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UNIVERSITY OF SOUTHAMPTON

FACULTY OF HUMANITIES

History

The emergence of libertarian conservatism in Britain, 1867-1914

by

Alastair Matthew Paynter

Thesis for the degree of Doctor of Philosophy

March 2018

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ABSTRACT

FACULTY OF HUMANITIES

History

Doctor of Philosophy

THE EMERGENCE OF LIBERTARIAN CONSERVATISM IN BRITAIN, 1867-1914

by Alastair Matthew Paynter

This thesis considers conservatism's response to Collectivism during a period of crucial political and social change in the United Kingdom and the Anglosphere. The familiar political equipoise was disturbed by the widening of the franchise and the emergence of radical new threats in the form of New Liberalism and Socialism. Some conservatives responded to these changes by emphasising the importance of individual liberty and the preservation of the existing social structure and institutions. In fighting against Collectivism they were brought into an alliance with both disillusioned Old Liberals, and the more radical Individualist followers of Herbert Spencer. This thesis will engage with an existing historiographical debate which questions how authentically conservative this form of libertarian politics actually was. William Gladstone's open support of Irish Home Rule in 1886 was 'the straw that broke the camel's back' for many Old Liberals who had grown increasingly disillusioned with the direction of their party since at least the start of Gladstone's second ministry in 1880. Naturally many of these émigrés brought much of their Old Liberal principles into the Unionist fold. But was libertarian conservatism merely classical liberalism repackaged? In examining the interaction between political thought and practical politics this thesis will attempt to go beyond the limited scope of politics as ideology, and assess the underlying frame of mind, from and through which political ideas are formed and filtered. It is structured around various lenses—ethics, empiricism, laissez-faire and aristocracy—all of which formed important aspects of the libertarian conservative frame of mind. The final chapter will use Australia as a case study to assess the existence and applicability of libertarian conservatism in an Anglo-Saxon settler colony. The thesis concludes by arguing that while it was certainly bolstered by classical liberal rhetoric and argument, a clear traditionalist conservative mindset formed the basis of libertarian conservatism.

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Academic Thesis: Declaration Of Authorship

I, ALASTAIR MATTHEW PAYNTER

declare that this thesis and the work presented in it are my own and has been generated by me as the result of my own original research.

The emergence of libertarian conservatism in Britain, 1867-1914

I confirm that:

1. This work was done wholly or mainly while in candidature for a research degree at this University;
2. Where any part of this thesis has previously been submitted for a degree or any other qualification at this University or any other institution, this has been clearly stated;
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Signed: ...ALASTAIR MATTHEW PAYNTER.....

Date: 6.3.18.....

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Abbreviations

Manuscript Collections

QP—Quickswood Papers

WP—Wemyss Papers

Periodicals

NC—*The Nineteenth Century (and after)*

QR—*Quarterly Review*

Organisations

ASU—Anti-Socialist Union

BCA—British Constitution Association

COS—Charity Organisation Society

LPDL—Liberty and Property Defence League

Introduction

In 1884, Herbert Spencer penned a rather gloomy reflection on the condition of British Liberalism, entitled “The New Toryism”, which was subsequently to form the first chapter of the defiantly titled *Man Versus the State*. In it he argued that many Liberals had lost their way. In attempting to use the power of the State for noble ends, they had become “Tories of a new type.”¹ He then listed multiple examples of legislation passed by the Liberal Party which, in their zeal for interventionism, had departed from the pure creed of classical liberalism, and embraced the old Tory doctrines. “Manifestly the implication is that,” he concluded, “in so far as it has been extending the system of compulsion, what is now called Liberalism is a new form of Toryism.”² However, a note appended to the essay added the following thoughts:

A new species of Tory may arise without disappearance of the original species... it is true that the laws made by Liberals are so greatly increasing the compulsions and restraints exercised over citizens, that among Conservatives who suffer from this aggressiveness there is growing up a tendency to resist it. Proof is furnished by the fact that the “Liberty and Property Defence League,” largely consisting of Conservatives, has taken for its motto “Individualism *versus* Socialism”. So that if the present drift of things continues, it may by and by really happen that the Tories will be defenders of liberties which the Liberals, in pursuit of what they think the popular welfare, trample under foot.³

This passage is especially insightful as a window into the embattled mind of an Old Liberal in a period of sweeping change. It also hints at the repositioning taking place whereby classical liberal doctrines were beginning to find a more receptive home in sections of the Conservative Party. In an 1887 speech to the South Wiltshire Constitutional Association in 1887, the Earl of Pembroke told his listeners, “You cannot trust to the old traditions about parties, because in many most important points they have changed places.”⁴ Philosophically,

¹ Herbert Spencer, “The New Toryism”, *Man Versus the State* (New York: D. Appleton, 1884), p.1.

² *Ibid.*, p.17.

³ *Ibid.*, p.17.

⁴ George Herbert, 13th Earl of Pembroke, “On Party Politics: Speech at Dinton to the South Wilts. Constitutional Association, 1887”, *Political Letters and Speeches of George, XIIIth Earl of Pembroke and Montgomery* (London: Richard Bentley and Son, 1896), p.79.

the changes within Liberalism were due to the influence of the Idealists, such as T.H. Green, who re-interpreted the concept of liberty in positive terms. Whereas previously liberty had been viewed in negative terms, as an absence of State action, or freedom from coercion, positive conceptions of liberty adumbrated a view of society where the State would intervene to ensure each individual could fulfil his potential. Although his 1859 work *On Liberty* is often hailed as a touchstone of nineteenth century classical liberal thought, John Stuart Mill stood at the crossroads of these two visions of liberalism.⁵ In the political realm, the change within the Liberal Party became more obvious as a result of the growing influence of the Radical section, particularly during Gladstone's second government (1880-85).

In truth critics could look back to troubling signs within Gladstone's first ministry (1868-74) as portends of things to come. In 1870 the Liberal government introduced the first Irish Land Act, troubling the Whiggish element of the party and making it fearful for the future of property rights throughout the United Kingdom. In the same year W.E. Forster's Education Act was introduced in law, enabling compulsory education for children between the ages of five and twelve, and introducing secular school boards. The rift between Old and New Liberals became increasingly apparent in the 1880s. By the middle of the 1880s, the widening gap between the Old Liberal faction and the mainstream of the Liberal Party led to scores of Whigs and moderates tumbling over into Liberal Unionism, and then into the arms of the Conservative Party. This shift is important not only for improving our understanding of the relationship between ideology and practical politics during the late Victorian and Edwardian eras, but also for our notions of the pliability of the political doctrines of *conservatism* and *liberalism* and the relationship between them. It has, of course, become a fairly widespread and popular assumption, in the Anglosphere at least, to refer to the advocate of limited government as a 'conservative'.⁶ This is not simply a case of etymological confusion, but a direct result of the internal changes taking place within liberalism and conservatism during the period of this study.

This study will explore this shift as part of the wider emerging phenomenon of libertarian conservatism, which acquired concrete definition during the last decades of the nineteenth century and the beginning of the twentieth. As I will demonstrate, this transformation did not occur merely out of necessity or because of its practical usefulness for

⁵ See Mill, *On Liberty* (London: Longman, 1859). These two visions of liberty are famously dealt with by Isaiah Berlin in the essay "Two Concepts of Liberty", first published 1958. *Four Essays on Liberty* (London: OUP, 1969).

⁶ This has especially been the case since the Second World War, where the Conservative Party increasingly became associated with free markets against the State Socialism of the Labour Party.

defenders of the older liberal concepts of liberty and property. I will endeavour to show how it was made possible by an inherent, instinctive frame of mind within conservatism.

Consequently, traditionalist conservatives and classical liberals had more in common with each other than either did with New Liberalism or Socialism.

This new political alliance was manifested in the emergence of political pressure groups designed to counter the perceived threat from Socialism. Pressure (or ‘ginger’) groups had become a regular feature of party political life as the Victorian period developed, as a result of the professionalization of politics and the increasing demand for organisation that a mass electorate necessitated. Within the two main parties there existed powerful bodies aimed at directing party policy and organising members nationally. The Conservative National Union was founded in 1867, and in 1877 Joseph Chamberlain formed the National Liberal Federation. The latter adopted the caucus-based structure that had worked so successfully for Chamberlain’s Birmingham Liberal Association. Other organisations too began to assume a significant role in party life. In 1883, the Primrose League was founded and dedicated to the Conservative cause of ‘*Imperium et Libertas*’. Among senior Conservative Party members, one of the Primrose League’s most avid proponents was Lord Randolph Churchill, one of the architects of ‘Tory Democracy’ in the 1880s. Such leagues were as much a response to democracy as they were an attempt to influence it. The Primrose League was astonishingly successful. By 1886 there were 117 Primrose League habitations in London alone, and by 1891 the League could claim over a million members nationally, a figure which rose to 1.5 million by 1900.⁷ Half its members were women.⁸ These figures demonstrate the extent of the mass-mobilisation of party members that had become a regular feature of political life in the last quarter of the century.

Besides those ginger groups that operated as auxiliary bodies for the parties, there were a multiplicity of groups and associations dedicated to a variety of causes. Certainly, pressure groups to defend liberty from encroachments by the State were not new in the 1880s. The Personal Rights Association (PRA) had been around since 1871, emerging from Josephine Butler’s campaign against the notorious Contagious Diseases Act. Among its members, one major figure to remain prominent in libertarian circles for a long time was J.H. Levy. In 1873 two Spencerians, Wordsworth Donisthorpe and William Carr Crofts formed the Political Evolution Society, whose name was changed in 1880 to the more aggressive-

⁷ Alex Windscheffel, *Popular Conservatism in Imperial London 1868-1906*, (Chippenham: Anthony Rowe, 1996), p.99.

⁸ Richard Shannon, *The Age of Salisbury, 1881-1902: Unionism and Empire* (London: Longman, 1996), p.114.

sounding State Resistance Union. This latter move had been prompted by a letter to the *St James Gazette* by the Scottish liberal conservative aristocrat Lord Elcho which called for the formation of a national group, above party, to defend the principle of freedom of contract. Donisthorpe and Crofts met Elcho (who would become the Earl of Wemyss in 1883) at his London home and the stage was set for the most prominent libertarian pressure group of the age: the Liberty and Property Defence League (LPDL).⁹ Wemyss had a remarkably long political life, entering parliament way back in 1841 as a protectionist Tory. He was converted to the cause of Free Trade in 1846 and promptly resigned his Gloucestershire seat out of respect for his electors, before re-entering the House of Commons a year later as the MP for East Lothian. Apart from a brief spell as a lord of the Treasury in 1852 as part of Lord Aberdeen's government, he spent the majority of his parliamentary life on the back benches. In 1866 he was, along with Robert Lowe, one of the leaders of the Cave of Adullam, who stood in opposition to the Liberal Reform Bill. His central role within late Victorian libertarian politics has been the subject of previous work by this author.¹⁰ Wemyss' political standing and connections made him an ideal organisational figurehead for the LPDL. The LPDL contained an eclectic mix of High Tories, Moderate Liberals, Whigs, Individualists, businessmen and commercial interests, united in the cause of upholding property and freedom of contract, and resisting "overlegislation".¹¹

The LPDL's organisational capacity was impressive, as it quickly came to have sub-branches not only throughout the United Kingdom, but also maintained affiliation with representatives in France and Italy, and as far away as the United States and Australia. Its role was two-fold. Its parliamentary representatives acted to obstruct objectionable legislation while its literary arm attempted to educate the public as to the dangers of Collectivist policies. As to the first, between 1882 and 1906 the League could count fifty-two MPs and sixty-seven peers as attendees at its meetings.¹² Its obstructionist strategy was served well by its strong presence in the House of Lords, where, in addition to Wemyss, it could count the Duke of Somerset and the Earl of Pembroke among its notables. Regarding the second, the educational arm of the League was primarily entrusted to a group of Individualist theorists

⁹ Norbert Soldon, "Laissez-Faire as Dogma: The Liberty and Property Defence League", in Kenneth Brown, ed., *Essays in Anti-Labour History: Responses to the Rise of Labour in Britain* (London: Macmillan, 1974), p.210.

¹⁰ This study of Wemyss formed the basis of my MA research, and was subsequently adapted into a journal article. Alastair Paynter. "Francis Wemyss-Charteris-Douglas: Champion of Late-Victorian Individualism", *Libertarian Papers* 4.1 (2012): 119-146.

¹¹ This term appears in all LPDL literature.

¹² Edward Bristow, "The Liberty and Property Defence League and Individualism", *The Historical Journal*, 18.4 (1975): 761-789 (768).

and publicists, including Crofts, Donisthorpe, and later, Frederick Millar, all of whom had been keenly influenced by Herbert Spencer. At its birth it could count on the support of thirty-seven federated commercial societies, but by the end of the century this figure had grown to 214.¹³ During the labour disputes of the 1890s the LPDL attempted to combat the ‘New Unionism’ through a number of measures. The League formed the Free Labour Protection Association to protect labourers from the control of Socialistic trade union leaders and provide labour replacements during strikes, while the Employers’ Parliamentary Council attempted to block the passage of legislation harmful to employers. In addition to this, the Co-Partnership Movement attempted to reduce friction between employers and employees by means of stock-sharing and profit-sharing.¹⁴

Unlike the Primrose League, the LPDL, while of course keen to attract individual members, was primarily focussed on the federation of existing bodies. Politically it was much more centred around Westminster, and possessed far less of the social accoutrements that went with the Primrose League. What is clear is that the LPDL was able to attract support across all social classes. This is of course evident with the prominent role of the non-unionised workers of the FLPA during the labour troubles of the 1890s, but there were also direct appeals to long-standing libertarian currents within the working classes, such as the opposition to temperance measures deemed to adversely affect the poor (as one LPDL pamphlet urged readers, “Do not vote for a candidate who would allow a rich man to drink his fill in his club, but would rob a poor man of his beer”).¹⁵

One of the League’s many activities was to collate all the incidences of “Socialistic” legislation that had occurred since 1870, which its president Wemyss relayed to the House of Lords in 1885. He documented many instances of acts and attempted bills aimed at a wide range of targets including land, houses, corporate property, livery companies, water companies, shipping, railways, manufactures and trades, alcohol and education. There were even measures to regulate recreation. All these instances were national legislation and did not take into account all the numerous measures passed at the level of local government.¹⁶

Although the LPDL slowed the stream of Collectivist legislation somewhat, any attempts to reverse the political trends of the country were ultimately unsuccessful. However, on its own terms the LPDL considered itself to have achieved considerable success in

¹³ Ibid., 767.

¹⁴ Seldon, p.222.

¹⁵ Bristow, p.781.

¹⁶ Wemyss, *Socialism at St. Stephen’s, 1869-1885: Speech delivered in the House of Lords* (London: LPDL, 1885), pp.16-27.

blocking attempted legislative measures. By 1891 it claimed to have stopped 386 bills successfully, adding a further 400 by 1900.¹⁷ According to Bristow, it is not possible to say for certain whether the League's action was decisive or just contributory in the defeat of such bills, but he does note that comments by opponents indicate that Wemyss had real influence over the statute book.¹⁸ It is clear that the LPDL and their opponents' viewed each other as reactionary. For opponents, the LPDL was obstructing the path to progress. For the LPDL, it was their opponents who were undoing all the real progress of the nineteenth century and returning the country to the regulation of Elizabethan days. Norbert Soldon has argued that despite its claim to constitutional conservatism the LPDL was in fact quite revolutionary in that rather than "interpreting the British constitution as a dynamic changing organism, it sought to replace natural law with a new principle which would be immutable—*laissez-faire*."¹⁹

In 1905 it was joined by the British Constitution Association (BCA). The BCA was similarly inclined to support solidly Victorian notions of individual liberty and private property. It was, however, of a much more Conservative and Unionist hue than even the LPDL had been, a characteristic of the fact that by the early twentieth century it was the Conservative Party which had assumed the role as defender of Victorian liberal values, while the Liberal Party had repositioned into a moderately welfarist New Liberal Party. Of a decidedly less libertarian bent was the Anti-Socialist Union (ASU), founded in 1908, two years into the most radical Liberal government the country had elected, which opted against the continual championing of Victorian 'Individualism', preferring to offset the lure of Socialism to voters by proffering modest social welfare measures of its own.

Measured against the metric of political success, the libertarian story of the late-Victorian and Edwardian eras might be seen as one of decline and defeat. This is, however, a reductionist assessment which over-emphasises the importance of pure, discrete ideologies as influencing factors on national politics. Even while their own ideals were not effectively realised, the wide-ranging thought and activities of libertarians of the period played a pivotal role in creating an environment in which an effective anti-Socialist politics could thrive. As such the implicit influence of libertarians far outweighed their numbers, and was instrumental in establishing an important and lasting current in British politics.

¹⁷ Bristow, 768.

¹⁸ Ibid., 768.

¹⁹ Soldon, p.232.

I. KEY TERMS AND CONCEPTS

One of the inherent problems in the kind of study which bridges political history and political philosophy is that of a changing taxonomy. The most obvious of these terms here is ‘libertarian’. Although it was used in a philosophical context in 1789 by William Belsham—to denote someone who believed in free will (“that the mind chooses the motive”) as opposed to a determinist—political usage did not emerge until much later.²⁰ Furthermore, its political connotations were originally on the left, recurring in the writings of French anarchists. Joseph Déjacque referred to himself as such in a letter to Pierre-Joseph Proudhon. In 1858 he began to publish a regular journal espousing anarchist communism, called *La Libertaire: Journal du mouvement social*. The journal only lasted for three years, but the term was again used in a French context in 1880, when it appeared as “libertarian communism” at an anarchist conference in Le Havre.²¹ Defenders of the left-anarchist definition have suggested that the word was stolen by the Right in the 1950s to denote a philosophy which should more properly be referred to as “propertarian” since, in their minds, the new libertarianism always places property above liberty.²² This sort of libertarian thought has been greatly influenced by the work of the Austrian School economists, in particular Ludwig von Mises, and following him, Murray Rothbard. In the United States, Frank Meyer’s attempt to synthesise libertarian and traditionalist conservative thought, known as ‘fusionism’, has been highly influential on sections of Rightist politics in that country.²³

In Britain, the idea of a distinctive “libertarian conservatism” has largely emerged within scholarship during the last thirty years. In particular, it dates from the political philosopher W.H. Greenleaf’s monumental three-part study, *The British Political Tradition* (1983). In the first volume, *The Rise of Collectivism*, Greenleaf laid out an interpretive

²⁰ William Belsham, “On Liberty and Necessity”, *Essays, Philosophical, Historical, and Literary* (London: C.Dilly, 1789), p.11.

²¹ David Goodway, *Anarchist Seeds Beneath the Snow: Left Libertarian Thought and British Writers from William Morris to Colin Ward* (Oakland: PM Press, 2012), p.339.

²² Iain Mckay, ed., *Property is Theft!: A Pierre-Joseph Proudhon Anthology* (Oakland: AK Press, 2011), pp.1-2.

²³ ‘Fusionism’ was first developed during Meyer’s time as associate editor of *National Review* during the 1950s. In the 1960s, Meyer outlined his philosophy in *In Defence of Freedom: A Conservative Credo* (Chicago: Henry Regnery, 1962) and *The Conservative Mainstream* (New Rochelle: Arlington House, 1969).

framework which rested on a dialectic tension between libertarianism and collectivism, a contrast between “on the one hand, the notion of a natural harmony in society achieved without recourse to state intervention and, on the other, the idea of an artificial identification of human interests resulting from legislative or other political regulation.”²⁴ He then gives four essential features of his usage of the label libertarian. Firstly, it means individuality and the right of the individual to be “free from both social supervision and arbitrary political control”, concepts which were understood not in abstract terms but in real privileges inherited at birth and passed on through the generations from the Teutonic origins of the Anglo-Saxons, through Magna Carta and the 1689 Bill of Rights to the present. Following this there is the logical assertion that in order for these rights to be guaranteed the power of the state had to be limited. Thirdly, there is the recognition that any great concentration of power would be inimical “to individual choice and activity”. Fourthly, libertarianism necessitates the Rule of Law, a concept famously described by Dicey.²⁵

In Greenleaf’s usage, collectivism, by contrast, simply stands in opposition to such a “stress on individuality”, which in the nineteenth century had variously been referred to as “functionarism”, “officialism”, “empiricism” and “construction”.²⁶ By rooting his usage of these terms in a clear historical context, Greenleaf ensures it retains considerable descriptive power. As such it is employed as indicative of a general tendency, rather than a fixed attachment to the modern philosophy of libertarianism, thus enabling him to pre-empt and evade a charge of anachronism. Greenleaf’s work was timely too, given the return of free-market rhetoric to the forefront of political discourse in the 1970s and 80s.

In the second volume, *The Ideological Heritage*, Greenleaf sketched out a vision of Conservative historical development which rested on a “twin inheritance”.²⁷ One strand was paternalist, which saw no problem in extending the hand of the State into the economic and social realms for the good of the nation, while the other was libertarian, which advocated minimal interference. These two strands coexisted within Conservatism, but in a state of tension. While Greenleaf acknowledges the important role played by Spencerian ideas on conservatism, he refers to a “notable range of argument” which could be social, economic,

²⁴ W.H. Greenleaf, *The Rise of Collectivism* (London: Methuen, 1983), p.15.

²⁵ Ibid., pp.15-20. Following from Dicey, Greenleaf gives three essential features of the rule of law. Firstly, the absence of arbitrary power, and punishment of anyone except for breaches in the law established in the usual way before ordinary courts. Secondly, equality before the law, meaning that no person or class was above the law and that everyone is amenable to the jurisdiction of the courts. Thirdly, and crucially, that individual rights are inherent, and while protected by the courts, they are not created by them, or by Parliament of government.

²⁶ Ibid., p.20.

²⁷ Greenleaf, *The Ideological Heritage* (London: Methuen, 1983), p.189.

religious or philosophical in its nature.²⁸ Far from simply being the reconstitution of Old Liberal ideas within a Conservative Party context, Greenleaf sees the strand of libertarian conservatism stretching back into the seventeenth century, with the universal fear of the growth of centralized power.

Because of the Thatcherite political context in which it was written, Greenleaf's conception of a libertarian conservatism has received ample attention in both histories of the Conservative Party, and studies of modern political ideology.²⁹ One of the strongest challenges to the general outline of Greenleaf's thesis was made by E.H.H. Green, in the latter's discussion of Conservative ideology during the late nineteenth and early twentieth centuries. In his view, although the paternalist/libertarian dichotomy has plentiful explanatory power, it falters on chronology. That is, attempts to follow the strand of thought back to Edmund Burke and Adam Smith via the liberal Toryism of Lord Liverpool "founder on the rocks of an a-historical or reductionist teleology."³⁰ Since none of these figures could really be described as libertarian it renders a clear investigation of the ancestry of libertarian conservatism difficult. Green claims that clear libertarian arguments only appeared on the Right as a result of the migration of disaffected Liberals into the Conservative Party, as per Spencer's description. Green later expanded upon his critique, arguing that the paternalist/libertarian dichotomy is challenged by the fact that conservative individuals and groups have expressed both libertarian and paternalist views on different issues at the same time, indicating that each individual case hinges on whether the State or civil society is deemed to be the most effective agency to meet the desired ends.³¹

If there are difficulties surrounding the term 'libertarian' then what of 'Individualist'? Despite its earlier negative connotations, from the 1880s there was a tendency for many advocates of laissez-faire to identify with Individualism, in opposition to New Liberalism and Socialism.³² This ideological dichotomy is found throughout the literature of groups like the

²⁸ Greenleaf, *The Ideological Heritage*, p.264.

²⁹ For example, Matthew Fforde, *Conservatism and Collectivism 1886-1914* (Edinburgh: Edinburgh University Press, 1990). Barry Cooper, Allan Kornberg and William Mishler, Eds., *The Resurgence of Conservatism in Anglo-American Democracies* (Durham: Duke University Press, 1988). Robert Eccleshall, *English Conservatism Since the Restoration* (London: Routledge, 2002). Robert Leach, *Political Ideology in Britain* (Basingstoke: Palgrave Macmillan, 2015) 1st Ed. 2002. Richard Wade, *Conservative Party Economic Policy* (Basingstoke: Palgrave Macmillan, 2013). Hugh Bochel, *The Conservative Party and Social Policy* (Bristol: Policy Press, 2014).

³⁰ E.H.H. Green, *The crisis of conservatism: The politics, economics and ideology of the British Conservative party, 1880-1914* (London: Routledge, 1996), p.316.

³¹ Green, *Ideologies of Conservatism: Conservative Political Ideas in the Twentieth Century* (Oxford: OUP, 2002).

³² An early example of the negative associations of the term 'Individualist' can be found in Alexis de Tocqueville's *Democracy in America* (1835).

LPDL and clearly served as a useful catch-all label for those of a libertarian bent. However, when we consider the term philosophically, it is quite apparent that it is laden with difficulties. 'Individualism' would seem to signify a conception of society in which the individual is the basic unit, yet this foundation is at odds with the more organic framework present within conservatism. It is therefore confusing to apply it in any specific sense to the whole body of anti-Socialist thought during this period, other than in the simple rhetorical way in which it was used contemporaneously. Of course, there were actual philosophical Individualists active within groups like the LPDL, many of whom had been intellectually indebted to Spencer. Among this group we could count W.C. Crofts, Wordsworth Donisthorpe, J.H. Levy, Auberon Herbert, Frederick Millar, Roland K. Wilson and Bruce Smith. Yet, it is apparent that there was significant philosophical distance between the views of these figures, many of whom came very close to anarchism, and those of the more conservative members of the 'Individualist' broad tent.

The political alliance between Individualists and Traditionalists, and the accompanying tensions, are explored by M.W. Taylor in *Men Versus the State: Herbert Spencer and the Late Victorian Individualists* (1992).³³ He noted that despite the Liberal politics of Spencer and the early Individualists, late Victorian Individualism was deeply conservative and pessimistic. This was a stark contrast to the earlier sunny optimism of the Manchester Liberals, even though on economic matters they were largely in agreement. The conservatism of the Individualists was situational rather than ideational.³⁴ That is, "Individualism was a conservative political theory in the sense that it attempted to articulate an intellectual defence of the late Victorian social order against the attacks made on it by the New Radicalism."³⁵ Individualist figures were conservative, in a sense, because they had something to conserve. In the realm of practical politics, the Conservative Party had become the safest repository of Individualist ideas. Taylor notes the tendency of empirical Individualists to be drawn into the Tory fold out of political necessity. Such a transition was obviously linked to the detachment from the Liberal Party over Home Rule (these empirical Individualists had been members of the Oxford and Cambridge Liberal Unionist Associations), but this was not exclusively the

³³ M.W. Taylor, *Men Versus the State: Herbert Spencer and Late Victorian Individualism* (Oxford: Clarendon Press, 1992). Taylor has recently reaffirmed this position, arguing that the ideas of the New Right of Greenleaf's day owed little to Spencer. Taylor, "Herbert Spencer: nineteenth-century politics and twentieth century individualism", in Mark Francis and M.W. Taylor, eds., *Herbert Spencer: Legacies*, (New York: Routledge, 2015), pp.45-6.

³⁴ The distinction between different 'conservatisms' is made by Samuel Huntington, "Conservatism as an Ideology", *The American Political Science Review* 51.2 (1957): 454-473.

³⁵ Taylor, p.262.

case. Henry Sidgwick was of one mind with the Conservatives on the New Radicalism in 1885, while his friend A.V. Dicey became very closely associated with the Conservative Party.³⁶

Nevertheless, despite this evaluation of Individualist conservatism as situational, Taylor does not afford a significant role to the libertarians in the Tory Party. As with Greenleaf, there was a twofold division among Conservatives, but it was not between ‘libertarians’ and ‘paternalists’, but between ‘traditionalists’ and the ‘Radical Right’, or ‘Collectivists’.³⁷ In this context traditionalist refers to those who held classical conservative ideas. Collectivists, on the other hand, were a rather loosely-grouped range of political ideologies which valued the greater good of the many over that of the individual, and included actual Socialists as well as New Liberals. Obviously repulsed by the Collectivists, the Individualists sought common ground with the traditionalist faction. On many matters of public policy, from state finance and taxation to personal liberty there was strong agreement. Where Taylor sees the divergence is the philosophical foundation underpinning each position. The traditionalist case against Collectivism was summed up by Lord Hugh Cecil, and it was predicated on a Christian conception of the State. The Individualist case was not founded upon an interpretation of Christian dogma. To them the State was a negative force not a “locus of reverence and authority to which the individual owed obedience in both secular and religious life”.³⁸ Thus the intellectual framework in which the two positions rested differed.

Like Green after him, Taylor is hesitant about making “sweeping generalizations” about the emergence of a liberal brand of Conservatism in the late nineteenth century. For one thing, he sees Greenleaf’s case as too reliant on the role of Herbert Spencer, whose influence on Conservative politics he believes Greenleaf has overstated. Bracketing Spencer in with Salisbury fails to understand the debate on its own terms. However, when we consider the nature of Green’s criticism of ‘libertarian conservatism’ as a distinct body of thought we encounter generalising errors of his own. For example, I contend that he reads too much into Liberal influence on the Conservative Party, and thus mistakes the part for the whole. To further his case he lists “the LPDL, the BCA, Lord Wemyss, Herbert Spencer, A.V. Dicey, Ernest Benn, and St. Loe Strachey” as prominent libertarians drawn from the Liberal Party. Although “they had no great love for Conservatism” they saw the Conservative Party as the last best hope of preserving Old Liberalism. Green goes on to say that libertarian arguments

³⁶ Ibid., p.264.

³⁷ Ibid., p.264.

³⁸ Ibid., p.269.

were not solely promoted by ex-Liberals and that it was the political developments which led these Liberals to migrate to the Conservative Party which “created a context in which a libertarian strategy and vocabulary, once associated with Liberalism, was made available to and appropriated by the Right”.³⁹

Yet there is a much greater genuinely conservative element here than Green is willing to accept. Wemyss referred to himself as a conservative, frequently employing the mid-Victorian sobriquet ‘liberal conservative’. The LPDL and British Constitution Association (BCA) were not formally aligned with any party, yet both were popularly assumed to be associated more generally with Conservatism. Green also neglects to mention the significant role played by other figures whose libertarian views had a distinctly conservative flavour. Two prominent examples are William Hurrell Mallock (who garners little more than a passing mention in Greenleaf, too) and Lord Hugh Cecil. Neither of these two figures could reasonably be considered Liberal. Furthermore, the obviously significant audience that their political works attracted denotes that they were far from being mere dots on their own party’s fringe.

Although much of the discussion of libertarian conservatism has centred around Greenleaf’s thesis, there is much scholarship in the general field of nineteenth and early twentieth century politics which is illuminating. Naturally, a large part of the study of political thought within a historical context is dependent on the usage and development of certain terms. I have already noted the importance of changing conceptions of the words ‘conservative’, ‘liberal’, and ‘libertarian’. Although the dichotomy between Individualism and Collectivism has come under attack, particularly from those scholars who have disputed the existence of a Diceyan golden age of laissez-faire during the mid-Victorian period, Stefan Collini has argued that these terms are indeed highly useful, if not for being static political theories, but “part of a loose-textured political vocabulary” whereby “any definition of them necessarily embodied a particular theoretical commitment and evaluative standpoint.”⁴⁰ Michael Freeden’s work on the New Liberalism has been invaluable in deepening our understanding of changing conceptions within Liberal thought.⁴¹ Beyond political thought itself, there are the vocabularies of politics as used at the time by politicians, journalists and writers. The work of Gareth Stedman Jones in the 1980s marked a new scholarly turn towards

³⁹ Green, pp.316-317.

⁴⁰ Stefan Collini, *Liberalism and Sociology: L.T. Hobhouse and Political Argument in England 1880-1914* (Cambridge: Cambridge University Press, 1979), p.15.

⁴¹ Michael Freeden, *The New Liberalism: An Ideology of Social Reform* (Oxford: Oxford University Press, 1978).

the study of ‘languages’.⁴² More recently, David Craig and James Thompson’s edited volume of essays on the languages of politics in the nineteenth century has done much to unpack and understand the recurrent political concepts of the era on their own terms, and in their own context.⁴³ This research provides an essential component of our overall understanding of nineteenth century politics by analysing how languages influenced political action, whilst being malleable enough to be put to new uses. Although each essay within the volume is pertinent as part of the political backdrop, especially useful to this study are the essays on ‘Good Government’, ‘Statesmanship’, ‘Religion’, ‘Popular Political Economy’, and ‘Democracy’.

Elsewhere, James Meadowcroft has written compellingly about the evolution and variety of conceptualisations of ‘the state’ within British political discourse during the late nineteenth and early twentieth centuries.⁴⁴ Of great value is his comparison of two very different libertarian figures from the period: the Individualist philosopher Herbert Spencer, and the traditionalist conservative Lord Hugh Cecil. The conceptions of the state that each of these figures held casts important light upon one aspect of the philosophical distinctions between Individualism and traditionalism, an important facet of this study here. Spencer’s ‘state’ was employed in a general, abstract way, serving to denote “the politico-philosophic idea of organized coercive social regulation.”⁴⁵ By contrast, Cecil’s ‘state’ was infused with a spiritual authority, borne out of an instinctive Toryism.⁴⁶

Peter Mandler’s edited volume of essays on liberty and authority in Victorian Britain obviously has a strong bearing on the subject of this study. Within this volume, Philip Harling has noted the apparent paradox at the heart of mid-Victorian laissez-faire. While this period was idealised by many late-century libertarians as the golden age of minimal government, it was also the period in which the authority of the State was held in greater esteem than ever before, or since. This sense of legitimacy stemmed largely from what government agencies did not do.⁴⁷ Further, while outwardly the State appeared weak, largely on account of its lack of interest in intervention, it still maintained significant powers used “to

⁴² For example, Gareth Stedman Jones, *Languages in Class; Studies of English Working Class History, 1832-1982* (Cambridge: CUP, 1983).

⁴³ David Craig and James Thompson, Ed., *Languages of Politics in Nineteenth-Century Britain* (Basingstoke: Palgrave Macmillan, 2013).

⁴⁴ James Meadowcroft, *Conceptualizing the State: Innovation and Dispute in British Political Thought 1880-1914* (Oxford: Clarendon Press, 1995).

⁴⁵ *Ibid.*, p.73.

⁴⁶ *Ibid.*, pp.93-94.

⁴⁷ Philip Harling, “The Powers of the Victorian State” in Peter Mandler, ed., *Liberty and Authority in Victorian Britain* (Oxford: Oxford University Press, 2006), p.26.

discipline the 'residuum' into self reliance, orderliness, sexual decency, and sobriety."⁴⁸

Elsewhere' libertarian conservative ideas have been discussed, implicitly and explicitly, in a variety of literature over the past forty years. These have generally focussed on those organisations or individuals connected with anti-Socialist politics.⁴⁹ Furthermore, a few scholars have viewed some of the figures relevant to this study, but this has been in the light of their contribution to wider bodies of thought.⁵⁰

During the course of this thesis I will be using the following terms. *Libertarian* will denote those who emphasised the importance of individual liberty against the power of the State, holding to an inverse relationship between the two. As such, on its own it serves as an umbrella term that includes conservatives, classical liberals and Individualists. *Individualist* refers to the small but influential group of thinkers who were radically opposed to the State taking on any role beyond a minimally-prescribed function of basic law and order. Generally these were influenced by Herbert Spencer, but there was a smaller, and less dogmatically libertarian group of 'Empirical Individualists', of whom the philosopher Henry Sidgwick was the chief exponent.⁵¹ The capitalisation of Individualist seeks to differentiate it from the character trait of individualism. *Conservative* can be a notoriously difficult term to pin down exactly but here it refers to the 'essential' conservatism that, from Burke onwards, sought to maintain a traditional, organic society buttressed by hierarchy and private property. Unless capitalised the term will not specifically refer to the Conservative Party. Similarly, *Liberal* refers to the Liberal Party, while liberal denotes adherence to the political ideology. Despite the tendency of opponents to use the pejorative Socialist rather promiscuously, I will be using it to refer to any of those doctrines which sought social ownership as opposed to private

⁴⁸ Ibid., p.33.

⁴⁹ For example, on the history of the LPDL, Edward Bristow, "The Liberty and Property Defence League and Individualism", *The Historical Journal*, 18.4 (1975): 761-789. Also, Kenneth D. Brown's edited volume *Essays in Anti-Labour History* contains a number of essays pertinent to this study. In addition to N. Seldon's chapter on the LPDL, J.W. Mason writes on Thomas Mackay, one of the leading pamphleteers of the LPDL and economics writer for the Tory *Quarterly Review*; D.J. Ford contributes an essay on Mallock; Christopher Kauffman writes on the role of Lord Elcho (before he became Wemyss) in the reform of the Master and Servant Laws, and Kenneth Brown writes on the Edwardian pressure group, the Anti-Socialist Union. On Lord Hugh Cecil's parliamentary life see Richard A. Rempel, "Lord Hugh Cecil's Parliamentary Career, 1900-1914: Promise Unfulfilled", *Journal of British Studies*, 11.2 (1972): 104-30. Cecil's life is the subject of a charming chapter in Kenneth Rose's biographical study of Lord Salisbury's children *The Later Cecils*, (London: Weidenfeld and Nicolson, 1975).

⁵⁰ Mallock's economic writings have been assessed as part of the wider corpus of economic responses to socialism in John W. Mason, "Political Economy and the Response to Socialism in Britain, 1870-1914, *The Historical Journal*, 23.3 (1980): 565-587. The legacy of both Mallock and Cecil has been considered in John D. Fair and John A. Hutcheson, Jr., "British Conservatism in the Twentieth Century: An Emerging Ideological Tradition, *Albion: A Quarterly Journal Concerned with British Studies*, 19.4 (1987): 549-578.

⁵¹ A good account of the distinction between the two groups of Individualists is given in Taylor, *Men Versus the State*.

property. Although many libertarians tended to use the binary Individualist-Socialist, for the purposes of taxonomic accuracy this is misleading.⁵² New Liberals may have placed greater emphasis on equality and the greater good of the community but they cannot reasonably be described as Socialist. Although it did not appear as frequently during the period as terms like Individualism and Socialism, *Collectivism* serves as a better umbrella label for the range of political ideologies which libertarians opposed.⁵³

II. THE CONSERVATIVE HERITAGE

Late-Victorian libertarian thought undeniably owed a debt of great magnitude to Individualism, itself a radical branch of classical liberalism. That said, the conservative inheritance itself provided a deep well from which later libertarians could draw. While it would certainly be anachronistic to describe Burke as a libertarian, we can nevertheless discern a number of libertarian themes in his work, such as the defence of private property, the appreciation of society as a complex organism, the preference for the customary ‘rights of Englishmen’ and the celebration of a healthy liberty.⁵⁴ Burke’s views on political economy were in accord with his friend Adam Smith, and his 1795 memorandum *Thoughts and Details on Scarcity*, while hardly a detailed survey of his economic views, does provide clear support for laissez-faire. He did not believe government had the power to provide for necessities.⁵⁵ He also notes the incontrovertibility of the law of supply and demand, and makes an important distinction between the public and the private, arguing that the State’s hand could only be extended towards the former, which he strictly identifies.⁵⁶

⁵² In 1909, one BCA pamphleteer diagnosed many anti-Socialists as suffering “from a certain timidity”. Rather than merely identify as “Anti-Socialists” he stated they should “come out frankly as Individualists who possess a positive creed and a practical programme.” Arthur Hughes, “Is a Revival of Individualism Possible?”, *Constitution Papers*, 2.28 (Nov. 1909): 91.

⁵³ For example, see Google Ngrams results for “Individualism, Collectivism, Socialism” https://books.google.com/ngrams/graph?content=individualism%2Ccollectivism%2C+socialism&year_start=1800&year_end=2000&corpus=15&smoothing=3&share=&direct_url=t1%3B%2Cindividualism%3B%2Cc0%3B.t1%3B%2Ccollectivism%3B%2Cc0%3B.t1%3B%2Csocialism%3B%2Cc0. Accessed 3.4.17.

⁵⁴ In the late nineteenth century it was common for anti-Socialists to claim a continuity between Burke’s principles and their own. For example, T. Dundas Pillans, *Edmund Burke: Apostle of Justice and Liberty* (London: Watts and Co., 1905).

⁵⁵ Edmund Burke, *Thoughts and Details on Scarcity* (London: F. and C. Rivington, 1800), p.2.

