-class bill: it duped 'the people', the working class, the majority of the population.[60] Incidents before 1832, such as the Luddite disturbances, Peterloo, the radical campaigns of 1819 in other cities and the second stirring of popular radicalism in 1829 and 1830, were all used to fan working-class enthusiasm. The memories of old radicals and reformers were warm and alive, and there was little in the working-class tradition that they forgot. Sometimes memories stretched back before the upsurge of radical working-class politics to the days before the rise of the machine, and these memories, like some of the political

memories, were easily converted into 'myths'. Sometimes when the Whigs criticised working-class talk of violence, they were reminded that they had not always been so 'fastidious' themselves.[61]

The economic propositions used to defend and strengthen independent class action were three, and they were being stated, apparently often quite independently, in several parts of the country—first, that labour was the source of all value and its rights could only be defended by workers themselves: second, that manufacturers were forcing labour to work over-long hours and robbing it of a portion of its proper reward; and third that their exploitation was assisted by the existence of a 'reserve army' of labour which forced down wages and worsened working conditions. These three propositions were a part of the regular oratorical equipment of platform speakers and of working-class journalists as well as of social theorists like J. F. Bray, the Leeds Chartist, who stated the propositions in analytical form. The *Poor Man's Guardian* went further than some of the theorists although its explanation of class dividing lines was always somewhat confused. It attempted directly to associate economic exploitation and governmental power. 'The middle classes, or profit men are the real tyrants of the country. Disguise it as they may, they are the authors of our slavery for without their connivance and secret support no tyranny could exist. Government is but a tool in their hands to execute their nefarious purposes.'[62]

Most Chartists avoided what they considered all forms of class contamination and rejected implicitly if not explicitly Owen's views of a 'super-class' of industrious producers which included both workmen and manufacturers. Only in Birmingham was there any real success in associating manufacturers and shopkeepers with the Chartist cause and there Attwood and his friends soon left the movement—before the National Convention moved to Birmingham—having been outsthone in their own Holy of Holies, the Council of the Political Union, by the followers of O'Connor. The later attempt by Joseph Sturge to found the Complete Suffrage Union on the basis not of franchise reform and currency reform but of repeal of the corn laws and universal suffrage gained only limited support in 1841 and 1842, and broke down completely when both O'Connor and Lovett united to resist any attempt to change the name 'Charter'. Certainly in Manchester itself, which was renowned for its class antagonisms, an attempt by Archibald Prentice, one of the main exponents of class reconciliation, to build new bridges of sympathy with the Chartists failed ignominiously. Though Prentice was willing to concede that O'Connor and Stephens were 'merely the mouthpieces of the discontent which rankles in the heart of millions'[63] and in 1842 took part in the creation of the Manchester Universal Suffrage Association, which was pledged to offer an 'olive branch of reconciliation' and not to oppose the Chartist Association, he was violently attacked for his pains by the *Northern Star*. 'Archy Prentice is merely one of the Tools of the Bazaarites,' the Chartist paper wrote tersely.[64] 'A feeling prevailed among the working classes,' a speaker told a Manchester meeting in the dark year of 1842, 'that the middle classes and the government were leagued together for the destruction of the former. This feeling was very general.'[65] It is important to note that it was general in other places, even when local Chartists believed in free trade and regarded the corn laws as one of the first measures to abolish as soon as universal suffrage was obtained. At Sunderland, for instance, when the Anti-Corn Law League asked the two local Chartist leaders, both moderate men and both opposed to the

corn laws, to join them in pressing for immediate repeal, they were met with this rejoinder. 'What is our present relation to you as a section of the middle class? It is one of violent opposition. You are the holders of power, participation in which you refuse us; for demanding which you persecute us with a malignity paralleled only by the ruffian Tories. We are, therefore, surprised that you should ask us to co-operate with you.'[60]

Now, this strong sense of emotional identification cannot, I believe, be explained as most writers on Chartism have done, in terms of the history of labour movements alone. Most writers on Chartism have spent so much of their time looking round the corner at the future history of organized labour— 'the victory of the vanquished'—that they have had too little time to scrutinize the social attitudes of other groups in English society during the Chartist period itself. Chartism can only be understood if it is related to general English history, and not simply to the history of socialism—to contemporary social relations as well as to the unfolding of socialist theories.

During the late 1830s and 1840s two forms of class consciousness were being forged in England, and not one—middle-class consciousness and working-class consciousness. The emotional identification of the working classes needs to be considered alongside the emotional identification of middle classes. Each form of class-consciousness assisted the articulattion of the other. It was fear of working-class strength as well as hatred of the landlords which buttressed middle-class consciousness. It was irritation and frustration with the Anti-Corn Law League, itself a child of the depression, which was set up *after* the Chartist movement had got under way and was regarded by the Chartists at best as a deviation, at worst as a middle-class conspiracy,[67] which provoked the Chartists to their most violent class declarations. 'The movement is, in fact,' the *Annual Register* noted in 1839, 'an insurrection which is expressly directed against the middle classes.' On the theoretical issue of corn law repeal, there were differences of opinion within the Chartist ranks—some were free traders, like the Chartist leaders in Sunderland: others were protectionists, like James Leach in Manchester, who talked of the 'cheap labour trap' of the factories and of repeal swelling the ranks of those dependent on the New Poor Law: some were modified free-traders, demanding cheaper food but more legislative protection of labour. Whatever the differences, the Chartists were suspicious of the League, and to understand their psychology is a necessary task for the social historian.

The League prided itself on being a *middle-class* body and on the wealth, organization and moral power which were associated with the adjective. On more than one occasion Cobden acknowledged that its manoeuvres and its artifices, its fervency and its efficiency were based on middle-class opinions and methods. 'We have carried it on by those means by which the middle class usually carried on its movements. We have had our meetings of Dissenting Ministers; we have obtained the co-operation of the ladies; we have resorted to tea parties and have taken those specific means for carrying out our views which mark us rather as a middle-class set of agitators.'[68] When the League secured its objective Cobden was even more precise. In a famous letter to Peel, he wrote: 'Do you shrink from governing through the bona fide representatives of the middle class? Look at the facts, and can the country be otherwise ruled at all? There must be an end of the juggle of parties, the mere representatives of traditions, and some man must of necessity rule the state through its governing class. The Reform Bill decreed it: the passing of the

Corn Bill has realised it.'[69] Although in its campaigns the League concentrated on landlords as the class enemy and attempted not without success to win working-class support, its leaders could not avoid attacking 'hooliganism', their synonym for noisy Chartism, or even identifying militant Chartism with a 'rude and violent rabble'.[70] In 1839 Henry Warburton, the radical politician, spoke feelingly of 'the intended irruption of the Vandals' at a League meeting.[71] No doubt in many cases, particularly in the Manchester area, the charge of vandalism was fully justified, but the League itself was not above using such means in its own agitation. There is a most interesting letter, written in 1840, from J. B. Smith, then President of the Manchester Chamber of Commerce, to C. P. Villiers in which he writes that he is convinced that 'the working classes are really those most interested in the repeal of the corn laws', but he goes on to add, 'my great object in getting them (the working classes) to speak *out* is that until they do the Aristocracy will never yield—I grieve to say that the *brickbat argument* is the only one that our nobles heed'.[72] It was the *brickbat argument* that had often induced middle-class political leaders in 1830–32 to mobilize working-class support. If the Manchester Chartists could have read Smith's letter they would have been even more suspicious than they were: as it was, the League was alienating them with its cultivation of 'operative anti-corn law associations', including a well-subsidised body which used that name in Manchester itself. In January 1840 a great dinner of League members was followed by a rather simpler dinner for 5,000 of the operatives in the same place.[73]

For all its sense of crusade, the League could never avoid the danger of manipulating people—starving village labourers and unemployed handloom weavers alike—to secure its tactical purposes. For all Cobden's distrust of Sturge's Complete Suffrage Movement, which he usually called a deviation, he saw its potential value, and described it on one occasion in a letter to Smith, as 'something in our rear to frighten the aristocracy'.[74] It is not surprising that working-class leaders resented this view of their proper political rôle. Nor is it surprising, considering not only difficulties of economic interest but differences of education, outlook and behaviour, that a large section of the middle clases disliked the thought of working men taking on any more active political rôle. The strength of class feelings is well brought out in a casual remark by Sturge's mid-nineteenth century biographer. After describing the breakdown in 1842 of the negotiations between the Complete Suffrage Union and the Chartists, he adds: 'Mr. Sturge's friends felt thankful that this result left him free to withdraw from much uncongenial fellowship.'[75]

The class attitudes of the Chartists and their unwillingness to draw on outside support doomed them to political failure from the start. No elaborate analysis of why they did not succeed in 1839, 1842 or 1848 is really necessary. If problems of labour history are put on one side, it can indeed be argued plausibly that the most important historical feature of the Chartist movement of the 1830s and 1840s was that it demonstrated not the weaknesses of the working classes which were obvious, but the strength of the middle classes. It may, in fact, be regarded as an episode in the development of middle-class consciousness.[76] The Kennington Common incident of 1848 certainly throws far more light on middle-class than on working-class attitudes, on middle-class fear rather than working-class strength, for the real power of Chartism in 1848 lay not in London but in the troubled provinces, There was more militant middle-class consciousness than militant working-class consciousness

in London in 1848.[77] When Russell made it known that he was willing to allow the Chartists to march to the House of Commons with their petition, London shopkeepers protested against the 'apathy and inaction of the government'. When the whole incident was closed and the sandbags had been removed from the Bank of England, Lady Palmerston wrote to Mrs. Huskisson about what had occurred. 'Your letter reminded me that I ought to have given you private details of our 'revolution' as the papers, though very full could only give the public ones. Our terrace was divided into districts and all the servants made special constables . . . I am sure that it is very fortunate that the whole thing has occurred, as it has shown the good spirit of our middle classes.'[78]

As far as the working classes were concerned, it was clear by 1850 that the danger of apathy and of indifference to class propaganda was always likely to increase when the pressure of hard times was relieved. Harney, who had talked of the people 'fighting to the death', remarked in 1849 that 'it is a terrible fact that after so many years of 'Reform' and 'Chartist' agitation, multitudes of men whose very interest would benefit by the triumph of Chartism are yet ignorant of or indifferent to the Charter. This is true not only of the agricultural workers, but of a considerable proportion of the local population'.[79] In the agricultural districts the Chartist failure may have been due not so much to the savage aftermath of the Village Labourer's Revolt, which certainly did much to cow popular agitation in those counties like Kent or Hampshire which were relatively untouched by Chartism, as to the lack of appeal of Chartist ideas of class in a social framework which depended on 'deference'. None of the various elements in the Chartist concept of class— the account of history, the economic theory or the sense of compact emotional identification—was relevant in an unindustrialized countryside. In villages with a small industrial population, like some of the Wiltshire or Suffolk villages, there were often active Chartists, but the social system in the agricultural countryside did not lend itself easily to the translation of economic grievances into political terms. In the towns where there was usually a core of labour 'militants', taking an active part in the various labour movements of the early nineteenth century under different aliases, there was a fluctuating rank-and-file. The core was sometimes split by personal and ideological feuds, and some of its members were, to borrow one of O'Brien's judgements on O'Connor 'unrepentant individualists'[80]: the enthusiasm of the rank-and-file was difficult to maintain. The circulation of the *Northern Star* fell steadily from 1843 to 1846—the office was moved from London to Leeds in 1844— and the editor admitted the difficulties in attracting general support for the movement.[81] Some of the skilled artisans—the tailors, the cobblers, the flint glass makers and typographers—were turning back to trade unionism in the mid-1840s. The miners set up the Miners' Association in 1841, and in 1845 the National Association of United Trades for the Protection of Labour was founded. Against this background Chartism came to mean above all else belief in O'Connor.

Mention of O'Connor leads me to my last point in this paper and it is one which you must have been expecting almost from the start. What was the rôle of the Irish in England in relation to the Chartist story? In 1848, at the end of the story, English Chartism was very directly and powerfully influenced by Irish events and Irish purposes. After the Kennington Common incident, the Home Office was bombarded with reports of an alliance between Chartists and Irish in the North, and the sentence on Mitchell led to many angry

Chartist demonstrations not only in the provinces but in London itself. The grievances of Ireland were certainly discussed on the Chartist platforms of 1848 far more than the Six Points of the Charter themselves. It had not always been so, however. The conflict between O'Connell and O'Connor, which ante-dated the drafting of the Charter, held back many Irish sympathies, and in Manchester, Bolton and some of the other Northern towns there is evidence of Irishmen deliberately joining other associations in 1840 and 1841, including some which were sponsored by the Anti-Corn Law League.[82] In Liverpool, with its large Irish population, Chartism was never very strong at all before 1848. Much more work needs to be done on this subject, and it will have to be related to a fuller study of the special place of the Irish in the North of England in the early nineteenth century. Neither the social nor the geographical pattern is yet sufficiently clear. Some of the Irish handloom weavers were probably loyal to O'Connor throughout. After all, if Englishmen were thrilled to listen to O'Connor's oratory, surely some of the Irish must have been thrilled too. One of the main components still missing in the study of Chartism is a scholarly and definitive biography of O'Connor.

[1] See also the pioneer study by E. Dolléans, *Le Chartisme* (Paris, 1914), with an introduction by S. Webb, new edition (Paris, 1949); J. West, *A History of the Chartist Movement* (1920); F. F. Rosenblatt, *The Chartist Movement in its Social and Economic Aspects* (New York, 1916); P. W. Slosson, *The Decline of the Chartist Movement* (New York, 1916).

