

THE
DEVELOPMENT OF PARLIAMENT
DURING
THE NINETEENTH CENTURY

CHAPTER I

THE FIRST STEP TOWARDS DEMOCRACY

DURING the course of the last sixty years a revolution has been effected in the government of England. The power has been transferred from the control of a compact and vigorous aristocracy to that of a democracy which in fact, though not in outward form, is more complete and more uncontrolled than any at present existing in any first-class State. So rapid has the transition been, and at the same time so quiet, that we have hardly realised that it has been taking place. There has been no violence, no overt change of principle; all that has been done has been done in the name, and under the forms, of the same constitution that supported a monarchy in the sixteenth and an aristocracy in the eighteenth century. Yet the transformation is fundamental, as we are just

beginning to perceive. With astonishment we awake and rub our eyes, asking ourselves whither we have been tending and where we are likely to end. Such a question hardly admits of a reply that should be at once simple and adequate, nor is it the purpose of the following pages to attempt one. All that is proposed is to bring into relief a certain aspect of the case which appears to be of immediate importance; to show that while the transition in question has been achieved with the consent and even at the initiation of the governing class, yet in accomplishing it they not only have not avowed but have explicitly repudiated the democratic creed; that thus they have become the instruments of a revolution which they did not intend and which they cannot interpret; but that the interpretation which they have never seized has been given from the first, as it is being given now, by the majority into whose hands they have resigned the power. From these conditions arises the problem of present politics which will be considered in the concluding chapter.

The first step in the transition of which we are to trace the course is the Reform Act of 1832. Because it was the first, it was the most vigorously opposed and therefore the most vigorously supported. But though it evoked in its defence a violent popular agitation, it was not forced upon the aristocracy by the people; it was deliberately and voluntarily introduced by one section of the govern-

ing class and carried by them against the other with the help of the populace. How then did it come about that a strong and capable aristocracy should have brought themselves to initiate a measure which has been shown, by the course of events, to have been nothing more or less than an abdication? Here is the starting-point of our historical inquiry.

The aristocracy of England in the eighteenth century occupied a peculiar position. While they were supreme in fact, their supremacy was exercised under the forms of a constitution which contained, in theory at least, a popular element. The House of Commons, as we read in so conservative an authority as Blackstone, ought, if only it safely could, to have been elected freely by the votes of all citizens, however mean. 'If it were probable,' he says, 'that every man could give his vote freely, and without influence of any kind, then, upon the true theory and genuine principles of liberty, every member of the community, however poor, should have a vote in electing those delegates to whose charge is committed the disposal of his property, his liberty and his life.'¹ 'This,' he con-

¹ Ed. 1770, Book I., chap. ii., p. 171. Reformers also quoted the passage from Sir Thomas Smith: 'Every Englishman is intended to be present' in parliament, 'either in person or by procuration and attornies . . . from the prince to the lowest person of England. And the consent of the Parliament is taken to be every man's consent.' But they omitted to refer to the passage in the same work where all the population below the 40s. freeholders are said to 'have no voice or authority in our commonwealth; and no account is made of them, but only to be ruled, and not to rule others.' (*De Rep. Anglorum*, ed. 1583, pp. 35 and 33.)

tinues, with unconscious irony, 'is the spirit of our constitution;' how far it was the practice is sufficiently notorious. The franchise was not only not universal, it was not regulated by any principle at all, whether of property, intelligence, or birth. In the counties it belonged to the 40s. freeholders; in the boroughs to one or other section of the inhabitants, here to the members of the corporation, here to the freeholders, here to the potwallopers,¹ no rule for the privilege being discernible, and no intelligible end in its variety. Moreover, since the seventeenth century no new boroughs had been created, while many of the old ones had lost all importance, and some of them all but their parliamentary existence, so that the borough representation bore no proportion at all either to the wealth or the population of the country. 'Seventy of your members,' as it is pathetically remarked in a petition presented to parliament in 1793, 'are returned by thirty-five places . . . in which it would be to trifle with the patience of your honourable house to mention any number of voters whatever, the elections at the places alluded to being notoriously a mere matter of form.'²

Such an arrangement of the franchise was as favourable to the power of the aristocracy as it was unfavourable to popular representation. In the

¹ Potwallopers are defined as 'Such as cooked their own diet in a fire-place of their own' (Mozley and Whitely, *Law Dictionary*).

² Petition drawn up by the Society of Friends of the People, and presented by Grey in 1793.

counties the influence of the landed gentry was naturally supreme, by virtue at once of their economic position and their social prestige; but under the existing system it was further extended to the boroughs. The members returned to Parliament by 'a green mound' or 'a stone wall with three niches in it'¹ were nominees of the gentlemen on whose estates these remains of former cities stood; the few insignificant electors of a little county town were not likely to oppose the will of the resident landlord; and, even if opposition were attempted, it was not difficult to meet it. Votes might be created, if necessary, by the division of freeholds;² burgage tenants might be induced to sell under penalty of a worse fate;³ and when intimidation failed there was always the resource of bribery. The franchise, indeed, as often as not, was regarded by its possessors as a means of making money. Votes were known to fetch as much as 100*l.* apiece;⁴ 20*l.* was not an uncommon average; and in the corporate towns it was noticed that as a general election approached

¹ Speech of Russell on the Reform Bill, Hansard, vol. ii., p. 1064.

² At Weymouth, we are told, 'two hundred freeholds were split into two thousand, and freeholders of Weymouth were to be found in London, and in almost all the towns and villages to the Land's End in Cornwall.' Oldfield, *Representative History*, vol. iii., p. 384.

³ 'If a freehold or burgage tenant refused to sell, it was not a very uncommon practice to blow up his house with gunpowder and thus disfranchise a political opponent.'—Lord John Russell, *Recollections and Suggestions*, ed. 1875, p. 35.