⁵⁶ He wrote: “But the clearest line of distinction which I could draw, whilst I had chalk to draw any line, was this: That the State ought to confine itself to what regards the State, or the creatures of the State, namely, the exterior establishment of its religion; its magistracy; its revenue; its military force by sea and land; the

One particularly memorable phrase set the tone for a conservative belief in laissez-faire political economy. He noted that “the moment Government appears at market, all the principles of market will be subverted.”⁵⁷ Here we have a notion that would grow to become quite important in liberal Tory circles during the first half of the nineteenth century, that of the market as a mechanism. As Boyd Hilton has argued, evangelical Christian apologists for the free market viewed political economy as a form of natural theology.⁵⁸ Economic laws were just as much a part of the natural order as physical laws, and to interfere with them was to interfere with God’s ordered plan for the cosmos. A number of figures were associated with this body of thought, yet two names stand out for their influence on the direction of British political economy in the nineteenth century: the Anglican archbishop Richard Whately, and the Scottish Presbyterian Thomas Chalmers. Viewing political economy as a form of natural theology provided a powerful argument for conservatives against State intervention, and complemented the inherent dislike for the sort of powerful administrative bureaucracy which such regulation required in an age of vastly increasing social and economic complexity.

Opposition to the centralisation of the State provided one of the main pillars of Tory libertarian politics in the early Victorian period. Whig governmental reforms aimed at rationalising administrative structures, making them more efficient at both central and local levels. These processes also brought to bear upon such diverse areas as public health, railway and factory legislation.⁵⁹ It is important to emphasise that this form of libertarian Toryism differed again from the earlier Toryism that had been influenced by liberal political economy. Instead, there were prevailing shades of the Country Party politics of the eighteenth century, which had affirmed the interests of the whole country over the corrupt, centralising officialdom of the Court Party.

The Tory libertarian opposition to the extensive centralising tendencies of the State was not borne out of an affinity for the hallmarks of liberal individualism—‘the individual’, the market or laissez-faire. Rather, they were anxious to preserve the traditional, organic social equipoise, where power was not delineated between a dichotomy of the individual and the State, but was distributed federatively amongst a number of intermediary bodies including the

corporations that owe their existence to its fiat; in a word, to everything that is truly and properly public, to the public peace, to the public safety, to the public order, to the public prosperity.” Ibid., pp.45-6.

⁵⁷ Ibid., p.29.

⁵⁸ Boyd Hilton, *The Age of Atonement: The Influence of Evangelicalism on Social and Economic Thought, 1795-1865* (Oxford: Clarendon Press, 1988).

⁵⁹ For an analysis of opposition to government growth see, W.C. Lubenow, *The Politics of Government Growth: Early Victorian Attitudes Toward State Intervention, 1833-1848* (Newton Abbot: David and Charles, 1971).

gentry, the Church and a vast array of private associations and charities. David Roberts has commented that the situation was “paradoxical” as “the Tories, many of whom abhorred the principle of laissez faire, defended its practical application, while the Benthamites and Whigs, avowed disciples of Smith and Ricardo, promoted those social reforms which brought a strong paternalistic state.”⁶⁰ This was a disparate group, and its parliamentary figures included Colonel Sibthorp, David Urquhart and Joshua Toulmin Smith. Toulmin Smith founded the short-lived Anti-Centralization Union, and much of his credo can be found in his 1851 work *Local self-government and centralization*.⁶¹ The importance of this group for the study of Victorian libertarian thought lies in the way they articulated a defence of traditional inherited liberties in language completely separate from the more familiar liberal repertoire. Traditional Tory concerns about centralisation and sweeping structural institutional reform persisted throughout the Victorian era. These fears were exacerbated by the progress of electoral reform efforts, particularly those which affected suffrage. In this area their concerns were matched by many classical liberals anxious about the effect mass democracy would have on individual liberty and property.

Democratisation was arguably the fundamental process which brought together classical liberals and conservatives from the mid-Victorian period onwards. Successive reform acts, in 1832, 1867, and 1884 all expanded the franchise, and weakened the hold of the upper classes over parliament. The realisation that an expanded franchise would endanger the core elements of classical liberalism, such as respect for property, sanctity of contract and limited government, led a number of important Liberal intellectual figures to a more Conservative position as the century wore on. Among this number we could include Henry Maine, James Fitzjames Stephen, W.E.H. Lecky, A.V. Dicey and Henry Sidgwick. The reaction to democracy allowed a bridge for classical liberal ideas to find their way into a conservative view of a changing society. This entailed a gloomier disposition than had characterised early and even mid-Victorian thought, which had championed liberal policies as necessary for a more peaceful and prosperous, happier world.

⁶⁰ David Roberts, “Tory Paternalism and Social Reform in Early Victorian England”, *The American Historical Review* 63.2 (Jan. 1958): 323-337 (335). For an extensive study of paternalism as a concept in early Victorian politics see Roberts, *Paternalism in Early Victorian England* (London: Croom Helm, 1979).

⁶¹ Joshua Toulmin Smith, *Local self-government and centralization: the characteristics of each: and its practical tendencies, as affecting social, moral, and political progress, including comprehensive outlines of the English constitution* (London: John Chapman, 1851). One recent discussion of Toulmin Smith’s political views is Ben Weinstein, “‘Local Self-Government is True Socialism’: Joshua Toulmin Smith, the State and Character Formation”, *The English Historical Review*, 123:504 (Oct., 2008):1193-1228.

Lecky was one Liberal figure to critically consider the effect that democracy would have on the liberal order. *Democracy and Liberty* first appeared in 1896, in which he argued that the historical record demonstrated that all too often democracy had an adverse effect on liberty, not least because its singular obsession with the notion of equality meant a “constant, systematic, stringent repression” of the natural energies of individuals.⁶² It was a conspicuous fact that democracy tended strongly towards “authoritative regulation”, evident in the popular tide against free trade and free contract that was occurring in the democracies of his day.⁶³ Lecky warned that the increase in State power as a direct effect of democracy would be evident in a number of ways. It meant an enlarged bureaucracy, increased taxation and wealth confiscation as a means of “class bribery”.⁶⁴

The spectre of democracy had troubled many Conservatives and Liberals alike for some time. The fear of ‘mob rule’ had been present in the British ruling class since the French Revolution, and if Burke’s denunciations had grown fainter with the passing of time, Carlyle’s vivid history of the Revolution ensured generations of Victorians would not forget its horrors so easily.⁶⁵ The main cause for anxiety lay in the threat posed to property. During the 1866 Reform Bill, Lord Salisbury wrote “The great danger of democracy is that it places supreme power in the hands of those who may be misled by hunger into acts of folly or wrong.”⁶⁶ In a similar vein, the Duke of Somerset wrote that envy was “the animating spirit of democracy.”⁶⁷ The Liberal judge James Fitzjames Stephen was especially scathing in his 1873 work *Liberty, Equality, Fraternity*, a systematic attack on Mill’s *On Liberty*. Pessimistic about the prospects for liberty and culture in an age of democracy, Stephen regarded the popular notion that democracy meant each individual having a share in government as fallacious. In reality, it substituted one ruling class for another, resulting in a government by “wire-pullers”.⁶⁸ The concept of the “wire-puller” was developed at greater length by Stephen’s friend and former tutor Sir Henry Maine, in *Popular Government* (1884).⁶⁹ Through the success of his magnum opus *Ancient Law*, Maine’s legacy has been primarily associated with the concept that freedom of contract had become the definitive quality of progressive civilisation, in distinction from the earlier emphasis on the importance

⁶² W.E.H. Lecky, *Democracy and Liberty* (New York: Longman, Greens & Co., 1903), p.256.

⁶³ *Ibid.*, p.257.

⁶⁴ *Ibid.*, pp.258-9.

⁶⁵ Carlyle’s *History of the French Revolution* first appeared in 1837.

⁶⁶ Lord Salisbury, “The Reform Bill”, *QR* 119.238 (Apr. 1866). Republished in Paul Smith, ed., *Lord Salisbury on Politics: A selection from his articles in the Quarterly Review*, 1860-1883, p.208.

⁶⁷ Edward Seymour, 12th Duke of Somerset, *Monarchy and Democracy* (London: James Bain, 1889), p.154.

⁶⁸ James Fitzjames Stephen, *Liberty, Equality, Fraternity* (New York: Holt and Williams, 1873), p.240.

⁶⁹ Henry Sumner Maine, *Popular Government* (London: John Murray, 1885).

of status.⁷⁰ Maine's biographer George Feaver has noted that Maine's preference for the "libertarian Conservatism" of Lord Salisbury's Tories over Gladstone's collectivist radicals was not merely due to his reverence for private property, but for the continued viability under democracy of both parliamentary political institutions and the traditional liberties which the English considered their birthright, "a point of departure embedded deeply in a longstanding Whiggish respect for the rule of law."⁷¹ Democracy threatened the sanctity of contract and thus imperilled modern civilisation itself.

The causative link between democracy and the growth of power of the modern State has been made by a number of thinkers including Jouvenel, von Kuehnelt-Leddihn, and, more recently, Hoppe.⁷² Although Victorian critics of democracy usually framed their arguments in terms of mob rule or attacks on property, it was only in the twentieth century that more complete analyses emerged, the most significant of which were provided by Continental thinkers. These included Weber, Michels, and Pareto, the latter of whom was an associate of the LPDL.⁷³ In these writings there is not just a strong connection drawn between democracy and a vast bureaucratic machine of public administration, but also a welfare state. This process has been examined by Paul Gottfried in *After Liberalism*.⁷⁴ Gottfried charts the rise of the modern managerial State, and how "liberalism" now tended to connote social planning by an elite of public administrators, in place of the old liberal emphasis on self-government and the importance of a civil society protected from the predations of the State. Interestingly, in Gottfried's view, no Victorian was able to foresee the political future as clearly as Mill. The weakness of Fitzjames Stephen's (and his brother Leslie's) liberal critique of Mill was his underestimation of the latter's authoritarian streak, a factor controversially examined by Maurice Cowling in 1963.⁷⁵ Mill did not intend that the enfranchised masses should be left to

⁷⁰ Maine, *Ancient Law: Its Connection with the Early History of Society, and Its Relation to Modern Ideas* (London: John Murray, 1861).

⁷¹ George Feaver, "The Victorian values of Sir Henry Maine", in Alan Diamond, ed., *The Victorian achievement of Sir Henry Maine: a centennial reappraisal* (Cambridge: Cambridge University Press, 1991) p.49. Feaver contrasts this sort of libertarian Conservatism with that of his own day, which "has placed great store by the virtue of political economy and an accompanying celebration of the marketplace."

⁷² Bertrand de Jouvenel, *On Power: its Nature and the History of its Growth* (Boston: Beacon Press, 1962. First Published 1945). Erik von Kuehnelt-Leddihn, *The Menace of the Herd* (Milwaukee: The Bruce Publishing Co., 1943), *Liberty or Equality* (Front Royal, Virginia: Christendom Press, 1952). Hans-Hermann Hoppe, *Democracy: The God that Failed* (Rutgers, New Jersey: Transaction, 2001).

⁷³ Max Weber, *Economy and Society* (Berkeley: University of California Press, 1968. First published 1922). Robert Michels, *Political Parties: a Sociological Study of the Oligarchic Tendencies of Modern Democracy*, Tr. Eden and Cedar Paul (London: Jarrold and Sons, 1916). Vilfredo Pareto, *The Transformation of Democracy* (New Brunswick: Transaction, 1984. First published 1920).

⁷⁴ Paul Edward Gottfried, *After Liberalism: Mass Democracy in the Managerial State* (Princeton: Princeton University Press, 1999).

⁷⁵ Maurice Cowling, *Mill and Liberalism* (Cambridge: Cambridge University Press, 1963).

direct their own destiny, but rather that they should be led by a class of democratic planners, in effect a secular clerisy.⁷⁶ The expectation that mass democracy would undermine the liberal, propertied society that they championed led many Old Liberals and Whigs to adopt a very conservative position on electoral and social change, and was clearly a factor that would eventually lead many of them into the Tory fold. This migration might be explained purely on the basis of political utility, but we are still left with deeper questions about mentality. Despite previous mutual animosity was there a mental atmosphere within Conservatism that was amenable to Old Liberal ideas? To what extent was there a common worldview that signified this was a marriage of more than mere convenience?

III. A LIBERTARIAN CONSERVATIVE ‘MIND’?

Most treatments of libertarian conservatism have tended to view the notion as part of a wider chronological study. While this clearly serves the purpose of assessing the evolution and development of a concept, ideology, or body of thought, it necessarily has its weaknesses. For one thing, there can be an innate tendency to either simplicity or repetition as each facet is viewed in the context of a particular time, without much room for adequate comparison between different times. This can complicate the process of distillation of its essential transcendent features. This problem can be avoided by taking a more thematic approach, as demonstrated capably in Michael Bentley’s study, *Lord Salisbury’s World: Conservative Environments in Late-Victorian Britain*. By arranging the mental furniture—‘Time’, ‘Space’, ‘Society’, ‘Property’, etc.—of such a giant of Victorian Tory politics and doctrine in this manner, Bentley is able to gain access to a more ethereal but nonetheless important ingredient of political thought, that of mind.⁷⁷ He reminds us that Salisbury’s life “was political in a more distant and nuanced sense that often took its form from quite different environments”.⁷⁸ In looking at “environments” Bentley seeks to uncover Salisbury’s

⁷⁶ Gottfried, *After Liberalism*, pp.47-8.

⁷⁷ Michael Bentley, *Lord Salisbury's World: Conservative Environments in Late-Victorian Britain* (Cambridge: Cambridge University Press, 2001).

⁷⁸ *Ibid.*, p.4. On his method Bentley writes: “Rather than begin with the birth of Lord Robert Cecil and end with the death of the third Marquis of Salisbury, we step sideways and look askance at the whole trajectory, now from one direction, now from another, thinking as we go about Salisbury’s relationship to a particular environment

“disposition”, one which he notes “resisted the categories most familiar to his students”.⁷⁹ This approach is highly effective at contextualising Victorian Tory sentiment and doctrine and, in situating Salisbury as a man of his own time, better allows him to speak beyond it.

The use of the ‘frame of mind’ as an observational and evaluative tool became quite popular during the middle of the twentieth century. The American traditional conservative Russell Kirk produced *The Conservative Mind* in 1953, while the Australian political theorist Kenneth Minogue did the same for liberalism in *The Liberal Mind* a decade later.⁸⁰ More broadly, Walter Houghton’s *The Victorian Frame of Mind* undertook to examine the interrelationship between the constituent ideas and attitudes of Victorian civilisation.⁸¹

In each of these cases, the specifics might vary slightly, but there is an overall agreement that to search for a ‘mind’ or a ‘frame of mind’ is to be concerned with deeper, underlying presuppositions and modes of thought. Kirk does not go into much detail as to what he means by “mind” other than to consider conservatism as a “system of ideas”, his thesis being primarily concerned with the Anglo-American conservative “essence”, yet restricting itself to those figures he considers to fall into a Burkean line.⁸² Minogue uses his study of a “Liberal mind” to assess the history of the Liberal tradition, which goes far beyond the political sense of doctrine or ideology to the larger, unifying essence which lies behind what he calls “an intellectual compromise so extensive that it includes most of the guiding beliefs of modern western opinion.”⁸³ Minogue evaluates liberalism as an ideology, by which he means “a set of ideas whose primary coherence results not from their truth and consistency, as in science and philosophy, but from some external cause; most immediately, this external cause will be some mood, vision, or emotion.”⁸⁴

In *The Victorian Frame of Mind* Houghton notes that the Victorian ‘mind’ often appears “as a bundle of various and often paradoxical ideas and attitudes.”⁸⁵ His discussion of ‘mind’ is concerned with mental characteristics. He writes of “those general ideas about life

and blatantly ignoring some other aspects that a biographer might deem *de rigueur*. Combining these perceptions will leave us speaking French (*mentalité*), German (*Weltanschauung*) or at least American (‘mindset’). ”

⁷⁹ Ibid. “Religion was central but he would never talk about it. His journalism has been made central but he would never discuss it. His thinking was impressive but he chose to make it sound like common sense.”

⁸⁰ Russell Kirk, *The Conservative Mind: From Burke to Santayana* (London: Faber and Faber, 1953); Kenneth Minogue, *The Liberal Mind* (Indianapolis: Liberty Fund, 2000. First published 1963).

⁸¹ Walter E. Houghton, *The Victorian Frame of Mind, 1830-1870* (Yale: Yale University Press, 1957).

⁸² Kirk, pp.5-6. Kirk works from the presupposition that “Burke’s is the true school of conservative principle”. Given that, he purposely leaves out a number of important influences upon conservative thought such as “most anti-democratic Liberals like Lowe, most anti-government individualists like Spencer, most anti-parliamentary writers like Carlyle.”

⁸³ Minogue, *The Liberal Mind*, xiii.

⁸⁴ Ibid., p.17.

⁸⁵ Houghton, xiii.

which Victorians of the middle and upper classes would have breathed in with the air—the main grounds of hope and uneasiness which they felt, the modes of thought and behavior they followed, often spontaneously, the standards of value they held—in a word, the frame of mind in which they were living and thinking.”⁸⁶ Approaching political ideas via frame of mind is useful for a number of reasons. For one, it is the frame of mind which provides the animating life into which the flesh and blood of political doctrines fit. This is especially important when we look at political life in a period, in which it has been argued that neither party possessed an ‘ideology’ as such.⁸⁷ Further, it provides a greater allowance for the many paradoxes present in human thought and intellectual history, facets of thought which cannot easily be accounted for with the tendency to over-rationalisation to which studies of pure ideology can lead.

The purpose of this study is to provide a fuller examination of libertarian conservatism during the late nineteenth and early twentieth centuries than has hitherto been conducted. While this obviously builds upon the framework developed by Greenleaf in the realm of political philosophy, it will be quite different in a number of ways. First and foremost, this is a work of political history. As such it will endeavour to tether the concepts developed within the study of political thought firmly to the context in which they were developed. Thus, the various facets of libertarian conservatism which will be analysed here were intended by their exponents to represent transcendent, objective political truths, whilst being articulated in a form which was a response to the political challenges and opportunities of their day. Secondly, since opposition to Collectivism was widespread, it is necessary to distinguish between those elements which could genuinely be described as conservative, and those which were of a more liberal or radical Individualist bent. Here there may be some overlap, for it is only natural that political arguments deemed useful would be shared by those of different overall positions when their ends were in agreement. However, by delving into the philosophical underpinning of their expositors, we can get a sense of where libertarian conservatives were arriving at their conclusions via a different route, and not merely representing a sort of repackaged classical liberalism. Thirdly, where there is evidence of an influx of liberalism into conservatism—either ideologically, or physically in the form of those Old Liberals who deserted the Liberal Party—I want to examine how such an ideological rapprochement was possible. Attributing this union merely to matters of expediency, as some

⁸⁶ Ibid., xiii-xiv.

⁸⁷ For example, Peter Ghosh, “Gladstone and Peel”, *Politics and Culture in Victorian Britain*, in Peter Ghosh and Lawrence Goldman, eds., (Oxford: Oxford University Press, 2006), p.72.

scholars have done, does not seem to be a satisfactory explanation. Thus, I aim to examine the mental atmosphere, or frame of mind, inherent within conservatism which allowed these changes to happen with relatively little friction.

This study will take will a thematic approach. Rather than provide another chronological outline of anti-socialism during the late nineteenth and early twentieth centuries, I will look at libertarian conservatism through different ‘lenses’. Further, the parameters I have chosen represent a slightly larger window of study than has typically been the case. Most scholarly studies in which the tension between ‘Individualism’ and ‘Collectivism’ has been highlighted have tended to begin at around 1880 and end at the outbreak of the Great War in 1914. The first of these bookends is undoubtedly a tidy place to commence since the election of what would become Gladstone’s Second government marks the first specific turn towards Radicalism within the Liberal Party and the beginning of the period of unease and distrust among Old Liberals. Dicey’s classic legal antithesis between Individualism and Collectivism placed the point of demarcation further back still, in 1870.⁸⁸ For the purposes of this study I have chosen 1867. Given that the move away from the mid-Victorian high point of laissez-faire was a process, not a single event, the location of a particular year as a boundary might seem arbitrary. Nevertheless, since time and space enforce certain restrictions upon researchers, the Second Great Reform Act marks an important turning point. As already noted, the spectre of democracy loomed large in the minds of many Conservatives and Liberals alike, and it was this legislation which, by enfranchising part of the working class for the first time, marks a definite step on the path towards mass democratic government. At the other end, 1914 is a convenient place to draw the upper boundary. The First World War complicates the issues at hand significantly, accelerating as it did all the tendencies towards a more extensive, powerful State, to the point where, in A.J.P. Taylor’s famous words, “the history of the English state and of the English people merged for the first time”.⁸⁹

In the near half-century between 1867 and 1914 party fortunes altered dramatically. Excepting the ten years of Conservative rule from 1895 to 1905 and the subsequent decade of Liberal power until 1915, neither party enjoyed extended periods of electoral dominance. At the national level, party politics were dominated by the towering figures of Disraeli, Gladstone and then, Salisbury. Following the Home Rule crisis of 1885/86 the Conservatives

⁸⁸ A.V. Dicey, *Lectures on the Relation Between Law and Public Opinion in England* (London: Macmillan, 1905).

⁸⁹ A.J.P. Taylor, *English History 1914-1945* (Oxford: Oxford University Press, 2001. First published 1965). p.2.

were buoyed by the support of the renegade Liberal Unionists, whose severance from Gladstone's party had occurred over a number of issues beyond Irish Home Rule. The Whig and moderate (or 'Old') Liberal component had been alarmed at the level of influence exerted by Radicals, manifested in legislation such as the Employers' Liability Act of 1880. This, and the general conduct of Chamberlain as President of the Board of Trade—including the introduction of the Patents Act and Bankruptcy Act in 1883, and an attempt to regulate merchant shipping—provoked a sizeable section of the Liberal Party's traditional base of commercial support including the railway interest, mineowners and shipowners, many of whom abandoned the party in 1886.

At subsequent elections the Liberal Unionists would come to the aid of the Conservatives, although they remained separate parties until their formal merger in 1912. The expansion of the franchise in 1867, and then again in 1884 with the Third Reform Act, provided a challenge to which the Conservative Party had to respond. High Conservative doctrine had to be packaged and furnished to the electorate in more popular forms. During the 1880s and 90s, the Conservative Party benefited electorally from the great inroads it made into suburbia. This phenomenon, 'Villa Toryism', was for a long time explained away in terms of class, whereby the middle classes increasingly flocked to the Conservative Party as the protector of their interests, a transition that was enabled by the increased effectiveness of party organisation. The Conservatives were, however, able to draw upon support across all class backgrounds, something which they believed consolidated their claim to be the truly 'national' party. Popular Conservative politics operated successfully in a highly heterogeneous political culture, as indicated by the co-existence of a distinctive working-class Toryism with the Villa Toryism of the middle classes. Recent scholarship has considered the success of the Conservative Party in urban and suburban constituencies not on the basis of narrow class interest but on its effective appeal to certain vocabularies.⁹⁰ By the period of Balfour's leadership of the Party from 1902, however, this broad basis of support for the Conservatives faltered as the party became divided over the issue of tariff reform, an internal fissure which they were unable to conclusively resolve for the remainder of that decade. The period from crushing Liberal victory of 1906 until the First World War was one of pronounced Liberal dominance, and it was during this time that the radical turn in Edwardian Liberal politics found its legislative expression.

⁹⁰ See Windscheffel, *Popular Conservatism in Imperial London*; Matthew Roberts, 'Villa Toryism' and Popular Conservatism in Leeds, 1885-1902, *The Historical Journal*, 49.1, (Mar., 2006): 217-246.

Since libertarian conservatism is a tendency, not a concrete ideology, it follows that its enumeration is not to be found in any individual texts alone. Prevailing attitudes and assumptions, of the kind we are concerned with when discussing concepts of ‘mind’, exist in a number of people and places, and to varying degrees. This thesis treats libertarian conservatism as a significant, strong tendency within conservatism that emphasises the importance of liberty, and limits on the range and extent of State intervention. The figures selected as libertarian conservatives in this study fit these criteria. All of them were opposed to the ‘Socialistic’ tendencies of the politics of the late-Victorian and Edwardian period. While not opposed to State action in every instance, they preferred a general approach of laissez-faire. With the exception of Lord Hugh Cecil (who was to play a major role in the BCA), all of them were involved with the LPDL. This institutional umbrella fits well with the varied approaches adopted by the figures in this thesis, for as Seldon has noted, the LPDL “harmonised the doctrines of evolution, natural selection, science, liberty, efficiency and progress.”⁹¹ Although their respective environments were often overlapping circles, it is not accurate to construe them part of a tight-knit ideological group in the way that we might consider the Fabians.

There are a few important figures who stand out. In all studies of late-Victorian ‘Individualism’ the Earl of Wemyss (1818-1914) looms large, not just because of his key organisational role in founding the LPDL, but also due to the fact that until his dying day he remained firmly attached to the Peelite liberal-conservatism of his youth, and thus represents one of the outstanding cases of reaction against the currents of the late-Victorian and Edwardian age. Evidence of Wemyss’ political ideas is replete throughout his many speeches, both to parliament and the LPDL, and in his collection of papers. In this regard, this study builds upon my earlier work directly concerned with Wemyss’ role within late-Victorian Individualism.

Another important figure is the writer William Hurrell Mallock (1848-1923). Initially gaining widespread fame for his literary exploits, such as the wildly successful satire on positivism *The New Republic* (1877), Mallock turned his attention in the 1880s to social and political problems. Until the end of his life he produced a vast array of works addressing the contentious issues of the day, utilising economics and social science in a way hitherto not done by conservative figures. Highly critical of both Socialist economic thought and

⁹¹ Seldon, p.232.

Spencerian social theory, Mallock emphasised the role of ‘ability’, and following from this, the centrality of the superior ‘man of ability’ to civilisational progress.

Lord Hugh Cecil (1869-1956) was another key exemplar of libertarian conservative thought. As the youngest son of the Marquess of Salisbury, Cecil lived and breathed in an atmosphere of historically-conscious Toryism, becoming the president of the BCA in 1905. His 1912 book *Conservatism* placed great emphasis both on Burke, and the other “streams of thought” which had converged to form modern Conservatism. Deeply concerned with the preservation of tradition and individual liberty against the encroachments of the State, Cecil’s thought represented a libertarian conservative doctrine that rested on explicitly Christian foundations. Central to our understanding to his thought and practice, are the texts *Liberty and Authority* (1910), his personal papers, and the speeches made during his many years as an MP.

By discussing frame of mind, this thesis will assess the mentality, patterns of thought and the constellation of attitudes that comprised the libertarian conservative worldview. Following Bentley it seeks to uncover a “disposition”. It will examine particular ideas and their relationship to particular people and environments. It is therefore a system of relationships, some explicit, others implicit. These facets of frame of mind can be accessed through a range of sources, such as published books, articles, letters, speeches, pamphlets, polemics and novels.

The variety of genres and languages addressed provide an insight into the private and public expressions of libertarian conservatism. The varied fora where these debates and discussions took place reflects the different audiences engaged in politics during the late nineteenth and early twentieth centuries. To a large extent, discussions in high-brow periodicals remained a conversation between elites. Yet, at the same time, the great bulk of literature produced by organisations like the LPDL and individuals like Mallock were aimed at the educated public of all classes, and consequently enjoyed much wider circulation.

For some of the major figures such as Wemyss, Pembroke, Cecil and Bruce Smith, archives have provided access to invaluable private papers, which included much unpublished material. In the case of others such as Mallock, archival papers were few and far between, but this was more than compensated for by the wealth of published material available. There is an unpublished volume of *Memoirs* for Wemyss but for unavoidable reasons I was unable to consult this. For parliamentary debates I have consulted *Hansard*. Among the Victorian and Edwardian periodical press I have paid close attention to *The*

Nineteenth Century and *The Nineteenth Century and After*, from its birth in 1877 to 1914. Founded by Sir James Knowles, already the founder and convenor of the Metaphysical Society, it was a unique forum for intellectual debate. Although contemporary debates were played out in a number of journals and periodicals, *The Nineteenth Century* stands out as perhaps the most significant as it was the periodical which all the leading intellectuals and politicians of the day read, regardless of party affiliation. Its articles were written and read by elites in all fields—politics, religion, literature, science and education. Its lack of political persuasion allowed antagonists full opportunity for reply in subsequent issues. Although published for a considerable time, its heyday was clearly from its birth until the end of the 1890s. By then, the unique momentum it had enjoyed was coming to an end. Politics, and indeed national cultural life, was no longer a conversation within a relatively small circle of elites. Nevertheless it did still make a significant contribution to the national debate. Of particular interest to this work are the number of articles relating to Australia during this period. I have also cited articles from other prominent periodicals such as the conservative *Quarterly Review*, although due to obvious time constraints coverage of these organs has not been as comprehensive.

This thesis is divided into five chapters. Chapter 1 deals with the ethical basis for libertarian conservatism. Hugh Cecil enumerated a moral basis for individual liberty that hinged upon a Christian understanding of the purpose of the State. This contrasted with the secular premises underlying Individualist thought, and is manifested in differing conceptual definitions for terms like ‘liberty’, ‘rights’, ‘justice’, and ‘the State’ itself. In chapter 2 I will look at the role played by empiricism within libertarian conservative political argument. Primarily this will concern the contribution of William Hurrell Mallock, who attempted to formulate a kind of scientific conservatism to compensate for what he perceived as a general inability of Conservatives to marshal scientific evidence in support of their political claims. His engagement with statistics, economics and sociology, represented a turn within conservative thought towards a new type of dialectic, one that he believed to be considerably more adept at counteracting the Radical and Socialist threats. Chapter 3 will concentrate on the role of ‘laissez-faire’ within libertarian conservative thought, both as a rhetorical motif and a guide for practical policy. Many conservatives attempted to defend the orthodox political economy which constituted the bedrock of the mid-Victorian non-interventionist State. For groups like the LPDL, most of the economic output was provided by Individualists, who opted not merely to defend the status quo, but offer alternative, purer interpretations of

laissez-faire. In doing so they were able to propose alternative schemes to better the condition of the working classes in ways which were harmonious with the ideal of the free market.

Chapter 4 concerns aristocracy. If democracy was associated with an expansive State and a diminishing sense of individual liberty, then by contrast, aristocracy could be associated with the opposite: a restricted State, and a wide sphere of personal freedom within the framework of a time-honoured Constitution. This connection was especially compelling in the light of the fact that the current towards the high tide of laissez-faire had occurred under an aristocratic government. That many aristocrats were present within the ranks of the anti-socialist organisations suggests both a broad commitment to an earlier policy of laissez-faire, and an acute awareness of the dwindling power of their own class, a decline that has been documented by David Cannadine.⁹² I will go beyond the simplistic explanation that support for aristocratic government was predicated on a negative assessment of the implications of democracy. Instead I will examine the positive case for aristocrats as ‘guardians of liberty’ and stewards of the land, and how this relationship was filtered through the ever-important light of the constitution. There will also be a discussion of advanced notions of aristocracy, such as Cecil’s ‘enlarged aristocracy’ or Mallock’s ‘aristocracy of ability’.

Chapter 5 represents a shift in focus by turning attention to the wider international context. Most comparative studies of this kind use the United States as their focal point. However, I will remain within the British Imperial context and look at Australia, where the Individualist politician, businessman and writer Bruce Smith (1851-1937) served as the central figure of Antipodean libertarian thought. There were similar liberty and property defence leagues here, and Smith acted as a kind of libertarian correspondent for the British LPDL in Australia, thus enabling an evaluation of the extent of intellectual exchange during the period. Smith’s case will also be useful in aiding understanding of the shifting interpretations of the taxonomic labels ‘liberal’ and ‘conservative’. In a country which lacked a conservative tradition, Smith wrapped his own political thought firmly in the mantle of ‘true liberalism’, although opponents increasingly referred to him using the pejorative ‘conservative.’

This Australian case study will allow me to address the issue of changing definitions and associations of liberalism across the Anglosphere. In seeking to assess the extent to which we can speak of the Anglosphere as a unitary entity, this chapter will also endeavour to

⁹² David Cannadine, *The Decline and Fall of the British Aristocracy* (New Haven: Yale University Press, 1990).

cast light on the nature of the relationship between the centre, Britain, and the settler colonies on the periphery. It is important to emphasise that by doing this I will not be attempting a comprehensive evaluation of the Anglosphere, for such a study would necessarily involve extensive treatments of the other settler colonies and would require time and space vastly beyond the possible scope of this study. Nevertheless, it will be a window onto this fascinating and very important aspect of intellectual and imperial history.

In addition to contributing to our understanding of late nineteenth and early twentieth political thought and history, it is hoped that this study will also have implications for contemporary political discourse. Debates about the limits of State action are perennial, and given the recent tendency to associate libertarian ideas with the Right, a discussion of intellectual ancestry is expedient. Furthermore, by examining the congruence of classical liberal and classical conservative ideas, this study aims to pursue the possibility that ideology alone is an insufficient basis for politics.

Chapter One: Ethics

In her diary for November 3rd 1903, Beatrice Webb recorded a dinner at the Asquiths' at which the promising thirty-four year old MP Lord Hugh Cecil had been present. She noted that the "ultra Tory" Hugh was "a bigot even on fiscal questions dominated entirely by a sort of deductive philosophy from laissez-faire principles held as theological dogma".¹ Along with her husband Sidney, Beatrice Webb had established herself as one of the leading Fabian Socialist writers and theorists in Edwardian Britain. The dinner does not so much represent merely a meeting of rival politics, but a clash of altogether different worldviews. Although she clearly intended the comment as a criticism, there is no doubt it does reveal something of Cecil's mental framework which he would be the first to admit. His politics, conservative and libertarian as they were, rested on a prior set of beliefs which had their basis in his Anglican Christianity. As such, he offers a crucial perspective on the fundamental philosophical differences which existed between conservative brands of libertarian political thought, and their liberal and Individualist allies. These differences are evident in the way that Cecil, based on an ethical system drawn from the New Testament, framed conceptions of 'liberty', 'rights', 'justice' and the 'State'.

This chapter will consist primarily of three parts. The first, drawing largely from his 1910 work *Liberty and Authority*, will assess the place that liberty occupied in Cecil's worldview, and how he considered it a prerequisite for progress, a concept which he defined in spiritual terms as the moral development of the human race. The second part will discuss his most famous work, *Conservatism* (1912), notable for its self-conscious placement within an intellectual tradition that valued a traditional, organic view of society. Within this we find a firm 'Church and King' Toryism which was at odds with the prevailing spirit of the early twentieth century, and widely viewed as a relic of another age. However, due to Cecil's prominence, it demands our attention. More particularly, his emphasis on the importance of an established national church, and its ability to imbue the State with a certain character and spiritual authority, harked back to a series of debates within Tory circles of the 1830s and 1840s, notable among which was the first publication of William Gladstone, *The state in its relations with the church*, in 1839. The third part will discuss the ways in which Cecil's foundations and philosophical premises differed from contemporary Individualists.

¹ Beatrice Webb, *The Diary of Beatrice Webb Vol. II*, Norman and Jeanne MacKenzie, eds., (Cambridge: Belknap Press of Harvard University Press), pp.299-300.

I. LIBERTY, VIRTUE AND PROGRESS

Lord Hugh Cecil (1869-1956) was born at the heart of the aristocratic establishment, the eighth and youngest child of the Marquess of Salisbury. Arguably the most intellectually adept of the Marquess' gifted children, he followed his father into politics, serving him as his Assistant Private Secretary between 1891 and 1892. He entered Parliament himself in 1895 as the Member for Greenwich—a constituency which due to its naval and general maritime connections was reliably Conservative at elections—until he was swept aside during the Liberal landslide of 1906.² This loss was the result of a split in the Conservative vote, the Tariff Reformers angry at Cecil's attacks on Chamberlain having put up one of their own candidates, T.H. Benn, against him.³ As an MP, Cecil acted as an independent member in the Burkean mould. During this period he acquired a reputation as a dissenter from the prevailing currents not just of national politics generally but also his own party, opposed as he was to the leadership of his own cousin Lord Balfour. He became the eponymous leader of the Hughligans, a group of especially rowdy and disruptive back-bench rebels that could count among its number Ian Malcolm, Earl Percy, Arthur Stanley, F.E. Smith, and until 1904, Winston Churchill. There was a strong patrician flavour to this group, so it was quite fitting that it should be led by a Cecil, given that family's long and prominent pedigree. Always keenly aware of this fact, Cecil was especially wary of the new breed of democratic demagogues—he once described the typical colonial politician (with the Australian protectionist Alfred Deakin in mind) as “windy-minded, underbred spouters”.⁴ After a brief exile from Parliament, Cecil re-entered parliament in 1910 as the Member for Oxford University, where he remained until 1937.

The 1900s were an important juncture in both national political life and Cecil's own political career. A number of issues came to the fore which touched upon his central concerns of Unionism, Church-and-King Toryism and the preservation of liberty. He advocated a

² Henry Pelling, *Social Geography of British Elections 1885-1910* (London: Macmillan, 1967), p.40.

³³ A.K. Russell, *Liberal Landslide: The General Election of 1906* (Newton Abbott: David and Charles, 1973), p.57.

⁴ Cecil to Balfour, 4-6 Apr 1907, Balfour Papers, LXXVII, Add MS 49759, f.188.

number of causes, the defence of which justly earned him a reputation as one of the most powerful orators in the House of Commons. As a prominent member of the ‘Church Party’ faction of the Conservatives he supported the 1902 Education Bill which provided for religious instruction in voluntary primary schools. While the question of Tariff Reform divided Conservatives under Balfour’s leadership of the party, Cecil defiantly nailed his colours to the Free Trade mast, bringing him into conflict with his polar opposite Joseph Chamberlain. He was an opponent of the Liberal social programme of 1908-1910, and then of the House of Lords reform which stripped the upper house of its power of veto. By the time the matter of Welsh disestablishment came around in 1914 he had long established himself as an inveterate opponent of New Liberalism, and a sturdy intellectual advocate of a form of conservatism which emphasised the importance of liberty.

In attachment to his causes Cecil was both passionate and pugnacious. He seemed to relish combat, especially if his position was that of the underdog. This appetite for confrontation did not diminish when it came to his own party, where he frequently came into conflict with those whom he considered to deviate from the path of true conservatism. One such figure was his own cousin Balfour, the leader of the Conservatives after Salisbury’s resignation in 1902. On one occasion, after Balfour responded in a letter to reports of Cecil’s “violent” language towards him in the parliamentary lobby, Cecil mischievously informed him that he found him “nowhere more charming...than in controversial correspondence.”⁵

Cecil’s desire for true independence was not factionalism for the sake of it. As he reminded his fellow Hughligan Churchill when they stood in opposition to the Conservative government’s budget in 1903:

One must in politics consider either realities or appearances or both. In appearance opposition to the Budget will unless very skilfully conducted seem factious—mere Bowlesism. And in reality are we opposed to the Budget? If we came into office tomorrow should not we first carry out just such a Budget? ⁶

The tension between personal conviction and party loyalty was always a mark of parliamentary life, but amongst Conservatives it was especially heightened during the sharp rift over Protection that lasted for a decade from the start of Chamberlain’s tariff campaign in

⁵ Cecil to Balfour, 9 Jan 1905, Balfour Papers, LXXVII, Add MS 49759, f.63.

⁶ Cecil to Churchill, 8 Apr 1903, Churchill Archives, CHAR 2/3/107.

1903.⁷ Conscious of the difference between his own intransigence and the tendency to compromise characteristic of so many parliamentarians, in a later letter to Lord Lansdowne Cecil observed that “people seem to think that to support what you disapprove of is a praiseworthy form of self-sacrifice.”⁸ Cecil’s own record seems to indicate a rather different attitude. Indeed, his parliamentary activities must be viewed as an attempt to maintain the true spirit of independence which he saw as the necessary duty of an MP. While MP for Greenwich in 1905 he addressed his electors:

Certainly a wise man will not underrate the value of the party system or lightly or facetiously oppose the party to which he belongs. But there are occasions on which such opposition becomes the duty of a member of the House of Commons seems to me a certain most important truth. Unworthy as I am of such an honour, I solicit from you to be sent to serve in Parliament as a free member of a free assembly.⁹

Cecil’s loss of his seat the following year perhaps indicates that his electors didn’t value his independence as much as he hoped they might. Still, in 1909 he still maintained the same parliamentary ‘individualism’, urging his old friend Winston Churchill (now gone over to the Liberals) to support the candidacy of Harold Cox at Preston. Cox was one of the few classical liberals left in the Liberal Party and was standing as the free trade candidate against Sir John Gorst. Cecil told Churchill it was the latter’s duty “as a Christian and a patriot” to support Cox:

As a Christian because you should do as you would have been done by six years ago: Think what a letter from Austen supporting you at Oldham would have meant. As a patriot because the tendency to drive independent men out of Parliament is becoming a serious public mischief.¹⁰

⁷ See Alan Sykes, “The Confederacy and the Purge of the Unionist Free Traders, 1906-1910”, *The Historical Journal*, 18, 2 (Jun., 1975): 349-366.