[2] See also T. A. Rothstein, *From Chartism to Labourism* (1929).

[3] L. de Rosa, *Storia del Cartismo* (Milan, 1953).

[4] There have also been some extremely interesting university theses, notably a London doctoral thesis by A. R. Schoyen on Julian Harney. [This has subsequently appeared in book form as *The Chartist Challenge* (1958)].

[5] Many of the points will be dealt with at greater length in a forthcoming volume, *Chartist Studies*, which I am editing. In writing this paper I have been fortunate enough to have had the opportunity of reading several of the essays by contributors to this volume, and I acknowledge my debt to them.

[6] *Chartism* (1840).

[7] *Bronterre's National Reformer*, 15 January 1837: cf. *The Northern Star*, 8 October 1838.

[8] British Museum, Place MSS., 27, 820, f. 226.

[9] H.O. 40–48, December 1838.

[10] Rosenblatt, op. cit., p. 9.

[11] D. Williams, op. cit., pp. 96ff. Some of the mining areas seem to have been relatively untouched by Chartism: much more work needs to be done on their social and political development.

[12] One city with a very diversified economic structure which at the same time was a stronghold of militant Chartism was Newcastle. The relative prosperity of the city did not hold back the emergence of an extremely active local movement.

[13] *Over population and Its Remedy* (1846), p. 10.

[14] In Leeds in 1839 weekly wages varied from 6s. 6d. for handloom weavers, 14s.–16s. for shoemakers and tailors, 21s. for printers, 24s. for mechanics, up to 25s. for goldsmiths. *Parliamentary Papers*, 1887, LXXXIX, p. 361. For some comparative Welsh differentials, see D. Williams, op. cit., p. 118. For the general concept of a 'labour aristocracy', see E. J. Hobsbawm, 'The Labour Aristocracy in 19th-Century Britain' in *Democracy and the Labour Movement* (ed. J. Saville, 1954).

[15] *Prospectus and Rules of the Working Men's Association*, Place MSS., 27, 819, f. 31; *Address and Rules*, Lovett Collection, Birmingham Reference Library. The Minute Book of the L.W.M.A. is in the Place MSS., 37, 773, f. 3.

[16] *State Trials*, XXV, 590–2. For the Corresponding Society, see *Memoirs of Thomas Hardy* (1832); E. Smith, *The English Jacobins* (1881); H. Collins, 'The London Corresponding Society' in J. Saville (ed.), op. cit.

[17] *The Rotten House of Commons, being an Exposition of the Present State of the Franchise and an Appeal to the Nation* (1836).

[18] At a meeting of 28 February 1837, a newspaper report of which is in the Lovett Collection. Cf. *The National Reformer*, 8 January 1837, "Whigs and Tories are enemies of the people—let us play off one against the other—but in our contempt and hatred of the first, let us not forget our abhorrence of the latter.'

[19] *Suffolk Chronicle*, 10 February 1838.

[20] See *Poor Man's Guardian*, 17 November 1832.

[21] In 1837 O'Connor was associated first with the East London Democratic Association and then with the Central National Association. Rivalry between these bodies and the L.W.M.A. led to the branding of the latter as 'a Malthusian-Whig-Radical coterie'. The quarrel was complicated further by the personality of Daniel O'Connell, who worked with the L.W.M.A. in its early stages, but lost militant working-class support by his hostile attitude towards trade unionism. In February 1838 the quarrel between O'Connor and the L.W.M.A. reached its peak after O'Connor and his friends had attacked the 'mere middle-class set' of London reformers and the L.W.M.A. retaliated by dubbing him 'the great I AM' of politics and defending working men 'who *think of principles* instead of public idols'.

[22] *Parliamentary Papers*, 1834, X.

[23] Ibid., 1841, X. For a modern economist's study of the economic analysis of the Royal Commission, see G. J. Stigler, *Five Lectures on Economic Problems* (1949), lecture 3.

[24] Sir John Clapham, *An Economic History of Modern Britain* (1939), i. 551.

[25] *Manchester Times*, 16 December 1837.

[26] *Manchester Guardian*, 10 November 1838.

[27] Ibid., 8 May 1839.

[28] *Leeds Times*, 11 April 1835.

[29] In the meantime the *Northern Star* had begun to appear, the first number coming out in November 1837, and meetings in various parts of the West Riding were canvassing for parliamentary reform.

[30] *Halifax Guardian*, 27 June 1840. At the Halifax municipal elections of 1848, however, four Chartists were returned as well as seventeen Radicals. See the *Halifax Reformer*, 24 May 1848.

[31] J. F. Bray, *A Voyage from Utopia* (1957 edn.), p. 129.

[32] Later he admitted this. In 1842 he told Lovett on a public platform, 'I don't lead; I am driven by the people. The people gave the lead to the agitation and we followed.' Quoted in Max Beer, *A History of British Socialism* (1940 edn.), ii. 129.

[33] *Birmingham Journal*, 10 March 1838. 'Upon the working classes themselves', P. H. Muntz, the local Birmingham businessman and radical politician remarked, 'depend all the hopes of the Council' (of the Political Union), ibid., 17 March 1838. Seven working men were elected to the Council of the Union at a mass meeting of 6 August 1838 (ibid., 11 August 1838).

[34] Place MSS., 27, 821, f. 71.

[35] Ibid., 19 January 1839, 22 December 1838, 2 February 1839. The *Birmingham Journal*, edited by Douglas, the drafter of the Chartist National Petition, advocated the adjournment of the Convention on 16 February 1839.

[36] T. C. Salt, a prominent Birmingham radical manufacturer, visited the Black Country in March 1839, but failed to sound the right missionary note to win support for his view of Chartism. He regretted the absence of middle-class leaders. Place MSS., 27, 821, pp. 65–69.

[37] For the background of nail-making, see W. H. B. Court, *The Rise of the Midland Industries* (1938), book II, ch. III. Hetherington (loc. cit.) described the condition of the nailmakers in 1832.

[38] *Leicester Chronicle*, 8 April 1848.

[39] The Leicester Working Men's Association was set up in August 1836.
It deliberately used its influence to preach the same ideals as its London counterpart, but it was not until October 1838 that it fully accepted 'the principles of the Charter'.

[40] *Leicester Chronicle*, 24 November 1838. O'Connor attacked the Whigs, the Radicals or the Leicester Town Council and the Corn Law Repealers.

[41] See A. Temple Patterson, *Radical Leicester*, 1780–1850 (1954), pp. 302ff. Relations between the classes oscillated; see chapters XV and XVI, *passim*.

[42] W. Felkin, *History of the Machine-Wrought Hosiery and Lace Manufacturers* (1867), pp. 465–6.

[43] *Poor Man's Guardian*, 19 October 1833.

[44] Place Add. MSS. 27, 791, ff. 280–1.

[45] Quoted W. W. Rostow, op. cit., p. 108.

[46] The snowball metaphor was used by Morison. 'Our little snowballs have all been rolled together and formed into a mighty avalanche. . . . The watchword now is 'unity of action'.' (*Pioneer*, 22 February 1834.)

[47] The phrase was first used by James E. Smith, *Crisis*, 12 April 1834.

[48] *Crisis*, 22 February 1834.

[49] *Pioneer*, 31 May 1834.

[50] *Poor Man's Guardian*, 7 December 1833.

[51] Letter to Ricardo, National Library of Wales, Letter 3.

[52] The word 'locality' was generally used at this period. The National Charter Association, founded in 1840, called its local associations 'localities'.

[53] Owen had an apocalyptic view of unionism. He believed that 'the great revolution in preparation' would 'come upon society like a thief in the night'. See M. Beer, op. cit., I, 330.

[54] See above, p. 45. O'Connell's support of the New Poor Law of 1834 and the bitter denunciation of the Act in the North, where an attempt was being made in 1837 to put it into effect, augmented hostility to O'Connell.

[55] The L.W.M.A. supplied three members of this Committee and three of the accused Glasgow spinners were made honorary members of the L.W.M.A. The L.W.M.A. also gave 25s. from its meagre funds to the Committee. See Hovell, op. cit., p. 72.

[56] Lovett and O'Connor joined hands in 1842 to defend the Charter, and in opposition to the followers of Joseph Sturge (see below, p. 55) emphasized that 'the National Complete Suffrage Union will never succeed in reconciling the middle and working classes if it is ashamed of the Charter'. See M. Beer, op. cit., pp. 128–9.

[57] *Northern Star*, 3 March 1838. Julian Harney was more bitter in his accusations than O'Connor, and he printed correspondence with O'Connell in *The Times*, 13 February 1838. In a footnote he denounced the L.W.M.A. for shielding a member of the middle classes.

[58] *Address and Rules of the L.W.M.A.*, p. 6.

[59] *The Condition of the Working Class in England in* 1844 (1892 edn.), p. 238.

[60] 'The only difference between Whigs and Tories is this—the Whigs would give the shadow to preserve the substance; the Tories would not give the shadow, because stupid as they are, they know that the principle of reform once admitted, the millions will not stop at shadows, but proceed onward to realities.' (*Poor Man's Guardian*, 27 October 1832)

[61] See D. Williams, op. cit., p. 125; A. T. Patterson, op. cit., p. 303. One Leicester Chartist remarked of the local middle-class Reform leaders: 'they used to call on the people to second their efforts in the Reform Bill days . . . now they had no use for them, once they had got municipal honours and privileges'.

[62] *Poor Man's Guardian*, 2 November 1833.

[63] *Manchester Times*, 29 June 1839.

[64] *Northern Star*, 19 March 1842. The 'Bazaarites' were, of course, the members of the Anti-Corn Law League.

[65] *Manchester Times*, 18 June 1842.

[66] Quoted Hovell, op. cit., p. 216.

[67] The Charter was published on 8 May 1838. The Manchester Corn Law Association, the progenitor of the League, was founded in October 1838.

[68] J. Morley, *The Life of Richard Cobden* (1903 edn.), i. 249.

[69] Ibid., i. 390–7.

[70] A. Prentice, *History of the Anti-Corn League* (1853), i. 214.

[71] I owe this reference to Dr. N. McCord. His unpublished Cambridge Ph.D. thesis 'The Activities and Organization of the Anti-Corn Law League, 1838–46' is a valuable study. Since this paper was read, the thesis has been published in different form as *The Anti-Corn Law League* (1958).

[72] C. P. Villiers to J. B. Smith (n.d. 1840), Smith MSS., Manchester Public Library.

[73] See A. Prentice, op. cit., i., ch. X; for the Leicester society see A. T. Patterson, op. cit., p. 313.

[74] A. Cobden to J. Bm Smith, 4 December 1841. Smith MSS.

[75] H. Richard, *Memoirs of Joseph Sturge* (1864), p. 154.

[76] See my article 'Middle-class Consciousness in English Politics, 1780–1846' in *Past and Present*, No. 9, April 1946.

[77] G. W. M. Reynolds claimed (*The Political Instructor*, 26 January 1850) that 'the government converted a movement merely intended to demonstrate the power of an idea into one of physical force and display . . . in reality to combat with a shadow'.

[78] For the full letter, see C. R. Fay, *Huskisson and His Age* (1951), pp. 137–8.

[79] *Northern Star*, 6 January 1849.

[80] *Social Reformer*, 18 August 1848.

[81] *Northern Star*, 1 March 1845.

[82] A Manchester placard of 1841, drafted by O'Connell's followers, stated unequivocally, 'If the people are to conquer, let them be united; united they never can be while O'Connor leads'. (The *Manchester Guardian*, 29 September 1841.)

The Economic Ideas of Parnell

F. S. L. LYONS

IT IS CURIOUS THAT, despite the immense literature which has grown up round the name of Parnell, no serious attempt has yet been made to give any connected account of the development of his ideas on economic matters. Mr. Strauss, indeed, in his *Irish nationalism and British democracy*, has placed him firmly in an economic setting, but his book is less concerned with Parnell as an individual than with an economic interpretation of nineteenth century Irish history as a whole.[1] The present paper, however, is not intended to compress Parnell's career into any such schematic framework; nor, certainly, is it intended to portray him as either the agent or the victim of exclusively economic forces. Its purpose rather is to focus attention on a neglected aspect of his history by tracing the outlines of his thought on subjects which were of fundamental importance in the Ireland of his day. There are three main reasons for attempting such an investigation. First, because it may help to recall a fact which, though obvious, is often forgotten—namely, that while the decade of the 'eighties was dominated by the struggle for home rule, there were long periods when for most people the Irish question was a 'knife-and-fork' question rather than a political one. Secondly, because the Irish leader's views on such issues as the land or industrial development had a direct effect upon the relations between his party and the two great English parties, since the heads of the latter were bound to scrutinize keenly the economic policy of a man who might in the future have to assume the responsibilities of power in a self-governing Ireland. And finally, Parnell's views on these topics have a special interest because of his extraordinary personal ascendancy over the constitutional nationalists with whom he had thrown in his lot. When an individual gains the power that Parnell gained over a pressure group so important and so concerned with economic problems as the home-rule movement became, then that individual's attitude towards these problems is clearly in itself a matter of moment to the historian.

On the face of it, such a study should be quite straightforward. Parnell was neither a profound nor a particularly original thinker where economic affairs were concerned. Temperamentally the least theoretical of men, his ideas were set out in simple language and were repeated over and over again with, on the whole, remarkably little variation from beginning to end of his career. Moreover, as was only to be expected from a man who had personal experience both of estate-management and of industrial enterprise, his outlook was intensely practical.[2] A hard, business-like common-sense ruled his approach to every kind of economic question; and this, together with his remarkable flair for judging the limit of the possible in politics, was part of the secret of his strength.