⁴ At the Liverpool election in 1830. See Greville's *Journal of the Reigns of King George IV. and King William IV.*, vol. ii., p. 79.

the number of freemen would be suddenly increased owing to the pecuniary value of the vote.¹ As the general result of these conditions we are not surprised to find that the majority of the boroughs were regarded as the property of certain proprietors, whose names are to be found printed in Oldfield's 'Representative History';² that by these proprietors they were commonly sold for sums which ranged as high as 5,000*l.* for a single parliament;³ and that advertisements appeared in the newspapers, of which the following may serve as a characteristic example: 'A certain great assembly: 1,400 guineas per annum will be given for a seat in the above assembly.'⁴

This system, indeed, had one advantage, that it enabled independent men to buy their way into Parliament, and so escape the necessity of submitting to a patron; it was thus, for example, that Sir Samuel Romilly obtained his seat. But such cases were comparatively rare. The majority of

¹ See the *Report of the Commissioners on Municipal Corporations*, 1835.

² Here, for example, are some characteristic entries: Chippenham, number of voters, 128; proprietors, John Maitland, Esq., and Charles Burke, Esq.; Bewdley, number of voters, 13; patron, Mr. Roberts. Dunwich, number of voters, 14; proprietors, Lord Huntingfield and Snowdon Barnes, Esq.

'A seat for the whole duration of a parliament was sold for 5,000*l.* But as parliaments were subject to sudden death prudent men made a bargain to pay 1,000*l.* a year so long as they sat in the House of Commons.'—Sir Samuel Romilly, *Memoirs*, vol. ii., p. 200; cf. Russell's *Recollections and Suggestions*, pp. 35–36; and Trevelyan's *Early Life of Charles Fox*, ed. 1881, p. 135.

⁴ *Morning Chronicle*, May 2, 1807.

the borough seats were filled by nominees of the aristocracy, and in this way members of the House of Lords practically controlled a considerable portion of the representation of the Commons. Of the six hundred and fifty-eight members of the Lower House it was calculated that not more than a hundred and seventy could be described as independent; the whole of the remainder were returned by patrons, and nearly one-half of the whole number by peers.¹

But of all the influences brought to bear upon the House of Commons, the most important was that of the minister in power. Not only did he control the representation of a large number of the boroughs, either by purchase or through the votes of government officials,² but he was also in a position to bribe those who were not his nominees. This, indeed, was a recognised part of his business, and the usual mode of securing a majority. Representatives who had bought their seats expected a return for their money. As Romilly puts it: 'Many men who buy seats do it as a matter of pecuniary speculation, as a profitable way of employing their money; they carry on a political trade; they buy their seats, and sell their votes.'³ A place in

¹ Oldfield's *Representative History*, vol. vi., p. 300. Cf. the petition presented by Grey in 1793, where it is stated that 84 individuals return 157 members, 40 peers 81 members, and so on.

² 'The truth is,' says Romilly, in 1807, 'that the new ministers have bought up all the seats that were to be disposed of at any price.'—*Memoirs*, vol. ii., p. 200. In 1782 Lord Rockingham declared that seventy elections were controlled by the votes of revenue officers. Hansard, vol. xxiii., p. 101.

³ Romilly, *l. c.*

parliament was a career, and one of the most lucrative of careers. The capital invested in the purchase of a seat returned a high percentage, and a pension or a sinecure, a profitable contract, or an interest in a public loan was the recognised reward of a vote conscientiously reserved for the minister in power. On occasions even cruder methods were employed, and the gratification took the form of money down. A quotation from Walpole may serve to illustrate the point. In 1762, he says, 'members flocked to the Pay Office, and received the wages of their venality in bank-bills, even to so low a sum as 200*l.*, for their votes on the treaty; 25,000*l.* were issued in one morning, and in a single fortnight a vast majority was purchased to approve the peace.'¹ Under these conditions it is clear that the power of the Commons to check the executive was seriously impaired, and that under a strong king or a strong minister the government might really degenerate for a time into something like a despotism.

Such then, in brief, was the position of the aristocracy in the eighteenth century. Its weakness, it will be perceived, resided in two points. In the first place, the constitution, which in practice was the tool of a privileged class, in theory admitted a popular element. The House of Commons was supposed to be composed of representatives of the people; it was composed, in fact, of

¹ *Memoirs of the Reign of George III.*, ed. 1845, vol. i., p. 199.

nominees of the aristocracy, introduced and controlled by open and avowed corruption. From this point of view the position was exposed to a double attack ; on the one hand the theory was discrepant with the fact, on the other the discrepancy was maintained by a gross and notorious abuse of influence.

In the second place the very machinery which made possible the predominance of the aristocracy in the lower house made possible also the independence of the executive. By influence, direct or indirect, at the elections or in the house, the minister could buy a majority. But behind the minister stood the crown ; and a strong or an obstinate sovereign, as was shown in the case of George III., might initiate and carry through a disastrous policy, in defiance of the opposition not only of the people but of the governing class. Here, then, was an internal contradiction in the system ; by the very means which they employed to govern, the aristocracy lost the power of government ; and, as we shall see, it was through the dread of an administrative despotism that they were driven into the path of reform.

For reform, as we have said, proceeded from the ranks of the aristocracy itself, and to this is to be attributed the particular shape it assumed. The explanation of the provisions of the Reform Act of 1832 lies in the character of Whig opinion ; and it is to this topic that we must now address ourselves.