⁸ Cecil to Lansdowne, 18 March 1908, Lansdowne Papers, Add MS 88906/21/2. As Richard Rempel notes, Cecil’s intransigence was one of the major reasons why he never achieved high office, “Lord Hugh Cecil’s Parliamentary Career, 1900-1914: Promise Unfulfilled”, *Journal of British Studies*, 11.2 (1972): 104-30.

⁹ Cecil, “To the Electors of Greenwich, 1905”, Balfour Papers, LXXVII, Add MS 49759, f.82.

¹⁰ Cecil to Churchill, 27 August 1909, Churchill Archives, CHAR 2/39/82.

The increasing tendency towards conformity in party politics was one which deeply worried Cecil. Yet at the same time, the urgency of the political moment required emphatic victory for Cecil's own Conservative Party. In March 1912 he wrote to the newspaper baron Lord Northcliffe, including a memorandum written together with his brother Lord Robert, expressing their forecast for the country if the Liberals were to win the next election. The outlook was bleak, flavoured with the sort of pessimism that made their father Lord Salisbury the Cassandra of Conservative politics for his entire political life:

If the Unionist Party are again defeated, a Home Rule Parliament will be set up; the Welsh Church will be disestablished; the Parliament Act will become part of the accepted law of the country; the attack on the Second Chamber will probably be carried further by the establishment of some assembly more favourable to Liberal opinions than the existing House of Lords, and the next step in the attack on land and perhaps on Capital also will be taken.¹¹

Against the backdrop of this particularly turbulent period of politics, Cecil articulated his own distinctively conservative thought, the most detailed expressions of which are the two publications, *Liberty and Authority* (1910) and *Conservatism* (1912). The first was originally delivered as the inaugural address to the associated societies of the University of Edinburgh on November 9th, 1909. The second was not intended to be a complete treatise of Cecil's political thought, but rather a short exposition of the conservative political philosophy. As such, in reviewing *Conservatism*, the moral philosopher C.D. Broad considered its publication to be "something of a literary and political event" and marvelled that it did not receive as much attention as it deserved.¹² To give a balanced view of Cecil's thought, these two works must be taken together, for in each case the emphasis is placed in different directions.

In *Liberty and Authority* Cecil is clearly making a case for freedom from the interference of the State. As *per* the title, Cecil is concerned with that perennial question of the proper balance between individual liberty and the authority of the State. In his view, liberty "consists in being able to follow your own will and conscience rather than the will and

¹¹ Lords Hugh and Robert Cecil, "No taxes on food", memorandum to Northcliffe, 6 March 1912, Northcliffe Papers, XIII, Add MS 62165A

¹² C.D. Broad, "Lord Hugh Cecil's "Conservatism"", *International Journal of Ethics*, 23.4 (Jul., 1913): 396-418 (396).

conscience of others.”¹³ The question with which Cecil concerns himself is how far the case for liberty can be made. Naturally this brings him into contact with Mill, whose line of division between actions that were self-regarding or other-regarding was drawn in *On Liberty* in 1859. Cecil disagrees with Mill’s argument and goes as far as to disavow any specific right to liberty at all. He argues that there is no such thing as a “self-regardful” act, since everything we do has an effect upon others.¹⁴ The central weakness of Mill’s ‘harm principle’ is emphasised by his supplementation of it with other arguments far stronger. Cecil thus likens Mill’s case in *On Liberty* to “some insecurely erected structure that is always needing to be shored up for fear of falling”.¹⁵

In doing so he was certainly not the first or the last to attack the frailty of Mill’s argument. Fitzjames Stephen had argued the same at length in *Liberty, Equality and Fraternity* in 1873. Nevertheless, Cecil’s analysis is a highly useful example of a conservative brand of libertarian thought. By specifically repudiating the concept of liberty as one of a set of *a priori* abstract rights, he is striking at the heart of liberal philosophical argument. Furthermore, for all the tidy rationalism that Mill seeks to pursue, his defence of a right to liberty betrays some important inconsistencies. For example, Cecil considers it improper to argue for a right to liberty whilst simultaneously denying it to children and “savage nations” on the basis that the right is conditional upon the bearers being a civilised people.¹⁶ In truth, there was an impossibility in drawing lines between those nations considered “civilised” and those considered “savage”, and any attempt to do so marked a vulgar attempt to confine the concept of civilisation to the British Isles and a few others.¹⁷

By contrast with liberty, Cecil did consider justice to be a right since all people, “the savage man as well as the civilised, the child as well as the adult, are entitled to justice.”¹⁸ Liberty was not a right, but it was an essential condition for progress. What then was progress in Cecil’s mind? Interestingly, he does not define it in material terms, or even as a transition towards a more perfect government or society. Rather, its peculiar working is spiritual, and redolent of a particular conception of evolution:

¹³ Cecil, *Liberty and Authority* (London: Norgate, 1910), p.10.

¹⁴ *Ibid.*, p.11.

¹⁵ *Ibid.*, p.13.

¹⁶ *Ibid.*, p.13.

¹⁷ *Ibid.*, p.14.

¹⁸ *Ibid.*, p.15.

Humanity, it may be said, is on a journey from the animal to the divine. Man, the first of animals, is also made in the image of God. As time passes he is meant more and more to be made into the image of his Creator. And the atmosphere in which he must breathe thus to grow, is the air of freedom, so that in the end he must become, like his Type, perfectly free. It is absolute liberty towards which humanity is moving; and naturally those who have gone least far along the journey are less fit for the environment of perfection than those who have gone farther. As man marches forward to his appointed end, he becomes more and more fit to enjoy the liberty which is one of the attributes of divinity. And the more liberty he can be given without disaster, the swifter does he move. Every restriction, every control is a hindrance. Because of his imperfection some control is necessary, but none is without ill effect. Restrictions may be compared to the bandages needed to support a strained limb. They must be used, and yet they weaken and cramp. Happy the day when one is laid aside.¹⁹

These statements give some pause for reflection. The liberty Cecil believes in should not be confused with license. It would seem from the use of the bandages metaphor that restrictions upon egregious human actions are considered a necessary evil until such time when human moral perfection has developed to such a degree that the commission of such acts is rendered unlikely, and thus such controls can be removed. Liberty is not therefore merely an end, but a means to a more moral end, that of spiritual goodness. In exchange for Mill's deficient standard, Cecil seeks to lay down his own principle of liberty, that the reason to maintain liberty is that it is an essential condition of human progress, and that without it virtue and righteousness cannot exist. "Virtue", he explains, "is attained in proportion as liberty is attained; for virtue does not consist in doing right, but in choosing to do right."²⁰ Moral righteousness, therefore, is contingent upon agency. An animal cannot choose between right and wrong, but since a human can, then "his virtue is real virtue and not the mere performance of righteous acts."²¹ It is because of liberty's exalted place within the "moral hierarchy" that Cecil ascribes so much importance to its maintenance.²²

To illustrate this position, he uses the example of the temperance movement, which for well over half a century had been an established feature of nonconformist Liberal circles.

¹⁹ Ibid., pp.16-17.

²⁰ Ibid., pp.17-18.

²¹ Ibid., p.18.

²² Ibid., p.19.

Where the movement had contradicted its own original purpose was by its transformation into a prohibitionist movement, something which had been observable since the 1850s.²³ He argues that temperance is not merely abstaining from getting drunk, but *choosing* to abstain from getting drunk. On this note he recalls the rather libertarian statement made by sometime Archbishop of York William Magee, that he would rather England free than compulsorily sober.²⁴ The prohibitionist sought, as it were, to cut down the tree bearing the forbidden fruit in the Garden of Eden. Cecil considered there to be “something presumptuous in seeking moral progress by such an inversion of the Divine plan.”²⁵

The measure of liberty allowed had to be in accordance with the moral progress of the particular people concerned. Cecil uses the example of education to make this point. An upper class boy spent his initial years at a private school where he had least liberty. He then progressed onto public school where the amount of liberty accorded him increased, while it reached its maximum at university. In each case, the amount of liberty he enjoyed increased as he became increasingly capable of discerning between right and wrong.²⁶ Returning to Mill, he points out the error of attempting to base a conception of liberty purely upon abstractions. No theoretical line could be drawn in which it was possible to say that actions on one side were legitimate while those on the other side were illegitimate.²⁷ At the same time, Cecil is careful not to impose the constraint of social opinion upon an individual's liberty, a statement which echoes a similar sentiment expressed by Mill in *On Liberty*. Cecil writes:

Liberty consists in the power of doing what others disapprove of. If an individual has not the power and the right to do what others deprecate, he is not free at all. We must therefore be constantly on guard against supposing that this liberty which we have seen to be so essential to human progress is restricted or altogether taken away by those who in respect to each particular restriction may maintain with the utmost fervour and sincerity that they are only urging that people should do what is manifestly or demonstrably wise and virtuous.²⁸

²³ See Brian Harrison, *Drink and the Victorians* (London: Faber and Faber, 1971).

²⁴ Cecil, *Liberty and Authority*, p.21.

²⁵ *Ibid.*, p.22.

²⁶ *Ibid.*, p.23.

²⁷ *Ibid.*, p.24.

²⁸ *Ibid.*, pp.25-26.

Cecil attacks Matthew Arnold as the exemplar of the Liberal authoritarian attack on liberty. Although Arnold's sentiments were diffused throughout his political writings, the main thrust of his assault is made in *Culture and Anarchy*, published as a book in 1869. According to Arnold, foolish individuals ought to be punished by the State, which itself was to represent the best self of the community.²⁹ The problem with Arnold's view was that it ignored the moral aspect of liberty as "discipline", whereby individuals could only grow to love "right reason" if they had the ability to choose between what was right and wrong.³⁰ Arnold also encapsulated the view that had become so common by Cecil's day, that interference with individual liberty by the State was justified on grounds of compassion. The increasing attention on the 'social problem' had been a defining factor within political debate from at least the 1880s, but the intensity of the demands to use the State to alleviate the squalor, poverty and suffering of the urban poor had taken on a new dimension by the time Cecil delivered this address on *Liberty and Authority*. Its delivery and subsequent publication in 1910 was timely, coming in the same year that the Liberal MP and Christian Social Union member C.F.G. Masterman wrote *The Condition of England* and William Beveridge produced *Unemployment: A Problem of Industry*, both characteristic works of the New Liberal age.³¹ With Lloyd George as Chancellor, Asquith's government had institutionalised New Liberal principles in a wave of social reform epitomised by the Old Age Pensions Act of 1908, the Labour Exchanges Act of 1909 and the revolutionary People's Budget in 1909-10.³² However, even if, as Cecil acknowledged, in extreme cases State restrictions on liberty were necessary and his normal principle of human progress had to be temporarily laid aside, these were a "costly palliative" which would "bring evil as well as good in its train."³³

After the 'authoritarians' Cecil turns his attention to the doctrine of equality. By this Cecil is referring to levelling. Opposition to equality had been a major plank of conservatism since the French Revolution, and it is no accident that Cecil locates the Socialism of his day as a modern incarnation of 'French principles'. While liberty was an essential condition to human progress, equality was "an unreal delusion which never has existed and never can exist."³⁴ Most dangerous of all to liberty was the attempt to artificially enforce a state of equality. France was notorious, in Cecil's view, for its bureaucratic interference with liberty,

²⁹ Ibid., pp.26-27.

³⁰ Ibid., p.30.

³¹ C.F.G. Masterman, *The Condition of England* (London: Methuen, 1909), W.H. Beveridge, *Unemployment: A Problem of Industry* (London: Longman's, 1909).

³² See chapter 3.

³³ *Liberty and Authority*, p.37.

³⁴ Ibid., p.54.

a situation made possible by its elevation of the principle of equality.³⁵ After the Revolution, “France was politically what it was physically, a land bare of hedgerows, over which the cruel trampling of cavalry can sweep at will.”³⁶ The metaphor of the hedgerow used here is striking. Natural social inequalities restrain absolute power the same way the natural topographical boundaries of an organic society do. Cecil also considered the United States to be an example of the dangers of removing natural inequality. In the place of kings and nobles, they had established a plutocracy with greater power and a questionable sense of public duty.³⁷ Cecil also believed that there was a broader application of the principles of hierarchy *contra* equality which had an impact upon racial relations. He noted the paradox that nations which assumed a greater emphasis on an abstract notion of equality tended to treat particular races worse than those who had a sense of natural hierarchy. In his view the British were “superior in skill, humanity, and justice” in their dealings with other races than were either the Americans or fellow white colonials.³⁸

Clearly Cecil’s concept of Empire is that of a paternalistic relationship whereby the subject peoples were to be governed for their own good. In his mind, those from societies where equality was held up as a governing principle (read America, France and white settler colonies like Australia), would think in the following syllogism: having learned from an early age that all men are theoretically equal they would witness the inevitable colonial interaction between superiors and inferiors and reach the conclusion that the inferiors were not truly human, and therefore not entitled to the same level of justice as their own.³⁹ Conversely, Cecil believed that the success of the British Empire rested on the implicit recognition that men were not equal but all were entitled to justice.⁴⁰ This is certainly a generalised point and perhaps accords too much weight to Cecil’s own formulation of liberty as a means to moral discipline as a guiding principle of imperial policy. Nevertheless it does reveal much about the mind of the libertarian conservative, in which liberty takes a supreme place over any notion of equality, as a fundamental companion of those other essentials of statecraft: order, justice, and equity.

Cecil closes *Liberty and Authority* with a curious passage which once again expresses his belief that liberty was intrinsically linked to morality. The growth of liberty fostered the

³⁵ Ibid., pp.56-7.

³⁶ Ibid., p.58.

³⁷ Ibid., p.58.

³⁸ Ibid., p.59. For consideration of a colonial example see chapter 5.

³⁹ Ibid., pp.60-1.

⁴⁰ Ibid., p.62.

free choice of good and a free rejection of evil and further progress along the path to “the ideal of a divine society which religion and natural reflection alike set before us as the goal of our hope”.⁴¹ That this goal is apparently discernible by both theological and natural means (presumably through reason) is interesting for the language here does begin to have a strong resemblance to Spencer:

Certainly humanity must move forward, the divine image of freedom constantly more apparent in its countenance, until it attains to likeness to the only Being in the universe He has made Who is perfectly free. So mankind will learn to be able to live in a society devoted to virtue, and yet wholly unconstrained, altogether released from the restrictions of authority and yet altogether conformed to the standard of perfection, in a society built up into a symmetrical structure by the ordered inequalities of various talents and vocations, and held together not by coercive law and restraint, but by the spontaneous cohesion of virtuous wills. This is the ideal set before us, this is the true celestial city, guarded by walls which shall never be overthrown, illumined by light which shall never be extinguished.⁴²

Given Cecil’s theological standpoint it might be appropriate to refer to this passage as an expression of a kind of libertarian postmillennialism. It is certainly understandable why Greenleaf has referred to it as “a Christianized Spencerism”.⁴³ However, Cecil did not view his own thought in the same light as Spencer. In a debate on female suffrage from 1913, Cecil took issue with Spencer’s views on female inferiority, stating that he “had never had a very high opinion of Herbert Spencer’s writings”.⁴⁴ By that time, of course, Spencer’s works had suffered an astronomical drop in popularity, and were only held in great esteem by an ever-dwindling number of Individualists. The similarity with Spencer in this passage is undeniable, however, and it is tantalising. Unfortunately Cecil did not devote any more ink to this concept so it is difficult to know how long he held this view. It was another three years before he published a political work of significant length, and there his attention is directed elsewhere.

⁴¹ Ibid., p.68.

⁴² Ibid., pp.68-9.

⁴³ Greenleaf, *The Ideological Heritage*, p.294.

⁴⁴ Cecil, HC 24 Jan 1913 47:911.

II. THE INDIVIDUAL, THE CHURCH AND THE STATE

His next published work, and his most well-known, was the more ‘orthodox’ *Conservatism*, a single edition published in 1912 by Williams and Norgate, a house specialising in intellectual and scientific literature (notably they published the works of Herbert Spencer and T. H. Huxley). Its tone is serious and its register scholarly. In it the linkage between liberty and moral discipline is not expressed outright as he strives instead to defend a philosophical basis for a prudential political policy which emphasises caution and tradition over reckless reform. *Conservatism* is divided into two parts. The first consists of an overview of conservatism itself as well as an account of its historical development into modern times. The second part gives an insight into Cecil’s own view of the major issues of the day. A major factor in Cecil’s conservatism was the experience of the past. For him, as it had been to Whigs and Tories of the past, Magna Carta represented not an innovation but a reaffirmation of ancient rights that had their origins in a distant Teutonic past. As to the instinctive conservative mentality of the English people, Cecil noted that the best way to recommend a novelty to the public was to convince them it was actually a revival. Moving forwards through history, through the Reformation, Cecil naturally considers the French Revolution to be the defining event by which the somewhat ethereal instinct of “natural conservatism” crystallised into a defined political philosophy. At the centre of this process lay Edmund Burke, who although a Whig, was considered by Cecil to have been a conservative all his life.⁴⁵ Earlier in his life, Burke had opposed the growing power of the monarchy, but the events in France forced him from the Whig to the Tory side.⁴⁶ The new division in politics “would relate to the new French principles.”⁴⁷ In the writings and speeches of Burke, Cecil decants six essential conservative principles:

1. The importance of religion and the State’s recognition of it.
2. A hatred of injustice to individuals committed in the name of political or social reform.
3. An opposition to equality and a stress on the importance of rank and station.

⁴⁵ Cecil, *Conservatism*, (London: Norgate), p.40.

⁴⁶ *Ibid.*, p.41.

⁴⁷ *Ibid.*, p.44.

4. A belief in the sanctity of private property and its necessity to a society's well-being.
5. The conviction that human society is a mysterious organism and not a mechanism.
6. A belief in the importance of continuity. Change should be gradual and with as little dislocation as possible.⁴⁸

In light of the libertarian views espoused in *Liberty and Authority*, and the flirtation with Spencerian social evolution, these Burkean principles provide a rather different philosophical basis from the Individualist libertarians of the age. Although Individualists would probably have taken little issue with the second, fourth, fifth and sixth points, and would have accepted the third on the qualification that such ranks and station did not amount to a legal privilege, the first principle would have given great cause for disagreement. The Individualist, may have recognised the importance of religion, but for it to have a formal recognition in law was an assault on the conscience of individuals. Indeed, Cecil's contemporary, the Individualist Sir Roland Wilson specifically deals with the question of the religious aspect of the State in his 1911 work *The Province of the State*. Wilson refers to those (Cecil is surely one, although he is not named) who still held to Burke's conception of the State as "a partnership in all science, in all art, in every virtue, and in all perfection", and acclaimed his famous passage in the *Reflections*, on the merits of a State church.⁴⁹ In Wilson's view, this missed the mark since the State was rather an association that existed, like any other, with a specific purpose in view. That purpose was the provision of justice, and he notes "the fullest acknowledgement of the propriety of invoking the divine blessing in all human undertakings will not carry us further than it would in the case of a literary and scientific society, a social club, or (to take a closer analogy) a mutual insurance club."⁵⁰ Each of these associations was filled with sincere, religious individuals yet they were apt to keep their private devotions separate from public business.⁵¹ In Wilson's view, therefore, which we can take as representative of the Individualist position, there is a division between the public and the private, in which spiritual matters are confined purely to the latter.

In Cecil's first principle above, however, we have an important glimpse into his instinctive Toryism, and a view of the ethical framework into which his libertarian conservative views fit. More detail is provided in a chapter entitled 'Religion and Politics'.

⁴⁸ Ibid., p.48.

⁴⁹ Roland Knyvet Wilson, *The Province of the State* (London: P.S. King and Son, 1911), pp.108-9.

⁵⁰ Ibid., p.109.

⁵¹ Ibid., p.110.

Here he expresses frustration at the tendency for many political writers to assume an ethical standard without stating what that standard was, or to what moral law they were appealing.⁵² For Cecil, the only sound ethical basis was that of “Christian morals as revealed in the New Testament”.⁵³ Working from this starting point, the “attentive reader” of Scripture was confronted with the fact that the New Testament said very little that directly concerned matters of State. Besides the duty of obedience to the State and the separation of Church and State (“Render unto Caesar etc.”), there was little comment on political matters. Cecil sums up the direct teaching of the New Testament concerning the State and politics as follows: “obedience is due to the authority of the State within its own sphere, but that sphere does not extend to purely spiritual matters.”⁵⁴ Unlike the Individualists, Cecil does not therefore consider the State itself to be a necessary evil, but rather a divinely-ordained institution for the good of the community as a whole. Thus the High Tory emphasis on obedience to the State is made clear, for a State to which obedience was not due was rendered devoid of all meaning.⁵⁵ The very concept of the State implied authority and marked a limit to the sovereignty of the individual.⁵⁶ The important question of what the State’s legitimate sphere was remained. Where was the line between the kingdom of Caesar and the kingdom of God? Past experience carried weight in the argument. For example, Cecil cites the case of the Old Tories who justified obedience to royal authority on the grounds that the Apostle Paul commanded Christians to be loyal to the Emperor Nero, and since no modern king could reasonably be considered as bad as Nero, then revolt ought to be considered unconscionable. However, he notes that experience had proved such an attitude “intolerable”. James II’s actions convinced even the majority of Tories that the Apostles could never have intended their injunctions to be interpreted in such a light, and as Cecil notes, “from that time onwards there has been a general acquiescence in the Whig doctrine that rebellion is justifiable in the face of oppression.”⁵⁷ Cecil moves on to state that he considers rebellion justifiable only when the evils of submission were greater than the evils of resisting.⁵⁸

⁵² *Conservatism*, p.73.

⁵³ *Ibid.*, p.74. In his review of *Conservatism*, C.D. Broad noted that the problem with appealing to Christians of all parties on this basis was the absence of a Christian ethical system “common to all Christians or even to all Anglicans”. He believed Cecil’s ethics are indeed those of the New Testament only if each command is taken “in its own isolated particularity” with “no attempt at systematic treatment”. Broad, “Lord Hugh Cecil’s ‘Conservatism’”, 399-400.

⁵⁴ *Ibid.*, p.75.

⁵⁵ *Ibid.*, p.75.

⁵⁶ *Ibid.*, p.75.

⁵⁷ *Ibid.*, p.78.

⁵⁸ *Ibid.*, pp.78-79.

As far as the legitimate sphere for State activity was concerned, Cecil ascribes it a fairly minimalist role. He did not consider there to be a single line in the New Testament which could justify the expansion of the State “beyond the elementary duty of maintaining order and repressing crime.”⁵⁹ Again, little is mentioned of “community” or “society”, for the teaching is directed towards the individual conscience, and the only society spoken of is the Kingdom of Heaven. The themes of the New Testament are the individual and the Church, with the State “out of sight”.⁶⁰

It is not difficult to see that Cecil’s argument here is primarily directed against those Christian Socialists who considered Socialism a logical and political extension of the social teaching of the New Testament.⁶¹ Cecil continues:

This makes it very strange that we should so often hear that the New Testament is socialistic, or that Christ was a socialist, or the like. For Socialism is of course entirely centred around the State. It is by the agency of the State that the socialist hopes to solve all problems which are concerned with trade and industry, or with riches and poverty. The socialist dreams of something like a heaven on earth, and that it is to be attained by State action, by magnifying the office of the State, by concentrating in the hands of the State most of what concerns man’s material well-being. Nothing it seems could be less congruous to the teaching of the New Testament.⁶²

A similar point had been made earlier by Bruce Smith who noted that the example of the Early Church, held up by as a positive example of ‘socialism’ or ‘communism’, was false, since such social arrangements existed purely voluntarily, whereas the modern tendencies of these ideologies were to “compulsory confiscation.”⁶³ Of course, these critiques of socialism appear to be primarily concerned with the State Socialism of the Fabian Society, epitomised by the Webbs, rather than the voluntary cooperative Socialism typical of earlier figures like Robert Owen, or later, Alfred Russel Wallace. Cecil could well understand the reason why so

⁵⁹ Ibid., p.81.

⁶⁰ Ibid., p.82.

⁶¹ It must be stated that other Christian Socialists, like R.H. Tawney, preferred to articulate a non-spiritual rationale for Socialism in the public realm. For a recent treatment of Tawney and his thought see Lawrence Goldman, *The Life of R.H. Tawney: Socialism and History* (London: Bloomsbury, 2013).

⁶² Cecil, *Conservatism*, pp.82-83.

⁶³ Arthur Bruce Smith, *Liberty and Liberalism* (New York: Cosimo, 2006. First published 1887), p.377. For a detailed assessment of Smith’s views see chapter five.

many assumed a socialistic flavour in Christianity since the Gospels were replete with warnings to the rich and blessings pronounced upon the poor. However, he viewed the association between those verses and Socialism as “superficial”, since the only discussion of poverty and riches was as to their relation to the individual’s spiritual condition.⁶⁴

Furthermore attributing a state of blessedness to poverty and spiritual peril to riches placed this teaching far from any Socialist or social reformer since such politics was predicated on the desire to alleviate these conditions and make the poor richer.⁶⁵

Despite his aversion to those who sought Scriptural justification for the politics of social reform, Cecil did not have a static conception of society. On the contrary, although it might have seemed paradoxical, he considered that while the New Testament did not contain a word in support of Socialism, he noted that Christianity “has been and is the principal source and vitalising energy of social reform.”⁶⁶ He considered this fact to very typical of the way Christianity operated on the world. The original revelation was directed at the individual, but when the individual is converted, he becomes an influence for making society better. “Christ”, he says, “was not a social reformer, but the individual is driven to become one”.⁶⁷ Social reform did not equate to Socialism. To say that Christ was a Socialist was, in Cecil’s view, “perverse”.⁶⁸ Nevertheless, from a theological view, he did find much that was disagreeable in present commercial society:

To buy as cheaply and sell as dearly as possible; to obtain labour at as low a wage as it can be got; to work only as much as is necessary to obtain employment; to strive, whether as employer or as employed, to gain for oneself at the expense of others; these are not acts characteristic of Christianity. They are not immoral in the sense of transgressing any of the principles of the Ten Commandments: they are not dishonest or violent, but they are self-interested. They essentially belong to a system of morals lower than that which is revealed in the New Testament.⁶⁹

However, these criticisms did not lead Cecil to seek political solutions to problems that were reflections of a corrupted human nature. He noted that “nothing is more certain than that the

⁶⁴ Cecil, *Conservatism*, p.83.

⁶⁵ Ibid., pp.83-84.

⁶⁶ Ibid., p.85.

⁶⁷ Ibid, p.86.

⁶⁸ Ibid., p.89.

⁶⁹ Ibid., pp.89-90.

mechanism of human society will only reflect human nature, it will not regenerate it.”⁷⁰ Socialism would not change human nature, merely the mechanism by which society was governed. The regulatory State would replace private competition as this mechanism. It would be left to the State to decide what to pay men for their services, yet in the absence of private competition, whereby an accurate system of economic value could be determined, it would be the State’s duty to ascertain the inherent value of each job and profession.⁷¹ In such a system there would naturally be no uniformity of opinion as to the respective value of each form of work, and there would necessarily follow another form of competition whereby individuals jostled for power and influence with the State (Fitzjames Stephen and Maine’s “wirepullers”).⁷² In short, one system of competition would be replaced by another.

It was not only the objectives of Socialism, but the methods too, with which Cecil disagreed. It was a grave mistake to assume that because the New Testament abounded in warnings to the rich that therefore there was justification in depriving the selfish of their wealth and giving to the poor.⁷³ He illustrates the point using the well-known parable of the Good Samaritan, found in the tenth chapter of Luke’s Gospel. The Samaritan did not chase after the Priest and Levite and force them to minister to the wounded traveller’s needs, but had given voluntarily of his own belongings.⁷⁴ Under a Cecilian social order, the prerogative for social action lies extraneous to the State, with the plethora of voluntary associations which flourish in a free society.

Cecil’s opposition to liberalism was partly rooted in the same disbelief in the transformative agency of government. In a review of Morley’s *Life of Gladstone*, he noted the essential difference in the Liberal and Conservative creeds to be the former’s belief in the ability of legislation “to amend the greater sorrows of the world”. He continues:

A Liberal and a Conservative, alike religious, see a man lying dead drunk in the gutter. “How shameful,” says the Liberal, “to see the image of God thus degraded. Parliament must interfere.” “What can save human nature from degradation,” answers the Conservative, “save only Divine grace. And an Act of Parliament is no sacrament.”⁷⁵

⁷⁰ Ibid., p.91.

⁷¹ Ibid., p.92.

⁷² Ibid., p.93.

⁷³ Ibid., p.96.

⁷⁴ Ibid., p.97.

⁷⁵ Cecil, *Review of Morley’s Life of Gladstone*, QP, 17, f.366.

The church formed a central part of Cecil's Toryism. His upbringing undoubtedly imbued him with a strong Anglican sense (his brother William was Rector of Hatfield and later became Bishop of Exeter). His friend Winston Churchill later recalled Cecil's 'reactionary' mindset, describing him as "a real Tory, a being out of the seventeenth century, but equipped with every modern convenience and aptitude."⁷⁶ In large part, Cecil's Toryism owed much to his theological hue, and his emphasis, contra the Individualists, on the positive role played by the established Church in society. Elsewhere, Churchill recalled another incident in which Cecil had kept the House of Commons "riveted in pin-drop silence for more than an hour while he discoursed on the government of an established church and the differences between Erastian and High Churchmen."⁷⁷ As *Conservatism* makes clear, Cecil framed his political thought within the bounds of the constitution. As such, a formal religious establishment was both necessary and desirable. Disendowment breached the principles of conservatism by "alienating the resources necessary for the preaching of the Gospel" and by "violating the rights of property".⁷⁸

It is difficult to imagine that Cecil's views on the relationship between Church and State held much popular currency by the second decade of the twentieth century. This particular strand of Toryism calls to mind debates on the role of the ecclesiastical establishment within the nation from the 1830s and 1840s. S.T. Coleridge's *On the constitution of church and state* appeared in 1830, and in 1838 the young William Gladstone, then still very much a High Tory, penned his first published work, *The state in its relations with the church*. Some of Cecil's contemporaries make the comparison with Gladstone. A character sketch of Cecil which appeared in *The Review of Reviews for Australasia* remarked that like Gladstone, Cecil was "rather more of a churchman by instinct than a statesman" and that in his view (although the quotation is probably detached from context), "the State is only a department of the Church."⁷⁹ In *The state in its relations with the church* Gladstone argued that in national societies the governing body had a responsibility to profess and maintain a religion. This applied both individually, as it was composed of individuals who had duties to discharge and individual purposes to fulfil, and collectively, as "the seat of a national

⁷⁶ Winston Churchill, *Thoughts and Adventures* (London: Thornton Butterworth, 1932), p.55.

⁷⁷ Winston Churchill, *My Early Life: A Roving Commission* (London: Thornton Butterworth, 1930), p.215.

⁷⁸ *Conservatism.*, pp.100-101.

⁷⁹ "Character Sketch: Lord Hugh Cecil, *The Review of Reviews for Australasia*, (Sep. 1909): 33-40 (34). Apparently confirming Churchill's seventeenth century portrait of Cecil, the reviewer notes Cecil's "habit of adjusting his theological position to the meridian of Lambeth in the time of Archbishop Laud." Ibid., 34.

personality”.⁸⁰ By “national personality” Gladstone was stating that the nation fulfilled “the great conditions of a person”, in that it could act, and suffer, as one, and that bound up within it were undisputable notions of “national influences”, “national rewards and punishments”, “national will and agency”, and “national honour and good faith.”⁸¹

The proposals to disestablish the Church of Wales marked the tail-end of a long process in which Anglican supremacy had been chipped away at. Catholic emancipation (1829), the removal of civil disabilities for non-Anglicans, and, of course, the disestablishment of the Irish Church in 1869, appeared as portends of an eclipse of national religion for some Anglicans. For his part, Cecil seems to echo Gladstone’s view of the church fulfilling the role of a national personality. In a 1913 parliamentary debate on the disestablishment of the Church of Wales, a proposal to which he was obviously firmly opposed, Cecil spoke of Establishment as “an act of national recognition”, which “consecrates the nation”.⁸² His closing remarks, however, demonstrate how conscious he was that this was a minority position. He told his opponents, “You will have the victory, the wrong, and the shame. We shall have the defeat, the right, and the honour.”⁸³

I have already noted how Cecil considered the New Testament to be preoccupied with the church and the individual. This fact provides us with the basis of his understanding of the State. Unlike the tendencies of many of the Individualists, Cecil did not have an aversion to the State as an entity. It is quite clear also that he did not consider it merely to be a necessary evil, but rather as a positive good. He considers the individual to be largely a creation of the State, in that much of what was generally attributable to an individual, such as his personality and his wealth, was only possible because of the protective agency of the State guarding civilisation against savagery and barbarism.⁸⁴ With material progress had come a state of artificiality to modern civilisation. Were the State to break down in some way, the level of comfort attained in society at large would be severely diminished.⁸⁵ The intellect too had been shaped largely under these conditions for Cecil writes that the mind was “largely formed and guided by the environment of civilisation”.⁸⁶ However, he also considered it an obvious

⁸⁰ William Ewart Gladstone, *The state in its relations with the church* 3rd ed. (London: John Murray, 1839), p.26.

⁸¹ *Ibid.*, pp.37-8.

⁸² Cecil, 5 Feb 1913, HC, 47: 2290-2291.

⁸³ *Ibid.*, 2298.

⁸⁴ Cecil, *Conservatism*, p.159.

⁸⁵ *Ibid.*, p.160.

⁸⁶ *Ibid.*, p.160.

fact that the individual existed prior to the State, and developed the State to meet his needs.⁸⁷ Cecil believed that the individuals that made up a State not only worked “its mechanism”, but also determined “by their characters the general mental and moral atmosphere that prevails in the community.”⁸⁸ Thus the relationship between the individual and the State works both ways: “the individual is as much derived from the State as the State is from the individual”.⁸⁹

In Cecil’s view, the State was “an aggregation of individuals acting in accordance with the moral obligations that control those individuals”.⁹⁰ Since morality was an individual matter, this means that the individual has primacy over the State.⁹¹ These statements are important for they provide the necessary bridge between traditional conservatism and Individualism. Physically the State is composed of individuals, but this is no atomistic vision of society, for these individuals are bound together to form a corporate essence which makes the whole more than the sum of its parts. This essence is derived from the value that Cecil ascribes to the individual, and the wider sense of moral obligation infuses the State with a grander, more transcendent sense of purpose. As Taylor has noted, while the Individualists held the State to be the monopoly on the legitimate use of force, Cecil considered it a “locus of reverence and authority”. While the Spencerian had a terror of the powers of the State, Cecil considered them a “family heirloom”.⁹²

In terms of the relation of the individual to the State, Cecil wrote that “the individual is the sun and the State is the moon that shines with borrowed light”.⁹³ In terms of moral obligation, the State acted in the interest of the whole community while the individual acted in his own interest.⁹⁴ The State therefore becomes a trustee for the interests of the common good, but this is not a position that Cecil holds without careful qualification, for notions of the common good are obviously easily adaptable to all kinds of politics that the libertarian (and indeed conservative) find distasteful. He does not permit the State to act for the common good in a way which is contrary to justice, for the ends do not justify the means. To punish an innocent man for the good of the whole community is patently immoral as is the theft of property of an individual (or section of the community) for the benefit of others. “A

⁸⁷ Ibid., p.162.

⁸⁸ Ibid., p.162.

⁸⁹ Ibid., p.163.

⁹⁰ Ibid., p.164.

⁹¹ Ibid., p.164.

⁹² Taylor, p.271.

⁹³ *Conservatism*, p.164.

⁹⁴ Ibid., p.165.

pecuniary fine”, Cecil writes, “does not cease to be an injustice because it is called a tax or a readjustment of property.”⁹⁵ He continues:

Injustice consists in the infliction of undeserved injury or the withholding of a benefit rightly belonging. To repay benefits by benefits is not an obligation of justice but of gratitude; and to refuse such return of benefits is not dishonest but unkind. It is therefore to mistake the nature of justice to seek to cast a balance between the individual and the State and to estimate that the State ought in justice to get as much out of the individual as it gives, or an equal amount from all individuals. Nor is it required by justice that each individual should receive from the State in proportion to what he has done for the State. Justice only requires that no one should be injured or cheated. It is truth fortunate that justice does not require an equal exchange of benefits between the State and the individual, or that the State should render to or receive from all in equal measure. For it lies altogether beyond the wit of man to achieve such equality of treatment. The State’s duty is far simpler... the State must seek the good of the whole community and the good of every individual who is a member of it, but subject to the condition that it must never be guilty of the injustice of inflicting an injury, unless as the punishment of a crime.⁹⁶

While Cecil was clearly not a Socialist he did not feel that Socialism was diametrically opposed to Conservatism, given Toryism’s favourable opinion on the action of the State. In this regard he agrees with Spencer’s description of Socialism as the ‘New Toryism’ in that Toryism always favoured authority whereas it was the preserve of the Whigs and Liberals to argue for individual liberty and freedom from State interference.⁹⁷ In the nineteenth century, while Liberals “enforced to the utmost the principle of individual liberty”, the Conservatives defended the authority and control of the State.⁹⁸ Cecil might appear to contradict himself here. Certainly in *Liberty and Authority* he makes a conservative case for liberty, whilst here he seems to deny any intrinsic connection between the two, making a historicist case for conservatism as the defender of authority over against individual liberty. While he seems to accept the core of Spencer’s comparison of Old Toryism with Socialism, a case that this

⁹⁵ Ibid., p.166.

⁹⁶ Ibid., pp.168-169.

⁹⁷ Ibid., p.169.

⁹⁸ Ibid., p.170.

thesis regards as somewhat simplistic, he doesn't make enough clarification of the difference between authority and control. The older Tories and Conservatives of the nineteenth century *did* distinguish between the two on the basis that the former was properly vested in a natural, hierarchical and organic social framework, whilst arguing that both revolutionary and more reformist attempts to eradicate such historical 'privilege' often resulted in a far more tyrannical form of government.⁹⁹ Purely equating the language of liberty with Liberalism, and authority with Conservatism, says much about the rhetorical tendencies of nineteenth century politics but does little to analyse the relationship between political language and the practical outcomes of the two sets of politics.

These statements by Cecil do not disavow his particular libertarian conservatism, but rather re-affirm it. The purpose of *Conservatism* was to provide a readable treatment of conservative philosophy as a whole. In doing so he is careful not to tie conservatism, in essence, to any particular viewpoint on liberty. However, his own predilection for a more non-interventionist form underlies the existence of a libertarian subset within the broader area of conservatism. An anonymous reviewer for the *Saturday Review* highlighted the complexity of Cecil's position:

The truth is, Lord Hugh is caught in a difficulty between his individualism and his Toryism. He is a strong King's man, a strong Churchman, a stern believer in authority; so far an historic Tory; but he is also an individualist, and does not like Trade Board Acts and other interferences with political economy. He would prove that the State should not, or rather cannot, care for any of these things; and the suggestion is that this is the Conservative view. But he fails entirely to support this either by the admitted character of historic Toryism or on any philosophic conservative ground. We fully admit that it is equally impossible to show that a Conservative must as such be in favour of this sort of State interference. One cannot make a principle of it either way. The Tories were mainly not individualists; on the other hand an increasing number of Unionists are; but not because they are Unionists. Unionism, being a cohesive centripetal force, necessarily opposes individualism, however innocent of the fact Unionists may be. Unionism agrees with Toryism, which was also centripetal; resting not on the many, not on individual liberty, but on the few who were a repository of

⁹⁹ This is widely evident in conservative writing from Burke right through to Salisbury.

authority, executing the will of the one, the Sovereign, who received his authority from the still higher One, God. Right or wrong, this is an intelligible political conception, and even now the idea of authority is the nearest to a common denominator of all the sorts and conditions of Conservatives.¹⁰⁰

The reviewer is correct to highlight these two poles in Cecil's thought, but perhaps mistakenly views them as contradictory because he seems to have taken *Conservatism* in isolation from *Liberty and Authority*. It is true that it is unclear how far Cecil still held to his earlier position on liberty as a necessary component of the moral disciplining process. However, there is no real evidence of any rejection of this earlier position. His purpose in writing *Conservatism* was to frame a philosophical basis for the politics of the Conservative Party, which he did by acknowledging a variety of 'streams' within it, which made for a large tent. He was not concerned exclusively with championing the superiority of his own libertarian form of conservatism over other varieties, although his subscription to this libertarian position is clear in a number of places. Reconciling the tension between Cecil's Toryism with his "individualism" is only difficult because of the unfortunate late-Victorian and Edwardian usage of 'individualist' as a synonym for what we would now refer to as 'libertarian'. I have already noted the problems with this contemporary identification, as it blurs the distinction between disparate philosophical frameworks. The "centripetal" nature of Unionism and Toryism which the reviewer notes is not in reality in opposition to Cecil's generally laissez-faire "individualist" position. Rather, in Cecil's political theology, Toryism provides the central structural framework through which individual liberty exists.