Yet, despite the simplicity of his thought, it is very difficult to record it in any kind of satisfying detail because of the extreme scarcity of written

material. From the meagre manuscript harvest which has survived one is almost driven to conclude that the literary form he favoured most was the telegram, and telegrams are scarcely the best medium for the communication of ideas on any subject, let alone economics. Further, he wrote almost nothing for publication apart from numerous letters to the press, the only notable exception being the two articles on the Irish land question which appeared over his name in the *North American Review* in 1880 and 1890; and even the more important of these, according to T. M. Healy who was his secretary at the time, was written by his sister Fanny.[3] The consequence is that our main source of evidence is the spoken word, whether in the form of innumerable speeches to a great variety of audiences in Ireland, England and the United States; of conversations with individuals subsequently recorded by them; of more or less official interviews given by him to the newspapers; or of his contributions to the various committees and commissions of inquiry on which he sat, or before which he gave evidence, from time to time during his career. It is of course obvious that the utterances of a politician who must always be acutely conscious of the public that will hear or read his words must be treated with the greatest reserve. His speeches are likely to be over-simplifications, or special pleading, or designed to serve some tactical end or other, and in such circumstances it is unreasonable to expect any very coherent or systematic treatment of his ideas. Parnell is not exempt from this generalization; he habitually chose his words with great care, and equal caution must be applied in interpreting them. On the other hand, it can be said in his favour that considering the tortuous paths he had to follow and the variety of forces he had to hold in balance, he did manage to achieve on most, though not all, major lines of economic policy a remarkable degree of consistency.

It is the business of this paper to trace the emergence of these lines of policy in the two principal spheres of land reform and industrial development. First, however, it may be of some interest to list very briefly the intellectual influences which appear to have had some effect upon his thinking, while bearing in mind that he was a man who was educated more by events than by what he read. His more bookish colleagues used to scoff occasionally at his lack of literary graces,[4] and at his ignorance of Irish history. It was true that he did not read the kind of books they read—though he did read avidly scientific works and books on mechanical engineering—but it was not true that he was as ignorant of Irish history as they maintained. On the contrary, he was most consistent in tracing the economic problems of Ireland in his own generation to deep-seated historical causes. There are references scattered through his speeches and fragmentary writings to such adverse factors as the destruction of Irish industry—especially the wool industry—by English legislation;[5] the rising of 1798 (which, he tried to demonstrate to a sceptical committee on colonization, had for a time discouraged the entry of capital into Ireland);[6] and, above all, the great famine of the 'forties to which he returned again and again.[7] His library, when it was sold ten years after his death, contained at that time a great deal of material bearing on the history of the seventeenth and eighteenth centuries.[8] There was less on the nineteenth century (there may, of course, have been more in his lifetime) but it included two works which he is known to have referred to in public. One was Froude's *History of the English in Ireland*, from which he quoted a passage on the shortcomings of Irish landlords in his speech to the United States Congress in 1880;[9] the other was Sir Robert Kane's *Industrial resources of Ireland*, which was used in the

first of his articles for the *North American Review* to buttress the argument that the land, properly cultivated, could maintain a much larger population than it actually did.[10]

Apart from these books, which were actually in his library, he seems to have had some acquaintance—possibly not all at first hand, with the following: Nassau Senior's *Political Economy* (he much preferred him to Malthus as a guide to population);[11] Fr. A. J. Thébaud's *The Irish race in the past and the present*;[12] Gustave de Beaumont's *L'Irlande sociale, politique et religieuse* (which, however, he may have known in W. C. Taylor's translation);[13] W. S. Trench's record of a land agent's experiences;[14] and Joseph Kay's *The social condition and education of the people in England and Europe.* Kay was an ardent advocate of peasant proprietorship and of free trade in land, and devoted much of his book to a detailed account of the advantages which he believed had followed the emancipation of the peasants in western Europe.[15] We shall see later that Parnell on several occasions referred to continental, and especially to Prussian, precedents for the reforms that he wished to see carried through in Ireland.[16] And, although it is quite true that the Prussian experiment had been cited as an example to Ireland earlier in the nineteenth century,[17] there seems little reason to doubt that so far as Parnell was concerned, Kay's book was his main arsenal for this kind of ammunition. Apart from these works, he seems also to have been conversant with the voluminous blue-book literature on Irish questions and with the frequent writings about Ireland in the current periodicals; his quotations from the latter ranged from the *Nineteenth Century* and the *Contemporary Review* at one end of the spectrum to the less sophisticated *Gardiners' Chronicle* at the other.

When we turn from sketching Parnell's intellectual background to considering the growth of his thought on the land question—incomparably the most serious economic problem he had to deal with—we are met with the difficulty that although in 1880 he gave an historical survey of the way in which—as he saw it—the land question had developed, he nowhere stated fully how he himself had arrived at the position he ultimately held. At the time he first entered parliament in April 1875 as a young man not yet thirty his views appear to have been moderate. At any rate, in the only election speech he made which was fully reported in either the local or the national press, he is to be found declaring that 'without fixity of tenure and fair rents the tenants would never be happy nor would the country be prosperous'.[18] Within two years, however, his views had broadened considerably. In February 1877 he argued in the house of commons in favour of amending the Irish church act of 1869 so as to make it easier for tenants to buy their holdings.[19] And a few months later, when it was proposed to set up a select committee to inquire into the purchase clauses of the land act of 1870, he insisted that the tenants would seize any opportunity of buying out the landlords 'with the utmost eagerness'. And the report continues: 'He did not know what the proceedings of the enquiry might be but he firmly and strongly believed that . . . the question would never be settled on any other basis than that of giving to the Irish people the right and liberty of living on their own farms as owners'.[20]

What precisely had happened between 1875 and 1877 to cause him to

advance from being an advocate of fixity of tenure and fair rents to becoming a champion of land purchase as well, it is not possible to say for certain. He himself during that period was mainly concerned with developing his obstructionist tactics in the house of commons, and his speeches outside parliament (which were fewer and less fully reported than from 1877 onwards) tended to deal rather with the need for a more active policy at Westminster than with specific social or economic issues. But the very fact that the select committee just mentioned was actually appointed indicates that the whole question of purchase was arousing interest in parliamentary circles; Parnell, as we have seen, was aware of this trend and may himself have been influenced by it. There are, however, two other possible clues to his growing interest in land-purchase. One is that his behaviour in the house of commons in 1876 had begun to attract attention amongst nationalists outside;[21] if he aimed to secure a wide measure of extra-parliamentary support from this quarter, then a more radical attitude towards the land question would certainly do him no harm. And the other significant factor is that in that same session of 1876 Isaac Butt had introduced a land bill designed to safeguard the tenant's occupation of his holding. This bill, mild though it was, was defeated on its second reading by a large majority,[22] and Parnell, though he did not speak in the debate, can scarcely have failed to see in its fate one more demonstration of the futility of moderate measures moderately presented.

Events in Ireland, however, were soon to overshadow the political manoeuvrings of the rival home rule groups in parliament. The critical situation which developed in the late 'seventies has been analysed too often to need more than the briefest reference here. The decline in agricultural prices under the impact of American competition, which was experienced in varying degree in different parts of western Europe, made itself felt in Ireland too.[23] But apart from the general agricultural depression, there were also local complications. The most pressing was the fact that a series of bad harvests had seriously damaged the all-important potato crop. In 1876 it had been worth £12,500,000; the next year it was less than half this, and though there was a partial recovery in 1878, in 1879 (which a later commission report described as climatically the worst year of the century)[24] it had fallen to less than £3,350,000.[25] Against this sombre background the long-standing unhappy relationship between landlord and tenant became more difficult than ever. Rents, which in many cases had been fixed in times of rising prices, were now an impossible burden to farmers who were often also in debt to banks, shopkeepers or village money-lenders. In such circumstances Gladstone's land act of 1870 was of little help. Its clauses, intended to provide compensation for disturbance and for improvements, were powerless where the tenant, through his inability to pay his rent, laid himself open to eviction. And as distress tightened its hold on the country and the difficulty of paying rents mounted, so too did the number of evictions increase. From an annual average of just under 3,000 for the five years before 1878, they rose steeply year by year until for 1880 alone the figure stood at 10,467.[26]

It was, clearly, a revolutionary situation and it produced in the Land League what—from the social viewpoint at any rate—was to all intents and purposes a revolutionary organization. We are not here concerned with the origins or subsequent history of that organization, but merely with the fact that at a critical point in his career it gave Parnell a platform from which to expound his ideas on the land question to a far wider public than any he had

yet been able to command. As a movement it was always difficult to control, and he approached it with caution and handled it with care so long as his association with it lasted. But its programme coincided very closely with the ideas which he himself had expressed before the Land League had ever come into existence. We have seen that even by May 1877 he had declared himself in favour of the tenants' becoming the owners of their farms. It was at this point that he met Michael Davitt, who was released from prison on ticket-of-leave at the end of the year, and with whom his contact was soon to be close and frequent. Davitt was then meditating the famous 'new departure' which envisaged the participation of extremists (in effect, fenians) and constitutionalists in an 'open' or 'public' programme.[27] An integral part of this programme, as he suggested to Parnell in May 1878, was 'a war against landlordism for a root settlement of the land question'.[28] To this suggestion the latter seemed not unfavourably inclined and, while Davitt was absent in America preaching his new gospel amongst the Irish-Americans there, Parnell at Tralee in November of that year, though still evidently regarding fixity of tenure and fair rents as the most feasible parliamentary objectives, declared that he himself would prefer a long-term solution based on land purchase.[29] And in April 1879 he followed this with a speech in Cavan where he was reported thus:

> What he believed ought to be the final settlement of the land question was the settlement which prevailed in France and Belgium, where the man who cultivates the soil is the owner of the soil; and he looked forward to the time . . . when by purchasing the interests of the landlords it might be possible for every tenant to be the owner of the farm which he at present occupies as tenant-at-will or otherwise.[30]

A few days later came the meeting at Irishtown which is generally held to mark the beginning of the land agitation. Neither the resolutions which were passed there nor the speeches which were made seem to have been much, if at all, concerned with compensation for the landlords; on the contrary, in their emphasis on the theme of 'the land of Ireland for the people of Ireland' they echoed almost the very words that James Fintan Lalor had used more than thirty years before.[31] The purpose of the Irishtown meeting, indeed, was not to formulate a precise and detailed programme, but rather to rouse the Mayo tenants to protest against 'unjust' rents and to excite their natural passion to become the owners of the land they farmed. Not only did the meeting succeed in its original and local purposes, but it laid the foundation for a movement which eventually spread far and wide through the country.[32] To this movement Parnell committed himself when in June 1879 he agreed to speak at a meeting in Westport and when in October of that year he became the president of the Irish National Land League. From then until his imprisonment in Kilmainham and the suppression of the Land League he spoke repeatedly on its platforms, and the speeches which he made between 1879 and 1881 provide the clearest possible picture of the way in which his ideas on the land question developed.

Some of these speeches have become famous, especially perhaps those in which he went to carefully calculated extremes of language, but the most striking thing about them—when analysed from an economic standpoint—is their moderation. True, on the subject of rack-renting and how to resist it he could be as violent as any man, but on the long-term problem of how to transfer the ownership of the land from landlord to tenant he was usually

extremely cautious. Even at the Westport meeting, after urging the tenants in a celebrated phrase to 'keep a firm grip of their homesteads', he spoke about purchase as follows: 'If such an arrangement could be made *without injury to the landlord* [my italics] . . . it would be for the benefit and prosperity of the country. I look to this as the final settlement of the land question.'[33]

The difficulty was of course what form the arrangement with the landlord would take. His answer to this gradually emerged during the course of 1879. The tenants, he urged, must combine to secure a 'fair rent' which he defined (a little ingenuously) as 'a rent the tenant can reasonably pay according to the times'.[34] If they succeeded in doing this it should be possible, he said, so to utilize the Bright clauses of the land act of 1870 as to enable them to become owners by agreeing to pay a fair rent for a limited number of years. 'Now this gives you fixity of tenure at fair rents, and it prescribes that after you have paid for the land for a limited number of years you shall not have anything more to pay.' And he added: 'Is this, I ask, communism? Is it confiscation of the property of the landlord? Is it incitement to murder?'[35] This sounded well, but it was hardly precise enough to serve as a working rule in particular cases. A fortnight later, therefore, he elaborated his scheme in greater detail. He suggested that a tenant who entered into an agreement with his landlord to pay a fair rent for thirty-five years should in return receive the fee-simple of his holding. The landlord should then be compensated under the Bright clauses by receiving the value of two-thirds of the fair rent, capitalized at twenty years' purchase, in hard cash, and should also for the thirty-five year period receive one-third of the fair rent paid annually by the tenant.[36] A day or so later he made it clear that in his opinion the two-thirds of the purchase-money paid down in cash to the landlord should be advanced by the government, the remaining third being accounted for by a 5 per cent annuity payable by the tenant to the landlord over the thirty-five years.[37]

We know now, of course, that land purchase ultimately took a very different form, and that Parnell's scheme, though interesting as illustrating his ideas on the subject, came to nothing. But, inevitably, once he had begun to grapple with the problem at all, other contingent questions clamoured for solution, and his answers to these are scarcely less revealing than his approach to the central theme of purchase. The most important was whether or not *compulsion* should be used to expropriate the landlords. On this point he was quite definite that, however tempting it might be, compulsion was a weapon which could be used only for limited and clearly-defined purposes. In November 1879 he outlined what these purposes were—and from the policy he laid down then he does not seem subsequently to have departed. Briefly, what he suggested was that compulsory powers might be sought to deal with absentee landlords, and especially the great London companies, but that they should not be used against the gentry who were actually resident on their estates.[38] Typically, he refused to go to either extreme. On the one hand, he criticized as entirely inadequate a policy put forward by Bright early in 1880 which depended on the voluntary co-operation of the landlords in their own liquidation;[39] and on the other, he was perfectly well aware that no thorough-going scheme of compulsion could possibly be carried through parliament. But, by endorsing the notion that the most unpopular landlords should be compelled to sell, he did something to pacify the extremists in his own camp, while at the same time pressing the enemy at the weakest point in their defences.