The modern man, looking back over the system that has just been described, has no difficulty in recognising the necessity of reform. But that is because he is unconsciously imbued with the democratic ideal, and makes assumptions which would never have been admitted by an aristocrat of the eighteenth century. He assumes that representation of the people means the representation of numbers; but that is precisely what was denied by every section of the aristocracy. Whigs as well as Tories were emphatic in their repudiation of the whole theory of democracy, either as an ideal for the future or as the tradition of the past. The House of Commons, in their opinion, never did, never could, and never ought to represent 'the people,' in the sense of the numerical majority. Pitt, in his reforming days, and Fox are as clear upon this point as Burke or Peel or the Duke of Wellington. 'For myself,' said Pitt in 1783, 'I utterly reject and condemn the mode of election by universal suffrage, which it is impossible for me to adopt, without libelling those renowned forefathers who framed the Constitution in the fulness of their wisdom, and fashioned it for the government of free men, not of slaves.'¹ Equally uncompromising is Fox in 1793: 'However he might have been misrepresented out of doors, there was not in the kingdom a more steady and decided enemy to general and universal representa-

¹ *Speeches*, ed. 1817, vol. i., p. 47.

tion than himself.' ¹ And what was true of the reforming section of the Whigs was true *a fortiori* of the Tories. On this point, at least, the whole governing class was at one, that representation of the people did not and ought not to imply the representation of numerical preponderance.

On the other hand they believed that, in a certain sense, the House of Commons did represent the people. It represented, in their view, the various interests of the country; and this, they thought, it was enabled to do by virtue of that very constitution which the modern man condemns without a hearing. It was precisely, they affirmed, because the franchise was unequally and capriciously distributed that the House of Commons was a real epitome of the nation. Under a system of universal suffrage every section of the people in a minority would be deprived of political existence; under the system in force there was no section, however small, that had not a chance of sending a member to parliament. One borough, for example, might be controlled by the middle class; another by the potwallopers, the poorest and humblest of the people. Here the seat might be presented to a promising youth of genius; here it might be purchased by a lawyer, a doctor, or a wealthy colonist. And while on the one hand the system was elastic enough to admit of these superficial variations, on the other it was broadly based on

¹ *Speeches*, ed. 1815, vol. v., p. 97.

the two great interests of the country, that of the land, represented by the counties and the smaller towns, and that of commerce, represented by such cities as London and Liverpool.

Such is the view of the constitution which was constantly upheld by the aristocracy against the various propositions of reform. 'There have been statesmen,' said Croker in the debate on the Bill of 1832, 'Pitts and Foxes, Burkes and Cannings, who looked at the constituent classes not merely numerically; who saw in the body of the people various interests, various localities, various pursuits, and various conditions of persons and property; but our new Justinian has very different views.'¹ Nor was the theory confined to those who opposed reform; it is substantially accepted by Lord John Russell in his 'Essay on the History of the English Government and Constitution,' and reappears, as we shall see, in the utterances of both Liberals and Conservatives for years after the date of the first Reform Act.

From this position it follows that what appear to the modern man to be palpable defects in the eighteenth-century system were regarded by the statesmen of the time as its highest merits. 'For my part, sir,' said Canning in 1822, 'I value the system of parliamentary representation for that very want of uniformity which is complained of

¹ Hansard, vol. iii., pp. 94, 95. Cf. *ibid.* p. 642; vol. ii., p. 1346; and vol. ix., p. 372.

in this petition—for the variety of right of election.’¹ And so able a man and so convinced a reformer as Francis Horner writes (1809): ‘I see a good deal of practical benefit result, even to the interest of liberty and popular rights, from the most rotten parts of the constituent body.’²

The House of Commons then, upon the aristocratic view, was not, and never had been intended to be, a sort of arithmetical machine for counting heads; and, upon the same principle, its members were not conceived as mere symbols of such and such a quantitative value. A member was not a delegate; he was a representative. ‘This House,’ said Sir Robert Inglis in 1832, ‘is not a collection of deputies, as the States-General of Holland and as the assemblies in some other continental countries. We are not sent here day by day to represent the opinions of our constituents. Their local rights, their municipal privileges we are bound to protect; their general interests we are bound to consult at all times; but not their will, unless it shall coincide with our own deliberate sense of right.’³ It followed that, even supposing the House of Commons should find itself for a time in opposition to the people, this was not necessarily either a contradiction or an evil. It proceeded, naturally enough, from the true theory of

¹ *Speeches*, ed. 1836, vol. iv., p. 343.

² *Mem. and Corr. of Francis Horner*, vol. i., p. 494.

³ *Hansard*, vol. ii., pp. 1095-6.

the constitution, and might well be an advantage rather than the reverse.¹ The House was representative of the people, but only in the long run ; meantime, temporary discrepancies would occur, but these there was no particular reason to regret.

So far we have been considering the view held by the aristocracy of the relation of the House of Commons to the people ; but the Commons had a further relation to the other branches of the Government, to the Crown and to the House of Lords. And here, too, what appeared as an anomaly, when considered by itself and apart, was regarded as necessary and normal, when considered in its relation to the whole. The influence of the Crown and of the Peers in the elections to the Commons would, indeed, have been an absurdity had the latter been supposed to be an independent body. But, in fact, it was not ; it was one member of a trinity ; and its partial determination by the other factors in the scheme was precisely the condition of harmony between what would otherwise have been conflicting and discordant powers. As the Duke of Wellington expressed it with his habitual common sense : ‘ There is no man who considers what the government of King, Lords, and Commons is, and the details of the manner in which it is carried on, who must not see that government will become

¹ See, e.g., *Canning's Speeches*, vol. iv., p. 376.

impracticable when the three branches shall be separate, each independent of the other, and uncontrolled in its action by any of the existing influences.’¹

The theory which has thus been briefly analysed was that held by all sections of the governing class,² and it was only within its limits that the divergence on the question of reform came in. To Tories, on the one hand, the system, exactly as it was, was as good as a system possibly could be; it was ‘our present happy constitution—the happiest, the best, and the most noble constitution in the world, and I do not believe it possible to make it better.’³ Any change must be a change for the worse, nay, it must be the prelude to a radical subversion, for there was no principle authorising reform which would not also authorise revolution. Even Canning here is substantially at one with the rank and file of the party. ‘If this House,’ he says, ‘is not all that we could wish it, I would rather rest satisfied with its present state than, by endeavouring to remedy some small defects, run the hazard of losing so much that is excellent.’⁴ And this attitude of the Tories was also that of

¹ Hansard, vol. vii., p. 1202.