Although his own preference was clearly marked against State intervention, it is clear that by 1912 Cecil did permit some State assistance for the needy, such as poor relief for the destitute.¹⁰¹ His own recommendations are, however, much more modest when compared to the radical social reforms of the New Liberals, or even the general tone of more moderate pressure groups like the Anti-Socialist Union. His thought aligns with the traditional conservative acceptance of some form of assistance to the poor, "either as a matter of national charity, or of national gratitude, or as a matter of mere expediency."¹⁰² Proposals for the State to intervene to regulate the amount of wealth an individual may be permitted to own were

¹⁰⁰ "'Conservatism'. By Lord Hugh Cecil." *The Saturday Review*, 114 (27 Jul. 1912): 115-116 (116).

¹⁰¹ Cecil, *Conservatism*, p.177.

¹⁰² *Ibid.*, p.179.

both unjust and unwise.¹⁰³ Cecil's opposition to excessive State interference is partly grounded in recognition of the importance of individual character, a point which echoes the LPDL's rallying-cry of "self-help", and accords with his own emphasis on moral discipline.

The negation of self-reliance by looking instead to the State is not only damaging to the individuals involved. It also harmed the State as a whole, since the State depended "on the vigour of the character of the individuals" which comprised it.¹⁰⁴ On this count he praises the voluntary nature of trade unions, not only for achieving more than State action could have done, but also for the personal development of members "in self-control, in patience, in resolution, and in capacity for leadership."¹⁰⁵ These qualities, of course, were all marks of a self-confident, free nation so it is little surprise that Cecil should celebrate the nurture and cultivation of them among the working classes of a nascent mass democracy. The necessity of the "English spirit" to resist and prevail against the impending forces of Collectivism chimed with historical efforts to save liberty. In his presidential address to the BCA in 1908 Cecil drew the historical parallel:

In former days English liberty was menaced by the doctrine of the divine right of Kings. Now it is menaced by the divine right of the State, yet even the State's warmest admirers attribute to it nothing divine unless it be omnipotence.¹⁰⁶

Because of his general conservative aversion to rationalism in politics Cecil admits that it is difficult to provide a short, general answer as to the proper scope of State action. The correct conservative attitude is described as one which has a preference for the tried and trusted and a disinclination to destroy and reconstruct. Although this provides a window into why many conservatives were apt to defend the classical liberal social reforms of the earlier Victorian era, Cecil once again reiterates that conservatism as a philosophy is not intrinsically predisposed in any particular ideological direction, noting that it is not in principle at odds with either Socialism or liberalism.¹⁰⁷

¹⁰³ Ibid., p.179.

¹⁰⁴ Ibid, p.189.

¹⁰⁵ Ibid., p.190.

¹⁰⁶ Cecil, "Presidential Address to the BCA", in Mark Judge, ed., *Political Socialism: A Remonstrance* (London: P.S. King, 1908), p.49.

¹⁰⁷ Ibid., p.195.

III. TWO VIEWS OF LIBERTY: CONSERVATIVE AND INDIVIDUALIST?

At this point it is fitting to make some comparison of the different systems within the libertarian Right. How did Cecil's framework differ from that of the Individualists? As already described, his conceptions of liberty, rights and justice operated within a framework which presupposed a Divine, transcendent order and a moral system which he claimed to derive from the New Testament. The notion of a Divinely instituted natural order governed by laws in the moral and economic realm as much as the physical had been a point of convergence among advocates of laissez-faire principles since the early nineteenth century. This conception of order permitted conservative Christian thinkers to argue for a non-interventionist, liberal approach to political economy at the same time as utilitarian thinkers argued for the same from a very different direction. The challenge of politics was to bring human law into harmony with Divine law. The relationship between this higher Natural Law and human legislation was discussed at length by the Duke of Argyll in his 1867 work *The Reign of Law*. In this Argyll defines Natural Law as "the universal reign of a fixed order of things."¹⁰⁸ During the nineteenth century, Argyll considered there to have been two great discoveries in the "science of government", which represented manifestations of the harmonisation between human legislation and Natural Law: the removal of restrictions upon trade (represented by the victory of Free Trade over Protection), and the imposition of certain restrictions upon labour (represented by the Factory Acts and the protection of children).¹⁰⁹

Most of the Individualists, on the other hand, were certainly not orthodox Christians. Herbert Spencer's agnosticism is well known, while other prominent old Liberal figures such as Fitzjames Stephen, Sidgwick and Dicey wrestled with questions of the validity of Christian doctrine.¹¹⁰ Most of the philosophical Individualists did, however, understand their own libertarian views within the context of their wider philosophical worldviews. Spencer's attempts to provide a consistent, holistic, systematic philosophy occupied the larger portion

¹⁰⁸ George Campbell, 8th Duke of Argyll, *The Reign of Law* 5th ed. (New York: John B. Alden, 1884. First Published 1867), p.2.

¹⁰⁹ Ibid., p.199.

¹¹⁰ On Stephen, see James. A. Colaiaco, *James Fitzjames Stephen and the Crisis of Victorian Thought* (London: Macmillan 1983); on Dicey, see Trowbridge H. Ford, *Albert Venn Dicey: the man and his times* (Chichester: Barry Rose, 1985).

of his life. Within this, a considerable volume of work was devoted to the problem of morality, and an attempt to articulate and defend a system of ethics which was consistent with his position on evolution. In the second volume of his *Principles of Ethics* he explains his ethical position in relation to social and political matters. He asserts that “the primary subject matter of ethics is conduct considered objectively as producing good or bad results to self or others or both.”¹¹¹ He discusses justice as it relates to animals and sub-humans before moving on to human justice. Remarking on the progression he notes that “justice becomes more pronounced as organisation becomes higher.”¹¹² Spencer’s ‘formula of justice’ is the famous Law of Equal Liberty: “Every man is free to do that which he wills provided he infringes not the equal freedom of any other man.”¹¹³ Following this, his conception of ‘rights’ is straightforward. If an individual has a certain restricted freedom, then it is right he should have this freedom. Thus it is deducible that the freedom to act up to a particular limit but not beyond it, falls under the category of ‘rights’.¹¹⁴ Properly defined, rights are “corollaries from the law of equal freedom”, and, *contra* Bentham, do not derive from law but provide the basis for it.¹¹⁵ Spencer does note that while most readers would not assent to his ethical principles, they would agree with the practical application of them as applied to the role and duties of the State.¹¹⁶ The State is defined in narrower terms than Cecil would assert, but the basic role is the same, that of the maintenance of law and order. In existing to protect individuals from aggressors, it fulfils a role of “corporate guardianship”.¹¹⁷ Both the duty and authority of the State therefore derive from allowing individuals “to live, to carry on their activities, and reap the benefits of them.”¹¹⁸

The tension (and apparent contradiction) within Spencer’s philosophy between his biological determinism and his support for individual liberty has been widely noted.¹¹⁹ His Law of Equal Freedom frames liberty in a much more abstract sense than Cecil was wont to

¹¹¹ Herbert Spencer, *The Principles of Ethics, Vol.II*, (Indianapolis: Liberty Fund, 1978. Originally published 1897), p.246.

¹¹² *Ibid.*, p.258.

¹¹³ *Ibid.*, p.272.

¹¹⁴ *Ibid.*, p.281.

¹¹⁵ *Ibid.*, p.283.

¹¹⁶ *Ibid.*, p.355.

¹¹⁷ *Ibid.*, p.358.

¹¹⁸ *Ibid.*, p.358.

¹¹⁹ For example, Ellen Frankel Paul, “Herbert Spencer: The Historicist as Failed Prophet”, *Journal of the History of Ideas*, 44.4 (1983): 619-638. If Cecil’s view of the future can be characterised as “Christianized Spencerism”, then it seems aspects of Spencer’s philosophy can be seen as a kind of secularized, biological Calvinism. In the latter, the tension between Divine sovereignty and free will is resolved by an appeal to compatibilism. Spencer could be said to do the same, except that in his system the evolutionary working of Nature replaces God as the chief agent.

do, while his restriction of the State's functions to a justice-providing organisation, where justice is defined as the protection of individuals from aggression according to the Law of Equal Freedom, is much more restrictive than the Cecilian order.¹²⁰ Other Individualists, too, preferred a strict delineation of the State's duties according to an ethical conception which placed pre-eminence upon the individual as the basic social unit. For Wilson, like Spencer, the State existed as a "justice-enforcing association".¹²¹ While its main functions are preoccupied with defence and the maintenance of law and order, he does allow for some role in land management and public works.¹²² Donisthorpe considered the Individualist movement "the embodiment of the absolute principle of civil liberty", by which he meant "the greatest possible liberty of each compatible with the equal liberty of all."¹²³

Perhaps the most radical Individualist, who came the closest to a form of anarchism, was Auberon Herbert. Working from the *a priori* principle of self-ownership, he reasoned that every individual was "the only true owner of his own faculties, and his own property", and could only be deprived of his right to self-ownership if he employed force or fraud in his dealings with others, thus denying them their equal right to the same.¹²⁴ Herbert called his philosophy 'Voluntaryism' which he summarised as "system of liberty, peace, and friendliness".¹²⁵ In it, the State becomes a protective agency whose services are rendered in exchange for a 'voluntary tax'. Herbert claimed that, "Under voluntaryism the state employs force only to repel force—to protect the person and the property of the individual against force and fraud; under voluntaryism the state would defend the rights of liberty, never aggress upon them."¹²⁶ It is undoubtedly a radical system, and one which takes the Individualist principles of liberty to a much further level than even the Spencerians. At the other end of the philosophical Individualist spectrum, the Empirical Individualists, disagreed with elevation of individual freedom as the absolute end in itself.

The Empirical Individualist position is perhaps best encapsulated in the work of Henry Sidgwick. Like Dicey and Lecky, Sidgwick was one of the major Old Liberal academics to leave the Liberal Party in 1886 and adopt a more conservative political position that led him

¹²⁰ James Meadowcroft provides a detailed comparison of Spencer and Cecil's conceptions of the State in *Conceptualizing the State*.

¹²¹ Wilson, *The Province of the State*, p.1.

¹²² Ibid., pp.34-38.

¹²³ Wordsworth Donisthorpe, *Individualism: A System of Politics* (London: Macmillan, 1889. Republished by Liberty Fund), p.69.

¹²⁴ Auberon Herbert, "The Principles of Voluntaryism and Free Life", in *The Right and Wrong of Compulsion by the State and other Essays* (Indianapolis: Liberty Fund, 1978. First Published 1885), p.167.

¹²⁵ Ibid., p.176.

¹²⁶ Ibid., p.176.

to the Liberal Unionists. His ‘Utilitarian Individualism’ framed the Individualist position in a different way from the Spencerians in that while it still took the individual as the primary social unit, it considered individual freedom to be “valued as a means, not to his own happiness alone, but to the general happiness.”¹²⁷ Sidgwick regarded the “individualistic minimum” of government interference—the right of personal security, the right of property, and the right to freely enter into contracts—to be justifiable not in terms of elevating individual freedom as the “absolute end”, but rather using “a subordinate principle, or “middle axiom” of utilitarianism”. This “middle axiom” stated that individuals ought to be “protected from deception, breach of engagements, annoyance, coercion, or other conduct tending to impede them in the pursuit of their ends, so far as such protection seems to be conducive to the general happiness.”¹²⁸

By stressing the importance of liberty whilst denying it supreme importance as a political objective it might seem that Sidgwick’s overall conception bears a stronger resemblance to Cecil’s conservative position than the Spencerian school of Individualism. Yet, the outcome with which Sidgwick is concerned, the ‘general happiness’, rests on an entirely different foundation from Cecil’s. Cecil is concerned with the ‘common good’, which he roots in a Christian political theology. As a conservative, Cecil is concerned with the maintenance of a particular natural order, and is averse to any legislative tinkering with that order to achieve certain ethical ends. Liberty is prized partly because it is conducive to that sense of order, as a fundamental component part and not as the end, partly because moral virtue is only realisable when individual moral agents are free to choose between right and wrong. Cecil is able to maintain a libertarian conception of the State as a collection of individuals charged primarily with the maintenance of law and order, without ascribing to it powers of beneficence and a technocratic ability to micromanage society. Yet, at the same time, his Tory position on the function of national religion infuses it with a sense of authority and a reflection of national personality, which exalts it beyond either the purely mechanical workings of a “justice-enforcing association”, or the efficient administrative apparatus of the utilitarians.

This is of course a classically conservative position in that it retains an organic view of society and a hierarchical sense of Divinely-mandated authority. Practically it provides support for a wide-ranging individual liberty. While Cecil’s politics provides an important type of libertarian conservative thinking, it certainly does not encompass the full basis of

¹²⁷ Henry Sidgwick, *The Elements of Politics* (London: Macmillan, 1897), p.53.

¹²⁸ *Ibid.*, p.58.

argument employed against Collectivism. It is undeniable that a political case that appealed to such theological foundations was widely regarded as eccentric and reactionary by the Edwardian period. Churchill's recollection of Cecil as a sort of throwback to the seventeenth century reflects the bemused reception that even political allies could give him. Other figures that resisted 'socialistic' political tendencies, and argued for a libertarian and conservative position, opted to use alternative methods. Mallock, whilst sharing much of Cecil's theological orthodoxy and devoting considerable effort to religious questions, preferred to fight political battles on different ground. It is to his scientific conservatism that we must now turn our attention.

Chapter Two: Empiricism

While Cecil did much to place libertarian political ideas under the aegis of traditional conservative philosophy, carving out a corner for laissez-faire that was both theologically orthodox and quintessentially Tory, numerically speaking, it was a minority position by the time the expansive social reforms of the Edwardian era had begun in earnest. Other libertarian conservatives made their case from different angles. One of the most important examples of this came from the writer William Hurrell Mallock (1849-1923), the novelist and man of letters, whose ‘scientific conservatism’ aimed to present a watertight case for private property, competition, the market, and inequality. In short, he aimed to defend the status quo, and in doing so developed a form of conservatism that placed national material prosperity at the centre, and the innovator, businessman and industrialist as its chief agents. In his expansive corpus of writing we can discern a single unifying theme—a resistance to radicalism in all its forms. When he burst onto the public stage, his undergraduate days barely over, it was radicalism in religion and ethics which drew his attention. In an 1877 article for *The Nineteenth Century* he summed up what would be his supreme mission:

Truth is the pearl we want, and the divers may seek for it either in cesspools or in crystal seas. Let them only prove to us satisfactorily where it is to be found. It is not by its lucidity that we shall judge of its value.¹

By the 1880s, the increasingly radical tone of national politics persuaded Mallock to set about making a more intellectually satisfying defence of conservatism. In this case, the pearl he sought led him to delve into murky waters hitherto untouched by conservative thinkers. Here he faced two main groups of opponents. Firstly there were the Radicals, such as Joseph Chamberlain, who could count on ample support from a rising restless middle class. Later there were the Socialists, with whose luminaries such as Henry Hyndman, the founder of the Social Democratic Federation, and the Fabians George Bernard Shaw and the Webbs, Mallock sparred on many occasions.

What he attempted to do was undermine the intellectual and theoretical arguments used by Collectivists using the methods of science. What followed was a voluminous written

¹ W.H. Mallock, “Is Life Worth Living”, *NC*, 2 (Sep. 1877): 251-273 (251).

output which drew heavily on statistics, sociology, and even psychology. It was certainly revolutionary for someone associated with the Conservative Party to argue in this fashion, Mallock's writings seeming in some ways to pre-empt the sort of work that think tanks would perform during the twentieth century. Before assuming the forms of complete books, many of these writings appeared first in the conservative press, particularly *The National Review*, a periodical close to the Conservative Party. Mallock's political works were not published by any single publisher. A number were carried by the prominent London publisher John Murray, which, from its founding in 1768, had published many highly significant authors across many genres, including Lord Byron, Jane Austen, Goethe, Darwin and Conan Doyle. Since 1809 it had also published the Tory *Quarterly Review*, making it a willing and able vehicle to transmit Mallock's ideas to a wide audience of educated readers. Other publishers included prominent firms such as Adam and Charles Black and Chapman and Hall. Although exact sales are unknown, given the success of his fiction works and the wide market of such prominent publishing companies, we can be reasonably sure his work reached a wide educated audience. Undoubtedly, many of these would have already been Conservative Party members, for whom Mallock was providing arguments to aid them in debate. However, there was also a wider audience of the electorate who needed to be convinced of the weakness of Collectivist claims and the corresponding strength of the conservative case. The extent to which he jostled with the Fabian Society's theorists in the 1890s and 1900s indicates a common target audience. Mallock also enjoyed a significant position of esteem among the anti-Socialist pressure groups such as the LPDL, and later, the ASU, where he served as president.

At its heart, Mallock's work champions entrepreneurialism, particularly through the recurrent emphasis on the 'man of ability', as the primary force of progress and civilisation. The significance of this change in both the rhetoric and dialectic of conservative anti-socialism lies in the fact that by the late nineteenth century we can clearly discern the process by which conservatism became associated with the defence and positive affirmation of free markets and competition, and the Conservative Party increasingly became associated with business interests.

This chapter will consist of three parts. The first will assess the ways in which Mallock made an empirical case for libertarian conservatism, and how he developed his idea of a 'scientific conservatism'. The second will focus on his concept of ability as the driver of industry and civilisation. In the third part, I will place Mallock's thought within the wider

libertarian context. Mallock's writings represent the most consistent, prolonged attempt to re-fashion conservatism in order to consolidate support from business and commercial interests, and to accommodate the Conservative Party to the needs of an industrial society.

Mallock might have seemed ideally placed to become a prophet of conservatism, given his family background. He was born in 1849 into a Devonshire Tory family of the gentry. His father, the Reverend William Mallock, was a Rector in the Church of England, while his mother Margaret was a Froude (the historian James Anthony Froude thus being the young William's uncle). Temperamentally, the marriage of a Froude to a Mallock was perhaps, as Michael Bentley has described, "a smudging between Tory and Liberal universes" for Margaret's marriage to the country vicar "unconsciously joined a heritage of potential intellectual Liberalism to a form of bucolic Toryism ably embodied in her son".² It was in the rural and historic ambience of Cockington Court, near Torquay, that Mallock grew up. Like many important families with a keen awareness of their own antiquity, the Mallocks imprinted upon their son a deep sense of time and place, an upbringing recalled with relish in his *Memoirs of Life and Literature* (1920).³ He was privately tutored by the Reverend W.B. Philpot, and in his youth he met two of the more famous intellectual personalities of the age, Carlyle, and his apparent opposite, Lytton.⁴

Like many of his background, Oxford beckoned. In 1869, he entered Balliol College. His time at Oxford does not seem to have been especially successful academically, his social activities providing him with the most satisfaction. He reflected that they were "somewhat remote from anything that can properly be called scholastic", although he did manage to win the Newdigate prize for poetry.⁵ Although it may be tempting to pass over Mallock's social life of races, good dinners and feminine society as the Epicurean diversions of a clever man with money, it does set the tone for at least part of the cultural basis of his conservatism. Russell Kirk has written of Mallock that "the splendid houses, the talk, the wines and dinners, the tranquility of immemorial ways", while perhaps summarised as "the conservatism of enjoyment", were to be defended by "the conservatism of the intellect."⁶ Mallock's Oxford acquaintances included Robert Browning, Algernon Swinburne, and Balliol's master Benjamin Jowett. Jowett was highly influential upon the young Mallock, although such influence was not positive. Mallock reacted strongly against the seemingly bland,

² Michael Bentley, *Lord Salisbury's World*, p.140.

³ Mallock, *Memoirs of Life and Literature* (New York: Harper, 1920).

⁴ *Ibid.*, pp.63-67.

⁵ *Ibid.*, p.68.

⁶ Russell Kirk, *The Conservative Mind*, p.346.

lukewarmness of the Broad Church, of which he held Jowett to be the type. To his great annoyance, Mallock found that most Balliol dons seemed to work from the presupposition that dogmatism in religion was dead. It was, therefore, religious liberalism which preoccupied him before he turned his attention to strictly political matters.

Of course, in Mallock's mind the religious and the political were connected, and the decline of orthodoxy in each represented a monumental shift against the traditional order which he cherished. He remarked that in modern times, "Deans avow friendship for men compared with whom Voltaire is orthodox, and cardinals with such men gravely discuss beliefs which Voltaire would have thought horrible to have questioned."⁷ Elsewhere he remarked rather sardonically:

But we live in times of progress. The mystery of yesterday is the common-place of to-day; the Bible, which was Newton's oracle is Professor Huxley's jest-book; and students at University now lose a class for not being familiar with opinions which but twenty years ago they would have been expelled for dreaming of.⁸

It was a satire of such intellectual tendencies, *The New Republic*, which catapulted him to fame. It was initially serialised between June and December 1876 in *Belgravia*, a popular illustrated shilling monthly magazine aimed at the middle classes and founded by the sensationalist author Mary Braddon, which at the time enjoyed an annual circulation of around 15,000. The same year, the magazine was bought by Chatto and Windus allowing the smooth transfer of Mallock's satire to novel form the following year.⁹ *The New Republic* was set, in Disraelian fashion, at a country house party, a theme which would become a familiar Mallockian device.¹⁰ In it, he brought together a number of characters, each one representative of famous personalities of the day including Matthew Arnold, Thomas Carlyle, William Kingdom Clifford, Violet Fane, William Hardinge, Thomas Huxley, Jowett, Walter Pater, John Ruskin and John Tyndall. Mallock was aiming his guns at fashionable ideas in science, religion, and morality. He was especially concerned about the impact of positivism, something he savagely satirised in his novel *The New Paul and Virginia*, published in 1878.

⁷ Mallock, "Is Life Worth Living", 254.

⁸ Mallock, *Every Man His Own Poet: or The Inspired Singer's Recipe Book* (Oxford: Shrimpton and Son, 1872), p.3.

⁹ Laurel Brake and Marysa Demoor, eds., *Dictionary of Nineteenth-century Journalism in Great Britain and Ireland* (London: The British Library, 2009), p.45.

¹⁰ Mallock, *The New Republic* (London: Chatto and Windus, 1877).

For Mallock, many of the new ‘truths’ held by those in fashionable society were manifestly ridiculous, and he set about assailing them as vehemently as possible. In his *Memoirs* he states:

...without religion life is reduced to an absurdity, and that all philosophy which aims at eliminating religion and basing human values on some purely natural substitute is, if judged by the same standards, as absurd as those dogmas of orthodoxy which the naturalists are attempting to supersede.¹¹

The religious aspect of Mallock’s writing was a separate, but connected element to his political work. The rise of positivism and the weakening of Christianity were, to many conservatives, closely related phenomena to the rise of radicalism and socialism. They all represented attacks on the established, settled order, and taken to their logical conclusions, were revolutionary. Mallock continued to write both novels and poetry but from the 1880s devoted his attention predominantly to political questions. It is against this backdrop that we witness the emergence of his scientific conservatism.

I. THE STATISTICS OF SCIENTIFIC CONSERVATISM

From the 1880s to the 1910s Mallock’s output was considerable, consisting of both articles for the periodical press, and books. Both his fiction and non-fiction works did well, his 1892 novel *A Human Document* selling 8000 copies in three years.¹² Mallock’s polemical works are significant for a number of reasons. Firstly, this vast corpus illustrates the significance of Mallock to the Individualist/Collectivist debates of the late-Victorian and Edwardian eras. Secondly, they are indicative of the ends to which conservatives had to go to articulate their principles in a democratic age. They had to appeal to the electorate directly whilst meeting them on the same terms that their active, energetic opponents did. Thirdly, as has been noted by various commentators, Mallock was singly responsible for revolutionising the way

¹¹ Mallock, *Memoirs*, p.168.

¹² John Sutherland, *The Longman Companion to Victorian Fiction* (London: Routledge, 2009), p.409.

conservatives argued their case. For some time the intellectual reputation of the Conservative Party had been damaged by Mill's sobriquet, "the stupid party".¹³ Although the veracity of the quotation is unclear, it was an association which did stick in intellectual circles. Hitherto, the typical conservative tendency when faced with competing political ideologies was to revert to the defence of property, inequality and the social order.

Lord Salisbury framed his political thought in terms of class—the propertied and the property-less. Earlier Tory libertarians such as Toulmin Smith concerned themselves with opposing State centralisation. By the 1880s, the enfranchisement of working class men brought with it new electoral challenges. Tory democracy—disparagingly called 'Villa Toryism' by Salisbury—was one of the Conservative Party's responses. Party propaganda found new vehicles in pressure groups like the Primrose League. In Mallock's mind, however, such endeavours were insufficient to meet the challenges of New Liberalism and Socialism. What was needed was to challenge radical theories on an intellectual level by showing the errors in their reasoning, the untruth of their claims, and the impracticality of their schemes. In their place he would propose solutions which were thoroughly capitalist, protective of private property and entirely harmonious with a conservative social order. It was in effect a 'scientific conservatism'.

Mallock's interest in politics was rekindled when his cousin Richard was asked to become the Conservative candidate for Torquay (William had himself stood unsuccessfully for the St. Andrews burgh in 1883).¹⁴ During this period, the Primrose League held meetings at Mallock's home in Cockington Court, and even though in his estimation they represented the most intellectually developed Conservatives, their conservatism was "no more than a vague sentiment, healthy so far as it went, but incapable of aiding them in controversy with any glib Radical opponent."¹⁵ As a whole Conservatives were, in Mallock's estimation, "so ignorant that they did not know, or so timorous or apathetic that they did not dare to use, the true facts, figures, or principles by the promulgation of which alone the false might be systematically discredited."¹⁶ In speaking of the need for a scientific Conservatism Mallock was consciously seeking to avoid the vagaries into which conservatism as a mere sentiment

¹³ In Parliament, Mill vehemently denied that he had made this assertion. He had described the Conservatives as "being by the law of their existence the stupidest party", *Considerations on Representative Government* (London: Parker, Son, and Bourn, 1861), p.138.

¹⁴ Mallock, *Memoirs*, p.209.

¹⁵ *Ibid.*, p.210.

¹⁶ *Ibid.*, p.213.

or attitude is likely to fall, and provide instead “weapons of precision”.¹⁷ Attempting to articulate conservatism scientifically presented numerous difficulties—the formulation of true general principles, the difficulty of acquiring accurate statistical and historical information to which general principles must be brought, harmonising moral and social sentiments which cold facts, and translating factual analysis into a moral and rational synthesis by which human beings could live.¹⁸

Although it was the mid-1880s when Mallock realised he had to devote much of his time to the development of a scientific conservatism, his first foray into the field had been in 1882 with *Social Equality*. Published in the wake of the Second Irish Land Act, it entered the fray at a crucial moment for defenders of the existing social order, as the radical reforming character of Gladstone’s second administration made itself felt. It was also, of course, the same year that the LPDL was brought into being. Interestingly, the book’s subtitle declared it *A Short Study into a Missing Science*, the “missing science” being the science of the connection between human character and the production of material wealth.¹⁹ In it, he propounds what would be a perennial theme in his writing, that inequality was essential to human advance. He also disputes the democratic concept of government as an expression of the majority-defined will of the people, reminding his readers that “all civilisations... have begun against the will of the majority of human beings concerned in them.”²⁰ Mallock considered the very notion of social equality as a kind of utopian wishful thinking, divorced from the realities of life. From history it was evident that in order to procure an income above the level of mere subsistence, there had to be social inequality:

Man’s power of producing more than a livelihood depends upon causes that are without him, and not within him; and these causes coexist essentially, and they have always coexisted since the earliest dawn of history, in some arrangement, more or less effective, of marked social inequalities.²¹

Mallock did not see his defence of inequality as a defence of the rich against the poor. True, his argument provided security for the wealthy and propertied, but he also saw it as an

¹⁷ Ibid., p.213.

¹⁸ Ibid., p.214.

¹⁹ Ibid., p.181.

²⁰ Mallock, *Social Equality: A Short Study in a Missing Science* (London: Richard Bentley and Son, 1882), p.246.

²¹ Ibid., p.249.

essential fact which had to be recognised for there to be true progress for the poor. Promises of utopia made the “prosperous poor” (by which we can assume Mallock means the working classes who had attained some degree of material comfort) discontented with circumstances which would naturally make them happy” while placing before the suffering poor a scheme which would serve for the ruination of all.²² Radical theories of social equality prevented civilisation from being the “friend of the poor” and instead made the poor “the enemies of civilisation”.²³

In the 1880s the spotlight of Radical ‘progress’ fixed upon the land question. Although Radical politicians had long harboured a hatred for the distribution of land throughout the British Isles and the privileged position of landowners, their grievances received fresh ammunition from publication of the American writer Henry George’s *Progress and Poverty* in 1879. George was certainly no socialist, and his thought has been of value to both classical liberals and libertarians.²⁴ The central problem with which he grappled was why economies tended towards ‘boom-and-bust’ cycles. He believed that speculation in land tended to increase the value of the land before wealth could be produced to pay for it, thus decreasing the amount left for capital and labour, resulting in lower wages and a slow-down in production.²⁵ He stated:

Poverty deepens as wealth increases, and wages are forced down as productive power grows, because land, which is the source of all wealth and the field of all labour, is monopolised.²⁶

To remedy this problem, George proposed that private ownership in land should be abolished, and replaced with common ownership. He claimed an equal right of all men to use land as tantamount to their equal right to breathe the air.²⁷ George’s ideas gained traction with land reformers in Britain, particularly Joseph Chamberlain. Chamberlain had been a Radical on the land question before he read *Progress and Poverty*, but was greatly impressed by

²² Ibid., p.273.

²³ Ibid., p.274.

²⁴ For example, Chris Tame, *The Land Question in Classical Liberal Thought and the “Georgist” Contribution to Classical Liberalism: A Bibliography*, ed. Sean Gabb (London: Hampden Press, 2011).

²⁵ Henry George, *Progress and Poverty* (London: William Reeves, 1884), pp.203-217.

²⁶ Ibid., p.253.

²⁷ Ibid., p.261.

George's arguments.²⁸ On the socialist side, H.M. Hyndman was greatly influenced by Georgism, and it was he who Mallock takes as the foremost representative of land nationalisation, and socialism, in Britain.

Perhaps rather expectedly, the conservative Mallock reached other conclusions. *Progress and Poverty* was exactly the kind of work he was concerned about. Popular with Radical reformers in parliament and their supporters, it was also a prime example of the kind of political work which conservatives seemed unable to answer intelligently despite the obvious threat its ideas posed to them. Mallock noted how defenders of the existing order too often felt hopeless because they assumed the factual veracity of their opponents' claims.²⁹ Mallock responded with a series of articles in the *Quarterly Review*, which were published together in 1884 under the title *Property and Progress*. Although he was rather disparaging of George's claims, calling them "as false to fact as the most crack-brained astrologer", he restricted his criticism to means rather than motives.³⁰ Mallock did praise aspects of George's character, considering him not to be a demagogue, but rather genuinely concerned with the plight of the poor and the future of civilisation.³¹ What he did find wanting was the substance of George's arguments. For one, he disputed George's theory of wages and population, attacking George's solution, the land tax, on the grounds that it had already been tried in microcosm and had failed. Mallock points to an occurrence in Herefordshire at the turn of the nineteenth century where an unnamed wealthy philanthropist had left an estate of four thousand pounds to the inhabitants of three villages. Not long after, all three villages had descended into a state of miserable pauperism, which only ended when an Act of Parliament revoked the bequest.³²

That a conservative should look to empirical evidence to refute the claims of ideological opponents was certainly not novel. A reliance on the experience of the past, the accreted 'wisdom' of the species as Burke called it, marks a staple ingredient of all forms of conservatism. Where Mallock innovated, however, was the introduction of statistical 'scientific' analysis to support conservative claims and refute those of their opponents. Such a systematic, intellectual approach had previously been associated more with the adversaries of

²⁸ See Michael Silagi, "Henry George and Europe: George and his followers awakened the British conscience and started a newer, freer society", tr., Susan N. Faulkner, *The American Journal of Economics and Sociology*, 50.2, (Apr., 1991): 243-255.

²⁹ Mallock, "The Significance of Modern Poverty", *The North American Review*, (Sep., 1894); 288-299 (291).

³⁰ Mallock, *Property and Progress, or a brief enquiry into contemporary social agitation in England* (New York: G.P. Pullman and sons, 1884), p.6.

³¹ *Ibid.*, p.7.

³² *Ibid.*, pp.64-65.

conservatism rather than conservatism itself. It seems the upper echelons of the Conservative Party were slow to latch onto the scientific approach of Mallock. Later, one unnamed party figure told Mallock that he found “columns of figures merely so many clouds”, to which Mallock responded that such clouds taken together have a tendency towards lightning.³³

In *Property and Progress*, we see such a systematic approach taken. Mallock employs this mode of argument to counter the socialist claim, made by Hyndman that the existing distribution of property resulted in a growing gulf between rich and poor, with the latter becoming increasingly poor.³⁴ Mallock, taking his evidence from several eminent statisticians countered that, in fact, the opposite had taken place. He noted the Gross National Income at four periods: 1843, 1851, 1864, and from 1880-1883. To determine the collective income of the poorest (that is, annual incomes of those with less than £150) he subtracted from the figures for Gross National Income the amounts assessed to income tax. The resultant figures were then set against the census figures at each of the periods. Most of the increase in population had taken place amongst the richer classes (200 per cent as opposed to 20 per cent for the poorer classes), so allowing for this, Mallock was able to calculate the average income per family of the poorest. In 1843 the figure stood at about £40, whereas by the time of writing it had increased to between £95 and £100. That amounted to an increase in wealth of 140 per cent.³⁵ During the same period the middle classes had grown in wealth too. A handful of the richest (“not more than 987”) had grown richer and more numerous, but the bulk of the wealthiest had grown poorer.³⁶

The wider significance of the false “statistics of agitation”, as Mallock called them, was that they imperilled the constitution itself. Erroneous statistical analysis from both Radicals and Socialists called into question the monarchy, on the grounds that it was a financial drain on the nation, and the aristocracy, on the grounds that a few privileged individuals monopolised the majority of the land, and by extension (since land was held to be a primary source of wealth) the wealth of the country. Mallock’s analysis showed that the shift in economic power from landed to business interests was already in full swing, the highest-

³³ Mallock, *Memoirs*, p.318.

³⁴ Mallock, *Property and Progress*, p.169.

³⁵ *Ibid.*, pp.200-204.

³⁶ *Ibid.*, p.211. The average income of the rich in 1881 was £2193 but at the time of writing had decreased to “not more than £2069. Mallock’s source was the statistician Leone Levi’s 1883 paper for the British Association, *Recent Changes in the Distribution of Wealth*. Although he admitted these figures pertained to wealth derived from industry, there were grounds for believing them representative of all interests.

earning businessmen far outstripping the largest landowners.³⁷ *Property and Progress* concludes with a reminder that rather than hurtling irreversibly towards social unrest as a result of marked inequalities, as Chamberlain claimed, Britain's existing social and economic arrangements were to the benefit of all social classes. By stressing the necessity of conserving the constitution as is (monarchical and aristocratic), Mallock was not only attempting to convince general readers as to the benefits of a Conservative political programme.³⁸ He was also drawing for his own party the implicit connection between a defence of the hierarchical social order and the need to argue empirically against Radical and Socialist claims. The question of the material well-being of the people was bound up in the freedom guaranteed by the constitution, and Conservatives would do well, in Mallock's view, to accommodate themselves to a proper, scientific recognition of this fact.

This empirical statistical line of argument was developed at greater length later in *Classes and Masses* (1896), which was tellingly positioned as "a handbook of social facts for political thinkers and speakers". Its interest lies in its position as an early work of Conservative Party propaganda, where scientific conservatism forms the central argument against Socialism. Replete with diagrams, charts and graphs, Mallock's central purpose once again was to point to the tremendous growth in material prosperity which had occurred during the nineteenth century as business had been permitted to function without interference from the State.³⁹ The subject of the growth of the national income over the course of the preceding century was treated again in 1910 in *The Nation as a Business Firm*. In it he dealt with the problem of the worst off elements of the lower classes, the 'residuum', whose economic problems he attributed to their lack of any sort of production.⁴⁰

The usage of statistics within the sphere of politics can partly be seen as part of the ongoing process of categorising and organising knowledge that took place in the nineteenth century. Beyond this, however, statistics as a discipline in its own right was beginning to take form, and, as Tom Crook has argued, acted as a form of trust, or objective authority, to which appeal could be made separate from mere opinion or partisan politics.⁴¹ That statistics also

³⁷ Ibid., p.229. He notes there to be 5000 members of the aristocracy, whose estates surpass 1000 acres, and 1900 businessmen whose annual income exceeds £5000. The gross income of these businessmen exceeds the total rental of the landowners by over £3,000,000.

³⁸ Ibid., p.248.

³⁹ Mallock, *Classes and Masses* (London; Adam and Charles Black, 1896).

⁴⁰ Mallock, *The Nation as a Business Firm: an Attempt to Cut a Path Through the Jungle* (London: Adam and Charles Black, 1910), p.258.

⁴¹ Tom Crook, "Suspect Figures: Statistics and Public Trust in Victorian Britain", *Statistics and the Public Sphere in Modern Britain, c.1800-2000*, Eds., Tom Crook and Glen O'Hara (New York: Routledge, 2011), p.175.

served as a source of confusion and uncertainty, illustrated by the controversy over its elevation to the status of science during the formation of Section F of the British Association, is indicative of the fact that its reception was far from unanimously positive.⁴² Furthermore, the ambiguous origins of the famous “lies, damned lies and statistics” certainly suggests widespread distrust of the claim that statistics could act as a form of settled neutrality.⁴³

As far as political economy was concerned, statistical analysis brought to bear directly on the debate over whether the subject should be approached from an inductive or deductive point of view. Harro Maas has noted that under the influence of Mill and Cairnes, political economy became dissociated from statistics, but that this changed in the 1860s as a result of the work of William Stanley Jevons. In 1863 Jevons had sent Cairnes a brochure he had produced on the effect of the mid-century gold discoveries of gold in Australia and California, which contained graphs, index numbers, and logarithmic charts.⁴⁴ This sort of statistical representation was certainly an innovation, and one which clearly influenced Mallock, as made evident in works like *Classes and Masses*. In the preface he explained that the objective of the book was to present the real statistics of wealth and its relation to class in terms which were intelligible to all, and so equip them for public debate without the need for any special training.⁴⁵ Moreover, the diagrammatic and pictorial representation of the statistics and arguments used were intended to elucidate Mallock’s case as clearly as possible for the “ordinary reader and the ordinary practical man.”⁴⁶ On a technical level the diagrams aimed to serve as a “working model, to show the operation of those natural conditions and universal principles of action by which the distribution of wealth and the amount of men’s earnings are regulated in every state of society.”⁴⁷ The charts, graphs and pictograms certainly did provide a visual departure from the standard dry figures and tables that tended to characterise discussion of the ‘social problem’. Mallock marshalled them to discuss the existing distribution of wealth, the debate over “the minimum of humane living”, wages, and the statistical evidence of “the condition of the people” to be found in the census.

⁴² Ibid., p.175.

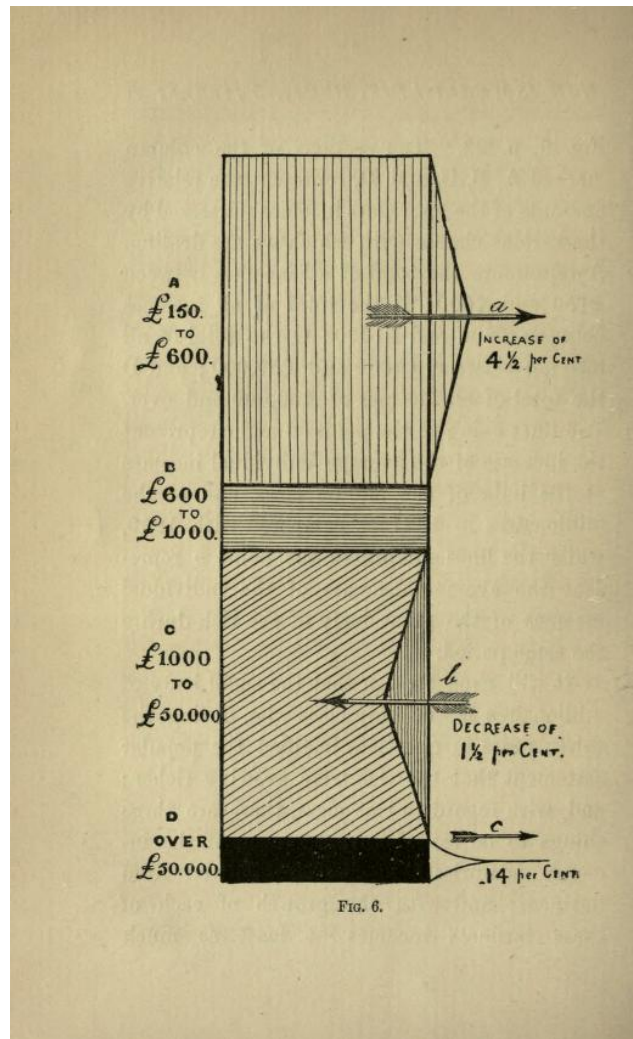
⁴³ Mark Twain popularised this quote, attributing it to Disraeli, but a number of other attributions have been made.