But even if the landlords, voluntarily or involuntarily, did sell their estates,

would not the creation of a race of small owners lead to intensive subdivision and so reproduce the conditions that had existed before the famine? His answer to this question which, he said, he was often asked, was partly that sub-division was the product of a rent-economy,[40] and partly that if then and there every tenant became the owner of his land, there would be a far greater danger that within a generation the land would be back again in the hands either of the old landlords, or of a new group of land-speculators—*unless*, at the same that the tenant was made an owner, the laws of entail and settlement were changed or abolished.[41] The essential thing, he urged, was to have what he called free sale of land, that is to say the removal of the various obstacles in the way of swift and easy transfers of property. 'I believe,' he said, 'that under such a system the size of the farms would be regulated by natural causes . . . and would gradually become suited to the markets, the methods of cultivation and the crops grown.'[42] Easier conditions of sale would also, he suggested, tend to prevent sub-division, for if a farmer had more land than he could profitably farm himself he would probably prefer to sell his surplus rather than to sublet it.[43] This rather rash prediction was made in the course of an interview in New York, so that perhaps not too much importance should be attached to it; indeed, another remark he let fall in the course of the same conversation indicates that he was not particularly impressed by the sanctity of small holdings and was not prepared to shed tears over the fate of any farmer who did not know how to use the freedom that was being planned for him. When asked if the effect of emancipation would not be to throw many small owners into the hands of the gombeen men, he replied characteristically:

> Some of them undoubtedly, but that would only teach others the necessity of frugality and thrift. We don't expect to bolster up those who are lazy and un-willing to work. The unthrifty and indolent and wasteful must go to the wall, while the hard-working, saving farmer, will grow prosperous and swallow up his inferior neighbour.[44]

It was while he was in America that the article for the *North American Review* was written which Healy described as the work of Fanny Parnell. But, though she may have actually composed it, the ideas behind it were un-doubtedly her brother's; indeed, at about the same time he developed some of the same themes, and used some of the same illustrations, in his speech to Congress. It may be regarded, therefore, as a considered statement of his views after a year's experience of the Land League agitation, and as it takes a broader historical perspective than any of his speeches it is worth considering in some detail. The point of departure was the great famine which, according to Parnell, had three main consequences. It had thrown wide areas of land out of cultivation, it had prepared the way for deliberate clearances of land, and it had caused an uneven distribution of population—or, as he put it, general underpopulation with 'over-population in spots'. These evils, he suggested, had not been cured by emigration. Emigration had been continuing ever since the famine, yet 'here we are in pretty much the same position as we were in '46. It needs only one more bad harvest to produce a famine like that of '47.' And even if there should be a famine, and a further blood-letting by death and emigration, in course of time natural increase within the country would only reproduce the same position once more.

This did not, however, mean that he regarded Ireland as normally over-populated; there were other countries, he pointed out, which contrived to support a much greater density of population. And he quoted with approval

a passage from Nassau Senior's *Political Economy* which suggested that the general tendency of modern, civilized countries to be more prosperous than primitive ones argued that the means of subsistence were in fact increasing faster than population.[45] Perhaps wisely, he did not add that Senior (writing only ten years before the famine) had gone on to exhibit Ireland as a proof of his thesis, but he did refer—as an indication of what could be done—to an estimate in Kane's *Industrial resources of Ireland* which claimed that the land, properly cultivated, could maintain a population of from 30 to 35 millions.[46] Since the population at the time of his article was—as he reckoned—just under 5½ million, Parnell insisted that the problem was not overpopulation, but maldistribution, aggravated by the fact that the pressure of competition for the land was intensified owing to the absence of alternative employment in industry. An industrial revival certainly, he said, would do much to ease the situation, but such a thing could only come about if one or other of two conditions were fulfilled. 'Either the agricultural system must be in a free, wholesome and natural condition' (which, he explained, would increase the buying-power of the country-dwellers and thus react favourably on manufactures) 'or immense sums must be spent by the government in fostering Irish industries of all kinds'.

The latter alternative he took to be quite out of the question; everything turned, therefore, on whether or not it would be possible to persuade the government to spend money in amending the land laws. There was, he said, little immediate sign of this, but there followed a phrase which shows unmistakably that though the hand may have been the hand of Fanny Parnell, the voice was the voice of Charles: 'As time goes by, however, it may be possible to bring such gentle extraneous pressure to bear upon England as may materially alter her present intentions.'

The remedies he advocated in America were two-fold. One, of course, was land-purchase, but purchase now involving the government in the liability to advance five-sixths or, if need be, the whole of the purchase-money to the tenant, who would repay it in annual instalments over thirty-five years. He did not ask for compulsion, except in the case of absentees, and he did not define how many years' purchase would constitute a fair price. He was concerned at that stage simply to lay down the two basic principles—that the solution to the whole problem lay in the tenant's becoming the owner of his farm, and that the government must advance him the money for the purpose.

The other proposal concerned the congested districts. Throughout his career Parnell was steadily opposed to emigration which then, and for some time longer, was regarded in government circles as the most feasible way of dealing with over-crowding.[47] The alternative he favoured was migration from one part of Ireland to another. As he originally put it, people should be given the opportunity of moving from the west to the east 'by causing large quantities of grazing-land, in the eastern and middle counties, to be thrown upon the market, and by facilitating the purchase of it by the western peasantry'.[48] He said the same thing in his speech to Congress, perhaps not fully realizing the revolutionary nature of his proposal, but the following year he had to extricate himself from what threatened to become an impossible position. 'I believe once in the United States,' he said, 'I was guilty of an oratorical flight of that nature, but it was only an oratorical flight. There is no practical necessity of bringing the people from Mayo to Meath. There is plenty of improvable land in Mayo for everybody there.'[49]

He carried this conviction to the length of establishing the Irish Land Purchase and Settlement company in 1883, with the object of buying land in the west in order to settle on it people from the congested districts.[50] The company, however, had an unhappy history. Parnell and his fellow-directors (amongst whom was Captain W. H. O'Shea) soon found that the Irish land-lords would only sell to them at impossibly high prices because the rumour had got round that the company had access to £50,000 of government money. But unfortunately, owing to having filled in their application incorrectly, they found themselves unable to obtain a grant in aid of migration. They did purchase one estate (Kilclooney in county Galway), but, according to Parnell, after Davitt had publicly condemned them for having paid too high a price, no one would buy their shares and they had to wind up the company.[51] It is only proper to add, however, that the vice-chairman of the board (though hotly contradicted by Parnell) attributed their failure to a different factor—namely, the bitter resistance of the tenants already on the estate to the prospect of strangers being brought on to the land from elsewhere.[52] It may perhaps have been this experience that led Parnell in 1890 to state in evidence before a select committee on colonization that he no longer considered the pressure of population as serious a problem as it had been, though even so he still maintained that if he had to choose between emigration and migration, he would much prefer the latter.

By the time Parnell had completed his American tour his ideas on the land question had taken what was to be more or less their final shape. Subsequent shifts of emphasis, or even inconsistencies, were dictated by tactics and did not denote any real change of heart. Thus, although shortly after his return to Ireland he put his name to a Land League programme calling for compulsory sale and demanding that landlords forced to sell should receive only twenty years' purchase of the valuation of their estates, the indications are that he did so because at that time feeling in the Land League ran so high that it would have been useless to stand out in solitary opposition.[53] Davitt, indeed, who was present at the conference which launched the programme, describes Parnell as suggesting merely the revival of Butt's land bill of 1876, but, after the 'utter rejection' of this proposal, agreeing to fall in with what the majority should decide.[54] And, while he undoubtedly made a number of extreme speeches that year urging the tenants not to pay 'unjust' rents, it is well known that when eventually Gladstone's great land act of 1881 gave many of the tenants the fixity of tenure at fair rents they had so long been seeking, Parnell threw all his influence into persuading the Land League not to reject it outright but to test it in certain selected cases.[55] From the time of his imprisonment in Kilmainham and his decisive turn in the direction of constitutional politics, his course with regard to the land question was much easier.[56] Thenceforward, he could devote himself to constructive criticism of successive government measures. And this is, in fact, the key to his subsequent policy. To better the conditions of existing tenants by the remission of arrears, the reduction of rents and the admission of lease-holders to the benefits of the recent reforms, and at the same time to keep up a steady pressure in the direction of land-purchase—these were the two main lines of action he followed during the years after Kilmainham. It was a period which saw both the great English parties vying with one another in their efforts to solve the land question and it produced—apart from subsidiary legislation—two major contributions (the acts of 1885 and 1891) towards the conversion of tenants into

owners. Parnell's rôle was simply to accept what was offered as an instalment —though not as a final settlement—and also to draw attention from time to time to aspects of the problem that were in danger of being overlooked.[57] His only major inconsistency throughout this time was his opposition to Balfour's land bill in 1890 and his warm support of virtually the same measure when it was reintroduced the following year. Even this, however, seems to have been a political rather than an intellectual *volte face*, and he himself said subsequently that his opposition to the unionist land bill of 1890 was a by-product of his alliance with the liberals.[58] Conversely, his support of the bill of 1891 was the more whole-hearted because he had broken with the liberals in the meantime.

The corollary of this phase of constructive criticism (which, after all, filled the greater part of Parnell's career) was that he tended to hold more and more aloof from any extremer policy in Ireland which might by alarming English opinion interrupt the steady progress towards the peaceful solution he was doing his best to foster in parliament. Thus, when the Irish National League was being founded in 1882, he resisted vigorously any attempt to commit the new organization to the doctrine of thorough-going compulsory sale.[59] Even more striking was the stand he took against Michael Davitt who at this time was closely identified with the idea of land nationalization. When the Irish National League was launched Davitt himself had agreed not to raise this particular issue, but he subsequently found it impossible to remain silent on a subject about which he felt so deeply.[60] Accordingly, in 1884 Parnell brought the question into the open in a speech pouring ridicule on the notion that ownership of the land by anybody—'whether that anybody be landlord or tenant'—was equally a crime and a robbery. On the contrary, he said, the desire to acquire land was one of the strongest instincts of human nature, and he made it quite clear that he thought it an instinct to be respected. And he completely disagreed with the theory which, he alleged, had been advanced— that land nationalization would do away with the necessity of compensating the landlords. 'You must either fight for the land or pay for it,' he told his hearers, and reminded them that the Irish National League, on its foundation, had deliberately adopted the principle of paying for it.[61] A further example— and probably the best-known—of his reluctance to be drawn out of the path he had set himself was the way in which he refrained from taking any direct part in the Plan of Campaign—the new phase of the land agitation set on foot in the autumn of 1886 by T. C. Harrington, John Dillon, William O'Brien and others to wage war against rents which, under the impact of falling prices, had once again begun to press intolerably upon many tenants. Personal factors may have influenced him to some extent, but his attitude to the movement seems mainly to have been determined by anxiety lest it should get out of hand and jeopardize the liberal alliance on which at that time all his plans were based.[62]

Alike in his attempts to push on the settlement of the land question at Westminster and in his distrust of new departures in Ireland, Parnell was faithful to one of his most deeply held beliefs—that remedial legislation would not blunt the edge of the demand for home rule, but on the contrary would sharpen it. 'The better off the people are, the better nationalists they will be,'[63] he said on one occasion; and even near the end of his life, when so much else he had stood for was in dissolution, he repeated this conviction in a sentence which may serve as an epitome of his land policy throughout his career:

I have always believed (he said) that by making the Irish tenant-farmer prosperous and independent of his landlord, by reducing his rents, by giving him and the labourers something to put in their bellies, we are not diminishing the forces of Irish nationality, but that we are increasing them.[64]

From the time Parnell came of age and assumed control of his estate at Avondale until the year of his death he was constantly occupied in establishing and developing saw-mills and quarries, and in prospecting for various minerals both in his immediate neighbourhood of Rathdrum and as far afield as Arklow.[65] His interest in industrial development thus antedated his entry into public life; though naturally, since the land question dominated the period of his rise to power, it was difficult for him to give any early indication of how much this interest meant to him.