² No doubt there were individual exceptions. The Duke of Richmond, for example, proposed in 1780 a measure of manhood suffrage.

³ The Lord Justice Clerk in the Trial of Muir, 1793. *State Trials*, vol. xxiii., p. 132.

⁴ *Speeches*, vol. iv., p. 360.

one school of the Whigs. Burke, on this point, may be classed with Wellington and Peel. For though he admitted, it is true, that if ever the time should come when the people should really be set upon reform, it would then be necessary to concede it, yet, clearly, he considered such a contingency to be as improbable as it would be disastrous. Of administrative reform, within the limits of the established system, he was an avowed and active champion; but to any alteration in the franchise he was consistently opposed. 'Our representation,' he said, 'has been found perfectly adequate to all the purposes for which a representation of the people can be desired or devised. I defy the enemies of our constitution to show the contrary.' And so profoundly was he convinced not only of the perfection but of the finality of the institutions of his time, that he does not hesitate to add: 'We are resolved to keep an established church, an established monarchy, an established aristocracy, and an established democracy, each in the degree it exists, and in no greater.'¹

But, on the other hand, there was another school of Whigs who, without impugning the general theory of the constitution, yet conceived that it might be possible and even necessary to modify it in detail. Institutions, in their view, must change with the change of circumstances; such had, in fact, been the maxim of the past, and

¹ *Reflections on the French Revolution.*

they were the true Conservatives who applied it to the present. 'The greatest innovation,' according to Fox, 'that could be introduced in the constitution of England, was to come to a vote that there should be no innovation in it. The greatest beauty of the constitution was, that in its very principle it admitted of perpetual improvement, which time and circumstances rendered necessary. It was a constitution, the chief excellence of which was that of admitting a perpetual reform' ¹ (1792).

To Whigs who examined from this point of view the practical working of the constitution, it appeared, not indeed that its structure was vicious or unsound, but that in the course of time it had developed certain definite abuses which admitted of equally definite remedies. The evil as it was analysed by the Whig reformers centred about one point, the influence of the crown and the ministry. It was during the latter years of the American war that this abuse began to make itself felt. The war, in its later development, was at once unpopular and calamitous; it was continued, against the clear sense of the nation, by the personal influence of the king, exercised through the minister and his bought majority; and it ended in the loss of the American colonies. These were the facts that gave rise to the reform agitation of 1780. The executive had been clearly at variance with the nation, and equally clearly it

¹ *Speeches*, vol. iv., p. 410.

had been wrong. Attention was naturally drawn to the conditions that made possible such a disaster, and they were found to depend upon the influence of the crown on the Commons. As Pitt put it in 1783: 'The disastrous consequences of the American war, the immense expenditure of the public money, the consequent heavy burden of taxes, and the pressure of all the collateral difficulties produced by the foregoing circumstances gradually disgusted the people, and at last provoked them to "turn their eyes inward on themselves," in order to see if there was not something radically wrong at home. That was the chief cause of all the evils they felt from their misfortunes abroad.'¹ The result was the 'county movement' of 1779 and 1780, which issued in the abortive motion introduced by Pitt to abolish the representation of certain of the smaller boroughs and transfer it to the more independent county electorate.

The American war was the clearest and most palpable example of the consequences to be feared from the personal influence of the Crown, but from that time onward the question was never dropped. In the circumstances of the great French war Fox imagined that he saw a repetition of those of the war with America; in both he maintained that a contest which was unpopular and unjust had been perpetrated against the declared sense of the nation by the corrupt influence of the minister in power;

¹ *Speeches*, vol. i., p. 45.

and in 1797 he supported the cause of reform against Pitt, on precisely the same grounds that had been advanced by Pitt himself in 1783.¹

After the peace, the same point of view recurs. The disturbed state of the country, from 1815 on, provoked the government to drastic measures. The Habeas Corpus Act was suspended, and the right of free speech and of public meeting practically suppressed. Once more it was felt that the liberties of the subject were not safe, that the government was approximating to an irresponsible tyranny; and Lord John Russell, writing in 1823, is so far from anticipating the advent of democracy that he professes to fear the extinction of the constitution in a despotism. 'The influence of the Crown has increased to an alarming extent, and the recurrence of periods of popular ferment, instead of checking this influence, as it was wont to do in old times, is made the occasion of passing new laws, chipping away something every time from the established liberties of the nation. It seems impossible to imagine signs more unfavourable to the maintenance of freedom, or more ominous of that despotism which Mr. Hume has styled the euthanasia of the constitution.'²

It seems clear, then, that it was dread of the influence of the sovereign and his ministers that was the main motive swaying the Whigs to reform.

¹ See his speech of May 26, 1797.

² *Essay on the History of the English Government and Constitution*, ed. 1823, p. 455.

But that influence was exercised mainly through the medium of the smaller boroughs. These were the seats that were open to purchase, and for which such members were returned as were ready to sell themselves to the government. It was observed that every attempt to introduce retrenchment or reform was defeated by a solid phalanx of borough members.¹ They, then, were the root of every public evil, of disastrous expeditions, of extravagant finance, of the debt, the increased taxation, and the consequent disturbance and distress. It followed that if the control of the executive was the object of the Whigs, the means to that control was a reform in the machinery of representation.