⁴⁴ Harro Maas, “The Photographic Lens: Graphs and the changing practices of Victorian economists” in Martin Hewitt, ed., *The Victorian World*, (Oxford: Routledge, 2012), pp.504-505.

⁴⁵ Mallock, *Classes and Masses*, vi.

⁴⁶ Ibid., vii.

⁴⁷ Ibid., ix-x.

Figure 2.1⁴⁸

In a review, the Fabian Sidney Ball considered much of the content to be “skilfully-selected figures and often ingeniously-constructed diagrams”, but regarded the author as too passive in his acceptance of existing poverty (“where considerably more than one-fourth of the working-class have only forty-three pounds a year or less on which to support themselves and their families”).⁴⁹ The mutual reluctance of Mallock and his opponents to accept each

⁴⁸ Graph showing the changes to different classes of incomes between 1850 and 1881. Mallock explained: “The sections of the column marked A, B, C, and D, represent the relative amounts of the aggregate incomes possessed by the various classes with which we are dealing. A represents the total of all incomes between £150 and £600; B the total of all incomes between £600 and £1000; C the total of all incomes between £1000 and £50,000; and D the total of all incomes of £50,000 and over. The lines rising to the points *a* and *c* represent the increase of the average individual incomes of the bulk of the middle class, and of the millionaires in 1881 as compared with 1850, whilst the lines sinking to the point *b* represent the average decrease of the individual incomes of the great body of the rich during the same period.” *Classes and Masses*, pp.21-22.

⁴⁹ Sidney Ball, “Review of *Methods of Social Reform* by Thomas Mackay and *Classes and Masses* by W.H. Mallock”, *International Journal of Ethics*, 7.3, (Apr., 1897): 383-385 (384).

other's statistics as either scientifically or morally authoritative perhaps suggests a limitation to the usefulness of statistics as a means of settling political debate. Furthermore, it is difficult to gauge how far this sort of dialectic truly seeped through to the masses for which it was intended, and how much it remained primarily a debate between public intellectuals.

Mallock's emphasis on material well-being differentiates his scientific conservatism somewhat from more traditional forms. As the franchise widened, the welfare of the people became an ever-more important political football and the need to mark out conservatism's opposition to Socialism necessitated greater attention paid to the material prosperity of the masses. In *Labour and the Popular Welfare*, published in 1893, Mallock designated the purpose of government in terms more strongly reminiscent of classical liberalism or Individualism, than traditional conservatism:

The ultimate end of Government is to secure or provide for the greatest possible number, not indeed happiness, as is often inaccurately said, but the external conditions that make happiness possible.⁵⁰

This is of course a slight twist on the usual utilitarian basis of argument. It also provides some degree of linkage with the utilitarian Individualism of Sidgwick.⁵¹ In Mallock's view, this happiness had to come from within individuals themselves, or at least from sources that lay outside the State.⁵² Mallock disavows any suggestion that this prioritisation of the material amounted to materialism. Those components of a higher moral and mental culture, such as patriotism, required, and would indeed only be strengthened by, the security of the essential conditions of life. National success and the glories of Empire meant little to an individual whose family was destitute of basic wants.⁵³ But how was this material prosperity to be produced?

⁵⁰ Mallock, *Labour and the Popular Welfare* (London: Adam and Charles Black, 1893), p.8.

⁵¹ See the previous chapter.

⁵² Mallock, *Labour*, p.8.

⁵³ *Ibid.*, pp.9-11.

II. THE CONCEPT OF ABILITY

Although a sense of traditional Tory paternalism does come through, particularly in novels such as *A Romance of the Nineteenth Century* (1881) and *The Old Order Changes* (1886), Mallock's nonfiction political works make clear that the material betterment of the poor could only occur within a system of private enterprise. His chief criticism of the Socialist conception of economics was its insistence that labour was the source of a good's value. In his critique he employed a psychological conception of the businessman or industrialist as an individual of superior mental and directive capacity, as the chief engine of economic progress. "Wage capital", he instructs readers, "in the modern world is the means by which exceptional intellect is lent to labour", a fact which he felt the Socialist definition of capital ignored entirely.⁵⁴ He distinguished the directive factor in production from labour itself, which he held to be "muscular or manual exertion".⁵⁵ The directive factor was subsumed under the general term 'ability', which referred to mental and moral exertion. To justify this distinction he considered the compared outputs of the two factors: "...the Labour of one man affects one task only; the Ability of one man may affect an indefinite number."⁵⁶ As to the origin and distribution of ability Mallock's conception is hereditary. It existed as a "natural monopoly" as "few people are born with it". Furthermore, its presence was so ingrained that equality of education and opportunity, far from equalising characters, would serve only to display their differences.⁵⁷

This conception of ability refers as much to character as to intellect. Among these "exceptional gifts of character" Mallock lists "a sagacity, an instinctive quickness in recognising the intellect of others, a strength of will that is sometimes almost brutal, and will force a way for a new idea".⁵⁸ Ability was manifest in the perfection of a new invention, but it was another kind of ability which was able to secure capital to put such an invention to use.⁵⁹ Progress occurred solely due to the few, and was not attributable to "the Age, or Society, or the Human Race" as Socialists held.⁶⁰ Mallock developed his variation on the

⁵⁴ Ibid., pp.126-127.

⁵⁵ Ibid., p.143.

⁵⁶ Ibid., p.146.

⁵⁷ Ibid., p.150.

⁵⁸ Ibid., p.212.

⁵⁹ Ibid., p.213.

⁶⁰ Ibid., p.216.

‘Great Man’ view of history at greater length in *Aristocracy and Evolution* (1898), which will be discussed in greater depth in chapter four. In *Labour and the Popular Welfare*, he gives a number of examples from the Industrial Revolution where ability was applied to new developments, often opposed by the age, and was able to multiply the power of labour and force improvements.⁶¹

One of the challenges posed to Mallock’s theory was the problem of quantifying ability, as it existed in relation to industrial progress. He did acknowledge the difficulty of obtaining concrete data, and the fact that ability itself existed in varying kinds, with some much commoner than others. He locates it in the numbers with incomes large enough to require them to pay income tax on business incomes (at that time above one hundred and fifty pounds a year). This corresponded to six per cent of the adult male population. He writes:

We may therefore say that out of every thousand men there are, on average, sixty who are distinctly superior to their fellows, who each add more to the gross amount of the product by directing Labour, than any one man does by labouring, and who possesses Ability to a greater or lesser extent.⁶²

Mallock’s attempt to classify the different levels of ability by income (fifty thousand pounds “first class”, fifteen thousand pounds “second class”, five thousand pounds “third class”) appears crudely simplistic. Here his attempt to achieve scientific precision for what is surely not an easily quantifiable concept weakens his overall case. Of those actively engaged in production, he asserted that “men of Ability” made up one-sixteenth.⁶³ In overall terms, he concludes:

...we may say that ninety-six percent of the producing classes produce little more than a third of our present national income, and that a minority, consisting of one-sixteenth of these classes, produces little less than two thirds of it.⁶⁴

⁶¹ Ibid., pp.217-227.

⁶² Ibid., p.230.

⁶³ Ibid., p.231.

⁶⁴ Ibid., p.233.

In Mallock's theory, the division between capital and labour is replaced by the division between two types of men—those of ability and the labouring classes.⁶⁵ The hopes of the latter were bound up in the prosperity of the former.⁶⁶

Mallock's concern with a 'scientific' sense of analytical precision caused him to exercise much greater care in his use of political labels than some of his libertarian allies. True Socialism referred to a particular mode of production. Proposed measures to extend government interference, commonly denounced as 'socialistic' by opponents were not consistent with true Socialism since they all presupposed the continued existence of the current mode of production, a basis which would be destroyed in the event of true Socialism.⁶⁷ These 'socialistic' measures could only exist "on an income produced by the forces of Individualism".⁶⁸ Furthermore, institutions such as the military and the police could be said to be 'socialistic' on the same grounds. In an interesting passage on the political dynamics existing between Individualism and Socialism, a year before the Chancellor William Harcourt introduced death duties and famously announced "We are all Socialists now", Mallock wrote:

If, then, we agree to call those measures Socialistic to which the word is popularly applied at present, Socialism, instead of being opposed to Individualism, is its necessary complement, as we may see at once by considering the necessity of public roads and a police force; for the first of these shows us that private property would be inaccessible without the existence of social property; and the second that it would be insecure without the existence of social servants. The good or evil, then, that will result from Socialism, as understood thus, depends altogether on questions of degree or detail. There is no question as to whether we shall be Socialistic or no. We must be Socialistic; and we always have been, though perhaps without knowing it, as M. Jourdain talked prose. The only question is as to the precise limits which the Socialistic can be pushed with advantage to the greatest number.⁶⁹

⁶⁵ Ibid., p.239.

⁶⁶ Ibid., p.237.

⁶⁷ Mallock, *Labour and the Popular Welfare*, p.293.

⁶⁸ Ibid., p.294.

⁶⁹ Ibid., p.295.

Mallock made his most comprehensive critique of socialism in *A Critical Examination of Socialism*, published in 1907. At the time, Sir Henry Campbell-Bannerman was mid-way through his brief tenure as the last ‘Gladstonian’ leader of the Liberal Party, a ministry which was cut short by his death in 1908, upon which the more socially liberal Asquith took over. It was based on a series of lectures Mallock had made as part of his tour of the United States earlier that year. While in America he had met William James and President Theodore Roosevelt, the latter of whom had remarked to Mallock that he had been greatly influenced by Mallock’s 1904 novel, *Veil of the Temple*.⁷⁰ In it he continued along the same lines of argument against Socialism that he had made during the previous twenty years. On some points, though, he expanded. He distinguished between the Marxian and Fabian varieties of Socialism. Unlike the former group, the British intellectual Socialists such as Shaw and Webb did recognise the importance of directive ability, and capital as its implement.⁷¹ However, Mallock asked how, absent a system of private enterprise, would such men of ability be selected? Under capitalism the directors of labour were those who possessed wage-capital. Any misdirection of labour would result in necessary redress at the hands of the market.⁷² Under a socialistic system, the mechanism for such corrections is removed. Mallock provided the example of the Thames steamboats, operated by the London County Council. Municipal governments like the LCC had become the focal point of interest for both supporters and critics of socialist government in the 1890s, especially for its novel schemes such as “gas and water socialism”. In the case of the steamboats, the capital required for the maintenance of the service was considerably greater than that reproduced by the service, the losses being made up by an increased tax burden.⁷³ This financial loss had been justified by the Council on the grounds that those who enjoyed the service were mostly of modest means, while the ratepayers who were taxed for its maintenance were undoubtedly wealthy.⁷⁴ Mallock denied the plausibility of this argument, on the basis that its reasoning only worked if there existed a state of society in which there was a disparity in incomes. In a socialist society, the playing field would have been levelled and all incomes would equal fractions of a common stock.⁷⁵

⁷⁰ Mallock, *Memoirs*, p.318. *Veil of the Temple* follows a similar pattern to *The New Republic*, where a country house party serves as a forum for a discussion on religion.

⁷¹ Mallock, *A Critical Examination of Socialism* (London: John Murray, 1908), pp.41-68.

⁷² *Ibid.*, pp.70-71.

⁷³ *Ibid.*, p.72.

⁷⁴ *Ibid.*, p.72.

⁷⁵ *Ibid.*, p.72.

The primary problem in a socialist economy was the absence of motive. While the Fabians recognised the importance of directive ability, the challenge lay in ascribing a motive to the possessors of ability. If not profit, then what? In its place, Mallock noted that socialists proposed four general alternatives: the pleasure of excelling, the joy in creative work, the satisfaction derived from benevolence, and the desire for approval.⁷⁶ The first of these, the pleasure attained by the successful exercise of one's powers to the highest, Mallock found a strange quality to be celebrated by Socialists since their system denigrated the very concept of competition.⁷⁷ He believed the other motives listed suggested a flawed reading of human psychology. Just because an artist, a philosopher, a monk or nun, or a soldier devoted themselves to their respective vocations without promise of great pecuniary reward, it did not follow "the monopolists of business ability", absent the same financial reward, would become just as amenable to the former's motives.⁷⁸ In the case of the artist, Mallock asked the following question:

What reason is there to suppose that the impassioned emotion which stimulates the adoring monk to lavish all his genius on an altar-piece will stimulate another man to devise, and to organise the production of, some new kind of enamel for the decoration of cheap furniture?⁷⁹

The example of the artist was picked up by Shaw to argue that pecuniary reward was directly related to the particular conditions in which he was operating. In an oft-quoted passage in *Socialism and Superior Brains*, he contended that prices were often inflated by the "idle rich". In practice, artists' portraits of their patrons were often of mediocre quality yet the ability of the wealthy to pay for such works earned the artists much more than they otherwise could have commanded.⁸⁰ "The fashionable physician" Shaw continued, "the surgeon pre-eminently skilled in some dangerous operation, the Parliamentary barrister, all owe the excess of their incomes over that of, say, a cabinet minister, to the competition among enormously rich people or huge companies for their services."⁸¹ In Shaw's mind capitalism had a kind of momentum which kept men of ability in its service rather than the service of society:

⁷⁶ Ibid., pp.113-114.

⁷⁷ Ibid., p.114.

⁷⁸ Ibid., p.115.

⁷⁹ Ibid., pp.115-116.

⁸⁰ George Bernard Shaw, *Socialism and Superior Brains: A Reply to Mr Mallock, Fabian Socialist Series, No.8* (London: A.C. Fifield, 1910), p.33.

⁸¹ Ibid., p.33.

Generally speaking, it may be said that our capitalists pay men of ability very highly to devote their ability to the service of Capitalism; and the moment society begins to outgrow the capitalistic system, it is no longer permissible to assume that ability devoted to the service of Capitalism is serviceable to society, or, indeed, that ability which can only flourish in that way is, from the social point of view, ability at all.⁸²

As we have seen Mallock's concept of ability left little room for compromise with any doctrine of equality. He went beyond a liberal opposition to equality of outcome in extending his opposition to economic equality of opportunity too. In an abstract sense, the notion of equality of opportunity was just, but the application of such an abstract to the real and complex world of human and social arrangements was impossible.⁸³ As in other senses, Mallock held the natural inequality of human beings in the realm of economic production to be a given. Since ability was in a large degree hardwired into individuals—in that they are unequal “in intellect and imagination... energy, alertness, executive capacity, initiative and in what we may describe generally as practical driving force”—any attempt to equalise the position at which all started would necessarily produce the same result. “A few individuals” Mallock explained, “would be out of sight in a moment, the mass at various distances would be struggling far behind them, and a large residuum would have been blown before it had advanced a furlong.”⁸⁴

According to Mallock, there were three types of equality of opportunity: educational opportunity, opportunity to be employed in the performance of some everyday task, and the opportunity to obtain a position that will enable them to direct others.⁸⁵ As to the first of these, it was certainly possible, he contended, to provide a sort of educational equality, but even here innate natural differences would swiftly bring varying results among pupils. To illustrate his point he furnished the example of two boys of similar intelligence, but differing abilities of mental concentration, set to the task of learning German. After the passage of a year, one of these two might have been able to read German books as though they were his native language, while the other would have struggled to comprehend passages without frequent

⁸² Ibid., p.33.

⁸³ Mallock, *A Critical Examination of Socialism*, p.254.

⁸⁴ Ibid., pp.254-255.

⁸⁵ Ibid., pp.266-268.

recourse to the dictionary and grammar books.⁸⁶ In essence, educational equality of opportunity could not override the laws of heredity, and pointed to the fact that in large part, ability was innate. With regard to the second realm, the equality of opportunity of employment in everyday tasks that made up the bulk of jobs, there were two problems. The first was the difficulty “occasional and often frequent in any complex society, of devising work which has any practical value, and replaces its own cost, for all those who are able and willing to perform it.” The second was the difficulty in providing useful work to those who were “incapacitated, by some species of vice” from the performance of any useful work. On both counts, there was little doubt in Mallock’s mind that Socialist planners would be any more competent at solving such issues than private employers currently were.⁸⁷ The third area of equal opportunity, that of obtaining a position to direct others, was again a simple matter of ability. The numbers of individuals who believed themselves capable of some form of directive ability far outstripped those who were capable of turning their schemes to profitable use, and to provide the opportunity to all who desired it was demonstrably impractical.⁸⁸

III. MALLOCK’S CONSERVATISM IN CONTEXT

The scientific conservative case presented by Mallock certainly marked a very different form of empiricism from that which had previously coloured the conservative mentality. In an essay for the Conservative *National Review* in 1895, the Individualist Thomas Mackay considered a recent remark by Lord Salisbury as an accurate summation of the outlook which governed the British political outlook. The Prime Minister had said that the Conservative Party’s stance had always been to use the State “for improving the physical, moral, and intellectual condition of our people.”⁸⁹ Of course, as Mackay wrote, such a statement could just as easily have been made by the Liberal Party, for the issue hinged on what constituted a “proper use” of the State. The implication was of a reliance on past experience, a sort of un-

⁸⁶ Ibid., p.256.

⁸⁷ Ibid., p.267.

⁸⁸ Ibid., p.268.

⁸⁹ Lord Salisbury, quoted in Thomas Mackay, “Empiricism in Politics”, *National Review*, 25 (1895): 790-803 (790).

technocratic trial-and-error. There was, in Mackay's view, "no pretence that our political conduct is guided by scientific principle", for "Our system is based frankly on a representation of interests, not a representation of wisdom."⁹⁰

As shall be considered in chapter four, the belief that a representation of interests could also simultaneously represent accumulated wisdom was a pillar of the aristocratic *raison d'être*, but it is certainly possible to see the essential truth in Mackay's assessment. British politics had arguably always been marked by a certain Burkean aversion to rationalism, and even in the Benthamite heyday, utilitarianism had been checked by Whiggish patrician disinterestedness. Mallock, on the other hand, appropriated a distinctive scientific empiricism to bolster the case for a reliance on the wisdom of existing arrangements. In this regard he differed not only from other conservatives but also from the Individualists who preferred to argue *a priori* from a set of principles they considered scientifically and philosophically robust.

It could be said, perhaps somewhat paradoxically, that the strength of Mallock's approach to politics was also its weakness. By focussing on the economic and sociological concept of ability he was able to furnish Conservatives with an invaluable weapon to counter Radical and Socialist economic arguments. This must all be seen within the wider context of the refashioning of the Conservative Party, for whom Mallock worked as a seemingly tireless publicist, into the Party of business and commercial interests. But in concentrating so much on the man of ability as an entrepreneurial and industrial type, he made his own social class highly vulnerable to attack from Socialist critics. The existing distribution of wealth appeared to suggest ample rewards for those not engaged in any form of directive ability. It was a point which Shaw attacked in a letter to *The Times* in early 1909:

The notion that the people who are now spending in week-end hotels, in motor cars, in Switzerland, the Riviera, and Algeria the remarkable increase in unearned incomes noted by Mr. Keir Hardie have ever invented anything, ever directed anything, ever even selected their own investments without the aid of a stockbroker or solicitor, ever as much as seen the industries from which their incomes are derived, betrays not only the most rustic ignorance of economic theory, but a practical ignorance of society so incredible in a writer of Mr.

⁹⁰ Ibid., 790.

Mallock's position that I find it exceedingly difficult to persuade my fellow Socialists that he really believes what he teaches.⁹¹

Mallock responded that he had dealt with the question of "rent of ability" in detail in his book.⁹² Still, while Mallock's economic writing is probably the closest on a theoretical level that any form of conservatism got to Individualism during the late-Victorian rapprochement, this point illustrates the gap that still existed between the two. Mallock had to simultaneously defend the entrepreneurial man of ability as the true engine of progress whilst defending the social 'leisure' class (of which he was a part), despite the obviously limited application of the concept of ability to that class. The transformation of the country towards an industrial society might have gone some way to vindicating the general area of Mallock's focus. That an increasing portion of the aristocratic classes began to participate in business, taking their place on company boards among other areas, goes some way to validating Mallock's general thesis about social change. The exigencies of political, social and economic life had shifted the balance of power from land to commerce, and it was perhaps in the crucible of business that the true repository of economic ability amongst the upper classes could truly be tested.

Although in its enthusiasm for the free market over State interference it is undeniably libertarian, the notion of an aristocracy of ability could be interpreted in starkly authoritarian terms. One reviewer of *A Critical Examination of Socialism* perceived a narrowness of analysis:

In Mr. Mallock's world (except quite incidentally and incompetently) there are no citizens; there are only the drivers and the driven. It is a world with a nursery at one end, a cemetery at the other, a coal-pit in the middle, and brooding over all the nightmare that at any moment the winding engine may stop and the driver refuse to pull the lever ever more.⁹³

Although such claims seem understandable if Mallock's purely economic works are read in isolation, when his whole body of work is taken into consideration a different picture

⁹¹ Shaw to *The Times*, Feb., 2nd, 1909. Reprinted in *Socialism and Superior Brains*, p.6.

⁹² Mallock to *The Times*, Feb., 5th, 1909. Reprinted in *Socialism and Superior Brains*, p.12. Mallocks points Shaw to a passage in *A Critical Examination of Socialism* where he compares rent and agriculture, with labour without directive ability. In the former case, agriculture is impossible without land, whereas the latter case had been amply illustrated in economic history.

⁹³ Thomas Jones, "Review of *A Critical Examination of Socialism* by W.H. Mallock", *The Economic Journal* 18.72 (Dec., 1908): 557-560 (560).

emerges. A significant portion of his writing is clearly attuned to the spiritual as well as material concerns of society. Because the two spheres are never successfully integrated within a single work, this fact has led some scholars to suggest a duality, where the economically-centred Mallock gradually displaces the socially-concerned Mallock. Some twentieth century scholars, such as Tucker and Ford, have argued that Mallock's ideology from the 1890s onwards bears little resemblance to the more "progressive Tory" vision encapsulated in his works from the 1880s, such as the novel *The Old Order Changes*.⁹⁴ As a Disraelian 'condition of England' work, like a *Sybil* for the late-Victorian era, Mallock harks after an older feudal arrangement, where different classes and social interests are able to co-exist harmoniously and where the aristocracy exhibits a reawakened sense of noblesse oblige. As he recalled in his *Memoirs*, it was an attempt "to suggest the general terms on which the ideals of a true Conservatism may be harmonized with those of an enlightened Socialism."⁹⁵ In the novel, the Socialist reformer Mr Foreman (modelled after Hyndman) is wrong but sincere in his concern for the suffering, whereas the radical Mr Snapper (modelled after Chamberlain) is motivated mainly by his incessant hatred of the upper classes, despite his best efforts to imitate them. According to this line of thought Mallock's later unabashed celebration of the marketplace leads him to defend some of the very types he had previously reserved some of his harshest criticism for.

In distinction from this, I would contend that the apparent change in Mallock's social thought is merely a shift in emphasis. His opposition to Radicals like Chamberlain was not because of a selfish materialism or anything related to their business interests *per se*, but rather because of their attacks on the established conservative ordering of society, whether the cost of the monarchy, or the aristocracy, or the Church of England. His later championing of business, competition and the entrepreneurial 'man of ability' was an attempt to harmonise pro-market ideology with conservatism. The two periods do not stand in contradiction.

The extent to which a seamless harmonisation of traditionally social-minded Toryism with an unapologetically pro-business socio-economic theory is reached in Mallock's thought is debatable. What is clear is that at its core it does mark a conscious turn by late-Victorian and Edwardian conservatism towards a more ideologically free-market position. It is unmistakably a libertarian conservatism, but it is a different type of libertarian conservatism from that espoused by Cecil. Although there are similarities in the two figures, in both social

⁹⁴ See A. V. Tucker, "W.H. Mallock and Late Victorian Conservatism", *University of Toronto Quarterly* 31.2 (Jan., 1962): 223-241. Also, D.J. Ford, "W.H. Mallock and Socialism in England, 1880-1918", in Brown, ed., *Essays in Anti-Labour History*.

⁹⁵ Mallock, *Memoirs*, p.338.

position and the more conservative theological ground they occupied, there are clear differences. Mallock revelled in market competition, and possessed a warmth towards business and industry that to the older conservative would have appeared rather bourgeois. For the High aristocratic Cecil, on the other hand, the ruthless economic competition of the marketplace still retained a sense of grubbiness, although he accepted it as better than any of the alternatives.

Mallock's libertarian conservatism is noteworthy for the fact that liberty, in an abstract sense, does not form the centre of the argument. Other traditional libertarian and conservative concerns such as the centralisation of the State and the protection of individual rights are also absent from a critique which purports to focus instead on the actual mechanism of economic progress. In some senses Mallock came the closest of any of the libertarian conservatives to Individualism. In fact, as I shall discuss in chapter four, his theory of historical change had a much more marked emphasis on the individual 'great man' as the chief agent of social evolution than did the arch-Individualist philosopher Spencer, whom he criticised for attributing too much to a form of the "social aggregate". Yet there are profound differences. Mallock's social writings make it clear that his conception of society was a conservative one of reciprocal duties, a finely-balanced equipoise under the constitution. However, even in the area in which he came closest, that of political economy, his methodology sharply differed from the Individualists. Individualists (of the Spencerian variety) argued on the basis of *a priori* assumptions about the mechanisms of society. Mallock chose to make an empirical case against the claims of his opponents. Naturally it was in the realm of political economy that much of the conflict between libertarians and Collectivists took place from the 1880s onwards. It is to this realm, and the central concept of 'laissez-faire' that we now turn our attention.

Chapter Three: Laissez-faire

On the 31st May 1876, the Political Economy Club held a special dinner to celebrate the centenary of the publication of Adam Smith's *The Wealth of Nations*. Numerous luminaries were present including the Prime Minister Gladstone, who held the chair, Chancellor of the Exchequer Robert Lowe, the Duke of Argyll, Lord Acton, Fawcett, Froude, the French Finance Minister Léon Say, and a host of others from the political and academic worlds. Naturally, the speeches heaped ample praise on the Scottish moral philosopher for his singular contribution to the subject of political economy, and his legacy, to which the tremendous wealth of the country was undoubtedly connected. Between the justifiably congratulatory speeches, however, it is clear that a rift had emerged between those who considered political economy a "settled science" and a younger generation of theorists who looked to expand and improve upon the work of the classical economists. Robert Lowe clearly belonged to the first category. For him, the current controversies in the subject were nothing to be unduly troubled about, as "although they offer a capital exercise for the logical faculties, are not of the same thrilling importance as those of early days", adding that "the great work has been done."¹

One of those in the second category was the rising political economist William Stanley Jevons, who was in the process of leaving a position at Orion College in Manchester to take up a post at University College London. Jevons was also a particularly enthusiastic celebrant of Smith and the *Wealth of Nations*, lamenting the lack of any public commemoration of the book's publication.² Nevertheless, he believed it was a mistake for English economists to rest on their laurels and disregard recent mathematical developments in the science, or they would fall behind their continental counterparts.³ His comments speak to an ongoing debate about the very nature of political economy. Was it still moral philosophy as in Smith's day, or was it now a discrete scientific discipline? If the latter, how integrated was it with the other sciences? Jevons famously referred to it as a "shattered science".⁴ In 1871 he had been instrumental in the theorisation of the concept of 'marginal utility', that is, the additional satisfaction derived from additional consumption of a product. One of the important elements

¹ *Revised Report of the Proceeding at the Dinner of 31st May, 1876, Held in Celebration of the Hundredth Year of the Publication of the "Wealth of Nations"* (London: Longmans, Green, Reader and Dyer, 1876), p.21.

² W.S. Jevons, "The Future of Political Economy", *The Fortnightly Review*, 20.119 (Nov. 1876): 617-631 (617).

³ *Ibid.*, 625.

⁴ W.S. Jevons, *The Theory of Political Economy* 3rd ed. 1871 (London: Macmillan, 1879), p.45.

of the Marginal Revolution was the repudiation of the traditional Ricardian view of the labour theory of value, and its emphasis on utility instead as the sole determinant of value.⁵ Under the later influence of Alfred Marshall, who did much to incorporate mathematics into the subject, political economy began to make the transition to the more modern *economics*.

Against the backdrop of these academic debates, the growing political awareness of the great ‘social problem’, in particular the miserable conditions of many of the urban poor, prompted a fresh look at the economic assumptions of the mid-Victorian status quo. Internationally, Britain’s economy appeared to be faltering, evident in the severe agricultural depression that lasted from 1873 until the late 1890s, while those of the United States and Germany continued to grow. For the libertarian defenders of the old status quo, they were troubling times. In 1893 the Old Liberal George Goschen complained about the relative decline in orthodox political economy, and in particular the mid-Victorian hostility to intervention. He attributed this state of affairs to the increasing subordination of the economic to the moral, where moral questions had been inserted into what was a values-free science, and material interests had come to play second fiddle to social reform. The reaction against political economy had been predicated on the perception that the subject’s proponents had believed man to be motivated purely by self-interest.⁶

Attacks on reductionist views of man as *homo economicus* were not particular to the period in which Goschen was writing, obviously, for stringent critiques of the market economy, business and industrialism are awash throughout the early Victorian literature of Carlyle and Kingsley, and most famously developed in the popular imagination through Dickens’ work. The unifying feature in many of these critiques was an association between orthodox political economy and a policy of laissez-faire. In 1870 Cairnes noted that in the majority of educated minds, political economy was concerned with the study of wealth. Consequently, it had grown to be synonymous with ‘laissez-faire’, and was viewed as “a sort of scientific rendering” of the idea that individuals should be free “to follow the promptings of self-interest unrestrained by either the State or public opinion”, and as “a vindication of freedom of industrial enterprise and of contract, as the one and sufficient solution of all industrial problems.”⁷

⁵ Concurrently with Jevons, but independently, this idea was also propounded by Carl Menger in Austria and Leon Walras in Switzerland.

⁶ G.J. Goschen, “Ethics and Economics”, reprinted in *Essays and Addresses* (London: Edward Arnold, 1905), pp.331-332.

⁷ J.E. Cairnes, “Political Economy and Laissez-Faire”, reprinted in *Essays in Political Economy, Theoretical and Applied* (London: Macmillan, 1873), pp.240-241.

As shall become clear in this chapter, laissez-faire served a central place within libertarian conservatism, both as a rhetorical concept, and as a descriptive term about policy. For historians of the Victorian period the term laissez-faire can often be vague, and as a concept it can be unhelpful unless qualified. In his famous work *The Age of Equipoise*, W.L. Burn considered the idea of a pure system of laissez-faire as something of a mythology, especially given the raft of administrative interventions and regulations introduced throughout the early and mid-Victorian eras. However, laissez-faire principles certainly existed, although it was common for the same person to hold an 'Individualist', non-interventionist position in one sphere of policy and a 'Collectivist', interventionist position in another.⁸ For A.J. Taylor the idea of an age of laissez-faire, while still containing numerous tensions, made sense only in an economic, as opposed to administrative or social, sense. Despite various examples of State intervention, it holds up as a relative term. The mid-Victorian period was, when compared with any period before or since, the closest example of an age of laissez-faire anywhere in the world.⁹

The libertarians of this period were certainly not monolithic in their political economy. They held a range of different views, but where hostility to State intervention acted as the common trait. Despite their celebration of laissez-faire, with the exception of Mallock, very few 'dyed-in-the-wool' conservative figures themselves wrote extensively about political economy on a scientific or theoretical level. Most of the articles and pamphlets produced by the LPDL that dealt specifically in the realm of economic thought were authored by Individualists, such as Wordsworth Donisthorpe, William Carr Crofts, Thomas Mackay, and later, Frederick Millar. This is, though, very significant. The ease with which conservatives could utilise classical liberal economic arguments indicates the success of the latter to permeate the intellectual environment of Victorian Britain. Further, that conservative, aristocratic grandees of organisations like the LPDL could entrust the economic education of readers to a group of near-anarchists is indicative of the increasing belief that they both occupied the same high-ground of the political landscape. The Tory *Quarterly Review* was one literary organ that was illustrative of this alliance. In the 1820s and 30s Robert Southey had famously denounced commerce and the emerging industrial economy in its pages, yet by

⁸ W.L. Burn, *The Age of Equipoise* (London: George Allen and Unwin, 1964), pp.132-136.

⁹ Arthur J. Taylor, *Laissez-Faire and State Intervention in Nineteenth-century Britain* (London: Macmillan, 1972), pp.63-64.

the 1890s it had entrusted its reporting of economic matters to the Individualist and LPDL member Thomas Mackay.¹⁰

This chapter will focus on three main facets of laissez-faire. The first part will deal with the ‘Frenchness’ of laissez-faire as a concept, and the role played by the theory of ‘free exchange’. In the second part I will examine two positive initiatives for social reform, Donisthorpe’s ‘labour capitalisation’ and Mackay’s ‘People’s Banks’. Both of these instances were attempts to provide for the working classes in ways which circumvented the need for State intervention. In the third part I will discuss the response to the sweeping social reforms which characterised the Edwardian era. Mackay worked extensively with the Charity Organisation Society, a charitable association which dealt with the problem of pauperism at first-hand, but continued to champion the Victorian ideal of self-reliance as the most effective way out of poverty.

Politically, the mid-Victorian status quo of economic non-intervention had become untenable by the 1880s. Even the great stalwart of laissez-faire Liberalism, Prime Minister William Gladstone, was introducing legislation which struck at the heart of the non-interventionist philosophy, due in part to the influence of Chamberlain at the Board of Trade. The libertarian Earl of Pembroke deduced a few reasons for the decline in the belief in the superiority of ‘laissez-faire’. He argued that there was the natural reaction against the creed of the previous generation. By constant repetition, the full impact of economic truths had been weakened and critics had become “blind to its benefits and impatient of its drawbacks.”¹¹ Then there was the effect of bestowing political influence on “the ignorant”, through the expansion of the franchise.¹² In reaction to these trends, groups like the LPDL sought to preserve the political and economic settlements of the mid-Victorian era. At its founding it set out its stall to oppose “overlegislation” and encourage “self-help” over State action.¹³ At the forefront of the LPDL were its grandees—Wemyss, Bramwell and Pembroke—none of whom devoted much time to an intellectual defence of the libertarian position. That was not their aim. They did, however, make extensive use of the economic and political arguments of the early and mid-Victorian eras. The vocabulary of League publications is testament to the strong influences of this creed. The repeated exultation of

¹⁰ Articles in the *Quarterly Review* were anonymously authored. A number of Mackay’s contributions were later collected in *The Dangers of Democracy: Studies in the Economic Questions of the Day* (London: John Murray, 1913).

¹¹ Pembroke, “Address to the LPDL Annual Meeting, 1885”. *Self-Help versus State Help* (London: LPDL, 1885), p.8.

¹² *Ibid.*, p.8.

¹³ *Self-Help Versus State-Help* (London: LPDL, 1882).

“self-help” was an explicit connection with mid-Victorian Liberalism—Samuel Smiles’ 1859 classic *Self-Help* had epitomised the era’s sunnily optimistic view that self-improvement was the sure path to advancement.

Other phrases had significant currency too—the insistence on “freedom of contract”, and the warnings against “grandmotherly” legislation. The retired Liberal MP E. Pleydell-Bouverie held a view of the new interfering legislation which was typical. He stated its true effect as taking contracts “out of the hands of those who have the best means of making such as suit their interest”, and that grown men should be “nursed and dandled by Act of Parliament.” The effect was “the old doctrine of Protection revived.”¹⁴ Bouverie states that freedom in economic matters, as with all spheres of life, is necessary for independence, and maturation. Interfering legislation serves to infantilise, for “if we are treated as babies, we grow up and behave as babies.”¹⁵ The trend towards further regulation and interference in economic matters was presented not as progress, but a regression back to the normative ‘socialism’ of the past, when the State passed arbitrary regulations on all trades.¹⁶

As *per* Cairnes’ observation in 1870, for many in the LPDL, political economy was synonymous with laissez-faire. In 1888 Bramwell addressed Section F of the British Association, defending political economy against the charges that it was either a dismal or a shattered science. In Bramwell’s view there was “no branch of knowledge more important.”¹⁷ The principles that could be deduced from this science were libertarian. He explained:

The governing precepts of political economy are few. In my judgment its main one is “laissez-faire”—“let be”... Leave everyone to seek his own happiness in his own way, provided he does not injure others. Govern as little as possible. Meddle not, interfere not, any more than you can help. Trust to each man knowing his own interest better, and pursuing it more earnestly than the law can do it for him. I believe this maxim will justify most of the rules which right economists have laid down—let your people buy in the cheapest and sell in the dearest markets. That enjoins free trade. For the trader, whether he buys at home or abroad, seeks the cheapest market. If a duty is put on the foreign article to

¹⁴ E. Pleydell-Bouverie, *The Province of Government: an address delivered before the Liberty and Property Defence League* (London: LPDL, 1883), p.14.

¹⁵ *Ibid.*, p.15.

¹⁶ See for example, Wordsworth Donisthorpe, *Individualism* (London: LPDL, 1884).

¹⁷ George Bramwell, 1st Baron Bramwell, “Presidential Address to Section F of the British Association, Sep., 1888”, *Journal of the Royal Statistical Society*, 51.4 (Dec., 1888): 704-712 (704).

protect the home producers, the trader is interfered with. The consumer is interfered with. The law says he shall not consume that which he can get at the lowest price—that the producers, the capitalists, and labourers shall not employ their capital and labour as they would if left to themselves; shall not produce something they could exchange with the foreigner for something he can produce more cheaply than they; shall not buy of him and so shall lose him as a customer, and so, not being able to employ the capital and labour on what he would take, therefore must employ it in some other way.¹⁸

It is evident that senior figures within the LPDL were reliant on the established tradition of classical political economy, and considered it an authoritative justification for their support for a government policy of non-intervention. Other opponents of State intervention, however, chose to drink from different fountains. One such source was the theory of ‘free exchange’, which had been developed in France, and which displayed a much more doctrinaire and unwavering support for the free market than even the British tradition had.

I. LAISSEZ-FAIRE AS FREE EXCHANGE

As a concept, ‘laissez-faire’ was central to the Victorian period. Anthony Howe has noted that the late eighteenth and early nineteenth century competition between a variety of political economic languages dissolved in the Victorian era as liberal political economy achieved a sort of hegemonic status. Yet the heart of this shift lay not in abstractions such as ‘the market’, but in the cause of Free Trade, which in many ways had come to define early Victorian politics.¹⁹ The Corn Law battles of the 1840s were a resounding victory for the Free Trade cause, and a crushing defeat for the landed protectionism that had dominated the establishment. Subsequent policy tended to follow the same pattern as the State withdrew its hand from a number of areas in the economic and social spheres. From the 1840s to the 1870s, political economic language was dominated by the powerful concept of laissez-faire, yet a prolonged reading of the period’s literature reveals a certain ambiguity to the term. It is

¹⁸ Ibid., 707.

¹⁹ Anthony Howe, “Popular Political Economy”, *Languages of Politics in Nineteenth Century Britain*, p.118.

curious that the defining watchword of so ‘British’ a political concept should have to be borrowed from the French since no singular equivalent existed in English. Furthermore, the simple declaration of ‘let be’ gave no indication as to what the acceptable parameters of such an injunction ought to be, despite the fact that all but a tiny minority of the most extreme Individualists would have placed some form of power or agency into the hands of the State. Bruce Smith noted that commonly *laissez-faire* was “nothing more nor less than the process of *reductio ad absurdum*, utilised for the purpose of throwing ridicule upon the doctrine of a limitation to state functions.”²⁰ He added that “*laissez-faire*, however, says nothing about the limit up to which interference *is* allowed” but was “simply a short term for ready application; and all who use it familiarly are supposed to know what it means”.²¹ Yet to deny any cogency to the term is to be unnecessarily bogged down in semantics. While opinions as what *laissez-faire* meant in practice did vary from person to person, there was a general libertarian tendency to it—that is, the belief that the State should do as little as possible.