It was in fact not until 1881 that the encouragement of Irish manufactures began to figure prominently in his programme. Once it appeared, it speedily assumed great importance and references to it soon began to multiply. The first of these seems to have been a letter he wrote (by arrangement) to the editor of *United Ireland* for inclusion in the opening number of the paper in August of that year. He suggested that the time was ripe for a campaign to persuade people to use Irish manufactures, or if no Irish ones were available, to use American rather than English; this, he thought, would be a kind of 'indirect protection' as it would encourage the production of such articles at home.[66] He followed this up shortly afterwards by persuading the Land League to contribute £500 towards the Irish Industries Exhibition which was to be held the following year.[67] And a few days later, at the great convention which was held primarily to decide the League's attitude towards Gladstone's land act, he again returned to the industrial theme. He warned his audience that the support of Irish manufactures would mean some sacrifices—they could not hope to buy them as cheaply as similar articles made in England. Moreover, their preference for Irish goods would have to be voluntary, it could not be enforced. And he added a remark which was probably his first open avowal that home rule would lead to a protectionist régime in Ireland. 'If we had our own parliament with full powers,' he said, 'we should undoubtedly be invited to protect Irish manufactures by import duties'—and went on to point to the existing precedents in Europe and America. In the meantime, however, the best they could hope for was 'indirect protection'. 'The great thing is to resolve that we shall use no articles of English manufacture whatever.' Buy what was necessary elsewhere, of course, though he repeated, 'anywhere but in England, anywhere but in England'.[68]

With the holding of the Industrial Exhibition the following year Parnell's ideas seemed to be taking practical shape and he was in Dublin for the opening on 15 August. The next day he and John Dillon received the freedom of the city and both took the opportunity to stress the importance of using Irish goods. Parnell himself mentioned wool specifically and urged his hearers all to wear some article of Irish clothing. Dillon characteristically gave the argument a wider implication when he expressed the hope that Irish independence would follow the American model and originate in a trade dispute with England.[69]

This emphasis upon the necessity of encouraging and, if need be, protecting Irish industry, naturally assumed much greater significance when in 1885 the prospect of the return of a considerably increased Parnellite party to parliament brought home rule within the realm of political possibility. At

once, the kind of fiscal policy that an Irish parliament might adopt became a matter of considerable interest on both sides of the Irish sea. And, as autumn approached, and with it the prospect of a vital general election, Parnell left no doubt that the fiscal policy followed by any parliament under his control would be protection. Thus at Arklow in August, after explaining how the Dublin Corporation had exercised a voluntary preference in buying paving-stones from him rather than from his Welsh competitors, he declared that without a freely elected national assembly with the power to protect Irish manufactures 'in my opinion, as a practical man, it is impossible for us to revive our native industries'.[70] A few days later, in Dublin, he was even more explicit. In the coming parliament, he said, the enlarged Irish party would be able to aim at 'national independence', and if they achieved this one of their first tasks would be 'to build up the industries of Ireland'.[71]

In making these speeches Parnell was only repeating publicly what he had already said privately to the unionist viceroy, Lord Carnarvon, at their famous secret meeting in London in July. Carnarvon was undoubtedly impressed by the importance Parnell attached to protection and may even himself have expressed a certain sympathy with his views.[72] At any rate the Irish leader for his part declared in the following year that his election references to protection had been made at a time when he had every reason to know that 'the conservative party if they should be successful at the polls would have offered to Ireland a statutory legislature with the right to protect her own affairs'.[73] Subsequently he had to admit that this was not so and that Carnarvon had had no power to commit the government in any way.[74] At the time, however, Parnell was still not fully aware of how little Carnarvon could be taken as a guide to conservative feelings on protection (or indeed on almost anything else), and found that the main opposition at the election of 1885 to his protectionist policy came from the radical wing of the liberal party and especially from Joseph Chamberlain, who singled out this particular issue for denunciation in a much-publicized speech at Warrington.[75] This, however, did not prevent Parnell from reiterating his programme a month later, though he modified it in some respects. Thus, he now said that it would only be necessary to protect 'certain Irish industries', that not many were involved (he did not enumerate them) and that he did not think the period of protection would last for more than two or three years.[76]

Even with these modifications, however, the issue remained a live one up to and into the home rule debates of 1886. So much so indeed, that one authority, Mr. Strauss, has seen the whole crisis of that year as primarily a clash between Chamberlain as the champion of English business interests alarmed at the prospective loss of the Irish market, and Parnell as the spokesman for an Irish middle-class (excluding the highly important Ulster element which of course identified itself with the maintenance of the union) ambitious to develop behind tariff barriers of its own devising.[77] This view is almost certainly an over-simplification, for although it is quite true that English business interests disliked Irish protection and that Chamberlain represented their views accurately enough, yet, as Dr. Cruise O'Brien has recently shown, the radical leader had other weighty reasons, besides the purely economic, both for distrusting Parnell and opposing home rule.[78] Nor is the assumption that Parnell voiced the innermost feelings of an Irish middle-class urgent for protection any more securely based. As Dr. Cruise O'Brien has pointed out, Mr. Strauss himself has defined the business world of Ireland—even outside

Ulster—as predominantly unionist in politics and economically dependent on the British market.[79] Such a class was not likely to clamour for protection and in fact, in 1886, did not do so. Nor does the non-industrial middle-class seem to have been much more enthusiastic. Such a man as T. M. Healy, for example (a fair representative of this section), refused to take protection very seriously;[80] and Davitt, though emphatically no bourgeois himself, probably summed up the bourgeois attitude correctly when he wrote to the radical Labouchere that 'if we had a national assembly tomorrow' Parnell could not carry a measure of protection.[81] In fact, only in the devoted columns of *United Ireland* was there any real warmth for the idea, and even there the tendency was to minimize the extent to which English trade would be affected by Irish tariffs.[82]

In this particular field then, it seems clear that Parnell found himself to all intents and purposes isolated. And although his own attachment to protection was undoubtedly deep, he was too great a realist not to understand that once it had turned out that he must look to the liberals for home rule, he would have to abandon all hope of a tariff power for the projected Irish parliament. And, in the end, after his struggles to gain his point had proved unavailing,[83] he made his renunciation in the home rule debate in the clearest possible terms: 'I never did think and I do not think now, of claiming a right of protection from the liberal party. I never expected it. Therefore I recognise this settlement as final—without protection.'[84] And to this he held for the remainder of his career; protection was unostentatiously but permanently dropped from his programme.

His interest in industrial development of course remained. But the emphasis was different. More and more as time went on his mind turned towards the possibility of obtaining government money for the revival of Irish industry, provided that it was left to Irishmen to determine how best it could be spent. Even before he had had to abandon any idea of protection, he used his membership of a select committee on Irish industries in 1885 to air his views on these questions. In the course of the inquiry he tried—with some success—to elicit evidence from those familiar with Irish conditions that the money which it was intended to devote to schemes of state-aided emigration of whole families (a fashionable official remedy at that time) would be better spent on fostering Irish industrial initiative.[85] From another witness before the same committee he extracted the information that whereas a harbour built recently at Wicklow by local enterprise had been a success, one at Arklow, built by the Board of Works *for* but not *by* the inhabitants, had collapsed at the first winter storm.[86]

The moral of this he drew next year in the house of commons, when he attacked the unionist government for its proposals to build harbours along the west coast of Ireland. There did not at that moment, he said, exist in the country a single competent engineering department. 'The Irish Board of Works has strewn the Irish coasts with monuments of its incapacity as an engineering body.' And he insisted again that, if the development of Irish industrial resources was to be effective, it must be the work of the Irish people themselves; the virtues of self-help preached by Dr. Smiles, he added, were not exclusively for English consumption.[87]

In the heat of the moment he went too far in that speech, for he also said that there was no necessity to import capital into Ireland. 'We do not want an influx of capital; we have got plenty of it of our own. What we want is to be

allowed to keep the capital we have got in the country.'[88] This, however, is at variance with the opinion he normally expressed and should not perhaps be taken too literally. Indeed, the very next year he was to be found following a different and more realistic line. Lord Ribblesdale, who was crossing to Ireland to judge at the Horse Show, found himself in the same railway carriage with Parnell and, despite the latter's obvious wish to go to sleep, succeeded in holding him in conversation from London to Rugby. In the course of their talk, Parnell repeated his familiar thesis that industrial development would have invaluable consequences for Ireland *if* the people themselves had the responsibility for it. But he then outlined a number of schemes which presupposed government aid and which, in fact, anticipated several of the unionist projects of the next two decades. Thus, he wanted a Board of Agriculture in Dublin with a staff of travelling lecturers. He wanted local agricultural societies to be subsidised by the government. He wanted the farmers to be instructed in the cultivation of green crops and in dairying. He wanted the government to encourage the fishing industry on the west coast by building harbours large enough to accommodate the size of boat which would be needed to sail some miles out into the Atlantic. Finally, he wanted government aid for forestry and government intervention to lower railway rates for the inward carriage of fish and the outward carriage of agricultural produce.[89]

This seems to have been the policy he followed for the remainder of his career. At any rate it is significant that, when giving evidence on Irish emigration before a select committee on colonization in 1890, he spoke of emigration mainly in terms of its threat to industrial development. Ireland could not afford to lose emigrants who might provide a labour force for industry if they stayed at home. Every effort should be made to encourage industries—such as fishing—which would give a good return. He was not asking for charity, the only development he believed in was the kind that paid commercially—though, as things stood, he added, Ireland was less developed from every point of view than any country he had ever been in.[90] These of course were familiar arguments, but they show clearly enough that up to the eve of the split which destroyed him and paralysed his party the subject of industrial advance was as close to his heart as ever.

The life-and-death struggle of 1890–91 naturally pushed questions such as these into the background, though there are indications in one or two of his speeches that they were by no means forgotten.[91] On the contrary, indeed, in the months before his death all the signs were that he was contemplating a radical new departure in social and economic questions. This was nothing less than an appeal to labour on the grand scale. He opened this campaign with a speech at Clerkenwell in March 1891 when he assured an audience composed largely of English working-men that, while it would not be proper for an Irishman to take the lead in English industrial affairs, he was ready to declare that the state should do much more for the worker than it did. Specifically, he was for shortening the hours of government employees, miners and others who worked in dangerous and unhealthy trades. He considered also that the government should intervene on behalf of those employed by powerful monopolies such as the railways. And he suggested that the Land Commission, which in Ireland mediated between landlords and tenants, offered a model for Boards of Conciliation that could be set up in various English industries.[92]

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A few days later he greatly expanded these ideas in addressing a conference of trade unions in Dublin which was widely attended from all over the country. The meeting had before it a programme modelled on the most ample lines. Their main aims were manhood suffrage ('one man, one vote') for all elections from parliament to poor-law boards; payment of members and of all election expenses; a universal eight-hour day; nationalization of the land and taxation of unoccupied and untilled lands, as well as of ground rents and un-occupied houses in towns; the reduction of food taxes; state control of railways and inland transport in general; promotion of Irish industries; free and compulsory education; extension of the factory acts and employers' liability acts; and the promotion of the building of labourers' dwellings and the lowering of their rents. To this elaborate and far-reaching list of reforms Parnell announced his 'general and practical agreement'. The only reservations he made concerned the two questions of the eight-hour day and land nationalization. The former, he thought, would be practicable only if established by international agreement, since no country would willingly put itself at a possible disadvantage with its competitors. As for land nationalization, he asserted that he agreed with the principle—though not with what he called 'the crude theories' hitherto put forward—but was studiously vague about what he himself meant by the term. The most he would say was that for him the whole subject was bound up with the removal of food taxes, and he asked his audience not to press him any further on the subject at that time.[93]

It is scarcely surprising that to most contemporaries, outside the immediate circle of Parnell's followers, these speeches seemed the most transparent devices to find new allies for a losing cause. Davitt and *The Times*, who would have agreed on little else, united in condemning them on precisely this ground. *The Times* saw in the Clerkenwell speech nothing but 'an undisguised and impudent bid for the support of the labour vote in Great Britain'.[94] And Davitt, while admitting that the Dublin speech would have had an electrifying effect if it had been made *before* the split, dismissed it contemptuously as a despicable attempt to woo the Irish workers with a programme taken piecemeal from his own newspaper, the *Labour World*.[95] Since Parnell died before he had carried this new policy any further, it is impossible to say how it might have developed, or even how sincere he had been in taking it up in the first place. By the spring of 1891 he was in a desperate plight—ringed round by enemies, his health precarious, already defeated in one by-election and soon to be defeated in two more. In such a condition he may well have been eager to look for support wherever he could find it. It is hard, therefore, to resist the conclusion that these were, in a sense, recruiting speeches. For, although in his Land League days he had taken the agricultural labourers under his wing when their interests threatened to be neglected for those of the tenant-farmers,[96] there was nothing in his whole career to suggest that, given normal freedom to manoeuvre, he would ever have willingly consented to the vast social upheaval involved in the programme to which he had apparently committed himself in his Dublin speech.[97]

It would be a pity, however, if our final assessment of him were to be too much influenced by the extraordinary circumstances of the close of his life. It would be more just and generous to take a longer perspective and to acknowledge his great insight into the economic conditions governing the Ireland of his day. True, he sometimes took up untenable positions; he occasionally indulged in questionable generalizations; and, of course, he was

absolved from the acid test of having to put his ideas into practice. But the fact remains that his superb flair for what was politically possible was matched by a no less acute perception of what was economically desirable. A population freed from the twin spectres of periodic famine and mass emigration; farmers relieved of the burden of excessive rent and with the chance—where they were worthy of it—of owning their own land; an expanded and modernized agriculture; an industry rejuvenated and—if deserving—judiciously encouraged by the government. These may have been ambitious aims, but they were not ignoble ones, and in pursuing them Parnell showed a tenacity, a clarity of judgement, and a real understanding of his country's needs which it is impossible not to admire.