Of this attitude of the Whigs the Act of 1832 is the clearest record and exponent. Its object was to disfranchise all the boroughs which were most obviously open to sinister influences, and by transferring the seats thus gained to the counties and the larger towns to replace the nominees of a Tory government by members of more independent, perhaps of more whiggish views. But never for one moment did the Whig ministry intend to alter the essential character of the House. In the changes they introduced they were bound, it is true, to be guided to some extent by considerations of property and numbers. But, as they were careful to explain, it was never their idea to accept

¹ See the examples given by Russell in the same work.

either wealth or population as a sole and sufficient basis of representation ;¹ 'wealth, probity, learning, and wit' are all to be considered ;² more than one hundred seats are still preserved to the smaller boroughs, to represent the general interest of the nation against the particular interests of localities ;³ the supremacy of the landed interest is to be maintained ;⁴ the influence of the peers, if anything, is to be increased ;⁵ and the balance of the powers in the constitution is to be maintained.⁶

Whether we consider, therefore, the theory held by the aristocracy as a whole, or the particular modification of it which prompted the Reform Act of the Whigs, it is clear that that Act was never intended by the governing class either to be or to lead to a fundamental change in the constitution of the House of Commons ; it was not directed primarily against inequality of representation as such, but against certain specific abuses which were supposed to have resulted incidentally therefrom, and especially against the increasing influence of the Crown and the ministry.

But the views and the intentions of the aristocracy were but one factor in the situation. For though it was the Whigs who introduced the Bill, it was popular agitation from without that

¹ See, e.g., Russell's speech, Hansard, vol. iii., p. 1519.

² *Ibid.* vol. ii., p. 1086.

³ *Ibid.* vol. iv., p. 338.

⁴ See, e.g., Althorpe's speech, *Annual Register*, 1832, p. 80.

⁵ Hansard, vol. vii., p. 934.

⁶ *Annual Register*, 1831, p. 245.

carried it through. No measure that has ever been introduced, from that day to this, has excited an enthusiasm in any way comparable to that of 1832; and there can be little doubt that, unless the House of Lords had been forced to yield, violent revolution would have ensued. As it was, the agitation was pushed to the extreme limit of legality—the Commons were petitioned to withhold supplies;¹ the public were invited to refuse taxes, and to paralyse industry by a run upon the banks;² and, as a last resort, a plan of armed insurrection had actually been made out. Such a popular upheaval, it might well be supposed, must be more significant of the real opinion of the nation than the wishes and hopes of the aristocracy; and it therefore becomes important to consider what the agitation really meant, and whether, or to what extent, it was based on democratic ideas.

One thing is clear to begin with. Whatever

¹ The Court of Common Council of the City of London presented a petition to that effect. See the account by Francis Place preserved in the British Museum, *Add. MS.* 27793, f. 29 and f. 43.

² *Add. MSS.* 27789, f. 253; 27790, f. 11; 27794, ff. 38 and 152. In May 1832, the following placard was distributed: 'I, John Bull, tired of oppression of boroughmongers, am now resolved to obtain my constitutional rights. Therefore I will not be taxed until I am represented. I will have a voice in choosing those who 'make the laws I am to obey. I will not continue to support the enemies of the people. I will call on the House to stop supplies. I will purchase only of those who refuse to pay the excise. I will not pay taxes in money. I will not pay rent to my landlord. I will not deal with any tradesmen who pay taxes in money. I will not take bank-notes. I will not trust the Funds, but I will have gold.'—*Ibid.* 27793, f. 181. Cf. the concise placard drawn up by Place, 'To stop the Duke, go for gold,' *ibid.* 27793, f. 148.

else the movement may have implied, it reflected, at any rate, an intense dissatisfaction with things as they were. This can be traced from the closing years of the eighteenth century, and may be referred to two main causes—the first, a general feeling of injustice in the exclusive predominance of a privileged class; the second, a yet keener sense of immediate practical grievances.

The jealousy and mistrust on the part of those who are excluded from power, which is the nemesis of all class government, was exaggerated in the particular case with which we are concerned by the belief that the government was also a usurpation. It was a fixed and ineradicable idea of the middle-class reformers that the House of Commons had once been a popular assembly. They knew that every freeholder, previous to the year 1430, had been entitled to vote for the members of the shires; this they interpreted as equivalent to manhood (or, at least, to household) franchise, and they regarded the Act which confined the vote to 40s. freeholders as a deliberate and arbitrary limitation of a constitutional right. Their interpretation was erroneous, but it gave them an effective argument; it lifted every grievance into exaggerated relief, and, taken along with the notorious fact that the government was based upon corruption, it goaded the whole movement for reform into an almost ludicrous excess. The result was an indictment, which may be briefly

summarised as follows :—The aristocracy are a sort of joint-stock company, exploiting the nation for their own ends by the most questionable and discreditable means ; the House of Commons is their instrument, stocked with the creatures of their will—‘ idle schoolboys, insignificant coxcombs, led-captains and toad-eaters, profligates, gamblers, bankrupts, beggars, contractors, commissaries, public plunderers, ministerial dependents, hirelings and wretches that would sell their country or deny their God for a guinea.’¹ Working through such tools as these, the aristocracy have absolute control of the finance and the policy of the nation. Of this finance, the whole end and aim is to extort money from the poor in order to distribute it among the rich—‘ to draw money,’ as Bentham puts it, ‘ out of the pockets of the blinded, deluded, unsuspecting, uninquisitive, and even too patient people,’² and to bestow it in the form of pensions and sinecures upon their own dependents and relatives. Parliament may, therefore, appropriately be styled the ‘ taxing thing,’ and its members the ‘ tax-eating crew.’³ In the performance of this important function the one

¹ Cartwright (Major John), *Legislative Rights of the Commonalty Vindicated*, introd., p. xii. ed. 1777.