As already noted, the leaders of the LPDL clung to orthodox political economy. Reflecting Lowe’s assessment at the centenary dinner in 1876, for them the bulk of the subject had already been settled beyond question. Consequently, all that remained was an oratorical defence of what had come to be regarded as revealed truths. The most advanced economic thinkers within the LPDL defended *laissez-faire* from an alternative perspective. As John Mason has pointed out, one influential group looked to the theory of ‘free exchange’ as developed by the French Liberal School of Say, Bastiat and Molinari.²² Of the French Liberals, Frédéric Bastiat arguably had the greatest and most enduring influence outside France, aided undoubtedly by the ease with which his crisp, succinct style could be translated into English. Through memorable parables, such as the ‘Candle-maker’s petition’ and the ‘Parable of the Broken Window’, he argued against protectionism, Socialism and the use of the government to stimulate the economy. In his view, the popular views he argued against were fallacious precisely because they failed to take into consideration all the unseen factors which affected the economy.²³

²⁰ Bruce Smith, *Liberty and Liberalism* (New York: Cosimo Classics, 2007. First published 1887), p.282.

²¹ *Ibid.*, p.283.

²² John W. Mason, “Political Economy and the Response to Socialism in Britain, 1870-1914”, *The Historical Journal*, 23.3 (Sep., 1980): 565-587.

²³ In the ‘Candle-maker’s Petition’, a representative body of candle-makers petitions the government for subsidies to protect their business from an unfair competitor, the sun. *Economic Sophisms*, tr., Arthur Goddard (Irvington-on-Hudson: Foundation for Economic Education, 1996. First published 1845). The ‘Parable of the Broken Window’ considered the all-round economic effects of a smashed window, countering the popular assertion that such an act of vandalism would be beneficial to the economy because of the increased business for

It is perhaps one of the ironies of the history of economic thought that the English school developed a reputation as the quintessential expositors of the borrowed term *laissez-faire*, when the French Liberal School itself was far more doctrinaire in its defence of the free market.²⁴ Central to this purist conception of the free market was the theory of ‘free exchange’, which postulated that value was determined by its worth to the consumer, rather than the cost to the producer. Bastiat’s views had been popularised in Britain by Sir Louis Mallet, the diplomat and disciple of Cobden, who had helped negotiate the Free Trade treaty between Britain and France in 1860. Because of Cobden’s friendship with Bastiat there developed a form of intellectual exchange between the French Liberals and the English Free Traders. According to Mallet the relationship between the two was both mutually beneficial and necessary for the development of the pure Free Trade cause, for Cobden provided Bastiat with a powerful practical example, while the latter enabled the Englishman’s ideas to be developed into a complete system, and a system that was comprehensible on the Continent.²⁵ Other proponents of free-exchange included the Scottish economist Henry Dunning Macleod, the LPDL publicist Thomas Mackay, and the editor of *The Spectator*, John St. Loe Strachey.²⁶ In Mallet’s view, although Smith had not been especially clear or consistent in his treatment of the concept of value, it was Ricardo who was to blame for much confusion, a problem exacerbated by Mill’s acceptance and promotion of the latter’s view.²⁷

Ricardo’s ‘labour theory of value’ was a liability for those who wanted to defend a *laissez-faire* political economy, for as Mallet notes, it supplied Continental Socialists with some of their strongest arguments, including their concepts of rent and the ‘unearned increment’.²⁸ The orthodox school confused utility and value, based on the attribution of inherent value to raw materials and forces of nature.²⁹ The idea that cost of production can regulate exchange value was to Mallet an “absurdity” that inverted cause and effect. Things do not exchange for each other because they were made with the same quantity of labour, but

glass-makers. “What is seen and what is not seen”, *Selected Essays on Political Economy*, tr., Seymour Cain (Irvington-on-Hudson: FEE, 1995. First published 1850).

²⁴ On the relative inattention paid to the French Liberal School in the Anglo-Saxon world see Joseph T. Salerno, “The Neglect of the French Liberal School in Anglo-American Economics: A Critique of Received Explanations”, *Review of Austrian Economics*, 2 (1988): 112-156.

²⁵ Louis Mallet, “The Political Opinions of Richard Cobden”, reprinted in *Free Exchange: Papers on Political and Economical Subjects* (London: Kegan Paul, Trench, Trübner and Co., 1891), p.23.

²⁶ Henry Dunning Macleod (1821-90) was noted for several works on economics, including *The Theory and Practice of Banking* (1856), *Elements of Political Economy* (1858, this underwent numerous revisions over the years), and *The History of Economics* (1896). The Oxford Dictionary of National Biography entry for Macleod <http://www.oxforddnb.com/view/article/34787>. Accessed 3.4.17.

²⁷ Louis Mallet, “The ‘Shattered Science’”, reprinted in *Free Exchange*, pp.231-232.

²⁸ *Ibid.*, p.233.

²⁹ Mallet, “Value”, *Free Exchange*, p.245.

rather it is because they exchange for each other that they are made by the same quantity of labour.³⁰ Macleod believed that labour and credit were also types of wealth, and subject to exchangeability. He held that once exchangeability was recognised as the basis of wealth, and the study of economics reverted to the “original concept” of a study of the science of exchanges, then the subject could be regarded as an intelligible science.³¹

Macleod’s comments appeared in an 1894 volume of essays dedicated to the subject, edited by Mackay (his second such volume after *A Plea for Liberty*, the LPDL’s riposte to the *Fabian Essays*). While much of the League’s output could be characterised as negative, in that it was responding to charges and claims made by opponents and defending an existing order, *A Policy of Free Exchange* was intended to be constructive.³² As well as taking its main influence from Cobden, and the French Liberal School, it was also heavily laced with Mackay’s own Spencerian philosophy. The “constructive policy” he championed married the two together as it envisaged a freedom “limited only by a mutual respect of the freedom of all, that is, by the reciprocal responsibility inherent in every voluntary act of Exchange”.³³ The volume also demonstrated the extensive evolution of Free Trade that had taken place since the 1840s, as free exchange was posited as the remedy for all economic disputes, and was variously applied to such disparate areas as railway management, working class labour, and trade combinations.³⁴

The concept of free exchange had been sufficiently absorbed within conservative minds by the beginning of the twentieth century for the ideas of Macleod and Mallet to be discussed by the *Quarterly Review* as part of a discussion on the “revolt” against the orthodox school.³⁵ The LPDL itself found allies in Continental advocates of free exchange. The erstwhile French Minister of Finance, Léon Say (grandson of the political economist Jean-Baptiste) addressed the League in 1886, to whose aims, he claimed, the French Liberal School were “wedded”.³⁶ Even if it failed to establish itself as the mainstream of economic thought, the theory of ‘free exchange’ was absorbed into the economic vocabulary of Conservative Party figureheads by the Edwardian era. In his presidential address to the BCA in 1907, Lord Balfour, commenting on the moral and practical deficiencies of socialism, pointed to free exchange as the superior

³⁰ Ibid., p.260.

³¹ H.D. Macleod, “The Science of Economics and its relation to Free Exchange and Socialism” in *A Policy of Free Exchange*, ed., Thomas Mackay (New York: D. Appleton, 1894), p.21.

³² Thomas Mackay, *A Policy of Free Exchange*, p.2.

³³ Ibid., p.2.

³⁴ Mackay, *A Policy of Free Exchange*.

³⁵ Mackay, “The Revolt Against Orthodox Economics”, *QR*, 194.388 (Oct. 1901): 345-371.

³⁶ Léon Say, *Municipal and State Socialism: An Address to the Liberty and Property Defence League* (London: LPDL, 1886), p.13.

means by which goods could be provided for all people, a fact be believed to be borne out by the evidence that poverty was actually decreasing, labour was being attracted to the most profitable field, and the price of commodities was going down.³⁷ Donald Winch's assessment that the late-Victorian libertarians effected an ideological marriage "between the followers of Mallet's composite Cobden-Bastiat version of economics and those committed to the ultra-individualistic ideas embodied in Herbert Spencer's *Man versus the state*" is particularly perceptive. The libertarian ideas of the French Liberal School had been refracted through an English lens, and this new light was being used by anti-Socialists to counteract Collectivist political economy.³⁸

The Duke of Argyll was another important Old Liberal advocate of laissez-faire to attack the theoretical foundations of the orthodox school. His 1893 tome *The Unseen Foundations of Society* was an attempt to remedy the weaknesses of orthodox political economy. He likened the classical economists to "men always sounding in abysmal waters—always busy in recording depths— but wholly unconscious that their lead had never touched the bottom."³⁹ Like other critics he believed the classical conception of wealth was too limited, ignoring as it did immaterial factors. These factors, such as mental ability, constituted the "neglected elements", upon which serious attention had to be devoted if the 'shattered science' was to be adequately rebuilt.⁴⁰ In this regard Argyll bears some similarity to Mallock, whose emphasis on "ability" has already been discussed in chapter two. The academic response to *Unseen Foundations* was not especially enthusiastic, its reviewers not convinced that the Duke had achieved his stated objective. For one, it was nothing more than "reactionary economic individualism" that bore "the intellectual ear-marks of the Liberty and Property Defense [sic] League."⁴¹ It was not "the product of the critical spirit of science", but rather of "the practical instinct of self-preservation."⁴²

The charge of self-interest was easy to lay against conservatives who had assumed Individualist economic arguments. In this critique of the LPDL in the tract *Individualism and Socialism*, the Canadian Socialist Grant Allen accused the League of masquerading under a

³⁷ Balfour, "Presidential Address to the BCA" in Judge, ed., *Political Socialism: A Remonstrance* (London: P.S. King, 1908), p.21.

³⁸ Donald Winch, "Louis Mallet and the philosophy of free exchange", *Wealth and Life: Essays on the Intellectual History of Political Economy in Britain, 1848-1914* (Cambridge: Cambridge University Press, 2009), p.199.

³⁹ Argyll, *The Unseen Foundations of Society* (London: John Murray, 1893), xiii.

⁴⁰ *Ibid.*, xv.

⁴¹ Edward A. Ross, "Review of *The Unseen Foundations of Society*", *Political Science Quarterly*, 8.4 (Dec., 1893): 722-732 (723).

⁴² *Ibid.*, 723.

false name “seeking what good but weak-kneed Liberals it may devour unawares”.⁴³ Allen did not consider the LPDL truly Individualistic, since all men were not starting out on the same level playing field. In his view, the LPDL’s aristocratic nature stood for a kind of latent feudalism, where “one man... may hold an inalienable lien over some portion of another man’s time or labour, or may monopolise more than his fair share of the common stock of raw material...”⁴⁴ To the extent that it used the language of Individualism, it was “masquerading in other men’s philosophical principles, borrowed with reservations from Mill and Spencer”.⁴⁵

II. TWO CONSTRUCTIVE MEASURES: LABOUR CAPITALISATION AND ‘PEOPLE’S BANKS’

The accusation of special interest was a difficult one for prosperous aristocrats to dissociate themselves from. A closer reading of the economic output of the LPDL’s leading theorists does not support the charge that libertarian thought in late-Victorian Britain was simply a defence of existing conditions. Varied attempts were made to formulate constructive schemes, as part of a wider “policy of free exchange.” Two such schemes, labour capitalisation and ‘People’s Banks’, were proposed by Individualist theorists, Wordsworth Donisthorpe and Thomas Mackay respectively.

Donisthorpe was another peculiarly Victorian polymath, establishing himself not just in political philosophy, but also as an expert in chess, and inventor of the kinesigraph, a pioneering form of photographic moving images.⁴⁶ Born in Leeds to a wool merchant and his wife, he was educated at Leeds Grammar School he proceeded to Trinity College, Cambridge. He excelled here, gaining a first in the Moral Sciences tripos, a member of the same cohort as Balfour. He later went to the Inner Temple, but was not called to the Bar until 1879. His direct involvement with Individualist politics had commenced back in 1873 when, with his cousin W.C. Crofts, he formed the Political Evolution Society (later the State Resistance

⁴³ Grant Allen, *Individualism and Socialism* (Glasgow: Land Values Publication Department, 1889), p.3.

⁴⁴ *Ibid.*, p.3.

⁴⁵ *Ibid.*, p.4.

⁴⁶ See Stephen Herbert, *Industry, Liberty, and a Vision: Wordsworth Donisthorpe’s Kinesigraph* (London: The Projection Box, 1998).

Union). When Wemyss called for the formation of an independent association to counter the growing threat to liberty and property, it was Donisthorpe and Crofts who responded first. Out of this meeting came the LPDL, on the council of which Donisthorpe was to serve until 1888, also editing its paper *Jus*. It was in that year that his working relationship with Wemyss came to an end, after the latter did not support the campaign for church disestablishment.⁴⁷

Donisthorpe's first major foray into political economy was *The Principles of Plutology*, published in 1876, and was an attempt to formulate a science of wealth. It began with an assessment of the state of political economy, a subject which Donisthorpe considers to be largely the work of Adam Smith, in particular his *Wealth of Nations*, published exactly one hundred years earlier. Other important figures are acknowledged, like Ricardo, Say, McCulloch, Mill, Bastiat, Cairnes and Hearn, yet these were all rather "sects of the one faith, than Turks, infidels, and heretics."⁴⁸ However, he disputed the notion that political economy was a science, but rather a "body of doctrines more or less arbitrary, like the dogmas of a creed".⁴⁹ Much of the work was concerned with definitions, the pivot on which disputing economic views so often turned. Wealth referred to "all those commodities which are useful to man."⁵⁰ He considered plutology to be "an inquiry into the uniformity of the relations of value subsisting between the forms of wealth".⁵¹ Further, it was a speculative, yet "concrete" science, setting it apart from the moral sciences.⁵²

As with other critics of orthodox political economy Donisthorpe dispensed with the labour theory of value, stating that things had value only if they were desired by man.⁵³ He noted that private property ownership is an essential prerequisite for exchanges to take place, without commenting either way on the moral justness of existing property distribution, preferring for his purposes to accept it as a fact.⁵⁴ Competition resulted in fixed ratios of exchange, known as values, the uniform standard used to express such being a price.⁵⁵ Man has a dual capacity, that of demander, where he was the cause of values, and that of labourer, where he was the part-cause of most valuables. It was essential, in Donisthorpe's view, to

⁴⁷ In this rift we have a prime example of one of the differences between Individualistic libertarians and conservative libertarians.

⁴⁸ Wordsworth Donisthorpe, *The Principles of Plutology* (London: Williams and Norgate, 1876), pp.9-10.

⁴⁹ *Ibid.*, p.36.

⁵⁰ *Ibid.*, p.42.

⁵¹ *Ibid.*, p.46.

⁵² *Ibid.*, p.49.

⁵³ *Ibid.*, p.61.

⁵⁴ *Ibid.*, p.64.

⁵⁵ *Ibid.*, pp.70-71.

keep these two roles separate, even though they commonly inhered in the same individual.⁵⁶ On the subject of value, Donisthorpe examined the relationship between varying values of different articles. He claimed to deduce four laws which explained this fact, arguing using terms borrowed from chemistry such as “element” and “compound”. He summarised these laws as describing how compounds and elements varied directly as each other, but at different rates.⁵⁷ Capital was another area of standard political economy which Donisthorpe considered confused, for none could seem to agree on what it actually was. After discussing the definitions offered by Mill, Fawcett and Scrope, Donisthorpe gave his own: “Capital is that the value of which is *due* to the value of its products.”⁵⁸ His analysis of the time-structure of production, distinguishing qualitatively between directly and indirectly useful goods has been hailed as anticipatory of the later Austrian school.⁵⁹ At the close of *The Principles of Plutology*, Donisthorpe expressed his confident desire that the work was just the first plunge into a new pool of thought, which would be built up into a complete science, as distinct from political economy as chemistry was from alchemy.⁶⁰

Unfortunately, this was the first and last expression of plutology with which the interested were to be provided. Given the author’s claim to have heralded a new branch of scientific study, Donisthorpe’s book received very little attention. A contemporary review in *The Spectator* took great amusement in noting the way Donisthorpe had attacked prevailing definitions of capital, but did not seem convinced by his overall case.⁶¹ The emphasis of his writing shifted in the 1880s to reflect the visible conflict between Individualism and Collectivism. Perhaps sobered in his outlook by the failure of the *Principles*, he noted in the introduction to *Individualism: A System of Politics* (1889) his expectation of a forthcoming lack of popular acclaim. The book was a holistic study of Individualism as a system, yet he returned to familiar economic themes in his treatment of capital and labour. On capital, he merely repeated the analysis provided in *The Principles of Plutology*. However, he did adopt a constructive position on the contemporary labour question. Here, Donisthorpe returned to territory marked out in 1883 when he addressed the delegates to the Trades Union Congress in an attempt to persuade them of the merits of Individualism. The primary purpose of that address was not a defence of the status quo as a permanent state. Rather, he attacked the

⁵⁶ Ibid., p.83.

⁵⁷ Ibid., 153.

⁵⁸ Ibid., p.194.

⁵⁹ Murray Rothbard, *An Austrian Perspective on the History of Economic Thought: Classical Economics, Vol.2* (Auburn: Ludwig von Mises Institute, 2006. First Published 1996), p.465.

⁶⁰ Donisthorpe, *Principles*, p.206.

⁶¹ “Principles of Plutology by Wordsworth Donisthorpe”, *The Spectator* (23 Sep. 1876).

notion of “wagedom” as inimical to the true interests and rights of workmen. In his opinion, the main thrust of socialists and trade unions, in attempting to exert influence to keep wages at a particular level, was misguided. Attempting to artificially prop up the wage to a particular level was doomed to failure, since the necessary long-term effect would be a rise in population which would cause the wage level to fall again. Wages, like water, he reminded his audience, would reach their natural level.⁶² Neither did the solution lie in futile attempts to bargain for ‘sops’ in the form of socialistic legislation like higher wages, shorter hours and restricted production.⁶³ What Donisthorpe was arguing in favour of was a kind of profit sharing, whereby workers claimed a share of the “produce of the co-operation of dead capital and labour”.⁶⁴

As a Spencerian, Donisthorpe believed that society was a social organism, whose progress was marked by ever-increasing complexity. The present system of the hire of labour, or “wagedom”, was a temporary stage in socio-economic development. In Donisthorpe’s view, political economists were all agreed that profits belong unto the owner of capital, yet despite their many definitions of what capital constituted, all agreed in the exclusion of the manual worker from a share of the profits.⁶⁵ To this, he proposed ‘labour-capitalisation’, a scheme which proceeded from the principle that labour itself was a form of capital, because their value is dependent on the demand for them as an element of production.⁶⁶ Instead of accepting wages, workmen would enter into the venture “as capitalists and free-men”, and receive a pre-arranged percentage of the gross produce.⁶⁷ With the adoption of labour-capitalisation, Donisthorpe foresaw the aversion of strikes. When trade was good, the workers would receive a greater share than normal and participate in the general prosperity. When trade was depressed, their share would decrease at the same rate as other capitalists, while employers would have no reason to reduce labour remuneration as they did in a wage system.⁶⁸ This system would also effect an equilibration of supply and demand in the labour market during periods of expansion and depression.⁶⁹

Of course, Donisthorpe expected the benefits of a system of labour-capitalisation to be felt all round. By making the working-man a capitalist, it would greatly lessen the likelihood

⁶² Donisthorpe, *Socialism or Individualism? Wagedom or Freedom?* (London: LPDL), p.5.

⁶³ *Ibid.*, p.5.

⁶⁴ *Ibid.*, p.5.

⁶⁵ Donisthorpe, *Individualism: A System of Politics* (London: Macmillan, 1889), p.213.

⁶⁶ *Ibid.*, p.214.

⁶⁷ *Ibid.*, p.222.

⁶⁸ *Ibid.*, p.222.

⁶⁹ *Ibid.*, p.223.

of harmful industrial action, such as attempts to harm employers by limiting production and stock, reducing the number of hours worked or the quantity of work done each hour.⁷⁰

Making capitalists of all the participants in a venture would serve to harmonise the interests of both employers and employed, and bring to an end the destructive “internecine” war between capital and labour.⁷¹ Donisthorpe’s labour-capitalisation caught the eye of George Bernard Shaw. The latter was more well-disposed towards Donisthorpe than he was to other Individualists, noting that he was “neither a hypocrite nor a self-deceiver”.⁷² Nevertheless, he found labour-capitalisation an impractical scheme because of the poverty the labourer was left in by the ‘unearned increment’. Donisthorpe had made the point that capital was fructifying, but Shaw questioned the means by which the labourer was supposed to live, without savings, during the interval in which this ‘fructifying’ process was taking place (“until the mine shaft is sunk, the railway constructed, the factory built and fitted”).⁷³

Labour-capitalisation was criticized by other Individualists too as a “quack” system.⁷⁴ It certainly did not gain any popular currency, although by the 1890s Individualists had come to realise that they faced a largely uphill battle. Essentially, for the libertarian, there were two possible paths. They could either defend the existing state of affairs, which rendered their response negative and reactive. The other option was to propose schemes which attempted to solve the problem through means other than State intervention. Donisthorpe’s efforts clearly fall into the second category, and it is interesting to note Bernard Shaw’s categorisation of him as a “revolutionary” rather than “conservative” Individualist.⁷⁵ Be that as it may, his ideas were sufficiently within the overall conservative envelope of late-Victorian Individualism for his ideas to be an important part of the Right’s response to Socialism.

Thomas Mackay was another Individualist to propose constructive private welfare schemes, and whose work had become sufficiently absorbed by the Right. Born in Edinburgh in 1849 to a former Major in the Bengal Native infantry and his wife, Mackay had originally intended a career in law, but when his father-in-law suggested this was unlikely to generate the income necessary to support a wife and child, he entered the wine trade as a partner at the business of Charles Kinloch, a first cousin of his father. By 1885 Mackay had apparently

⁷⁰ Ibid., p.223.

⁷¹ Ibid., p.223.

⁷² George Bernard Shaw, “Mr Donisthorpe’s Individualism”, *The Star* (14th December, 1889) 4:1-2. Reprinted in Brian Tyson, ed., *Bernard Shaw’s Book Reviews, Vol. II*, (University Park, PA: The Pennsylvania State University Press, 1996), p.78.

⁷³ Ibid., p.81.

⁷⁴ Donisthorpe, “The Future of Labour”, *Law in a Free State* (London: Macmillan, 1895), p.264.

⁷⁵ Shaw, p.79.

earned enough to retire from business, and consequently was able to devote the rest of his life to economic problems. An Individualist of the Spencerian school, his role as an editor and contributor was essential to the LPDL's literary efforts. Through his role as economics editor for the *Quarterly Review* he was able to reach a larger audience on the Right. In a collection of essays on social reform from 1896, he summed up his social creed as follows:

...that human happiness and the right ordering of society have depended and still depend, in the main, on a recognition and acceptance of the doctrine of personal responsibility. All the constructive forces, which build up and then hold together the framework of society, take their rise and afterwards draw their life from this source. The personal motive, the executive element, if the phrase may be allowed, or a personally responsible unit, is, in this theory of life, sufficient to account for the purely automatic act of self-preservation, and also, with equal naturalness, for the superior cogency of the natural law which urges men to acts of self-abnegation and heroism. In other words, the personally responsible human being, left face to face with the experience of life, is prompted to action by motives of self-preservation, but, over and above this, the mutuality of the social life, in which he has of necessity become a part, suggests to him naturally, and with an insistence not to be denied, that course of social action which men call moral.⁷⁶

One way Mackay believed a spirit of independence and self-reliance could be instilled in the poorer members of society would be if they were able to gain access to credit. To this end he popularised the notion of 'People's Banks'. A man who possessed credit was in a naturally superior position since he was able to capitalise his reputation and therefore became "a better equipment for the enterprise in which he is engaged."⁷⁷ Mackay was certainly not the first to make a proper case for the introduction of this kind of cooperative banking into Britain. That distinction belonged to Henry Wolff, who looked to existing schemes in Germany and Italy. As early as 1887 a Committee for the Scottish Cooperative Conference Association called for the establishment of a number of 'People's Banks' in Scotland, a proposal that seemed historically fitting since the idea had some precedent in Scotland during the early part of the

⁷⁶ Thomas Mackay, *Methods of Social Reform: Essays Critical and Constructive* (London: John Murray, 1896), pp.14-15.

⁷⁷ *Ibid.*, p.287.

nineteenth century.⁷⁸ In the latter case, credit had been made available by Scottish banks to farmers to enable the development of agriculture, transforming it from a state of backwardness to a model of scientific advancement.⁷⁹ Underlying Mackay's interest in the idea was the recognition, borne out of his belief in free exchange and enumerated by Macleod, that credit was a form of capital. Credit itself, and the wealth that was created using it, could only exist in a "settled state of society" and relied on the general trustworthiness and mutual trust of those involved.⁸⁰

One continental example Mackay draws his readers' attention to is that of the Raffeisen cooperative banks in Germany. Unlike the attempts made in France by the anarchist Pierre Proudhon following the 1848 revolution, the German cooperative banks were able to succeed because of the importance placed on mutual trust and trustworthiness.⁸¹ The punctual fulfilment of contracts was an essential condition for the success of these endeavours. Mackay considered the chief cause of oft-strained relations between lenders and small borrowers to be due to the fact that historically most banking was aimed at the upper and middle classes, and little effort was expended to provide credit for smaller endeavours. Little competition existed and "the usurious monopolist lender has begotten an evasive and untrustworthy borrower."⁸²

The Raffeisen banks sought to avoid this common trap of cooperative banking by emphasising personal character, a trait which undoubtedly drew the attention of the charity organiser Mackay. With comfortable amounts of capital at their disposal these German banks made loans to association members, where the terms were ratified "by the solemnity of mutual agreement" and each member of the association was morally and financially interested in the punctual fulfilment of contractual obligations. The conditions were scrupulously applied. Only the honest and industrious were admitted, loans could only be made to enterprises deemed "worthwhile", and when loans were made, they had to be properly applied.⁸³ One British case Mackay was able to point to as an example of banks making credit available to working class men to enable them to enter the realm of property ownership was the Oldham Limiteds, joint-stock companies in the cotton business. The

⁷⁸ Mackay, "People's Banks", *Methods*. For the Scottish proposal, see Patrick Geddes, *Report of the Committee Appointed by the East of Scotland Co-operative Conference Association to consider the question of establishing People's Banks in Scotland*.

⁷⁹ *Ibid.*, p.286.

⁸⁰ *Ibid.*, p.286.

⁸¹ *Ibid.*, p.293.

⁸² *Ibid.*, p.294.

⁸³ *Ibid.*, p.295.

Oldham mills had been established by working men with credit made available to them by local banks. Unlike other joint-stock businesses, the shares in the Oldham Limiteds were owned in the main by workers, albeit those involved in other industries and not directly employed in the company.⁸⁴

Practical questions still remained. Which persons were the ones to be trusted to set up such enterprises? Mackay did not come up with a specific answer to this problem, other than to place the solution into the hands of the working classes. He did not like the idea of seeking aid from the Post Office Savings Bank, as to seek government responsibility for safeguarding the deposits of the poor would necessitate considerable red tape, a prospect anathema to the libertarian. Furthermore, he contended, all successful English working-class institutions were self-managed. In this regard the principle of 'People's Banks' bears some strong similarities to the Friendly Societies in Britain which Mackay championed as "a unique Anglo-Saxon institution, of purely working-class origin."⁸⁵ Whereas State relief had an enervating effect on the poor, causing them further into "the slough of despondence", voluntary schemes like People's Banks had the potential to be a truly libertarian channel.⁸⁶ By consisting of "neither the robbery of the rich nor the degradation of the poor", Mackay saw in the scheme a means by which a door could be opened to the poorest for an honest means of self-improvement.⁸⁷

Supporters of measures like these believed that the material aspect of social reform had hinged upon a moral character. Henry Wolff, who had introduced the concept to Britain before Mackay popularised it, explicitly tied the moral and educational dimension to the economic. Addressing the Charity Organisation Society on the subject in 1897, he noted that while the banks would help raise the social condition of the poor, they would also "train them to business, to bring out character, to draw neighbours together, to make them understand the community of their interests, and generally to make better men of them."⁸⁸ This notion of improved community seems to rebut the popular perception of individualism as a negation of cooperation as a motivating factor in social relations and a corresponding practical atomism. As with other methods of social reform floated by Individualists, 'People's Banks' never really caught on, although Wolff continued to champion them after the State had become actively involved in social reform.⁸⁹ In speaking to the Charity Organisation Society, Wolff

⁸⁴ Ibid., p.302.

⁸⁵ Mackay, "Old Age Pensions and the State", *Methods*, p.211.

⁸⁶ Mackay, "People's Banks", *Methods*, p.310.

⁸⁷ Ibid., p.310.

⁸⁸ H.W. Wolff, *People's Banks* (London: P.S. King and Son, 1893), pp.2-3.

⁸⁹ For example, a further edition of *People's Banks* was published in 1910.

was assured a ready ear. Their emphasis on sound moral character as the effective cure for social ills was to provide an important element of the debate on social reform that was to characterise Edwardian politics.

III. LAISSEZ-FAIRE AS REACTION? THE RESPONSE TO EDWARDIAN SOCIAL REFORM

As the Victorian age drew to a close, and the Edwardian age began, the LPDL had been at the forefront of the defensive war against Collectivism for nearly twenty years. The recent advent of mass politics brought with it a new dimension of social politics. What had had a spectral form during the 1880s and 1890s became more concrete in the early years of the new century. In 1905 the BCA had been formed “to uphold the fundamental principles of the British Constitution—personal liberty and personal responsibility—and to limit the function of governing bodies accordingly.”⁹⁰ Individualists had complained of the Conservative tinge to the LPDL, yet the BCA was even more markedly associated with Conservative Party circles. Its first President had been Lord Hugh Cecil. His successor was Lord Balfour. Among its council it could count the Earls Cromer and Dysart, Viscount Knutsford, Lord Avebury, Sir William Chance, Percy Wyndham, John St. Loe Strachey and Sir Richard Temple.⁹¹ Other prominent members included A.V. Dicey and Thomas Mackay.⁹² The continuity of membership between the BCA and the LPDL is quite striking. In addition to the publication of its periodical, *Constitution Papers: A Review of National and Municipal Politics*, it convened annual conferences, and in 1908 held a “Constitution Congress” to compare the constitutions of the United Kingdom, France and the United States.⁹³

The BCA’s first annual conference took place in 1907, and the following year the addresses were included in a larger volume of essays edited by Mark Judge, called *Political Socialism: A Remonstrance*. In his Presidential address Lord Balfour set out the Association’s stall in language that had become familiar from twenty-five years of LPDL activism. Socially

⁹⁰ Mark H. Judge, ed., *Political Socialism: A Remonstrance* (London: P.S. King, 1908) p.179.

⁹¹ Ibid, p.188.

⁹² Taylor, *Men Versus the State*, pp.263-264.

⁹³ For the report of proceedings, see *CP*, 1.14 (Sep 1908).

and economically, the BCA's *raison d'être* was to oppose socialism. As already noted, in the context of political argument, what was meant by the term 'Socialist' varied according to the user, but Balfour used it to denote "all legislation in the interest of one special class, namely, those that are least efficient."⁹⁴ The underlying attitude to State intervention was the same as the LPDL's campaigns of the 1880s and 90s. The evolution of the language used to express this attitude is interesting, particularly the reference to the Edwardian obsession with 'efficiency'. The rapid growth of the economic and military power of both Imperial Germany and the United States, coupled with the perceived decline in Britain's own prestige, worried a whole generation of politicians. Some, such as those on the radical Right, were greatly impressed by Germany, a strange relationship which alternated between envy, admiration and fear. The Boer War had compounded many of these anxieties, for Britain's shortcomings seemed in that conflict to be multifaceted, from military incompetence to the inferior physical condition of many urban working-class men who attempted to enlist. In Conservative circles, the radical Right found in Chamberlain, and later in Lord Milner's circle, an effective voice for their concerns. If Britain was going to succeed in an age of Darwinistic struggle between competing Empires, then it had to become sleeker, fitter, and stronger. Supreme national efficiency became the elixir for social planners of both Left and Right.⁹⁵ In this light, it is perhaps important that Balfour did not dispute the importance of the goal, efficiency, but implicitly preferred the libertarian route to that end.

At the time of the BCA's 1907 conference it was not the Conservative Collectivists who were the most troublesome to libertarians. In 1906 the Liberal Party had swept to power in a landslide election, securing 397 seats to the meagre 156 won by the Conservatives and Liberal Unionists. The new Labour Party, previously known as the Labour Representation Committee, won 29 seats. The election result was symbolic of the evolution in ideology governing the Liberal Party. The sinking ship of Gladstonian Liberalism had finally capsized. There were a few token Old Liberals left within the Party's ranks, but these were no more than survivors bobbing up and down on an unfriendly sea of change. Two years later, the Prime Minister, Sir Henry Campbell-Bannerman, died, and was replaced by Herbert Asquith. Perhaps most significant of all for the dominance of social liberalism and complete rejection of *laissez-faire* as a desirable policy was Asquith's Chancellor of the Exchequer, David Lloyd

⁹⁴ Lord Arthur Balfour, "Presidential Address to the BCA", *Political Socialism*., p.5.

⁹⁵ On this subject, see G.R. Searle, *The Quest for National Efficiency: A Study in British Politics and Political Thought, 1899-1914* (London: Ashfield Press, 1990). In *Men Versus the State*, M.W. Taylor sees the most important divide in the Edwardian Conservative Party as that between the traditionalists, into which we could place Balfour, and the radical right Collectivists.

George. Under his tenure a whole raft of social legislation was introduced, which dramatically altered the relationship between the individual, civil society, and the State. This included the provision of free school meals in 1906 and the Old Age Pensions Act in 1908 which provided a modest non-contributory pension for persons over the age of seventy, with various conditions attached such as a requirement for good character.⁹⁶

In 1909 there followed the Labour Exchanges Act, intended to help the unemployed find work, and the Development Act, designed to improve transport infrastructure. In 1911, the law required compulsory National Insurance contributions. The most significant legislative change, and one which has become a defining feature of Edwardian social liberalism, was the 1909 People's Budget. Lloyd George's budget put into practice some of the greatest fears of the opponents of New Liberalism, as it expressly redistributed wealth for the first time. The resulting constitutional standoff between the Conservative-dominated House of Lords and the Commons had severe ramifications for the established order, resulting in the former's capitulation over the threat of the creation of hundreds of new Liberal peers, and its dissolving political power, felt most keenly in the loss of its power to veto legislation.

At a different level, one of the defining features of this social liberal legislation was its effectual replacement of the old Poor Law system. The Poor Law was a political problem of quite some antiquity. The 'Forty-Third' of Elizabeth's reign had provided for certain measures of relief for beggars and paupers, and this system largely survived until the reforming Whig government of 1834 tightened it to remove abuses and make for more a discriminating adjudication of whether recipients were of the 'deserving' or 'undeserving' poor. While acknowledged to be a great improvement on the previous system, the 1834 Law still had widespread critics. The Charity Organisation Society was founded in 1869 by C.S. Loch, its central work consisting of efforts to reform the Poor Laws further still. Its stated object was "to reconcile the divisions in society, to remove poverty and to produce a happy, self-reliant community."⁹⁷ Central to its ethos were the pillars of Victorian philanthropy—self-reliance, self-help and an emphasis on character. This latter aspect is fundamental to the work of the COS, for it was the degradation of character of the poor man or woman which it considered the most egregious facet of poverty.⁹⁸ Indiscriminate giving demoralised the

⁹⁶ For the details of the Act and contemporary explanation see William A. Casson, *Old-Age Pensions Act, 1908* (London: Chas. Knight, 1908).

⁹⁷ Charles Loch Mowat, *The Charity Organisation Society, 1869-1913* (London: Methuen, 1961), p.1.

⁹⁸ *Ibid.*, p.2.

character, whereas true charity necessitated friendship, and had as its object the restoration of self-respect and a renewed ability to provide for oneself.⁹⁹

The COS was not a party-political organisation, and its members could espouse very different political philosophies. The Idealist philosopher Bernard Bosanquet and his wife Helen were prominent figures, while Thomas Mackay sat on the board for some time. The general objective of the COS was the provision of material relief to the deserving poor.¹⁰⁰ Whether an applicant was considered deserving was determined after investigatory casework by experienced workers and finalised by a Committee composed initially of volunteers (although this grew to become paid workers), including representatives from local charities and religious denominations.¹⁰¹ These committees were organised primarily across London, by Poor Law district. The fact that the COS engaged with the problem of pauperism on a practical first-hand basis added authority to its claims that the fundamental objective ought to strike at the causes of poverty, rather than its effects. By the end of the nineteenth century the COS had gained an impressive stature as it was officially patronised by the Queen, had as its President the Archbishop of Canterbury, and could claim among its vice-Presidents the Princess Louise and a host of aristocratic notables.¹⁰² Yet, despite these outward signs of prominence, and the growth of its organisational capacity, the tide was against the COS as many social reformers increasingly lost faith in the ability of voluntarism to eradicate poverty.¹⁰³

On a political level, the COS opposed the spirit of the Poor Law, on the basis that such relief fostered an attitude of dependence rather than self-reliance. As far as Mackay was concerned, by looking to the State to solve the problem, the Poor Law was a violation of his Individualist principles. There were practical problems too. No centralised administration could possibly be powerful enough to remedy the problem. Furthermore, a legal provision for the poor was a dangerous principle, as it often led to the state of pauperism which it was supposed to counter.¹⁰⁴ However, as an obituary for Mackay in the COS's own periodical noted in 1912, quoting fellow committee member A.G. Crowder, there was sometimes a conflict between Mackay's loyalty to libertarian principles and his sympathy for the suffering: "Tender hearted to a fault he could never be quite trusted to visit a case alone, his principles

⁹⁹ Ibid., p.2.

¹⁰⁰ Ibid., p.25.

¹⁰¹ Ibid., pp.25-26.

¹⁰² Ibid., p.82.

¹⁰³ By 1897 subscriptions and donations to the COS' Council were over £8,600, its personal number counting around 150 persons. Ibid., p.87.

¹⁰⁴ Ibid., p.104.

were then apt to disappear for the moment in the face of the appeal of individual suffering.”¹⁰⁵

In Mackay’s view, the Poor Laws were an obstacle to thrift, which had been better honoured by the proliferation of friendly societies, which had a far superior track record of addressing socio-economic problems.¹⁰⁶ The same point was made with regard to old-age pensions by Sir William Chance, addressing the BCA in 1907. He considered the cost of supplying pensions out of the public purse to be too high for serious consideration, and preferred to look to the continued work of friendly societies for the remedy of the problem.¹⁰⁷ Promises of State-aid interfered with the ability of these voluntary associations to do their work.¹⁰⁸ Chance’s diagnosis looked to experience as its instructor. He noted that “it is by self-help and co-operation for defensive ends that the condition of the wage-earning classes has been raised, and it is by these means only that it can be raised still more.”¹⁰⁹

The reform of the Poor Laws became an object of interest for Parliament before the great Liberal election victory of 1906. In 1905 the Conservative-led parliament established a Royal Commission to assess the problem. Members of the Commission included figures from the COS, Poor Law guardians, representatives from local government boards, the Adam Smith Professor of Political Economy at the University of Glasgow, William Smart, and the social reformers Charles Booth and Beatrice Webb.¹¹⁰ The Commission lasted until 1909 and its findings were wide-ranging. Although the report stated that finding complete and accurate statistics for wage fluctuations was difficult, it was led to believe that wages had risen, but this had not decreased the numbers of paupers. The cost of living was also found to have decreased significantly since 1880.¹¹¹ Furthermore, the principle of thrift had been developed by the flourishing of provident societies, including friendly societies, trade unions and savings banks. Comparative figures did not stretch back far but membership in such associations had increased by around 4 million from 1897, and the total number of funds held

¹⁰⁵ Anon., “Obituary: Mr Thomas Mackay”, *Charity Organisation Review*, 31:184 (Apr., 1912): 174-182 (176).

¹⁰⁶ Mackay, “The Poor Law as an obstacle to thrift”, *Methods of Social Reform*.

¹⁰⁷ Sir William Chance, “Old Age Pensions- the Better Way. A Question for Friendly Societies”, *Political Socialism*, pp.122-125.

¹⁰⁸ *Ibid.*, p.127.

¹⁰⁹ *Ibid.*, p.128.

¹¹⁰ The entire list of members is given in the official report. They included the chairman, Lord George Hamilton, Rev. Denis Kelly, Lord Bishop of Ross, Ireland, Sir Henry Robertson, Sir Samuel Provis, Frank Holdsworth Bentham, A.H. Downes, Rev. Thory Gage Gardiner, George Lansbury, C. Stewart Loch, J. Patten Macdougall, T. Hancock Nunn, Rev. L.R. Phelps, William Smart, Rev. Prebendary H. Russell Wakefield, Helen Bosanquet, Beatrice Webb, Octavia Hill, and Francis Chandler. *Report of the Royal Commission on the Poor Laws and Relief of Distress, Vol. I*, (London: Wyman and sons, 1909), p.2.