[1] E. Strauss, *Irish nationalism and British democracy*, (1951), chap. xviii.
[2] For Parnell's extensive industrial interests in county Wicklow see *Freeman's Journal*, 21 August 1885 and J. H. Parnell, *Charles Stewart Parnell: a memoir* (1916), pp. 277–85.
[3] T. M. Healy, *Letters and leaders of my day* (1928), i. 87, Healy to his brother, 20 March 1880.
[4] For example, Justin McCarthy, *Reminiscences* (1899), ii. 99–100.
[5] *United Ireland*, 28 December 1889, speech at Liverpool.
[6] *Report of the select committee on colonisation*, 1890, H.C. xii. 347.
[7] See especially C. S. Parnell, 'The Irish land question' in *North American Review*, cxxx (April 1880).
[8] Catalogue of the Avondale library, sold by auction 14 August 1901 (National Library of Ireland). I am much indebted to Professor R .Dudley Edwards for this reference.
[9] *Freeman's Journal*, 16 February 1880.
[10] Parnell's reference was to Sir R. Kane, *The industrial resources of Ireland* (Dublin, 2nd edn. 1845), p. 315. He was wrong, however, in thinking that he was quoting from Kane direct, for Kane in his turn was reproducing a passage from Blacker's *Essay on the management of landed property in Ireland*.
[11] W. Nassau Senior, *Political economy* (1836).
[12] Fr. A. J. Thébaud, *The Irish race in the past and the present* (New York, 1873). This may well have been drawn to his attention by his sister Fanny.
[13] Gustave de Beaumont, *L'Irlande sociale, politique et religieuse* (trs. W. C. Taylor, London, 1839).
[14] W. S. Trench, *Realities of Irish life* (1868).
[15] Joseph Kay, *The social condition and education of the people in England and Europe* (1850), i. 91.
[16] *Freeman's Journal*, 9 June and 1 September 1879, 27 January and 16 February 1880; see also *North American Review*, cxxx. 396–7.
[17] T. P. O'Neill, 'The Irish land question, 1830–50', in *Studies* (autumn 1955), p. 330. He quotes the dictum of Professor F. von Raumer that all Irish tenants at will ought to be turned into proprietors (*England in 1835*, trs. by H. E. Lloyd (London, 1836), iii. 198). Von Raumer had been associated with Hardenberg's land reforms in Prussia early in the nineteenth century.
[18] *Freeman's Journal*, 13 April 1875; *Drogheda Argus*, 17 April 1875. He spoke in the same sense at Navan and Nobber that autumn (*Freeman's Journal*, 7 and 18 October 1875).
[19] *Hansard*, third series, ccxxxii, 346–8.
[20] *Hansard*, third series, ccxxxiv, 178.
[21] R. B. O'Brien, *The life of Charles Stewart Parnell* (2nd ed. 1899), i. 97–98.
[22] The voting was fifty-six for, 290 against (*Hansard*, third series, ccxxx, 714).
[23] For examples of the fall in Irish agricultural prices see E. Strauss, *Irish nationalism and British democracy*, p. 159.
[24] *Report of the royal commission on the land law (Ireland) act*, 1881, *and the purchase land (Ireland) act*, 1885, pp. 8–9 (C. 4969), H.C. 1887. xxvi.
[25] N. D. Palmer, *The Irish land league crisis* (New Haven, 1940), p. 64.
[26] *Return of the number of evictions throughout Ireland in each of the years from 1849 to 1880 (inclusive)*, H.C. 1881, lxxvii, 744–7.
[27] T. W. Moody, 'The new departure in Irish politics, 1878–9', in H. A. Cronne, T. W. Moody and D. B. Quinn (ed.), *Essays in British and Irish history in honour of James Eadie Todd* (1949), pp. 303–33.

[28] Michael Davitt, *The fall of feudalism in Ireland* (London and New York, 1904), pp. 111–13.

[29] *Freeman's Journal*, 18 November 1878; R. B. O'Brien, *The life of Charles Stewart Parnell* (2nd edn. 1899), i. 174.

[30] *Freeman's Journal*, 15 April 1879.

[31] *James Fintan Lalor, patriot and political essayist*, ed. L. Fogarty (1918), pp. 57–60. For Davitt's acquaintance with Lalor's work see his evidence in *Special commission act, 1888; reprint of the shorthand notes of the speeches, proceedings, and evidence taken before the commissioners appointed under the above-named act* (1890; hereafter cited as *Spec. comm. proc.*), ix. 419.

[32] Davitt, *The fall of feudalism*, pp. 147–51. The two main objectives of the League from the beginning were the reduction of rents in the immediate future and—as a long-term solution—the abolition of landlordism. Davitt was not at the Irishtown meeting, where the main speech was made by Thomas Brennan, but his influence in his native county was, of course, immense.

[33] *Freeman's Journal*, 9 June 1879.

[34] Ibid, speech at Westport.

[35] *Freeman's Journal*, 3 November 1879, speech at Galway.

[36] *Freeman's Journal*, 18 November 1879, speech at Roscommon.

[37] *Freeman's Journal*, 19 November 1879, speech in Dublin at conference between Irish Central Tenants' Defence Association and the Land League. The government advance of course would be repaid annually by the tenant on terms, or so Parnell implied, similar to those which would operate between landlord and tenant for the other third.

[38] Ibid., speech in Dublin.

[39] *Freeman's Journal*, 16 February 1880, speech before Congress.

[40] *Freeman's Journal*, 17 January 1880.

[41] *Freeman's Journal*, 19 November 1879.

[42] *Freeman's Journal*, 17 January 1880.

[43] *Freeman's Journal*, 13 January 1880.

[44] He did add, however, that if necessary a law could be passed prohibiting renting on holdings where the State had helped the tenants to become owners, though he doubted if such legislation would be necessary.

[45] W. Nassau Senior, *Political economy* (1872 ed.), p. 48.

[46] Sir R. Kane, *The industrial resources of Ireland* (Dublin, 2nd ed. 1845), p. 315. This is not to say, however, that Parnell himself took such a fantastic estimate seriously, but he did undoubtedly feel that the country could support more people than it was doing. (See footnote 10 above.)

[47] *Report of the royal commission on the land law (Ireland) act, 1881 and the purchase of land (Ireland) act, 1885*, p. 11 (C. 4969), H.C. 1887, xxvi.

[48] C. S. Parnell, 'The Irish land question', in *North American Review*, cxxx (April 1880), 393.

[49] *Hansard*, third series, cclxi, 893, speech on the second reading of the land bill.

[50] *United Ireland*, 29 March 1884.

[51] Parnell's evidence before *Select committee on colonisation*, pp. 339–40, 342, 349 H.C. 1890, xii.

[52] Ibid., pp. 241–2, evidence of Sir Baldwin Leighton.

[53] The programme is published in *Freeman's Journal*, 26 April 1880.

[54] Davitt, *The fall of feudalism*, p. 241.

[55] He later told the special commission that about 1,000 cases had been selected but that only between 400 and 500 had actually been filed before his arrest in October 1881 (*Spec. comm. proc.* vii. 42). Some of the more extreme of his utterances belong to the autumn of 1880 when he was most intent on urging the tenants to combine against high rents, e.g. the speeches at Galway (24 October 1880), Tipperary (31 October 1880), Limerick (1 November 1880), Athlone (7 November 1880), Belleek (9 November 1890), and Waterford (5 December 1890). These speeches were of course widely reported in the nationalist press, but thanks to the courtesy of Professor Dudley Edwards, I have been able to consult the printed police reports.

[56] The issue of the 'No-Rent Manifesto' which he signed, together with other prominent Land Leaguers then in Kilmainham and elsewhere, seems to have been more a matter of tactics than anything else. The arrest of the leaders had made it impossible to test the land act in the way he had suggested and it was even more impossible to accept it openly. Parnell himself later claimed that with the League virtually suppressed, the Manifesto was 'the only effective form of pressure that was open to us' (*Spec. comm. proc.* vii. 43). There is some dispute as to whether he was actually in favour of it or not. William O'Brien (*Recollections* (1905), pp. 353–5), insisted afterwards that he was 'most resolute', but Parnell himself at that very time was writing to Mrs. O'Shea in terms which showed that he saw clearly enough

that the agitation was breaking up fast (K. O'Shea, *Charles Stewart Parnell: his love story and political life* (1st ed., 1914), i. 207). The most likely suggestion is that made recently by Dr. C. Cruise O'Brien, that there was little Parnell could do but give his more extreme men their head in the confidence that their policy had no hope of succeeding (*Parnell and his party, 1880–90* (1957), pp. 73–74.)

57 Thus he accepted the Ashbourne act of 1885, which authorised government advances to intending purchasers to the extent of £5 million, as useful experience which might in the future tempt both government and landlords 'to go further in the future and perhaps to arrive at a final solution of this very important and difficult land question in Ireland'. (*Hansard*, 3rd series, ccc. 1103–4).

58 In the manifesto he issued during the split (*Freeman's Journal*, 29 Nov. 1890) he alleged that the stand he had taken in 1890 had been in response to a direct appeal from John Morley. Morley denied this (*The Times*, 1 Dec. 1890), but though there may not have been an actual deal between them, it is clear that the liberal alliance did involve dangers for the satisfactory settlement of the land question. The act of 1885 had shown that the unionists were prepared to face the ultimate necessity of a settlement by purchase; the failure of Gladstone's bill in 1886 had shown that the liberals were not. Parnell's attack on the bill of 1890 was developed very skilfully both in debate (*Hansard*, 3rd series, ccc. xliii, 980, 983, 996, 1002, 1006–7, 1307, 1311) and in print (*North American Review*, ccciii, 665–70) but his criticism was less of the principle behind the act (which was land-purchase) than of the methods contemplated to achieve the desired end.

59 *United Ireland*, 21 Oct. 1882. Compulsion *was* advocated in the League programme for land not cultivated by owners or not let to tenants.

60 Davitt, *The fall of feudalism*, pp. 372, 379.

61 *United Ireland*, 19 April 1884, speech at Drogheda.

62 The best modern account of the Plan of Campaign is in C. Cruise O'Brien, *Parnell and his party*, 1880–90, pp. 201–25.

63 R. B. O'Brien, *Life of Parnell*, i. 292.

64 *The Times*, 20 April 1891, speech at Irishtown on the twelfth anniversary of the origin of the Land League agitation.

65 *Freeman's Journal*, 10 September 1881; *The Times*, 16 March 1891; J. H. Parnell, *Charles Stewart Parnell*, pp. 277–85.

66 *United Ireland*, 13 August 1881.

67 *Freeman's Journal*, 10 September 1881.

68 *Freeman's Journal*, 16 September 1881. Later in the proceedings a resolution was passed recommending members of the Land League to use Irish manufactures as far as possible. Another resolution added to the central office of the League 'an industrial and labour department' (*Freeman's Journal*, 19 September 1881). The idea of reviving Irish industries, with its corollary of excluding English manufactures or at least reducing their use in Ireland, of course reached far back into the eighteenth century. Parnell as some of his speeches indicated, was well aware that this particular policy had a considerable history behind it (*United Ireland*, 8 October 1881 and *Freeman's Journal*, 21 August 1885).

69 *Freeman's Journal*, 17 August 1882. When the Irish National League was formed two months later its constitution contained a clause (article 5) committing its members to the support of Irish manufactures (*United Ireland*, 21 October 1882; Davitt, *The fall of feudalism*, pp. 376–7).

70 *Freeman's Journal*, 21 August 1885.

71 *Freeman's Journal*, 25 August 1885.

72 Parnell later alleged that when he had raised the question of protection Carnarvon had replied: 'I entirely agree with you, but what a row there will be about it in England' (*United Ireland*, 19 June 1886). Carnarvon's explanation in the House of Lords simply stated that the meeting had been for information only and that he had made it clear to Parnell that he spoke only for himself (*Hansard*, 3rd series, cccvi, 1256–60, speech in the House of Lords, 10 June 1886). In a report of the interview written for Lord Salisbury immediately after it had taken place Carnarvon stressed Parnell's anxiety about protection, but said nothing about his own views on the subject (Sir A. Hardinge, *The life of Henry Edward Molyneux Herbert, fourth earl of Carnarvon* (1925), iii. 180).

73 *United Ireland*, 7 June 1886.

74 See the exchange of letters in *The Times*, 11–14 June 1886.

75 Parnell's aim, he said, was a separate and independent parliament 'whose first object it is to be to put a protective duty against all English manufactures (Cries of 'Never') . . . I say that if these and these alone, are the terms on which Mr. Parnell's support is to be obtained I will not enter into the compact' (*Freeman's Journal*, 9 September 1885).

76 *Freeman's Journal*, 6 October 1885, speech at Wicklow.

77 E. Strauss, *Irish nationalism and British democracy*, chap. xviii.

[78] C. Cruise O'Brien, *Parnell and his party*, pp. 99–118.

[79] Strauss, op. cit., p. 220; Cruise O'Brien, op. cit., pp. 112–13. It remains true, however, that industrialists who were prepared to content themselves with a limited home market and had no ambition to export would naturally welcome a protective policy. But these do not seem to have been as numerous and articulate in Parnell's day as they have since become.

[80] A. G. Thorold, *Life of Henry Labouchere*, p. 251.

[81] Ibid., p. 234. Davitt himself was extremely sceptical that a conservative government, even if it adopted home rule, would have conceded protection (Davitt, *The fall of feudalism*, pp. 478–9).

[82] *United Ireland*, 10 October 1885.

[83] William O'Brien, *Evening memories* (1920) chaps. vi and vii.

[84] *United Ireland*, 7 June 1886, speech on the second reading of the home rule bill.

[85] *Report of select committee on industries* (Ireland) 1884–5, ix, 339–40.

[86] Ibid., 681–2.

[87] *Hansard*, third series, cccviii, 395.

[88] Ibid. This reckless statement may have been a reflection of the anger and disappointment Irish nationalists felt at the defeat of home rule and the return of the unionists to power pledged to a combination of 'resolute government' and 'killing home rule with kindness'.

[89] Lord Ribblesdale, 'A railway journey with Mr. Parnell', in *Nineteenth Century*, xxx (December 1891), 969–75. The article was based on notes made just after the journey.