² Bentham’s *Works*, vol. iii., p. 439. Cf. Paine’s *Rights of Man*. ‘ That all public men are corrupt,’ says Romilly, writing in 1807, ‘ and that the true interests of the country are disregarded in an unceasing struggle between contending factions for power and emolument, is an opinion spreading very fast through the country.’—Romilly, *Memoirs*, vol. ii., p. 211.

³ Cobbett, *passim*.

object they keep in view is the maximum oppression of the people and the minimum inconvenience to the governing class. Land is, therefore, tenderly treated, for land is the property of the aristocracy; so are country mansions, for in them the aristocracy live; an income-tax is avoided, for to it the aristocracy must contribute, or, if it is imposed, it is abolished again on the first opportunity. Meantime, for the starving labourer not a single necessity is spared; he pays on his beer, his shoes, his candles, his soap, his tea, and his meat; his bread is raised to a famine price by the protective duties on corn, whose only object is to increase the rent that goes into the landlord's pocket; and if, in his distress, he is driven to kill a pheasant or a hare, he is hauled before a magistrate, who is also the owner of the game, and at a third offence may be transported for seven years.¹

While such was the typical reformer's view of the domestic operations of the government, he was not less severe on their foreign policy. Here, too, he detected the same sordid ends and the same discreditable means. Did the aristocracy make war, it was to find pay for the army chiefs, or to suppress liberty abroad for fear it should assert itself at home. Did they found colonies, it was for the sake of the lucrative governorships. Did they

¹ The case against the aristocracy is set out in full, more conveniently than elsewhere, in a work entitled *The Extraordinary Black Book* (1831). It does not fall within the scope of the present work to discuss the truth of the indictment there drawn up.

maintain a peace establishment, it was to secure and perpetuate their own ascendancy. Why, for example, had they engaged in the great French war, that added five hundred millions to the debt? To protect the country against aggression? To restore to France her king? 'Believe it if you will,' says Cobbett; 'it is not so that I am to be deceived!' 'What they wanted was to prevent the landing, not of Frenchmen, but of French principles, that is to say, to prevent the example of the French from being alluring to the people of England. The devil a bit they care for the Bourbons. They rejoiced at the killing of the king. They rejoiced at the atheistical decree. They rejoiced at everything calculated to alarm the timid, and to excite horror in the people of England in general. They wanted to keep out of England those principles which had a natural tendency to destroy boroughmongering, and to put an end to peculation and plunder. Simply their object was this: to make the French people miserable, to force back the Bourbons upon them as a means of making them miserable; to degrade France, to make the people wretched, and then to have to say to the people of England: "Look there; see what they have got by their attempts to obtain liberty."'¹ And why did they maintain a peace establishment after the war was done? To secure the defence of the nation? To guarantee

¹ Cobbett, *Rural Rides*, vol. i., p. 314, ed. 1885.

the peace of Europe? Not at all! But 'to enable them to return to all plans of reform, to all groans, to all complaints, to all cries for mercy, the proper and properly and already proposed answer—the bayonet! Yes, by the blessing of God, the bayonet!'¹ And so with all their wars, with all their conquests and colonisations—one end, and one alone, has directed the whole conspiracy, to secure the position of the governing class, and to fill their pockets with gold. National honour? National duty? National necessity? Pshaw! These are the cloaks and disguises, the cunning machinery of fraud! The genuine principle was, and is, and will be, one and the same—the principle of Iago, 'Put money in thy purse!'

Enough has been said to indicate the general point of view from which the aristocracy was regarded by reformers of the middle class, and to account for the fierceness and vigour of the agitation of 1832. But to hate an aristocracy is not the same thing as to love a democracy; and it still remains for us to inquire whether this revolt against the governing class was prompted exclusively by practical grievances, or whether it had also a theoretic basis in a democratic conception of the State.

The democratic theory had, in fact, been advanced from the very beginning of the movement for reform. As early as 1776 it was announced by Major Cartwright that 'freedom is the immediate

¹ Bentham's *Works*, vol. iii., p. 437.

gift of God to all the human species.’¹ And as freedom involves the franchise, and a franchise equal to all, it follows that ‘the very scavenger in the streets has a better right to his vote than any peer to his coronet, or the king himself to his crown; for the right of the peer and of the king are derived from the laws of *men*, but the scavenger’s from the laws of *God*.’² Any human laws at variance with this principle are, according to Cartwright, *ipso facto* void;³ and the constitution is only to be respected in the degree in which it conforms to this absolute and irrefragable truth. Similar views were held by the Westminster Radicals of 1780;⁴ and Burke remarks in 1782 that ‘nine-tenths of the reformers argue thus, that is, on the natural right.’⁵ Ten years later, the theory was pushed by Paine to its logical conclusion. Previous reformers had been content, while asserting the *à priori* right, to appeal also to what they maintained to be the principles of the English monarchy. Such an argument is dismissed by

¹ *Legislative Rights of the Commonalty Vindicated*, p. 31.

² *Ibid.* p. 34.

³ *The People’s Barrier*, chap. 5.

⁴ The subcommittee for Westminster, under the influence of Dr. Jebb, adopted, in May 1780, a report in which the following passage occurs: ‘An equal representation of the people in the great council of the nation, annual elections, and the universal right of suffrage, appear so reasonable to the natural feelings of mankind that no sophistry can elude the force of the arguments which are urged in their favour; they are rights of so transcendent a nature that, in opposition to the claim of the people to their enjoyment, the longest period of prescription is pleaded in vain.’—Dr. Jebb’s *Works*, vol. iii., p. 409.

⁵ Burke’s *Works*, vol. vi., p. 129, ed. 1852.