¹¹¹ *Ibid.*, p.74. According to the Board of Trade’s Index for the cost of living, prices had fallen from 121.7 in 1880 to 101.4 in 1903.

within these associations by nearly 20 million.¹¹² Still, despite all the elements of progress which their statistical surveys appeared to suggest, there were still “a vast army of persons quartered upon us unable to support themselves”.¹¹³

While all participants in the Royal Commission were of the opinion that the Poor Law could not continue in its existing state, not all were united in their recommendations for its reform. The fissure in opinion is illustrated by the production of both Majority and Minority Reports. The former carried the weight of the COS in its recommendations, placing the blame for pauperism not on an inadequate mesh of social support systems, but on a deficiency of morals and character. Although a number of names countersigned the Minority Report, it is generally seen as bearing the stamp of the Fabian Socialist Beatrice Webb. The conclusions and recommendations of the Minority Report were many and various, but there was an overall tendency to call for an expansion of both the size and scope of State support, at various levels of government, for those unable to support themselves. Although the Liberal government did not act upon the recommendations of either report, it became customary for twentieth century commentators to laud the Minority Report for its ‘progressive’ character, and see it as an important mark on the road to the establishment of a full welfare state after the Second World War.¹¹⁴ By contrast, it was easy for critics to portray the Majority Report as a holdover from the Victorian era, with its overall ‘individualistic’ assumptions, such as the emphasis on personal character.¹¹⁵

It is tempting to look at the absorption of a generalised laissez-faire as proof of the repositioning of politics, where to defend the liberal consensus of the 1860s was to conserve. However, there was more to a conservative defence of laissez-faire than the simple acceptance of a mid-Victorian shibboleth. In an attitudinal sense, a non-interventionist approach to political economy could fit just as easily into organic, Tory conceptions of social order as it could into progressive, constructivist liberal ones. In the late nineteenth and early twentieth centuries, all libertarians fit under the heading of ‘laissez-faire’ as a description of their view of the proper approach to State intervention, even if they did not all use it as a taxonomic identification. Yet for most libertarian figures, most involvement in the realm of

¹¹² Ibid., p.75.

¹¹³ Ibid., p.78.

¹¹⁴ These comparisons have a strong appeal, not least due to the fact that Lord Beveridge, instrumental though his report for the establishment of the postwar welfare state, had worked as a researcher for the Minority Report of 1909.

¹¹⁵ This broad-brush interpretation of the COS’s influence on the Majority Report has been disputed by A.W. Vincent in “The Poor Law Reports of 1909 and the Social Theory of the Charity Organisation Society”, *Victorian Studies* 27.3 (Spring 1984): 343-363.

political economy involved a preoccupation with correcting the errors of their opponents whilst defending the existing policy of non-intervention. Even among figures like Mallock, whose scientific approach to social problems led him to the celebration of the trait of ability as the single most important economic and social organising principle, there was an absence of a constructive libertarian policy to combat social problems.

It is in Individualist figures like Donisthorpe and Mackay that we can discern a sustained, if not successful, attempt to find remedies for the plight of the working classes. In Donisthorpe's case, this led down some unusual, especially heterodox avenues. Yet in both his work, and Mackay's support of 'People's Banks' and work at the COS, we can detect a much more complicated vision of the importance of social cooperation than critics of Individualism were wont to recognise. The social philosophy of these Individualists was certainly not the simple selfish atomism that Collectivists tended to ascribe to them. While they clearly held 'the individual' to be the basic social unit, and in this regard they have to be distinguished from the more conservative libertarians, they recognised the fact that individuals sought meaning and fulfilment from an association with other individuals, and groups of individuals, and that social progress was made possible by this association. However, the most important quality of this association was its voluntary nature. Through this voluntarism, natural inequalities would not be extinguished, but would operate together in a way which benefitted both the individuals and the sum. By contrast, Collectivism could be attacked, both for its forcing of an involuntary association under the 'dead hand' of the State, whereby the sum would be brought down to the lowest common denominator, rendering true progress impossible.

An emphasis on inter-class cooperation existing within an organic social structure was an important part of conservative arguments against Radicalism and Socialism during the late-Victorian period. In this, the role of the upper classes, the hereditary aristocracy, as the maintainers of the social equilibrium was emphasised. Aristocracy became an important feature of libertarian arguments, as we shall see in chapter four.

Chapter Four: Aristocracy

In Mallock's 1886 novel *The Old Order Changes*, there is an exchange between the protagonist Carew, and Mrs Harley. Though they both move in the same social circle, Carew is an aristocrat while Mrs Harley is an outsider. She tells him:

"I think that the polish and charm which characterize the world you speak of, and which I feel just as fully as you do; I think that the unexpressed sympathy which exists between its members, and which forms so subtle and pleasant a link between them—I think that all this implies and is founded upon a set of beliefs and assumptions with regard to an aristocracy which, even if true once, are certainly true no longer. Once, no doubt, aristocracies did lead. Of whatever life there was in the world they were the centre. But things are changed. The centre is shifted now. Not only does the life of the world no longer centre in them; it is not even what it was till very lately, a tune that is played under their windows. My dear Mr. Carew, there is no use in disguising the fact. Aristocracy as a genuine power, as a visible fact in the world, may not yet be buried, perhaps; but it is dead."

"Then, in that case," said Carew, "let me die with it. I am only thirty-five, but I have outlived my time, and few and evil have been the days of my pilgrimage. There are other things," he added presently—"there are other things in my mind besides London drawing-rooms—the winter sunsets beyond the park; the noise of rooks in the elm-trees over the graves of those who are nearest to me; old servants; the tower of the village church; and the welcome once ready for me in every cottage in the village."¹

This exchange reveals an image of aristocracy that is as much aesthetic as it is political. It is fitting that Carew is a Whig, acutely aware of his lineage and heritage, but unsure of his position in the world, a predicament which bears a strong resemblance to the Disraelian hero Lord Egremont in *Sybil* a half-century earlier. The displacement of the Whigs from the

¹ Mallock, *The Old Order Changes* (London: Richard Bentley and Son, 1886), pp.37-38.

uppermost reaches of political power had symbolic significance, for they had been accustomed during the previous two centuries to view the Constitution as theirs. The privileges of their social position carried with it a weighty sense of duty, bound up in the custodianship of both the Constitution, and the land. Bound up within this was the deeply held belief that aristocrats were the guardians of liberty. As their traditional way of life grew increasingly under threat many patricians formally aligned themselves with libertarian pressure groups. At the founding of the LPDL in 1882 a number of aristocrats from across England, Scotland and Ireland were listed on the membership rolls, many of whom were also among the principal donors. In addition to the founder Lord Elcho (who would become the Earl of Wemyss the following year), there were the Dukes Abercorn, Bedford and Sutherland; the Marquis of Stafford; the Earls Carysfort, Dartrey, Dunraven, Fortescue, Grey, Ilchester, Lucan, Pembroke, Radnor, Shaftesbury, Somers, and Wharncliffe; the lords Ashburton, Blantyre, Brabourne, Bramwell, Alfred Spencer Churchill, Dorchester, Leconfield, Lyveden, Penzance; Viscounts Anson, Hardinge, Templetown.² However, as the position of the landed aristocrats dwindled, various figures suggested alternative concepts of aristocracy, by which the baleful influences of democracy could be countervailed.

I. DEBATING THE DECLINE: THE POSITION OF THE WHIGS

The sweeping political changes of the late nineteenth century affected all members of the aristocracy, yet it was the Whigs who were most vulnerable to being left out in the cold. The continued use of the term 'Whig' is itself interesting. Certainly by the 1880s, the term had a particularly historical vintage. It could be used in different ways. Firstly, there was the historical application to the Whig Party, which had enjoyed political pre-eminence between the 1688 Revolution and the middle of the nineteenth century. Following from this, there was the personal application to the aristocratic section of the Liberal Party. But then there was the wider phenomenon of 'Whiggism' or 'Whiggery', which embodied a set of political doctrines and principles. Curiously, while all terms adapted from the root 'Whig' had been declining in

² List given in *Self-Help versus State-Help: The Liberty and Property Defence League, its Origin, Objects, and Inaugural Meeting 1882* (Whitefish: Kessinger Reprints, 2010. First published 1882).

use in print since the melting of the Whig Party into Liberalism, ‘Whiggery’ enjoyed something of a revival during the tumultuous 1880s.³ The reasons why an extensive amount of ink was devoted to the Whig problem during the 1880s, are traceable to the drastic changes within the Liberal Party during that time. The uneasy alliance between the aristocratic grandees and the Radicals became increasingly untenable as the latter’s influence over policy grew. In light of the significant shift in the party that had followed the 1880 election, there was a strong perception that the blame lay partly in Gladstone himself, who had apparently been transformed “from a Christian statesman into a Revolutionary demagogue.”⁴ Unease amongst the Whig grandees had been growing for several years before Herbert Gladstone’s decision to fly the ‘Hawarden Kite’ became the proverbial straw that broke the camel’s back.⁵ The spirit of the New Liberalism had been summed up in 1881 by the Scottish journalist Robert Wallace, who would go on to represent Edinburgh in Parliament as a Radical. He announced that Liberalism was “pressing on...towards the state of things when there shall be only one people, and need be only one party of the people, but that cannot happen until every unnecessary privilege, inequality, and relic of class domination has been replaced by arrangements benefiting an undivided community that means to manage its own affairs.”⁶

One playing field for the Whig debate was in the pages of *The Nineteenth Century*. The venue is significant, for *The Nineteenth Century* was one of the leading periodicals for contemporary intellectual debate. During the 1880s, the periodical published a number of articles on the current state and likely fate of the Whigs and Whiggism, which shed important light on the position of aristocrats in late-Victorian Britain. In 1881, the year Gladstone offended Whig sensibilities with the highly controversial Second Irish Land Act the Liberal MP Charles Milnes Gaskell discussed “The Position of the Whigs”. The understanding that the Whig position within Liberalism was in question was not only held within Liberal circles. Tory monitors like the *Quarterly Review* were urging them to switch their allegiance and fight under the banner of Conservatism.⁷ Gaskell detected a general air of complacency amongst Whigs, no doubt largely due to the customary position of prestige they had enjoyed

³ Digital research, via Google Ngram Viewer.

https://books.google.com/ngrams/graph?content=whig%2C+whiggism%2C+whiggery&year_start=1800&year_end=2000&corpus=15&smoothing=3&share=&direct_url=t1%3B%2Cwhig%3B%2Cc0%3B.t1%3B%2Cwhiggism%3B%2Cc0%3B.t1%3B%2Cwhiggery%3B%2Cc0. Accessed 4.4.17.

⁴ Selborne to his son, 11 Apr 1887, in George Boyce, ed., *The Crisis of British Unionism: Lord Selborne's Domestic Political Papers, 1885-1922* (London: The Historians' Press, 1987), p.11.

⁵ Herbert Gladstone revealed his father's conversion to the cause of Home Rule for Ireland, and the story was leaked to the national press.

⁶ Robert Wallace, “The Philosophy of Liberalism”, *NC*, 9 (Feb. 1881): 302-323 (309).

⁷ “The Revolutionary Party”, *QR*, 151.302 (Apr. 1881): 285-316.

for so long. Apt to dismiss the Tory warnings “as a false alarm”, the Whig would, “secure in the recollection of previous difficulties surmounted...reject his advances and rest easy in the pleasant conviction that as things have been so will they be, and that no ordering of the universe is probable which does not make a satisfactory provision for the comfort of Whigs.”⁸ The picture which Gaskell paints is one of aristocratic isolation in an increasingly democratic age. The Whig aristocrat had been born into an assured social position, and considerable wealth, and as a consequence was “sufficiently independent to be able to disregard the opinions of the majority by whom he is surrounded”.⁹ There is also a sense of innate conservatism in Gaskell’s description. The early nineteenth century Whigs were not, in his understanding, “anxious for reform” but merely utilised reform as “a most dangerous weapon of defence”.¹⁰ Furthermore, their days of reform were over—never again would any bold measures originate from Whiggish quarters. This was partly down to their diminishing social role, a picture of general aristocratic decline:

Of late years there has been a growing tendency on the part of the upper classes to avoid trouble, and to shirk the responsibility and duties of their position. Other causes have no doubt combined to bring this about: hospitality, owing to the loss of income, to the habit of selfish luxury, to the disinclination for simple pleasures, and to the ease with which another climate may be enjoyed in the space of a few days, is not what it used to be.¹¹

Gaskell continues:

He [the Whig] lies under great disadvantages. The world is proverbially ungrateful for past favours, and he can place before his constituents no attractive programme; he can appeal neither to the passions nor to the cupidity of the people. He has placed power in their hands, and is willing to add to it, but in the application of it he protests with Mr. Burke against ‘new principles of Whiggism disseminated in this country from federation societies.’ The Whig has parted with

⁸ Charles Milnes Gaskell, “The Position of the Whigs”, *NC*, 10 (Dec. 1881): 901-912 (901).

⁹ *Ibid.*, 904.

¹⁰ *Ibid.*, 905.

¹¹ *Ibid.*, 905-906.

the sword and retained the horn; and he cannot regard the future with confidence.¹²

Interestingly, Gaskell's prophecy appears to be not only that the Whigs as a party would disappear during the forthcoming political upheaval, but that Whig principles would disappear from active life, continuing to exist merely as historical artefacts. What these principles exactly are he does not inform the reader, undoubtedly assuming an existing acquaintance. He concludes:

It may be that under these new conditions there will be found no place for the old Whig, and that in obedience to the law of the survival of the most active he will suffer a gentle euthanasia, his extinction being effected by various causes, such as gradual absorption into the House of Lords, inability to adapt himself to the exigencies of modern political life, want of organisation and of the introduction of new blood and vigour from the outside; and the time will come when the student of politics will search in vain for 'plain Whig principles' except in the pages of the *Edinburgh Review*.¹³

Implicit in this statement is the recognition that the 'gentlemanly' politics which had characterised the Whigs in their heyday was being eradicated by a new professional class. In a wider sense, this new political professionalism was a necessary by-product of the enlargement of the franchise, for mass politics required an enlarged party machine whose operation had to be greased by specially paid party workers. Political life was further infused with the frenetic activity of pressure groups, donors, and increasingly by the end of the century, trade unions. As to the lack "of new blood and vigour from the outside", this was an aperçu on an essential aspect of Whig identity which most Whigs would very self-consciously have held. A great volume of the debate considered the calculation at the heart of party politics, yet there is also a great unspoken sense that there is much more of the Whig essence at play. The discomfort with which Whigs reacted to the seemingly inevitable turn towards democratic politics, and all the internal machinations connected with it, suggest 'Whig' to be as much of a posture, as a political position. Here it would be useful to note that there is something inherently anti-political about aristocracy. A class that felt itself divinely

¹² Ibid., 912.

¹³ Ibid., 912.

ordained to lead and govern, with all the attached privileges and responsibilities, was simultaneously imbued with a somewhat elitist aloofness, which eschewed too much muddying of the hands in the sordid game of politics.

One Whig musing on his class's situation was Earl Cowper. In 1883, he penned his "Desultory Reflections of a Whig". In it, he lamented the generally disparaging attitude held by many Liberals and Conservatives towards the Whigs, who, while they treated it as a party still alive, considered it "mischievous, and at the same time contemptible."¹⁴ To Conservatives, the Whigs were stuck in a strange place, whereby "through a sentimental attachment to an old party name" were helping those who would destroy them. The Whig was a man, who, "instead of resisting the revolution, joins it and helps it; a man who is complacently lending a hand to saw off the branch on which he himself is sitting."¹⁵ On the other hand, the advanced Liberal saw the Whig "as a half-hearted comrade in the noble army of progress; a leader who will avoid a pitched battle as long as possible, and take great care not to follow up a victory too far; or a private who must be regarded with suspicion as being likely to desert at any moment."¹⁶ Cowper himself was the product of a Whig family of two hundred years' standing, yet claimed he did not adopt his own political position by default, but after careful consideration.¹⁷ Although he accepted that the term Whig was liable to extinction, unlike Gaskell, he did believe Whig principles would continue to exert considerable political influence.¹⁸ These principles were rooted in a proper appreciation for the past and the wisdom accumulated from it. Burkean in flavour, Cowper's language denotes a particularly conservative type of Whiggism, one rooted in the stability of the Constitution.¹⁹ The permeation of this Whig mentality allowed for reform to be carried out even by Tory leaders who had "assumed the character of their opponents".²⁰ In the day in which he was writing, however, Cowper appears to have considered the Whigs a sort of *via media* between "the two extreme parties in the State", the Radicals, and the Conservatives:

Much harm is done by the speculative Radical who is always contemplating and bringing upon the scene changes to be made in coming years. He unsettles men's

¹⁴ Francis Cowper, 7th Earl Cowper, "Desultory Reflections of a Whig", *NC*, 13 (May 1883): 729-939 (731).

¹⁵ *Ibid.*, 730.

¹⁶ *Ibid.*, 730.

¹⁷ *Ibid.*, 730-731.

¹⁸ *Ibid.*, 730-731.

¹⁹ *Ibid.*, 732.

²⁰ *Ibid.*, 732. For example, Canning's foreign policy, Wellington's Roman Catholic relief, Peel's abolition of the Corn Laws, and Beaconsfield's Reform Bill.

minds and diverts them from the business of the moment. But the Conservative who is always judging present measures, not on their merits, but by the measures to which they are likely to lead, and is always meeting us with the thin-end-of-the-wedge argument, is perhaps the more dangerous of the two. He is certainly by far the more miserable.²¹

Despite his criticisms of the Tory opposition, there is still something rather conservative about Cowper's own disposition. He was cool towards the tendency to democracy.²² Furthermore, while he described himself as "a warm adherent of the Liberal party", he refused to commit himself indefinitely, citing the impossibility of knowing the nature of politics ten years hence.²³ In concluding Cowper reveals much about his own position and the precariousness of the Whig position by the 1880s. His intention was to show that it was perfectly possible to have been born into an esteemed Whig family, and yet hold Whig doctrines without taking them on trust. He stakes a claim for the Moderate Liberal, a taxonomy Whiggish principles were increasingly likely to adopt in the new democratic age, to hold his opinions with as much sincerity as the most devoted Tories or Radicals. Yet, he seems hesitant to commit himself to a particular party label for fear of what change the future might bring, stating "that it is not wise to look too far ahead in politics, and that not to push principles too far may be a principle in itself."²⁴ Between the lines, the reader can almost sense the growing isolation of the Whig bloc within Liberalism, even though Cowper appears loathe to admit as much openly.

The following month, Cowper's article, 'desultory' though its intentions were, found a response in the form of George W.E. Russell's "A Protest Against Whiggery". At this point, the debate in *The Nineteenth Century* appeared to be more of an open discussion within Liberalism itself. As far as personal, familial attachments went, few names held greater esteem than that of Russell. Russell, then the Liberal MP for Aylesbury, was a grandson of the sixth Duke, John Russell, who had been Lord Lieutenant of Ireland during the 'Ministry of All the Talents'. Russell cites his ancestry as proof of a full claim to the "pure blood of Whiggery."²⁵ Like Cowper, Russell had a glowing admiration for the achievements of historical Whiggery. He also had a determination to not let his own political views be formed

²¹ Ibid., 735.

²² Ibid., 736.

²³ Ibid., 738.

²⁴ Ibid., 739.

²⁵ George W.E. Russell, "A Protest Against Whiggery", *NC*, 13 (Jun. 1883):920-927 (920).

by his hereditary predisposition.²⁶ However, unlike Cowper, Russell chose to distinguish between historic Whiggery, and the Whiggery of more recent times. The Whigs Russell approved of were those at the extreme reformist end of the party, who he contended, stood “in relation to current politics, where the Radical stands today.”²⁷ Russell’s own view of historical Whig reform stands contrary to the narrative provided by Gaskell and Cowper. In Russell’s view, the moderate Whigs whom Cowper admired did not advance, but retard their party’s success. Over the course of the following decades, it is apparent that, in Russell’s view, these moderates assumed the mantle of Whiggism. The party “dreaded and shrunk from the modern spirit, and, as a penalty, it has lost its hold on the minds of those who decline to live exclusively on the worship of the past.”²⁸ The problem with the modern Whigs was therefore their inability to lead reform, making them indistinguishable from many Conservatives. Russell continues:

As long as Whiggery led the van of progress, it had a unique glory and a distinctive work. But from the moment that it abandoned its function of leadership to modern Liberalism, it ceased, in my judgment, to have any proper reason for existing...As far as Whiggery merely favours gentle and almost imperceptible changes, while endeavouring to check rapid and clearly marked reforms, it is practically tantamount to Conservatism. Old-fashioned Toryism, of the merely hopeless and obstructive sort, has of course a reason and an office of its own. Liberalism, by which I understand the desire for swift and serviceable change, claims the whole heart and energy of many of us.²⁹

As such, there was no place left for Whiggery within the political structure of the late nineteenth century:

Moderate Conservatism, which does not absolutely refuse to change, but likes to change as gently, as cautiously, and as seldom as possible, has an intermediate place between Toryism and Liberalism, and a defined and possibly useful function. But I submit that there is no fourth place left for Whiggery. As long as it chose to lead the van, it did the work and filled the place of Liberalism. Now, if

²⁶ Ibid., 921-922.

²⁷ Ibid., 921.

²⁸ Ibid., 922.

²⁹ Ibid., 922.

its mission is merely to regulate and modify reform, it is substantially only another form of Conservatism...My first and widest charge, then, against Whiggery is that its heroic doings belong to the past; since those days it has changed its character, its aims, and its methods.³⁰

Russell did not have a quarrel with those Whigs who had enthusiastically absorbed themselves into the main body of the Liberal Party, but with those who maintained a quasi-independent identity. These were the ‘moderates’ who did not embrace reform but clung to the preservation of the status quo, for all intents and purposes marking themselves in his eyes as Conservatives. The status quo these intransigent Whigs were defending naturally involved many of the *laissez-faire* assumptions, described in the previous chapter, of the mid-Victorian era. Russell castigated the “cardinal defect in Whiggery” which was “the tendency to blindly worship an inexact and half-understood science like political economy, and to rely on some parrot-like phrase, such as ‘freedom of contract,’ as though it contained the clue to all social and political perplexities.”³¹ He then proceeded to differentiate between this doctrine, and that of the Modern Liberalism in which he took his part:

The high Whig doctrine would limit the functions of the State to the preservation of life and property, and the enforcement of contracts. Modern Liberalism, on the other hand, regarding the State, with Burke, as ‘the nation in its collective and corporate character,’ sees in it the one sovereign agent for all moral, material, and social reforms, and recognises a special duty to deal with questions affecting the food, health, housing, amusement, and culture of the working classes.³²

In this distinction, Russell makes an implicit association between the ‘High Whigs’ and the emerging Individualists, around whose core principle of State non-intervention numerous aristocrats were beginning to coalesce. Cowper did write a rejoinder to Russell, mainly to clarify historical details of the Whig association with Radicals.³³ However, there is a slight shift in the debate during the next three years or so, where the focus shifts from Whiggism and the Whigs onto Moderate Liberalism in general. The adjective ‘moderate’ is congruent with the conservative description provided by Gaskell, Cowper and Russell, for it indicates a

³⁰ Ibid., 922.

³¹ Ibid., 925.

³² Ibid., 925.

³³ Cowper, “The Whigs: A rejoinder”, *NC*, 13 (Jul. 1883): 23-30.

hesitance to ally itself with the bolder reformist measures of the more radical wing of the party. However, the discrepancy lies in the claims to orthodoxy that the moderates and the radicals would claim. For instance, it is clear that Russell and the emerging group of New Liberals understood Liberalism as a dynamic and ongoing process which, while celebrating the reforms which had taken place during the previous fifty years, still recognised that much work remained to be done. On the other hand, the Moderate Liberals considered reform as a more-or-less finished work. In this light, it is perfectly possible to conceive of Old Liberals of this sort as a particular type of conservative, for they were devoting themselves to the preservation of an existing order, an order which had been born out of earlier liberal reforms.

Moderate Liberalism and Whig politics had grown to be synonymous. It presented itself as the true Liberalism, holding the more recent New Liberalism as an impostor. LPDL founding member Lord Brabourne gave a typical description of the prevailing mentality of Moderates and Whigs, who believed in “greater freedom from restraint, especially in political institutions.”³⁴ A.V. Dicey’s elder brother, the journalist Edward, provided a more detailed summary:

Individual liberty, freedom of contract, the superiority of private enterprise over State action, the right of every man to do what he thinks fit with his own so long as he does not infringe upon the liberty of others, open competition as between purchaser and seller, capitalist and labourer, these are the main planks in the old Liberal platform in respect of home politics.³⁵

They were the main planks of Moderate Liberalism which had found a bastion of support in the aristocratic classes. One of the central questions raised by the writers in *The Nineteenth Century* during the early 1880s was what would become of the Whigs. Opinion was divided within each party. Cowper re-entered the debate in September 1885. With hindsight the timing of this piece certainly appears crucial. Repeated ‘Collectivist’ impulses in Gladstone’s second ministry—the threat of land reform in England and Scotland, the 1884 expansion of the franchise, and the growing influence of the Radicals in the Liberal Party—had been playing on the minds of the Whig contingent before the Hawarden Kite had even taken to the air in late 1885. The subsequent break of most of the Whigs and Moderate Liberals, with the

³⁴ Edward Knatchbull-Hugessen, 1st Baron Brabourne, “The Duty of Moderate Liberals”, *NC*, 11 (1882): 803-825 (804).

³⁵ Edward Dicey, “The Vote of a Moderate Liberal”, *NC*, 18, (May 1885): 840-848 (842).

Unionist Radicals led by Chamberlain to form the Liberal Unionists, under the leadership of Lords Hartington, indicated an attempt to forge a separate Liberal political identity outside the Liberal Party itself.

The title of Cowper's 1885 article, "What is a Moderate Liberal to do?" rings with weary uncertainty. There is within it an appreciable change in both substance and argument from his earlier "Desultory Reflections". For one thing, the attachment to the idea of the Whigs as a party had been weakened. Whiggism's primary political purpose, Cowper informed his readers, had been to "kill Toryism", that is the Toryism of the Divine Right of Kings, Anglican supremacy, and restrictions on the freedom of the press. Having achieved its object Whiggism "no longer had any work to do or any reason for surviving."³⁶ Cowper makes the distinction between party and principles, stating, "It is not the Whig party, but the spirit which animated it which is immortal."³⁷ Before him lay the attractive proposition of union with similarly-minded Tory moderates, an invitation which, as has been noted before, had been repeatedly made by Conservative periodicals since 1880. Cowper saw two possibilities here, both of which he rejected. The first scenario involved Whigs and moderate Conservative withdrawing from their respective parties to join forces to form a new party. This prospect he rejected out of hand on the grounds that its numbers would be too insignificant to effect any real force in parliament, and the presence of another group would only lead to "increased confusion".³⁸ The second scenario involved the migration of Whigs and Moderate Liberals into the Tory fold. This prospect was no more appealing to Cowper for it overlooked the real philosophical difference between Liberals and Conservatives, that their respective mentalities held their gaze in opposing directions, the Liberals looking forward and the Conservatives looking back. Here, Gladstone's summary of the distinction—"one party is influenced by trust of the people tempered by prudence, the other by distrust of the people tempered by fear"—is cited with hearty affirmation.³⁹

The purpose of the Moderate Liberals, in Cowper's estimation was to restrain, a function which involved the separation of "the real deliberate wishes and opinions of the people from the thirst to plunder or the wild impulse to destroy for the mere sake of destroying" whilst judiciously weighing every proposal "in the scales of sober reason".⁴⁰ This function was better performed if Whigs and Moderate Liberals remained within the Liberal

³⁶ Cowper, "What is a Moderate Liberal to do?", *NC*, 18 (Sep. 1885): 353-361 (354).

³⁷ *Ibid.*, 354.

³⁸ *Ibid.*, 356.

³⁹ *Ibid.*, 358.

⁴⁰ *Ibid.*, 358.

Party, but was only possible if they expended all energy in making their influence felt nationally.⁴¹ It must be noted that not all Conservatives were anxious to have the Whigs jump overboard and swim to the Tory ship for safety. Balfour wrote to his uncle Lord Salisbury to express his concerns about the “waifs and strays from the Whig wreck” coming into the Tory fold. Fearing they would bring “nothing but their eloquence and the reputation of turn-coats”, he felt they were much more useful as a separate entity, for in being nominal Liberals they would be able to effectively embarrass Liberal Party tactics.⁴² In practical terms, his opinion on the superior effectiveness of the Whigs within their own party accords with Cowper’s view, although for obviously different reasons.

Amongst the Moderate Liberals, Edward Dicey took the opposing view from Cowper. In November 1885, he claimed that Cowper’s theory was “plausible, but... not supported by the evidence of the facts.”⁴³ During the recent government, the Whig element was far more prominent than it was ever likely to be again, among its number being Lords Granville, Hartington, Derby, Northbrook, Spencer and Carlingford, and Hugh Childers, yet it never acted in accordance with its protests against either Gladstone’s foreign policy, or “Mr. Chamberlain’s home policy”.⁴⁴ On the prospects of the Whigs offering any real resistance to the growing radicalism of their party, Dicey was particularly withering:

They not only fail to restrain the Radicals, but they give the sanction of the names to the very policy they are supposed to restrain. As it has been before so it will be again. I can believe in many things, but my faith fails me when I am asked to contemplate the possibility of Lords Hartington’s making a stand in real earnest.⁴⁵

Hinting that the Whig leadership appeared to put power above principle, Dicey believed that the only possible haven for the libertarian principles which he upheld was in the Conservative Party, his arguments directly contradicting Cowper’s claims of an un-bridgeable gulf between the mental landscapes of Liberalism and Conservatism.⁴⁶ Of course, Dicey recognised the anguish that leaving the Liberal Party would place Whigs in, since their associations formed

⁴¹ Ibid., 359.

⁴² Balfour to Salisbury, 24 Jul 1886, in Robin Harcourt-Williams, ed., *Salisbury-Balfour Correspondence: Letters exchanged between the Third Marquess of Salisbury and his nephew Arthur James Balfour 1869-1892* (Hertfordshire Record Society) pp.153-4. Previously, Balfour had referred to Whigs as “lukewarm and slippery...whom it is difficult to differ from and impossible to act with.” Balfour to Salisbury, 24 Mar 1886.

⁴³ E. Dicey, “The Vote of a Moderate Liberal”, 844.

⁴⁴ Ibid., 844.

⁴⁵ Ibid., 844.

⁴⁶ Ibid., 846.

an inherent aspect of their identity. Despite this, the weight of the necessity to preserve their essential principles necessitated the difficult, yet manly course of action, to do their utmost to ensure a Conservative victory at the forthcoming election.⁴⁷ In the middle of 1886, he was still re-iterating his belief that Moderate Liberal principles were best served by a Salisbury Conservative government, urging his readers to vote for a Conservative candidate over a Home Rule Liberal.⁴⁸

The plain truth is, that the Liberal Party, as we have known it hitherto, has well-nigh fulfilled its mission. All the important political reform, consistent with the existing political and social institutions of the country, have been accomplished; and it is impossible to advance much further than we have done already in the way of democratic legislation without attacking the Constitution of the established order of society. Whether such an advance is desirable or otherwise is not a question we need consider here. It is enough for my present purpose to say that the Liberals, whom I am now addressing, are anxious to preserve our existing Constitution, and are opposed to all Socialist ideas...Our old party names have ceased to represent facts. Whether as Unionists of Constitutionalists, or under whatever name fortune may assign them, the friends of law and order and individual liberty will soon have to form one united party.⁴⁹

A few years later Dicey noted that as far as the general public was concerned Liberal Unionists were “only Conservatives who like to be called Liberals”.⁵⁰ The crux of the argument utilised by Whigs and Moderate Liberals, that led it in a conservative direction by the end of the nineteenth century was *the Constitution*. The Whigs had an especially close relationship with the British Constitution, largely due to the inescapable fact that it was a very Whiggish constitution. In the context of the constitutional framework in which they were situated even fervent Tories like Lord Salisbury were committed to preserving a status quo that rested in large part on Whig presuppositions which dated back to the late seventeenth century. Among libertarian aristocrats and their political allies, the desire to conserve the

⁴⁷ Ibid., 848.

⁴⁸ E. Dicey, “The Unionist Vote”, *NC*, 20, (Jul. 1886): 1-13 (1).

⁴⁹ Ibid., 12-13.

⁵⁰ E. Dicey, “The Verdict of England”, *NC*, 32 (Aug. 1892): 333-344 (342).

status quo accepted that all necessary reform had been safely conducted by the 1870s.⁵¹ This was the period which A.V. Dicey famously characterised as the age of Individualism, or “legislative utilitarianism”.⁵² While it is certainly possible to be critical of Dicey’s description on the grounds of oversimplification, there is still much weight in his analysis, not least because it gives a prominent example of how Moderate Liberals themselves viewed the period of reform, and the contrast between it and the later Collectivism. This reform had been desirable to Moderate Liberals not only because of its actual ends, but also because it had taken place within the framework of the constitution. The language of liberty which had been especially keenly utilised by Whig politicians couched its blessings within the wider envelope of the British constitution. The Whig narrative maintained that this inheritance had not just come from the legacy of 1688, but had stemmed from the political culture of the English people’s Germanic ancestors, the exact origin of which was indiscernible amid the mists of both time and the Teutonic forests. Among many of the late-Victorian and Edwardian Individualists, liberty was held up as something to be enjoyed within the framework of the Constitution.

Although it is true that the particular constitutional arrangements Britain lived under were something of a Whiggish heirloom, using the Constitution as a libertarian rallying-cry was not the preserve of Whigs or Moderate Liberals alone. To illustrate the point we may consider the case of that foremost libertarian aristocrat, Lord Wemyss. Beginning political life as a protectionist Tory in 1841, his economic position evolved to the point where he was one of the foremost defenders of a rigidly laissez-faire position by the 1880s. Yet, when we look at his own self-descriptions, he repeatedly couched his position in the Peelite language of the 1840s. The economic views may have changed, but the Constitution remained the anchor. It is illustrative to consider three snapshots of his political beliefs in his own words, as he presented himself to different audiences. In June 1841 he came before the electors of the eastern division of Gloucestershire, where he told them, “I come before you as a Conservative; a steady supporter of Monarchy, yet a staunch advocate of liberty; anxious to preserve the Constitution entire both in Church and State, and as anxious to supply defects and correct abuses in the one and the other.”⁵³ Six years later he had come down firmly on

⁵¹ For example, George J. Goschen, *Since 1880: Speech to the Eighty Club, Tuesday, March 10th, 1885*, pp.2-3. Here Goschen contrasts the spirit of Gladstone's first administration, whose chief reforming end was to “remove privileges and inequalities” with that of his second and the ascendant “State Socialism”.

⁵² A.V. Dicey, *Lectures on the Relation Between Law and Public Opinion in England During the Nineteenth Century*.

⁵³ “Speech to the electors of the Eastern Division of Gloucestershire”, 11 Jun 1841, WP, RH/40.

Peel's side during the reform of the Corn Laws, prompting his resignation. Nevertheless he still described himself as "Conservative in feeling, and deeply attached to our institutions in Church and State, my earnest endeavours shall be directed to their maintenance, believing that on them depend the true liberties of the people and the greatness and prosperity of the kingdom." He affirmed his "Liberal opinions...to be consistent with the spirit of real conservatism".⁵⁴ Finally, when addressing the Annual Dinner of the LPDL in July 1888 he claimed to have been taught "from my earliest youth that the functions of government were to protect life, liberty and property."⁵⁵ Clearly, he did not believe in an abstract free-floating liberty, but one that was rooted within a constitutional framework, as typical of his aristocratic pedigree as was his 'liberal conservatism'.

Then, by the early 1900s, there was the aptly-named British Constitution Association. By associating its own anti-Socialist politics with the tried-and-trusted mantle of the Constitution, it was able to characterise its own opponents as dangerous and revolutionary. 'Individualist' arguments were routinely used *within* a general acceptance of the existing social and political conditions of the country. Groups like the LPDL may have expressly disavowed any specific comment on constitutional questions, presumably to retain the large-tent nature of its organisation that was necessary to counteract Collectivism, but amongst many of its active political members there was an implicit recognition of the importance of the existing Constitution.⁵⁶

The aristocratic conception of their own role within the Constitution elevated politics to an art form. In contradistinction from the vulgarity of mass democratic politics, the aristocratic ideal was one of refinement, exercised with the benefit of the accumulated wisdom of their forbears. This is what Sidney Herbert meant when he referred to the government as "gentlemen in a library."⁵⁷ The library here is both literal and metaphorical. It demonstrates the emphasis placed on erudition and learning where the past was used to inform and instruct the present. In this light, the constitution becomes less an object of reasoned development and scientific study, like the French and to some extent, the American constitutions, but rather an organic, mysterious creature to be revered and protected, even if it

⁵⁴ "Speech to the electors of Haddington", 5 Jun 1847, WP, RH4/40/1.

⁵⁵ "Speech to the annual dinner of the LPDL", 12 July 1888, WP, RH4/40/11.

⁵⁶ For example, following J.A. Froude's speech to the 5th Annual Meeting of the LPDL, Wemyss expressly stated that the LPDL did not deal with questions about either the Constitution, or the structure of government. J.A. Froude, *Liberty and Property: Speech to the 5th Annual Meeting of the Liberty and Property Defence League*, 25 Nov 1887 (London: Central Offices of the LPDL), p.43. As to the "large-tent nature" of the LPDL, a number of key members such as Donisthorpe, Crofts, Carr etc. were philosophical Individualists, whose near-anarchism rendered their alliance with the more conservative members a marriage of convenience.

⁵⁷ Quoted in W.L. Burn, *The Age of Equipoise*, p.304.

was not fully comprehensible. Aristocrats understood themselves as links in a historical, national chain. Aesthetically, the attempt to make the present practice of politics resonate with an idealised past could take on many modes. From the late seventeenth century there had been the Whiggish tendency to adorn homes and clubs with neo-classical sculpture, in an attempt to draw a link between the present defenders of liberty and those of antiquity. But then for the Victorians there was the seemingly ubiquitous employment of the Gothic, which invoked a noble Teutonic past that bore more than a passing resemblance to the Constitution itself.

Although the emergence of the Liberal Unionist Party in 1886 went a little way to quelling some of the speculation about the future of the Whigs, the subject did bubble up again for the last time in the pages of *The Nineteenth Century* as late as 1902. The political biographer Lloyd Sanders posited the resuscitation of the label ‘Whig’ as an active political term as he wrestled with the recurrent *fin de siècle* problem of Liberal taxonomy. The point at issue was how to properly denote the imperialist wing of the Liberal Party, led by Lord Rosebery and his cohorts. Since “Liberal Imperialists” and “Imperialist Liberals” were too clumsy, Sanders suggested re-using “Whig” or “Whig Patriot”.⁵⁸ Sanders’ comments on Whigs, as both a group and a disposition, are illuminating:

Whigs, they are, anyhow, both in political position and habit of mind. They stand aloof from the extremes of the two Houses: professedly leaning rather to the Left than the Right, but governed really by instincts of a mildly Conservative sort.⁵⁹

If we read between the lines here, there is the suggestion that even those Whigs who had not crossed over into Liberal Unionism nevertheless retained some misgivings about the new politics. While they were not die-hard reactionaries in Parliament, and while they maintained their reformist credentials, they had still taken on the appearance of Conservatives, of a sort. While Whig politics has frequently been taken as a kind of nascent liberalism, there is a clear ring of truth to Lloyd Sanders’ detection of a conservative disposition in the Whig aristocrat. The aristocratic conception of liberty was necessarily conservative since it stressed the importance of the past, inherited responsibility, and an inter-generational sense of duty. To the extent that the relationship between the governors and the governed could be described as a social contract, then it was of the Burkean sort, “a partnership not only between those who

⁵⁸ Lloyd Sanders, “The New Whigs and the Old”, *NC*, 51 (Apr. 1902): 562-567 (562).