[90] *Report of select committee on colonisation*, 1890, H.C. xii. 347.

[91] *The Times*, 16 March 1891; *Freeman's Journal*, 4 July 1891.

[92] *The Times*, 5 March 1891. A second English speech on these lines was made at Newcastle-upon-Tyne in July (*Freeman's Journal*, 20 July 1891).

[93] *The Times*, 16 March 1891; a similar speech followed a few months later at Inchicore (*The Times*, 8 June 1891).

[94] *The Times*, 5 March 1891.

[95] *National Press*, 18 March 1891.

[96] *Freeman's Journal*, 16 September 1881, speech at the Land League Convention. In 1883, thanks largely to Parnell and his party, a Labourers' Dwellings act was passed which at any rate made a beginning in the provision of better housing for farm workers. For uneasiness within the League in the summer and autumn of 1881 see *Connaught Telegraph*, 21 May, 4 June, 2 July, 13, 20 and 27 August, 3 and 10 September, and 8 October 1881; also N. D. Palmer, *The Irish land league crisis*, pp. 280–6.

[97] It is true that Keir Hardie in later years looked back to him as 'the one man in politics for whom I was ever able to feel a genuine respect', but this respect, it seems, was inspired not by Parnell's labour policy, but by his 'contempt for the truckling, vote-hunting politicians'. (*Labour Leader*, 17 November 1894, quoted in E. Hughes, ed. *Keir Hardie's Speeches and Writings*, 1888–1915, p. 38, Glasgow, 3rd ed. 1928.)

The Members of the
Cape Parliament, 1854-1910

J. L. McCRACKEN

THERE WERE SERIOUS OBSTACLES to the establishment of representative institutions in the Cape Colony. The white population was sparse and scattered over vast distances. Cape Town, so inaccessible from the frontier areas, outstripped any other centre in wealth and numbers. Though the colony had been British since the end of the Napoleonic Wars, and under British occupation before that, the original Dutch settlers still far outnumbered the British in the middle of the century. There were on the one hand those who believed that 'in regard to four-fifths of the matters likely to come before parliament, four-fifths of our boers are as incapable, unassisted, of forming an intelligent opinion as are the Hottentots',[1] and on the other hand those who believed that once a local parliament had been established it would be 'impossible to look forward to anything but a Batavian republic which cannot be expected to retain its connection with England for any protracted period'.[2] But the factor which weighed most heavily with the Colonial Office was the complexity of the native problem—the presence of the Hottentots and freed slaves, the mixed race in Cape Town, and the untamed Kaffirs pressing on the eastern frontier.

Such were the conditions which had seemed to justify the long period of authoritarian rule. Until 1825 all governmental powers were vested solely and exclusively in the hands of the governor. In that year an advisory council was established to assist the governor; and this was replaced in 1834 by an executive council consisting of the principal government officials and a legislative council made up partly of officials and partly of unofficial members selected by the governor. Gradually both public and official opinion at the Cape became increasingly dissatisfied with the working of the legislative council and increasingly favourable to the idea of representative government. The Colonial Office was now fully committed to the principle of extending representative institutions to the colonies. It remained only to evolve a scheme suited to the Cape's peculiar circumstances. The task had been undertaken when a violent popular outbreak in 1849 provoked by the proposal to land convicts at the Cape both stimulated and, by wrecking the legislative council, retarded the completion of the work. A native war on the frontier made for further delay; so that it was not until 11 March 1853 that a constitution was approved by order in council.

The constitutional ordinance had two notable features: it departed from custom by establishing an elective, not a nominated, upper house; and it adopted a liberal franchise which made no distinction of race and fixed the property qualification for voters low enough to qualify a large proportion of

the coloured population. It provided for the establishment of a parliament consisting of the governor, a legislative council and a house of assembly. The legislative council was to be presided over by the chief justice *ex officio* and was to contain fifteen elected members, eight chosen from the western districts of the colony and seven from the eastern. Four members from each district were to retire at the end of five years, the remaining seven at the end of ten years. Retiring members were to be replaced by members elected for ten years. The house of assembly was to consist of forty-six members, elected for five years from twenty-one two-member constituencies and one four-member constituency—Cape Town. Voters in Cape Town were free to distribute their votes at pleasure and the cumulative vote also operated in council elections.

During the fifty-five years of its existence the Cape constitution was altered and adapted at various times to meet changing circumstances. New constituencies were added as the colony grew in area, wealth and population, until the original fifteen seats in the legislative council had been expanded to twenty-six and the forty-six in the house of assembly to one hundred and seven. Responsible government was established in 1872. The constituencies for the legislative council were remodelled by an act of 1874 which divided the colony into seven electoral provinces, each returning three members; and the same act also reduced the life of the council to seven years. The proceedings of parliament were conducted wholly in English until 1882, when the use of Dutch was also authorised. In 1892 the property qualification for voters was increased from £25 to £75, and no one was to be registered as a parliamentary voter unless he could sign his name and write his address and occupation. At the same time vote by ballot was introduced.

These constitutional amendments do not in themselves reveal the extent to which political life at the Cape was transformed in the course of the period. The discovery of diamonds at the end of the 'sixties in an area eventually incorporated in the colony and of gold shortly afterwards beyond its borders attracted settlers and capital to the colony, speeded up the development of the railways and opened up new opportunities and interests. Side by side with these economic developments and in large measure arising out of them went political developments of profound significance: the awakening of the Afrikaners to political consciousness; the deterioration of Anglo-Boer relations; the emergence and exacerbation of party strife; the addition to the problem of the native on the frontier of the problem of the native's place in the new industrial economy.

It is against this background that I want to examine the composition of the Cape parliament.

The total number of members of the Cape parliament between 1854 and 1910 was high, considering the size of the houses at any one time. Five hundred and fifty-six members sat in the house of assembly, and 158 in the legislative council. Of the latter fifty-five also sat in the house of assembly; so that a total of 659 individuals were Cape M.P.s. These figures reflect a fairly rapid turnover and comparatively short parliamentary service. The intake of new members to the house of assembly in each parliament never fell below 30 per cent. In four of the thirteen lower houses the percentage of new members exceeded 40, and in another four it exceeded 50. Long spells of service in the assembly were rare: more than half of the members sat for a period not exceeding in duration the normal life span of one house of assembly, and over 80 per cent

for a period not exceeding the normal life span of two. And this service was not in all cases continuous. Only twenty-eight members, 5 per cent of the total membership, sat for twenty years or over. Of these five sat for over thirty years: J. Frost, J. X. Merriman, J. J. Proctor, J. W. Sauer and J. G. Sprigg. In the early years resignations were numerous: in the first three houses of assembly upwards of 30 per cent of the members resigned.

So far as these early years are concerned it seems clear that the explanation for the frequent changes of personnel lies largely in the trouble and expense of attending parliament, and in the inevitable neglect of farm and business involved in the three or four months' absence in Cape Town. Indeed it was often difficult to find men willing to stand for parliament. One witness before a committee of the legislative council in 1861 expressed the view that the colony had not 'men of sufficient leisure to spend their time in legislative duties'; and another declared that when a vacancy occurred in a remote constituency 'the thing is this, it is not "Whom would we wish to send to parliament to represent us?" but "Whom can we get to go?" '[3] Ten years later a commentator described the system of representation as 'a perfect farce'. 'Here we are again obliged,' he said, 'to look round for a member of the assembly and the question is who can be found that will make it convenient, not who is fit as well as willing to go.'[4]

The man who allowed himself to be put forward for election was embarking on an exacting venture, especially if he stood for a remote constituency. A candidate for the house of assembly was called upon to pay a share of the expenses of the poll not exceeding £50.[5] Other election expenses might not be great for a local man, though council elections and assembly elections in Cape Town and Kimberley were expensive.[6] Once elected, a member living more than ten miles from Cape Town was entitled to travelling expenses at the rate of 1s. a mile and an allowance of £1 a day for the time taken in going to, attending and returning from meetings of parliament, up to a maximum of fifty days, extended to ninety days in 1879. This was generally felt to be inadequate compensation. In the pre-railway age the journey to Cape Town was a formidable undertaking. J. F. Ziervogel, M.L.A. for Graaff Reinet, found that the travelling allowance barely covered the cost of the 450-mile journey across the Karroo, especially in seasons when forage was scarce and dear.[7] P. J. A. Watermeyer, M.L.A. for Colesberg, had to travel fourteen days with his own horses and keep them in Cape Town during the session.[8] Members were sometimes held up at Port Elizabeth for three weeks waiting for a ship to Cape Town after they had travelled a fortnight by wagon.[9] Or a member might be at the expense of retaining a man at Port Elizabeth to inform him by express when a ship was about to sail.[10] Travel by land was not only inconvenient, it could be hazardous—there was always the risk of being capsized.[11]

Residence in Cape Town often created problems for members. The sessions lasted usually from March to June or April to July. This was the ploughing season for the agriculturists and the lambing season for the sheep farmers. Business men found it equally inconvenient to be absent from home for nearly one-third of the year. Even domestic difficulties might add to a member's worries: Robert Godlonton's wife complained 'It is now close upon three months since you left. It is really too bad . . . So many of the members have already returned. You always seem to be the last there. I hope it is the last time you will go.'[12]

Another consideration which influenced members and potential members was the superior attraction of other fields of activity over politics where the issues were for long of secondary importance and where the opportunities for public service or personal advancement were limited. Until 1872 parliament had no control over the executive. The governors' assistants were officials who enjoyed the right to sit but not to vote in both houses of parliament. Moreover the political questions in the early years were not such as to arouse enduring passions. The voluntary principle (*i.e.* the withdrawal of state aid to the churches) and separation (*i.e.* the demand for a separate government for the eastern province; or at least the removal of the seat of government from Cape Town) were not vital enough issues to divert men permanently from their economic pursuits.

Conditions changed later in the century. The coming of the railways eased the burden of travel; responsible government brought greater reality into politics; and the emergence of genuine political problems aroused a lively public opinion. As against this the economic opportunities became more tempting than ever. As the *Cape Argus* pointed out when there was some difficulty in finding a member for Kimberley, on the diamond fields time was money.[13] It is significant that at least forty-six men who sat in the Cape parliament went to the diamond fields.

Members of the house of assembly had a fairly uniform background. Many had served on local government bodies, had acted as justices of the peace and had interested themselves in charitable and cultural organisations. Most of them had been prominent in church affairs and some had seen service in native wars. The number of members who had had a higher education increased towards the end of the period, but they rarely exceeded a quarter of the house.

Contrary to the expectations of William Porter, the attorney general at the Cape, who was largely responsible for drawing up the constitutional ordinance,[14] local men were usually chosen for parliament. In each house of assembly the percentage of local men was normally in the seventies or eighties. Even the outlying constituencies did not often select members from farther afield than a neighbouring constituency. Thus of the fifteen M.L.A.s who sat for Victoria West between 1865 and 1910 ten were local residents; so were eight of the thirteen members for Aliwal North and three of the five members for Griqualand East. The remote and parched Namaqualand was an exception: only three of its fourteen members lived in the area. The non-residents were of two types: men who had some link with the constituency, and true carpet-baggers. To take only one example: in the house of assembly which sat from 1894 to 1898 nineteen members lived outside their constituencies—all but three of them in Cape Town. Of these nineteen four were natives of, and three had business interests in, the constituency they represented; the rest were nearly all prominent lawyers or leading politicians.

Three reasons may be advanced for the preponderance of local men among the representatives. For long parish pump politics occupied a good deal of parliament's attention and the local man was most likely to promote local interests. Later, party organization reinforced local consciousness. Moreover, political circumstances at the Cape were not conducive to the growth of the carpet-bagger class; the supply of ambitious lawyers and aspiring politicians was limited and could usually be absorbed locally. Finally, while remoteness and isolation operated against local representation they worked the other way

also. Local prejudices as well as physical inconveniences confronted the man who contested an election in an outlying constituency.

About two-thirds of the members in each house of assembly until the 1880's came from the English-speaking section of the population; for the remainder of the Cape parliament's existence, except for the post-war parliament of 1904-7, the house of assembly was almost equally divided into English-speaking and Dutch-speaking members. This pronounced and sudden change of balance was the outcome of the organisation of the Dutch in the Cape's first political party—the Afrikaner Bond. There had been a good deal of political apathy in the first two decades after the establishment of representative institutions. The merchants, it was said, 'as long as they can shirk their political duties care not who represents them whether it be a gentleman or not'.[15] In the country districts indifference was even more marked. Canvassers in the 'sixties found that many of the young men had not bothered to register as voters and that those who had were full of excuses for not voting: they had forgotten; they had been ploughing; the journey to the polling station was an unreasonable distance to be asked to ride; the parliament had never benefited the colony one straw.[16] The lack of interest in political affairs is borne out by the number of uncontested elections and the small attendance at political meetings. In the first of the two general elections in 1869, for example, there were no contests in fourteen of the thirty-two constituencies and in the second in fifteen. Two years earlier when a vacancy occurred for Worcester a member was returned unopposed in the presence of nine or ten people, the whole proceedings having taken half an hour.[17] And even considerably later when Thomas Upington arranged a meeting of his constituents at Middelburg there was an attendance of seven.[18] But from the 'seventies a new spirit was abroad amongst the Dutch. Events like the dispute with the Orange Free State over the diamond fields, the annexation of the Transvaal and the first Anglo-Boer war awakened national consciousness. As early as 1869 the *Cape Argus* noted that men of position and ability were beginning to call themselves Afrikaners in public.[19] Then came the formation of two movements: an association amongst the Dutch farmers directed mainly against an excise duty and called the Farmers' Protection Association, founded by J. H. Hofmeyr in 1879; and a political association known as the Afrikaner Bond, formed by S. J. du Toit in 1879. These two movements merged in 1883 to form a political party called the Afrikaner Bond which under the leadership of J. H. Hofmeyr set about organising the Afrikaners to take a fuller part in political life.