Paine with contempt. Whatever, says he, these supposed principles may have been, they must undoubtedly have been as false as those of every other government that has ever existed in the world, with the exception of those of the United States and of revolutionary France.¹ There is only one true principle, that which asserts that all men are equal;² only one good form of government, that which is known as a republic. The symbol of the republic is a circle, whose centre is the legislative body and the points in its circumference the individual members of the state;³ and such a circle may be regarded as the ideal and terminal form of those imperfect and rudimentary constitutions, which in their distinction of parts and organs bear a monstrous resemblance to the human form, but whose grotesque irregularities may be expected, when once the principle of equality has been grasped, to correct and assimilate their discrepancies into the perfect rotundity of the ideal state.

To these ideas, it is true, no direct and tangible effect can be traced; they were swept away or crushed out of sight under the stress of the great French war. But after the peace the theory of democracy reappears in the more coherent shape in which it was embodied by the genius of Bentham.⁴ Thus conceived it evolves from itself, in

¹ *Rights of Man*, ed. 1792, part i., p. 50; part ii., p. 15.

² *Ibid.* part i., p. 46.

³ *Ibid.* part ii., p. 34.

⁴ Bentham had formulated his main principles as early as 1780, when his *Introduction to the Principles of Morals and Legislation*

an unbroken logical chain, at once the damnation of the aristocracy and the justification of the people. Two assumptions only are required. The first, which is named by Bentham the 'self-preference principle,' asserts that 'in the general tenor of human life, in every heart, self-regarding interest is predominant over all other interests put together.'¹ In its particular application to the aristocratic government of England this principle gives us, without the necessity of an appeal to history, the following remarkable results: 'At no time have the constituent members of the governing body, at no time has the monarch, at no time has the hereditary aristocracy, at no time have the proprietors of seats in the House of Commons, at no time have the clergy, at no time have the judges, had any better endeavour or desire than to swell each of them his own power to its utmost possible pitch.'² At no time *have* they, because at no time *could* they; clergy, judges, king, peers, members of the House of Commons, form in their corporate capacity a privileged minority; this minority has a peculiar interest of its own, antagonistic to that of the community; and this interest it is bound by the principle, in the absence of counter checks, to promote consistently and exclusively at the expense

was written. But it was not till many years later that his influence began to be felt. His *Catechism of Parliamentary Reform* was not published till 1817.

¹ *Works*, vol. ix., p. 5; cf. *ibid.* p. 61.

² *Ibid.* vol. ix., p. 2; cf. vol. iii., p. 491.

of the majority of the people. These conditions are not peculiar to the English; they exist universally and of course under any form of government except a pure democracy. 'Every other species of government has necessarily for its characteristic and primary object and effect, the keeping the people, or non-functionaries, in a perfectly defenceless state against the functionaries their rulers; who being, in respect of their power and the use they are disposed and enabled to make of it, the natural adversaries of the people, have for their object the giving facility, certainty, unbounded extent and impunity, to the depredations and oppressions exercised on the governed by the governors.'¹

The 'self-preference' principle then leads implicitly to democracy, by its *a priori* condemnation of every other form of government. But democracy is further established, positively, by help of the teleological principle, which defines the end of society as the 'greatest possible happiness.'² From a combination of this principle with the first, the following practical problem results: 'so to regulate the motive of self-interest that it shall operate, even against its will, towards the production of the greatest happiness.' To this problem Bentham offered democracy as a solution. If

¹ Bentham's *Works*, vol. ix., p. 47.

² This was apparently the form of the principle finally adopted by Bentham, not 'the greatest happiness of the greatest number.' See the *Introduction to his Works*, p. 18.

everybody were controlling everybody else, nobody in particular would predominate; every individual's self-interest would be suppressed except when it coincided with the interest of all; and the only results that could possibly be produced would be those of which everybody approved. 'Thus then,' exclaims Bentham, in a transport of admiration at the perfection of his own machinery, 'thus then, the principle of self-preference has for its regulator in the heart of each the consciousness of the existence and power of the same principle in the hearts of all the rest; and thus it is that the whole mechanism is at all times kept in a state of perfect order, and at all times performs to admiration everything that is desired of it, everything it was made for.'¹

From this brief survey it will be seen that the formula of democracy had been given, from more than one point of view, years before the Reform Bill of 1832. Nor can it be said that these ideas were confined to individual thinkers, and were never made known outside a narrow circle. Major Cartwright was an active and able agitator, and was a main agent in the formation of the Hampden Clubs, which sprang up at the beginning of the century. The influence of Paine may be traced in the London Corresponding Society (1792), which was composed mainly of artisans, and of which we are told that 'a great majority of

¹ *Works*, vol. ix., p. 63.

the members were Republicans.'¹ Bentham was more influential in law than in politics; but he was the friend and teacher of James Mill and of Francis Place, and it was he who drew up the motion for reform brought forward by Burdett in 1818. The democratic view, it may be said, was fairly before the country. Was it the view which the country chose to adopt?

In answering this question it is necessary to draw a broad distinction between the position of the middle and that of the working class. The leaders of the working class, as we shall notice more particularly in a later chapter, were from the first suspicious of the Reform Bill of the Whigs. It was with reluctance that they consented to connect themselves with the agitation at all; in so far as they did so, it was only from the point of view that the measure, though of little value in itself, was at least a step in the direction of what they wanted; and after it was passed they proceeded at once, with perfect consistency, to agitate for a new and more radical reform. The real supporters of the Bill of 1832 were the middle class, and they supported it frankly for what it was and not for what they hoped it would lead to. The Bill gave them the franchise, and it was the franchise that they wanted. Even those of them who professed

¹ *Add. MS.* 27808, f. 113. A full account of this society will be found there.

to the full the principle of government by the people, were really thinking of government by themselves. This was the position, for example, of James Mill. After arguing in his absolute way in favour of a universally extended franchise, he consoles his opponents, and perhaps himself, with the reflection that after all the mass of electors would always be guided and inspired by the intelligent and superior members of the middle class. 'The opinions,' he says,¹ 'of that class of the people who are below the middle rank are formed, and their minds are directed, by that intelligent and virtuous rank, who come the most immediately in contact with them, who are in the constant habit of intimate communication with them, to whom they fly for advice and assistance in all their numerous difficulties, upon whom they feel an immediate and daily dependence, in health and in sickness, in infancy and in old age, to whom their children look up as a model for their imitation, whose opinions they have daily respected, and account it their honour to adopt. There can be no doubt whatever that the middle rank, which gives their most distinguished ornaments to science, and art, and to legislation itself, to everything which exalts and refines human nature, is that part of the community of which, if the basis of representation were now so far extended, the opinion would

¹ Article on 'Government,' in the supplement to the *Encyclopædia Britannica*, 1824.

ultimately decide. Of the people beneath them, a vast majority would be sure to be guided by their advice and example.' Inspired by this happy conviction, Mill himself would have been prepared for a measure far more extensive than the Act of 1832. But there is no reason to suppose that the mass of the middle class were desirous of a wider extension of the franchise, even with the assurance that it would only enhance their own supremacy. On the contrary, it seems clear that they did genuinely accept the Bill of the Whigs as sufficient and as final. For, in the first place, they actively opposed the later Chartist agitation, the programme of which was frankly democratic; in the second place, they were so far from being anxious to disturb the new order of things that, as we shall see, it would be truer to say that further reform was forced upon the country by the government than that it was forced upon the government by the country.

Nor is this attitude difficult to understand. If we look behind the rhetoric in which reformers of the middle class were wont to denounce a corrupt and tyrannical oligarchy, we shall find, as a rule, not any complete and *a priori* theory of democracy, but merely a keen sense of certain specific grievances, similar in kind, though felt with a more intense and bitter rancour, to those which were denounced by the Whigs of the governing class. Cobbett, for example, the most able and the most

influential of all the reformers, is by no means a democrat in principle. Not only does he believe in the Crown and in the House of Lords, but he disbelieves in universal suffrage. 'I have witnessed its effects too attentively,' he says, 'and with too much disgust, ever to think of it with approbation.'¹ On the other hand, he does believe in a reform of parliament, because there are evils which he wants to see redressed. With extraordinary vigour and pertinacity he expresses what was at bottom the real complaint of the middle class: that they had not sufficient control over the raising and expenditure of the public funds; that an enormous debt had been contracted in the prosecution of wars which had been initiated and persevered in against the nation's will; that in the incidence of taxation favour was shown to the landed interest at the expense of all the other classes of the population; that the peace establishment maintained after 1815 was disproportionately large, and that this, together with the interest of the debt, and the payment in salaries, pensions, and sinecures, constituted an intolerable burden on the people's industry. The purse, in a word, was the centre of the whole agitation, and the key to it is contained in half-a-dozen humorous sentences of Sydney Smith: 'The schoolboy whips his taxed top, the beardless youth manages his taxed horse with a taxed bridle on a

¹ Cobbett's *Political Works*, edited by John M. Cobbett and James P. Cobbett, vol. ii., p. 51.

taxed road, and the dying Englishman, pouring his medicine which has paid 7 per cent. into a spoon that has paid 15 per cent., flings himself back upon his chintz bed which has paid 22 per cent., makes his will on an 8*l.* stamp, and expires in the arms of an apothecary who has paid a licence of 100*l.* for the privilege of putting him to death. His whole property is then immediately taxed from 2 to 10 per cent. Beside the probate, large fees are demanded for burying him in the chancel. His virtues are handed down to posterity on taxed marble, and he will then be gathered to his fathers to be taxed no more.’¹

It was, in fact, the burden of taxation that gave body and form to that general mistrust and hatred of the aristocracy to which we have already referred. But this was an evil that would be met, it might be supposed, so far as the middle class was concerned, by the action of the Bill of 1832. By that measure the middle class were admitted to the franchise; they would exercise henceforth an important influence on the Lower House, and would have the redress of their grievances in their own hands. There was no reason why they should wish for anything more, and it is clear, I think, that as a body they did not. ‘The Bill, the whole Bill, and nothing but the Bill’ was a formula of conviction, not merely of expediency. Substantially, by the Act of 1832, the middle class got

¹ S. Smith's *Works*, vol. ii., p. 13.

what they wanted, and of this their hostility to Chartism and their indifference to further measures of reform are a sufficient and conclusive proof.

From the whole of this investigation results the following conclusion. Neither the Whig aristocracy who introduced the first Reform Bill, nor the middle class whose agitation forced it through, conceived it to be, even implicitly, a revolutionary measure. The power of the Crown and the House of Lords were to be maintained intact; the House of Commons was to be more representative, but not more democratic, than before. The change was regarded as one of detail, not one of principle; in no sense a subversion of the constitution, but merely its adaptation to new conditions. Theories, it is true, had been broached which led straight to pure democracy, and these, no doubt, were producing their effect; but it was not they that carried the Act of 1832. Their operation is rather to be seen in the Chartist movement, of which we shall have occasion to speak in another place. The agitation of 1832 was a movement of the middle class, and it was genuinely set upon that particular measure without ulterior democratic ends. Here the middle class were at one with the Whig aristocracy; the idea of both was to reform the constitution, not to transform it. But the expectation of both has been falsified by the irony of history. Reform has been found to be only

another name for transformation ; and the Bill of 1832, so far from being final, has proved to be but the first step in an irresistible process towards democracy. Of this process the further course will be traced in the succeeding chapter.