Though the Bond quickly made its mark on Cape politics the influence of English-speaking politicians remained great. Hofmeyr feared that the appointment of a Bond government would lead to the organization of an English opposition party and thus produce political division on racial lines. He therefore preferred to throw the weight of his party behind an English-speaking prime minister who was prepared to follow a policy of which the Bond approved. All the prime ministers of the Cape Colony were English-speaking. For more than a decade after the emergence of the Bond the English-speaking members fell into two unstable groups, one pro-Bond and one anti-Bond. After the Jameson Raid the anti-Bond group, now called the Progressives, formed themselves into a properly organized political party. In the general election of 1904 they won a narrow majority thanks largely to the disfranchisement of the war-time rebels, and formed a government which lasted until

1908, the only Progressive government. Of the English-speaking members a fair proportion was born overseas. Over half the members in the first house of assembly were immigrants—many of them 1820 Settlers—and the proportion in later houses was usually about one-third.

Men tended to enter the house of assembly in middle life, the commonest age being in the early forties. Very few became members for the first time when under 30 or over 60 years of age. The flow of members and the relatively short parliamentary service prevented any steady rise in the average age of members. In six of the thirteen houses of assembly the largest age group was 45 to 49; in five it was 50 to 54; in one it was 40 to 44; and in one it was 55 to 59.

Apart from the occasional adventurer the members of the Cape parliament were drawn from the upper strata of the white community. No coloured man ever sat. It was rumoured in 1883 that the Ox-kraal Fingoes intended to send a native to parliament[20] but nothing came of the proposal. In 1893 however a Cape Malay, Ahmed Effendi, announced his intention of standing for the house of assembly at the next general election. Thanks to the cumulative vote and the number of coloured voters in Cape Town his return seemed reasonably certain. Accordingly a bill, supported by Rhodes and Hofmeyr, was rushed through parliament to amend the constitutional ordinance by abolishing the cumulative vote in Cape Town, ostensibly on the grounds that it was undemocratic and an anomaly.[21] The measure put paid to Effendi's candidature.

There were of course differences of social and economic status amongst the members; there were some the source of whose livelihood is by no means clear; but there do not appear to have been any drawn from the lower wage-earning groups. It is true that a Cape Town member—a commission agent and broker by occupation—is found describing himself as a working man; but that can fairly be taken as electioneering licence.[22] In the same election one of the wealthiest merchants in Cape Town was described as 'a true representative of the working man. He has raised himself from that condition'.[23] Only towards the end of the period is there any sign of a labour movement evolving at the Cape. Two labour candidates unsuccessfully contested the 1904 election in Cape Town with Bond support;[24] and early in 1907 a Labour Representation Committee inaugurated a branch in Cape Town.[25]

The bulk of the members were men of substance—some of them men of considerable wealth, even before the emergence of the millionaire financiers. Naturally in a country where agriculture was the main economic pursuit farmers figured prominently among the members. In each house of assembly from one-third to two-fifths of the members were farmers. In addition there were many in business or the professions who owned land, often on an extensive scale. These when added to the farmers brought the proportion of landowners up to half, or over half, of each house of assembly from the 1880's onwards. Among the farmers were men of very different background, culture and wealth. Both language groups were represented, English-speakers more prominently in the early houses. Some had been farmers all their lives; others had taken up farming after having followed another occupation, for example service in the army or civil service, transport riding, trading or teaching. There were owners of great sheep-, ostrich- and wine-farms, and obscure men from remote areas whose appearance on the parliamentary scene was brief and uneventful.

Merchants made up the second largest occupational group. They were particularly prominent in the first two houses of assembly; thereafter usually about a fifth of the members in each house were merchants. Here again as in the case of the farmers there was a wide range in economic standing. At the one extreme were the heads of the large concerns with ramifications throughout South Africa; at the other the general store-keepers in small towns. From the 1880's the merchants were overshadowed in wealth by the mining magnates and their associates.

The number of lawyers increased as time went on, but they never dominated the house of assembly numerically. From a mere 8 per cent of the total membership in the first house they increased to 20 per cent in the last. In addition to the fully qualified advocates and attorneys there were always a few law-agents in each house—men enrolled to practise in a magistrate's court on payment of a small fee.

Other occupations were represented by a few members. Some auctioneers were elected to each house of assembly, but they became progressively fewer; newspaper proprietors or editors sat in all but one of the assemblies; and a few doctors and land surveyors were a fairly regular component of the house. There was also the occasional teacher, clergyman and retired civil servant.

Any rigid occupational classification applied to a fluid colonial society is misleading. Men moved from one occupation to another or followed several at the same time. Thus, to take a few random examples, there was L. B. Donovan, farmer, transport rider, speculator, criminal detective, gold prospector and diamond digger; J. F. Badenhorst who started life as a clerk in a general store and became a farmer, general merchant, auctioneer and law agent; S. C. Cronwright-Schreiner, who after managing a farm and then working in an attorney's office in Johannesburg became at one and the same time a law agent, an estate agent, an auctioneer, a sworn appraiser, a life and fire insurance agent and 'several other things'; and F. Schermbrucker, in turn teacher, interpreter, auctioneer, editor, army officer, cabinet minister and company director.

Much of what has been said about the members of the house of assembly applies to the legislative councillors also. The pre-1854 nominated council had become so discredited that the framers of the constitutional ordinance provided for an elective upper house. But they tried to prevent its becoming a mere duplication of the house of assembly. While the electorate was the same for both houses the constituencies were different. Besides, a high property qualification was fixed for members of the legislative council and a minimum age limit of 30 years. In the outcome the design to produce a different type of house was only partially successful: the politically conscious section of the population was too small and too homogeneous to provide the material. The extent to which the personnel of the two houses overlapped was not so great as to make them identical—35 per cent of the council members sat also in the assembly, nearly three-quarters of them before they entered the council—but the general pattern was the same. A high proportion of the M.L.C.s were local men who were prominent in local affairs. They were drawn from the same occupational groups as the M.L.A.s; and their parliamentary service was similar and tended to be very little longer, although they were elected for a longer period. The representation of the two language groups followed the same pattern as in the house of assembly, though the immediate effects of the Anglo-Boer war were even more marked.

But the legislative council had some distinctive features. Members were generally older than members of the assembly. The commonest age of entry was the early fifties and the percentage of members in their sixties was always higher. In the early part of the period, too, the council attracted men of greater experience and wealth. Five unofficial members of the old nominated council sat in the first legislative council and none in the house of assembly. Moreover, the percentage of merchants in the early councils was much higher than in the corresponding lower houses, and they included several of the leading merchants of the day. But the introduction of responsible government and the rise of the Bond altered the character of the council. The merchants lost ground to the farmers, who became an even more prominent element in the upper house than they were in the lower. In the 'nineties over 70 per cent of the councillors were farmers or landowners. But the concentration of political power in the lower house drew off those of greatest wealth, ambition and ability: the millionaires and most of the lawyers sat in the house of assembly. All the prime ministers were members of the assembly and only seven members of the council ever held ministerial office. A leader writer in the *Cape Argus* was probably not being unduly harsh when he wrote: '. . . a high standard of political ability is seldom or never exacted in the case of a candidate for the legislative council and many honest gentlemen have been allowed to write 'honourable' before their names whose claim to a place in parliament would have been summarily disposed of if they had come forward as candidates for the house of assembly'.[26]

It remains to inquire how effectively members discharged their parliamentary duties. That they did so with a full sense of responsibility is beyond question. The Cape parliament was a dignified and sober assembly which modelled itself closely on Westminster. Its proceedings were rarely disturbed by such conduct as was indulged in by the eccentric Dr. Tancred, who was apt to appear in hilarious mood after a good dinner and who on one occasion sang with great gusto 'She wore a wreath of roses' as the serjeant-at-arms conducted him from the chamber.[27] Attendance fluctuated a good deal and tended to be poor at the beginning and end of sessions in the early parliaments. But few members lost their seats through failure to attend for a whole session, as they were liable to do under the terms of the constitutional ordinance. The Cape parliament had its fair share of members who were content, as a prospective candidate put it, to 'hear, see, judge and vote'.[28] One newspaper when advocating the return of such a member justified his presence in parliament on the ground that 'one silent member in the legislative council can do no great harm and may possibly by the mere force of example check the garrulity of more than one of his colleagues'.[29] Some of these members had too imperfect a command of English to participate freely in the debates before 1882; and even after the use of Dutch was authorised English continued to be the dominant language.[30] J. R. G. Luttig, who made the first speech in Dutch in the house of assembly, declared that as he could express himself equally well in English it would be his last.[31] But judging from election appeals the silence of others was probably the result of bankruptcy of ideas. 'An intelligent interest in agriculture', or 'attachment to representative institutions' was the most that some candidates had to say for themselves.[32] One member claimed parliamentary honours on the strength of having been presented to the queen: a press comment of the day was 'A pity 'tis that her majesty did not think it worth while to keep the curiosity that was presented

to her'.[38] The number of members who served on committees increased from the 'seventies. Before that about 60 to 65 per cent of the M.L.A.s normally took some part in committee work; later the percentage rose to eighty or over. Of course not all of these members were equally active: some served on one committee only. Over so long and eventful a period there was naturally great variety in the causes promoted, the ideas expressed and the ability revealed by members. Some entered parliament with a single objective in view—state aid for the voluntary schools or protection for the diamond industry, for example. There were the promoters of railway extension and agricultural improvement and the die-hards like the member who denounced as impious and unscriptural all efforts to get rid of scab in sheep, or the member who took to the Supreme Court a case about telegraph wires running over his farm. Some were ardent imperialists, some enthusiastic nationalists—one member in the house of assembly referred to the British forces as the enemy. While many called for greater incentives to work and harsher punishment for natives, the cause of the African was championed at all times by some of the ablest and most far-sighed members in both houses. In the pursuit of these diverse political aims the members of the Cape parliament revealed themselves as men of widely differing abilities. Many were unimaginative, ill-informed and obscurantist, but men of the eloquence and sincerity of Saul Solomon and William Porter, the vision and drive of Cecil Rhodes and the parliamentary skill of John X. Merriman would have made their mark in any legislature.

1   *Further papers relative to the establishment of a Representative Assembly at the Cape of Good Hope.* [1581] p. 218. H.C. (1852–3). lxvi.
2   Ibid., pp. 286–7.
3   *First report of the Committee reappointed by the Legislative Council on 18 June 1861 on the Constitutional Ordinance* . . . (Cape Town 1861), pp. 38–39, 161.
4   Charles Brown to Robert Godlonton, 1 August 1871, Godlonton letters, Library of the University of Witwatersrand, Johannesburg.
5   Copies of two Ordinances . . . constituting a Parliament. . . . [1640] p. 13, H.C. (1852–3). xlvi.
6   Report of the Select Committee on travelling expenses and fees, pp. 43–44, in *Votes and Proceedings of the House of Assembly with annexures*, 1888.
7   Report of Select Committee on the Parliamentary Travelling Expenses Bill, p. 4, in *Votes and Proceedings of the House of Assembly with annexures*, 1885.
8   Report of the Select Committee on travelling expenses and fees, p. 33, in *Votes and Proceedings of the House of Assembly with annexures*, 1888.
9   Report of Select Committee on Constitutional Ordinance, p. 86 in *Minutes of the Legislative Council with annexures*, 1861.
10 Ibid., p. 90.
11 W. G. Atherstone to R. Godlonton, 22 October 1875, Godlonton letters; *Cape Argus* 28 July 1863.
12 Letter from Godlonton's wife 1 August (*s.a.*), Godlonton letters.
13 *Cape Argus, Mail Edition*, 28 July 1886.
14 *Correspondence relative to the establishment of a Representative Assembly at the Cape of Good Hope, 1848–50.* [1137] p. 6. H.C. (1850). xxxviii.
15 J. C. Chase to R. Godlonton, 27 July 1866, Godlonton letters.
16 J. Collett to R. Godlonton, 5 February 1869 and 18 February 1869; Godlonton letters; W. Young to same, 22 January 1864, Ibid.
17 *Cape Argus*, 18 June 1867.
18 J. H. Hofmeyr, *Life of Hofmeyr*, p. 213.
19 *Cape Argus*, 25 May 1869.
20 Ibid., 3 September 1883.
21 J. Rose-Innes, *Autobiography*, p. 100; Hofmeyr, *Life of Hofmeyr*, p. 451; *Cape Argus Weekly Edition*, 17 May 1893.

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[22] *Cape Argus*, 1 February 1884.
[23] Ibid., 9 February 1884.
[24] Ibid., 23 December 1903; *African Review*, 30 January 1904. ...
[25] *Cape Argus Weekly Edition*, 6 February 1907.
[26] *Cape Argus*, 8 January 1884.
[27] J. G. Kotzé, *Biographical Memoirs and Reminiscences*, i. 30.
[28] W. C. Hobson to R. Godlonton, 8 September 1863, Godlonton letters.
[29] *Graaff Reinet Herald*, 23 January 1864.
[30] J. Rose-Innes, *Autobiography*, p. 54; G. H. Wilson, *Gone down the Years*, p. 34.
[31] *Argus Annual and South African Directory*, 1893 (Cape Town, 1893).
[32] *Cape Argus*, 6 April 1867.
[33] Ibid., 10 September 1883.

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