⁵⁹ *Ibid.*, 562.

are living, but between those who are living, those who are dead, and those who are to be born.”⁶⁰ And with this understanding had come a self-confidence fitting for those who envisaged themselves as the guardians of Britain’s liberties, even if it was a self-confidence which was beginning to be shaken by the turmoil of democracy. This sense of assurance had been an abiding feature of their class, confirming to Sanders that the historical chain was still in existence:

...a sublime confidence in half-truths confirming their own infallibility has been, and always will be, the characteristic of Whigs, whether Old, New, or the Newest.⁶¹

II. LAND

Of all the solid indicators that legislation was turning against the aristocracy, the most prominent by the 1880s could be summarised under ‘land legislation.’ The 1870s had been a particularly painful time for rural communities. The economy had been in recession since 1873, and a series of poor harvests meant lower profits for landowners, and consequently depressed wages for farmers. Facing increasing electoral pressure following the 1880s general election, the Liberal government responded with a series of reforming measures intended to redress the perceived imbalance between tenants and landlords. The first of these was the Ground Game Act of 1880 (initially known as the ‘Rabbits and Hares Bill’), which gave tenants the legal right to shoot rabbits and hares that destroyed crops on the land they rented, overturning any contractual stipulation that such measures were forbidden in the interest of game preservation. Lord Elcho’s criticism, in a letter to Sir Stafford Northcote, was typical of aristocratic opposition to State intervention: “the sole principal of the Bill is interference with freedom of contract.”⁶² A year later there followed what to aristocratic opposition was one of the most egregious examples of increasing State power, the Irish Land

⁶⁰ Edmund Burke, *Reflections of the Revolution in France* (1790) in E.J. Payne, ed., *Select Works of Edmund Burke*, vol.2 (Indianapolis: Liberty Fund, 1999), p.193.

⁶¹ Sanders, “The New Whigs and the Old”, 567.

⁶² Elcho to Northcote, 8 Jun 1880. WP. RH 4/40/11.

Act. The legislation enshrined into law three demands, the three Fs, that had been part of the Irish Land League's campaigning vocabulary for some years: fair rent, free sale, and fixed tenure. Ireland, where, as Argyll wrote to Gladstone in 1885, "the fundamental principles of freedom and of the security of property" were in "imminent danger", was a spectre of the dark days to come for the whole kingdom.⁶³

Although freedom of contract was a sacrosanct principle in the minds of many aristocrats, the notion of land ownership carried with it far more than just abstract economic ideals. The idea that the State could claim the authority to regulate the possessions that came with titles struck at the very notion of landed aristocracy and the almost mystical relationship between the landowner and the soil. Further, there was the personal element involved in the existing system of tenantry. Lord Salisbury's brother-in-law Alexander Beresford Hope criticised the "attempt to elevate into a political grievance the bargaining which had inevitably superseded the old-fashioned relations between the typical Sir Roger de Coverley and his tenantry".⁶⁴ As an inheritance from feudalism, land ownership involved a complex web of relationships, in which the personal element was highly important. Excepting the case of Ireland, with its traditional high degree of 'absenteeism', the landlord was not a remote figure to which social subordinates could scarcely approach. Following the Earl of Pembroke's untimely death in 1895, the local Wiltshire press took pains to extol the warm relationship that existed between the Earl and those on his lands. Reflecting upon the wide range of mourners at his funeral, one newspaper described him as a "liberal and considerate landlord, the genial and sympathetic friend."⁶⁵ These relationships provide an important backdrop to the historiographical debate on libertarian conservatism as it existed in the late nineteenth and early twentieth centuries. Greenleaf's perennial dichotomy between libertarian conservatism and its paternalist/Collectivist antithesis does not account for the degree of private paternalism that existed within conservatism. This sort of paternalism towards the working classes obviously did not manifest itself in the form of actual legislation to improve the lot of the poorer sections of society, through extensive regulations or redistribution of wealth, neither did it look on the State as an organ of upper class benevolence after the manner of Disraelian 'One Nation Conservatism'. Nevertheless, there was a strong expectation that the aristocrat was to act according to a sense of *noblesse oblige*.

⁶³ Argyll to Gladstone, 29 Jan 1886. Gladstone Papers, Add MS 4/4/106.

⁶⁴ Sir Alexander Beresford-Hope, 2 Mar 1880, HC, 251: 203.

⁶⁵ *Salisbury and Winchester Journal*, 4 May 1895. Pembroke Papers, 2057/F1/20. According to the paper, when Pembroke left Wilton House for the last time he told to his wife to "tell the people of Wiltshire how much I love them."

In this respect, it is therefore significant that the pejorative term for over-legislation that often recurs in late-Victorian debates was not “paternalistic” but “grandmotherly”.⁶⁶

As already stated, opposition to State interference with property caused many aristocrats to gravitate towards groups such as the LPDL. However, the fact that the feudal origins of the existing state of land ownership was at times hard to reconcile with the concept of laissez-faire, made it vulnerable to attack from Radicals and Socialists. Truly, Britain was, as Viscount Lymington put it, “a mass of anomalies and contradictions” which had “increased from the curious manner in which an old feudal system has been handed down with modifications from time to time, alongside of an enormous development of commerce and the political power of the people.”⁶⁷ It was this apparently contradictory situation which, in Lymington’s view, prevented the “theoretically excellent” arguments proposed by the LPDL from gaining a widespread sympathetic hearing from the public. The fact that the landed system did not admit “an equality of status”, and that small ownerships had been discouraged in the past, meant that to large sections of the public the defence of real property appeared a matter of class, not public interest.⁶⁸

One area where existing land law collided with libertarian principles was the subject of entail. There was nothing newly controversial about this topic in the late nineteenth century, the incongruities of such legal trusts with open competition having been observed since the time of Adam Smith. Ostensibly entails protected the landed property of aristocrats by restricting its sale and inheritance. It also meant that the individual will of living inheritors as to what could be done with the land was restricted. Was it morally justifiable that landowners could be bound and restricted in their ability to develop and modify their property by the wills of long-dead ancestors? While Individualist groups like the LPDL took a predictably conservative line on the land question, that is not to say that they were wholly satisfied with existing legal conditions or cool to the possibility of reform. In 1885 the LPDL’s Parliamentary Committee produced a short pamphlet on the land question. It served as a response to a lecture given by the prospective Liberal candidate for Oxford, C.A. Fyffe, at the Reform Club the previous November. Although the content was wide-ranging and not specifically limited to the matter of entail, it did acknowledge that there were defects “in the present curious system of limited entails, by means of disentailing assurances and re-settlement”, yet it did not feel that the answer was more legislation. The problem existed

⁶⁶ This term appears in LPDL literature as well as numerous parliamentary debates.

⁶⁷ Newton Wallop, Viscount Lymington, “Land as Property”, *NC*, 14 (Nov. 1883): 854-862 (857).

⁶⁸ *Ibid.*, 861.

mainly in the cause, not the effect of such laws. As it then stood, the State was effectively made a trustee for a non-existent person, an “unnatural” notion whose continued usage was open to debate.⁶⁹

The complexity of land issues revealed some of the tensions between conservatism and Individualism. Not all land issues were straightforward. In 1882, the Ancient Monuments Protection Act became law. This piece of legislation represented the successful culmination of many years’ effort by John Lubbock, the Old Liberal and polymath, to ensure the ancient heritage of Great Britain and Ireland received the protection of the law. Although the original intention had been that landowners had been compulsorily bound to protect archaeological sites, the Act ensured that monuments were handed over to the government as a form of ‘guardianship’, whilst allowing the owners to retain the freehold.⁷⁰ Initially controversial, due to the fact that its central principle, that any landowner wishing to damage or destroy a landmark would have to allow a chance for government purchase, was considered a breach of private property. The compromise, allowing for guardianship instead, seemed more palatable, and the Act was passed. The First Inspector responsible for overseeing all monuments was Lt. General Augustus Pitt-Rivers, notable also as a founding member of the LPDL the same year.⁷¹ Not only renowned as an archaeologist, Pitt-Rivers’ ownership of an estate of 25,000 acres allowed him to approach landowners on the same level.⁷² The fact that this measure did not provoke any consistent objection from the self-described ‘Individualists’ emphasises again the importance of the term libertarian as the description of a tendency. It was perhaps a distinctly English, conservative and empirical tradition which allowed such measures to be judged on their own merits, rather than rejected out of hand on the basis of *a priori* reasoning that all State intervention except to preserve basic order was illegitimate.

Other radical rural measures were more straightforward, and allowed for a harmonisation of conservative and libertarian principles. In the 1880s a series of legislative attempts to provide for more ‘common’ access to the countryside met with opposition from the upholders of private property. Fulfilling his role as the leading ‘Individualist’ in the House of Lords, Wemyss led the charge against a proposed “Access to Mountains Bill” which would have allowed anybody to go, for scientific or artistic reasons, anywhere except

⁶⁹ *Land* (London: LPDL, 1885), pp.13-14. At this time, the Parliamentary Committee consisted of Wemyss, Pembroke, Earl Fortescue, Lord Bramwell, H.C. Stephen and Donisthorpe.

⁷⁰ Sebastian Fry, “Lt. General Augustus Pitt-Rivers and the First Ancient Monuments Act” in *A History of the National Heritage Collection, Vol.1 1880-1900* (English Heritage Report, 45-2014), p.6.

⁷¹ *Self-Help Versus State-Help*.

⁷² Fry, “Lt. General Augustus Pitt-Rivers and the First Ancient Monuments Act”, p.9.

enclosures or plantations. Wemyss' objection lay on the grounds that such activity on the Scottish moors would cause untold damage to the nesting grouse and deer, which represented a value similar to the sheep on them.⁷³ In the same speech he proceeded to warn against proposals to make all fishing common, and the liability of landowners to repair damage, not trespassers.⁷⁴ On the surface these issues are readable purely as matters of property. Yet behind the rhetoric of property and economic assets there is a sense of resentment at the State interposing itself into a way of life. Here was not only Wemyss the libertarian, but Wemyss the "Tory country gentleman".⁷⁵

III. DIFFERENT CONCEPTS OF ARISTOCRACY

Though its influence was everywhere declining in the late nineteenth century, the landed aristocracy was a crucial buttress to the libertarian defence of the status quo. The dissipation of patrician power produced a flurry of ideas in the Right's intellectual circles, as to how the concept of aristocracy could be used to act as a counterbalance to the more damaging effects of democracy. At its heart, the formulation of new applications of 'aristocracy' for the modern world belies an instinctive realisation of the limitations of the existing nobility. In understanding the concept of aristocracy, it is necessary to attempt, to some degree, to detach the word from the everyday connotations of the hereditary ruling classes which exercised political power late into the nineteenth century. The etymology of the word instructed keen readers of the classics to know that aristocracy meant rule by the *aristoi*, or best. The Greek did not necessarily imply hereditary succession, or even titles and lands, connotations of aristocracy which the existing nobility had inherited from their medieval forbears.

During the constitutional crisis of 1909-11 and in its aftermath, Lord Hugh Cecil spent an ample amount of time on the question of reforming the House of Lords along lines which would be conducive to liberty and preserve the best aspects of the historical Second Chamber.

⁷³ Wemyss, "Speech to the House of Lords, May 19th, 1890". Reprinted in *Socialism in England: 1888 and 1889* (London: LPDL, 1890). p.3.

⁷⁴ *Ibid.*, p.4.

⁷⁵ *Daily Review*, 17 Feb 1880. WP, RH4/40/11.

Within these writings is the notion of an enlarged aristocracy, first propounded when it seemed as though the writing was on the wall for the traditional House of Lords. In *Liberty and Authority*, Cecil expressed the need for the working classes to be devoted to the idea of liberty in the way he maintained the upper classes always had. In Britain, he wrote, “the love of liberty is an aristocratic virtue”.⁷⁶ In Cecil’s view, true constitutional progress did not involve the transfer of power from an aristocracy to a democracy, but “the constant extension of an aristocracy until it has included almost the whole people.”⁷⁷ But, if the working classes were to be admitted to the authority of aristocrats, then they had to acquire the virtues of an aristocracy, chief among which was the love of liberty.⁷⁸ Cecil did not specify an exact mechanism by which this “enlarged aristocracy” would come into existence, other than by incorporating into his optimistic Christianised Spencerist vision of a future society “built up into a symmetrical structure by the ordered inequalities of various talents and vocations, and held together not by coercive law and restraint, but by the spontaneous cohesion of virtuous wills.”⁷⁹

In *Conservatism*, published only a year after the Parliament Act of 1911, Cecil devotes considerable attention to questions of the Parliamentary Constitution. In keeping with the rest of his works, he is prepared to bathe circumspectly in the waters of reform, whilst never straying far from the shore of inherited wisdom and authority. While some Conservatives were acquiescing in their defence of the hereditary principle, Cecil continued to defend it. One strength which the hereditary principle had and yet was often overlooked, according to Cecil, was the fact that it entailed long preparation from an early age in anticipation of taking up a position of authority.⁸⁰ Furthermore, since the principle was still widely connected by the public “with the idea of exalted rank”, eliminating it would weaken the position and prestige of the House of Commons too.⁸¹ Since, in Cecil’s view, what had proved most offensive to Liberals about the pre-Reform House of Lords was not its hereditary component but its Conservative partisanship, any future parliamentary reform would have to construct a

⁷⁶ Cecil, *Liberty and Authority*, p.65.

⁷⁷ Ibid., p.66.

⁷⁸ Ibid. Bertrand de Jouvenel later made a similar point, contrasting Britain with his native France. Tracing what he believed were the aristocratic roots of liberty, he states that the English aristocracy allied themselves with the middle classes against encroachments of power. He writes: “In one of them [Britain], the system of Liberty, from being a right of persons of aristocratic origin, was to be progressively extended to all. Liberty would become a *generalized privilege*. For this reason it is misleading to speak of the democratization of England. It would be truer to say that the rights of the aristocracy have been extended to the *plebs*. The British citizen is as untouchable as a medieval noble.” *On Power*, p.282.

⁷⁹ Ibid., p.69.

⁸⁰ Cecil, *Conservatism*, pp.227-228.

⁸¹ Ibid., p.232.

Second Chamber in which the two parties had parity.⁸² Cecil's own view on constitutional reform was instructed not only by his reverence for the accumulated wisdom of the past, but also by a practical awareness of the different forms of Second Chambers which existed across the world.⁸³ In his mind, reform of the House of Commons was a far more pressing matter than the sound and fury of Lords Reform. As he wrote in the midst of the crisis, in 1910, the disparity between the respective inherent dangers of conservatism and radicalism naturally called for an effective check upon the latter. Conservatism at its worst represented "sluggish inaction" while radicalism threatened "destructive revolution", so was far more in need of control.⁸⁴ The evolution of 'party' and the increasing role of the whips to maintain party uniformity during votes threatened the independent nature of the representative, which was essential to a balanced, functioning House. Although he doesn't explicitly draw a line of connection between this element and his earlier calls for an "enlarged aristocracy" of the people, it is possible to see the assumed correlation between liberty and independence of thought.

The need to preserve parliamentary independence of thought had been a paramount concern for the libertarian Earl of Pembroke, who had addressed the subject of reform of the House of Lords back in 1885. In his proposed reform, primacy would be given to "great notables, officials, and men of distinction responsible for their action to no electoral body or bodies but to the country at large". Such a body would be able "to perform their duties in a spirit of the purest patriotism", and would thus be "stronger and less obnoxious" than any elected Senate.⁸⁵ In this spirit the concept of a House of Lords was being brought back, full-circle, to the thirteenth century idea of an assembly of chief notables and dignitaries. Independence also meant it unwise that any particular class, no matter how good, should preponderate in a reformed House of Lords. Pembroke advocated the inclusion of distinguished life peers, whereby a "seat in the House of Lords ought to be the natural culmination of a great and honourable career."⁸⁶ How the balance was to be achieved, whether through diminishing the numbers of hereditary peers or increasing the numbers of life peers did not matter "so long as a substantial alteration in the proportion between them is effected."⁸⁷ Pembroke maintained that a combination of hereditary peers, who often were so

⁸² Ibid., p.233.

⁸³ See Cecil, "Second Chambers in the British Dominions and in Foreign Countries", in *Rights of Citizenship* (London: Frederick Warne and Co., 1912), pp.159-198.

⁸⁴ Cecil, "Revolution or Reform", *QR*, 212.423, (Apr. 1910): 586-612 (600).

⁸⁵ Pembroke, "Reform of the House of Lords", *NC*, 17 (Feb. 1885): 237-248 (241-242).

⁸⁶ Ibid., 243.

⁸⁷ Ibid., 245.

in tune with local opinion in the counties in which they resided, and life peers gathered from the most distinguished men “would be far more likely to gain a hold upon the popular imagination than any we should be likely to obtain by the best elective system that we could devise.”⁸⁸ He concluded with a call to re-arrange the furniture, both figuratively and literally. The provision of more cross benches would cater to those free-spirits who did not wish to appear tethered to either the Liberal or Conservative parties, and would thus foster the development of the ‘cross-bench mind’, so praised by an independent mind such as the Duke of Argyll. After all, Pembroke added in a passage of wry insight, “If we want to have a strong independent section in the House I think we shall do well to provide it with a place to sit.”⁸⁹

Discussion of the role of aristocracy in society was not limited to the constitutional. As William Hurrell Mallock showed, notions of ‘rule by the best’ could be applied across society, and to the realm of business in particular. As I have already argued, Mallock’s ready usage of scientific methods to put forward the anti-Socialist case marked a significant staging-post in the ongoing development of libertarian conservatism during the late nineteenth century. The concepts of progress and social evolution are discussed at length in *Aristocracy and Evolution*, first published in 1898 by Adam and Charles Black. The book is aptly titled for a libertarian conservative work, since it marries the Individualist’s preoccupation with the dynamic, organic forces of social change and the conservative’s reverence for the established order. Although Mallock had himself been born into a Devonshire gentry family, and did expend much literary effort in his defence of the existing role of the nobility, he was also acutely aware that the idea of *kratos* by the *aristoi* had to have wider parameters than the contemporary system of peerage allowed for. Consequently, we see the celebration of the entrepreneur and the captain of business as ‘men of ability’, as manifestations of a social order lead by a natural elite. Mallock’s aristocracy was “the exceptionally gifted and efficient minority”, its membership not restricted to any particular sphere of society or any sphere of activity in which this efficiency manifests itself.⁹⁰ In such natural aristocrats was distilled the gift of superior ability, thus marking them as the true guides of civilisation and engines of progress.

As a work of sociology, *Aristocracy and Evolution* is also a paean to the great man view of history. Consequently it was an attack on what Mallock saw as the attempt “to merge

⁸⁸ Ibid., 245.

⁸⁹ Ibid., 248.

⁹⁰ Mallock, *Aristocracy and Evolution: A Study of the Rights, the Origin, and the Social Functions of the Wealthier Classes* (London: Adam and Charles Black, 1898), v.

the great man in the aggregate.”⁹¹ As *Property and Progress* had primarily been a response to George’s *Progress and Poverty*, this time Mallock was responding to Benjamin Kidd’s wildly successful *Social Evolution* (1894), which, taking a functional approach to the question of religion and civilisation, claimed that it was Christianity which introduced the altruistic concern for corporate welfare into society.⁹² Kidd’s terminology attracts Mallock’s criticism for its constant references to “the race”, “the age”, or “man”.⁹³ Mallock’s criticism of the “social aggregate” was not solely aimed at Kidd, but also Herbert Spencer, who Mallock considered to have made it the true unit with which the sociologist concerned himself, to the exclusion of the individual or class.⁹⁴ This accusation was naturally tinged with more than a little irony, since Spencer enjoyed an esteemed position amongst the Individualist philosophers and was being accused of neglecting the role of the individual in social progress by a Tory. Mallock’s equivocation of the ‘Great Man’ as a kind of natural aristocrat did not necessarily mean the physiologically fittest survivor. Within the social Darwinist position, the strongest, fittest members assert themselves over the means of subsistence, live long and produce children who live in a similar manner, while the weaker members have an insufficient portion of the means of subsistence, and either die early, or have no children, or have children who die prematurely. With the weaker members dying out, the superior members become more numerous and more efficient, and as a consequence society as a whole becomes more efficient also.⁹⁵

Mallock’s critique of this view was that while it might be proffered as an explanation of the differences between two different societies, one advanced and one primitive (his examples were the Europeans as opposed to the Hottentots), it did not explain the existence of men like Newton, superior to the mass of Europeans.⁹⁶ Mallock’s concept of the ‘Great Man’ explained the latter, but this did not mean that the former was not true as well. In his estimation, the great error of sociologists was to assume that social progress was a single movement, rather than the joint result of the two.⁹⁷ Spencer’s error lay in his general tendency to pass over the inequalities that existed between different units within a group. Although apparently mystified at first by Mallock’s accusation, Spencer attempted to clear up the misunderstanding by asserting that in *The Study of Sociology*, he did in fact sufficiently

⁹¹ Ibid., p.17.

⁹² Benjamin Kidd, *Social Evolution*, (New York: Macmillan, 1894).

⁹³ Mallock, *Aristocracy and Evolution*, p.18.

⁹⁴ Ibid., p.41.

⁹⁵ Ibid., pp.91-92.

⁹⁶ Ibid., pp.91-92.

⁹⁷ Ibid., p.93.

imply the superiority and inferiority among units.⁹⁸ Mallock remained unconvinced. To his mind, it was evident that Spencer personally recognised the importance of inequality, especially so in his political positions, but failed to recognise them systematically in his sociology, so that even when they were mentioned they had “no structural connection with his system as formulated and worked out by himself.”⁹⁹

Mallock’s ‘Great Man’ had a relevance to the political and social realm of his day that assumed form as the capitalist. To Mallock, capitalism itself was simply “the realised process of the more efficient members of the human race controlling and guiding the less efficient”.¹⁰⁰ Furthermore, capitalistic competition was the means by which society selected those efficient members who serve it best. He adds that, “no society which intends to remain civilised, and is not prepared to return to the direct coercion of slavery, can escape from competition and the wage-system, under some form or other, any more than it can stand in its own shadow.”¹⁰¹ In an industrialised, commercial world it was the entrepreneur who acted as the “guide” to the less efficient masses, and in Mallock’s view, an economic system organised around the recognition of these facts effected a re-interpretation of the concept of aristocracy for the modern world.

As with all defenders and theorists of aristocracy, Mallock placed its virtues in distinction with the vices of mass democracy. Politically, all systems except the most complete autocracy exhibited the competitive element. The way in which democratic government differed from the aristocratic government lay in the power behind it. In democracies, the power lay with “the mass of ordinary men”, as opposed to “exceptional men”.¹⁰² His criticisms of the machinery of democracy evoke the earlier critiques by Fitzjames Stephen and Maine. For instance, he held that the idea of a complete democracy was an illusion, since all democracies are nothing less than an “oligarchy disguised.”¹⁰³ Playing the part of pied pipers, the democratic oligarchs would lead the world into misery and destruction. On the other hand, those who possessed the great natural powers of directive ability, and had earned their position through their innate merits and not at the head of a mob, were the ones who had to lead the ordinary, whether in political or business life. The socialist

⁹⁸ Spencer to Mallock, 30 Jan 1898 in David Duncan, ed., *Life and Letters of Herbert Spencer, Vol. II* (New York: D. Appleton, 1908), p.133. Spencer, *The Study of Sociology* (New York: D. Appleton, 1896), “Chapter III: Nature of the Social Science”.

⁹⁹ Mallock, “Mr. Herbert Spencer in Self-Defence”, *NC*, 44 (1898): 314-327 (325).

¹⁰⁰ Mallock, *Aristocracy and Evolution*, pp.173-174.

¹⁰¹ *Ibid.*, pp.173-174.

¹⁰² *Ibid.*, p.180.

¹⁰³ *Ibid.*, p.187.

promise of emancipation “would merely be the emancipation which a blind man achieves when he breaks away from his guide.”¹⁰⁴ Democracy was at its most dangerous when it was “pure”, that is when it was unleashed from the restraining aristocratic element within the Constitution.¹⁰⁵ What was needed was to convince the masses of the need for co-operation between the many and the gifted few, as that would be the only way in which the many would be able to enjoy “material comfort, opportunity, culture and social freedom.”¹⁰⁶ The attempt to harmonise the call of the majority with the need for leadership by the best marks a development in Mallock’s ideology that had no doubt been affected by the upheavals of parliamentary reform, and then, the First World War. Adapting the forms and usage of his natural aristocracy was necessary to preserve an institution which was essential to civilisation and progress. In retrospect, he felt that while the argument of *Aristocracy and Evolution* had been sound enough, the manner of its presentation and argument had been lacking, and that it had been unsuccessful in rousing any significant Conservative response and in failing to convince the reading public.¹⁰⁷

Mallock’s thesis about a natural entrepreneurial aristocracy came at a time of considerable alarm about the possibility of degeneration. In 1909 the scientist W.C.D. Whetham and his wife Catherine penned a particularly alarming article for *The Nineteenth Century* on the “Extinction of the Upper Classes”. They warned that the “systematic depletion of the best blood of the country” was a phenomenon unprecedented in a thousand years of English history.¹⁰⁸ The article came at a time when the connection between heredity, evolution and political structures was being avidly discussed by biologists, anthropologists and social scientists. E. Ray Lankester was the first notable English naturalist to propose the idea that evolutionary degeneration might be widespread in the lower forms of nature, but it was August Weismann who expanded upon the idea with his theory of panmixia. By panmixia, Weismann was referring to biological degeneration that would occur in the absence of selective pressure that previously had secured its preservation.¹⁰⁹ In relation to the political battlelines of the day the debate was clear. The emergence of a natural aristocracy required the existence of free and open competition, which socialism precluded. However, where did the existing nobility fit into this framework? Did their privileged position hinder

¹⁰⁴ Mallock, *Aristocracy and Evolution*, p.379.

¹⁰⁵ Mallock, *The Limits of Pure Democracy* (London: Chapman and Hall, 1918).

¹⁰⁶ *Ibid.*, p.392.

¹⁰⁷ Mallock, *Memoirs of Life and Literature*, p.268.

¹⁰⁸ W.C.D. and Catherine Whetham, “Extinction of the Upper Classes”, *NC*, 66 (Jul. 1909): 97-108 (103).

¹⁰⁹ Piers J. Hale, *Political Descent: Malthus, Mutualism, and the Politics of Evolution in Victorian England* (Chicago: University of Chicago Press, 2014), p.302.

the emergence of truly superior characteristics, or was it necessary to prevent further degeneration?

In Germany, Otto Ammon laid the foundations for a more biological Teutonism in *Natural Selection Among Humans* (1893). Considering the European aristocracy to be heavily Germanic in blood, Ammon contended that the preservation of the aristocratic classes was essential in staving off the threat of revolution from below.¹¹⁰ A biologically-based concept of aristocratic heredity could obviously have profoundly illiberal implications, and by the time of the First World War there were ‘aristocratisms’ which took an entirely different direction from anything proposed by Cecil or Mallock. One decidedly non-libertarian vision of aristocracy came from Anthony Ludovici, a Nietzschean philosopher, sociologist and social critic of Italian extraction. *A Defence of Aristocracy: A Text-Book for Tories* was published in 1915, and its title makes the author’s grand ambition for natural rejuvenation perfectly clear. Rather than defend the Whiggish constitutional settlement, as Victorian Tories had been wont to do, Ludovici idealised an older, more martial past. Consequently, his ideology encapsulated the nationalist and traditionalist tendencies of the more radical Right, with its stress on hereditary capacities and the need for eugenics to help purge the nation of its degenerate modern spirit.¹¹¹

Among libertarians like Cecil and Mallock there was a call for leadership and authority, yet it was of a very different kind from that envisaged by the radical Right. Both the existing aristocracy and the proposed enlarged aristocracy were imagined by their defenders as essential components of the framework through which real liberty could be enjoyed. Counteracting the deleterious effects feared in the emerging democracy theirs was the duty to pass on the torch of liberty generation to generation. This torch of liberty was to be passed on in another dimension too—stretching out across the seas to those other lands which the Anglo-Saxon had made his own. It is to one of these settler societies that we now turn.

¹¹⁰ Otto Ammon, *Die Natürliche Auslese Beim Menschen* (Jena: Verlag von Gustav Fischer, 1893).

¹¹¹ Antony Ludovici, *A Defence of Aristocracy: A Textbook for Tories* (Boston: LeRoy Phillips, 1915).

Chapter Five: The Tyranny of Distance? Bruce Smith and libertarian currents in Australia

The United States had inspired considerably mixed feelings among British commentators for a large part of the nineteenth century. Initially its impact was minimal upon a British mind preoccupied with Continental and Imperial affairs. Alexis de Tocqueville's classic volumes on *Democracy in America* (the first in 1835, with the second following in 1840), while certainly not the first serious assessments of the young Republic's society and culture, were perhaps the most notable, and inspired greater interest from commentators within Britain itself. Mill, Bagehot, Kingsley, Dicey, Freeman, Maine and Bryce all expressed keen interest in the United States.¹ Australia, on the other hand, did not really begin to register in the British mind with any real significance until relatively late. In part this was no doubt due to distance, and the fact that the settler population remained relatively low well into the nineteenth century. However, by the 1880s the situation had changed. Memories of the penal colony were remote, Sydney and Melbourne had emerged as promising citadels of Victorian civilisation, and the colonies collectively had acquired a new sense of self-confidence which anticipated a forthcoming Federation.²

As Australia acquired a sense of political maturity, so its own internal debates began to mirror those of Britain. In 1887 a polemical defence of classical liberalism appeared in the Australian colony of New South Wales. The title was *Liberty and Liberalism* and its author was a promising young lawyer and politician called Arthur Bruce Smith. Protesting against the growing tendency towards interference by the State, it is perhaps the single most important work of political theory to emerge from Australia during the nineteenth century. Published by Longman's of London, it did not apparently run to more than one edition during Smith's lifetime, although more recently it has been republished by free market think-tanks. Nevertheless, upon its original publication, it did have enough reach to ensure its familiarity to those in the mother country, particularly thanks to the LPDL. Smith was known as one of the foremost Individualists in Australia, and *Liberty and Liberalism* won the acclaim of the LPDL, who in turn submitted it to an exhibition of books in Paris, at which it won the grand

¹ The views of Mill, Bagehot, Maine and Bryce on American democracy have been examined by Frank Prochaska in *Eminent Victorians on American Democracy* (Oxford: OUP, 2013).

² On Melbourne, see Asa Briggs, *Victorian Cities* (London: Odham's, 1963).

prize.³ A closer examination of the work of Bruce Smith reveals much about the wider presence of libertarian conservative politics within the Anglosphere, and the extent of intellectual exchange between the Imperial centre, and the periphery. Much of the political debate in Smith's adopted colony of New South Wales reflected similar developments in Britain, a large part of the discussion hinging on the definitions of terms like 'liberal' and 'conservative'.

Of the LPDL's grantees, both Wemyss and Pembroke had personal interest in the Antipodes. Earlier in life, as Francis Charteris, Wemyss had been a member of the Canterbury Association promoting emigration and settlement in New Zealand. Pembroke, whose father had also been a member of the same association, had a particularly eventful visit to Australia and New Zealand as part of an extensive period of travel necessitated by poor health.⁴ Australian affairs were brought to the attention of supporters of the LPDL with an essay on "Socialism in the Antipodes" by the Australian journalist Charles Fairfield appearing in *A Plea for Liberty* in 1882.⁵ By 1890, the LPDL had a branch in Australia, with Smith as the corresponding secretary in Sydney, and Godfrey Downes Carter as his counterpart in Melbourne.⁶ As with many of the key figures under discussion in the rest of this study, Smith's ideas fell out of favour in a twentieth century dazzled by the prospect of State-directed efficiency, and consequently his name was generally forgotten. Recently, however, he has enjoyed a revival of interest as debates about the legitimate extent of State activity have re-emerged into the political mainstream.

Like many Australians of the mid-nineteenth century, Smith's childhood and youth belonged to two spheres: the Motherland and the colony. He was born in Rotherhithe in Surrey in 1851 to a family whose wealth had been made in shipping, and spent the first few years of his life in England before they all departed for Melbourne in 1854. Two years of schooling, between 1862 and 1864, were spent back in England, his formative education being completed back at Wesley College, Melbourne. After completing a degree at the University of Melbourne, where he studied law, Smith returned to England entering Lincoln's Inn in 1873, before being called to the Bar in 1877. He once again returned to Australia,

³ "Mr Bruce Smith's Prize Volume", *Clarence and Richmond Examiner*, 7 Jan. 1890.

⁴ On the Canterbury Association, see Michael Blain, "The Canterbury Association (1848-1852): A Study of Its' Members Connections", Available at http://anglicanhistory.org/nz/blain_canterbury2007.pdf. Accessed 31.3.17. Charteris Bay is named after Wemyss. Pembroke's journey in the South Seas is recorded in *South-Sea Bubbles: By the Earl and the Doctor* (New York: D. Appleton and Co., 1872). His initial impressions can be found in *Journal of Voyage in Pacific*, Pembroke Papers, SWHC, 2057/F5/17.

⁵ Charles A. Fairfield, "Socialism in the Antipodes" in Mackay, ed., *A Plea for Liberty*, pp.183-254.

⁶ Details found in Wemyss, *Socialism in England, 1888 and 1889*. Bristol Selected Pamphlets, 1890, p.40.

where his political life began in 1880 with failure to win the seat for Emerald Hill, Victoria, in the Legislative Assembly as a 'Constitutionalist'. In 1882 he was successful at the ballot, winning the seat of Gundagai.

In the meantime he had left Melbourne for Sydney, and it was to be New South Wales with which he would be closely associated thereafter. At that time the New South Wales political scene was dominated by the Grand Old Man of Australian politics, Henry Parkes. Parkes was one of the dominating figures of colonial New South Wales politics, its longest non-consecutive Premier. Although he died in 1896 and did not live to see the union of the six colonies into one nation in 1901, his monumental efforts to that end earned him the moniker 'the father of Federation'. A letter of recommendation from Sir James Service served as the means of Smith's introduction to Parkes, praising the former as "a young barrister of great political promise" who would make an ideal candidate "in the interest of good, honest, enlightened government."⁷ Two years later, however, Smith resigned his seat to return to the family business in Melbourne, a short-lived career which ended after a quarrel with his father. He returned once again to Sydney, but did not successfully re-enter politics until 1889 when he came to represent Glebe in the Legislative Assembly. It was then, too, that he held political office for the first and only time, as Minister for Works in Parkes' cabinet. Although Parkes had warmed to him, and was obviously aware of his abilities, there was significant tension, which casts light on Smith's own personality. Smith seemed to possess an unfailing confidence in his own judgment, and expressed strong disapproval of the failure of Parkes to avail himself of his junior's wisdom and expertise.⁸ Parkes, in turn, was exasperated with the young Smith for his contentious nature, "his thinly disguised offensiveness", and his belief that he ought to be consulted at every turn.⁹ Still, there was another side to Smith's personality than the dogmatism evident here. Australian colonial politics was noted for the strong rivalry that existed between Protectionist Victoria and Free Trade New South Wales. Whilst obviously remaining one of the most doctrinaire defenders of laissez-faire and Free Trade, Smith's dedication to the greater cause of Australian Federation did sacrifice unity on the altar of political idealism. Dividing the Australian people

⁷ Service to Parkes, 21 Jan 1881. SLNSW, *Letters, Documents and Autograph Books 1718-1895*, A69 ff.330-1.

⁸ For example, Smith complained to Parkes that he had consulted others such as Barton, Abbott and Nicoll about the internal workings of Victorian politics, when Smith's background in that colony had given him "intimate knowledge" of it. Smith to Parkes, 15 Nov. 1889. SLNSW, Sir Henry Parkes Letters, CY59/ A907/37.

⁹ Parkes to Carrington, 31 Oct. 1889. SLNSW, Parkes Collection A916/46 ff.172-5.

into two fiscal camps, he told fellow Free Trader William McMillan, was “unstatesmanlike”.¹⁰

I. THE POLITICS OF BRUCE SMITH

The single greatest exposition of Smith’s views was *Liberty and Liberalism*, published in 1887. As already noted, this was the decade in which liberalism’s transformation from an individualist to a collectivist ideology was first noted by critics of the process in Britain. Unsurprisingly for the Australian colonies, whose roots continued to draw much of their social and cultural nutrients from a soil furnished by the motherland, this process began to emerge in the Antipodes too. Here, though, there was a lag, necessitated by the ‘tyranny of distance’, as well as a modulated political environment which, if anything, rendered the evolution of liberal thought even more destructive of classical liberal politics than in Britain.¹¹ To have a proper appreciation of the political context of the Australian colonies, and especially of New South Wales it is of course necessary to be mindful of their peculiar historical development. Australia became a nation on January 1st, 1901, when six colonies—New South Wales, Victoria, South Australia, Western Australia, Queensland and Tasmania—were brought into Federal union. New South Wales, the oldest of the colonies, had a peculiar history unto itself. Although it had of course begun life as a penal colony, the majority of whose inhabitants had been supplied by the transportation of convicts from Britain and Ireland, New South Wales very quickly evolved into a settler society, transportation being officially abolished in 1850. What this new colony lacked was the social framework which Britain had inherited from the feudal order: a landed aristocracy and an established church. A class of wealthy landowners did emerge in New South Wales, with many of the trappings that the local gentry in England had, and armed with a desire to perform a similar social and political role.

¹⁰ Smith to McMillan, 20 Nov. 1900. SLNSW, McMillan Papers CY/502/4 f.201.

¹¹ The phrase ‘tyranny of distance’ refers to Geoffrey Blainey’s work on how Australia’s geographical position shaped its development. Blainey, *The Tyranny of Distance: How Distance Shaped Australia’s History* (Sydney: Macmillan, 2001. First published 1966).

In a purely transcendent sense, this was the closest Australia had to essential conservatives.¹² Among them, the only systematic thinker to emerge was James Macarthur, who believed that good government rested on “the wisdom and benevolence of wealthy, independent, educated landowners.”¹³ The attempts of conservatives to emblazon themselves permanently onto the fabric of New South Wales were unsuccessful, for after the granting of responsible government in 1856 the colony drifted towards democratic modes of politics, as secret, universal manhood suffrage was granted in 1858. Despite the presence of a lively parliamentary assembly, colonial politics were not analogous to the party structure of Britain. Indeed, parties as rigidly defined organisational bodies did not exist. Instead, from the introduction of manhood suffrage until the 1880s, the political scene was dominated by factions which coalesced around rival leaders struggling for power.¹⁴ As John Rickard has pointed out, the political structure of the country had been radically transformed by 1910. Politics, now professionalised and operating through slick party machines, consisted of two general wings. On the one side was the Labor party with the vast weight of the trade unions behind it. On the other was the anti-labour Liberal party, supported by various employer and farmer organisations.¹⁵

Although the Labor/Liberal dichotomy provides a tidy framework for the study of politics in the early Commonwealth, its simplistic explanatory power is limiting. This weakness has been compounded by the unfortunate tendency of most scholarly studies of the period tending to focus on one ‘liberal’ tradition, namely the Victorian one, at the expense of the New South Wales school. Thus, until relatively recently, most scholarship concentrated on the Protectionist tradition, associated with David Symes and Alfred Deakin. This picture has been corrected by scholars like Gregory Melleuish, who has sought to re-establish the role of the free traders, among whom he refers to Smith as “the major theoretician of Australian liberalism.”¹⁶

¹² Michael Hogan has identified five separate political groupings within early colonial politics. They included the Tories or ‘exclusionists’ like Alexander Macleay, Conservative liberals like James Macarthur, propertied Whigs like W.C. Wentworth and Richard Windyer, reforming liberals like Robert Lowe and Charles Cooper and Radicals like the clergyman J.D. Lang. Michael Hogan, Lesley Muir, Hilary Golder, eds., *The People's Choice: Electoral Politics in Colonial New South Wales* 4th ed. (Leichhardt: New South Wales, 2007).

¹³ John Manning Ward, *Colonial Liberalism and its Aftermath: New South Wales 1867-1917* (Sydney: John Ferguson, 1981), p.2.

¹⁴ See P. Loveday and A.W. Martin, *Parliament Factions and Parties: the First Thirty Years of Representative Government in New South Wales, 1856-1889* (Adelaide: University of Melbourne Press, 1966).

¹⁵ John Rickard, *Class and Politics: New South Wales, Victoria and the Early Commonwealth, 1890-1910* (Canberra: ANU Press, 1976), pp.287-8.

¹⁶ Gregory Melleuish, *A Short History of Australian Liberalism* (St. Leonard's: The Centre for Independent Studies, 2001), vii.

Without the social structure of Britain, and with a particularly Australian history stretching back only a few generations, there was little to ‘conserve’, and hence an absence of conservatives. The universal, default description of the Australian politician was ‘liberal’, even if that could possess a variety of meanings, according to the user. As has been clear throughout the rest of this study, libertarian attempts to clear the semantic waters were many and frequent in Britain following the emergence of the New Liberalism, and its claim to fulfil the necessary historical evolution of the Liberal doctrine. Smith’s *Liberty and Liberalism* was in effect an Antipodean attempt to do the same. To Smith, the word ‘Liberal’, which he claimed for himself, was being routinely abused both in Britain and the Australian colonies. Among the latter, his native Victoria served as the focal point for the most egregious misappropriation of political terminology, particularly those sections of the Press which proudly called themselves ‘Liberal’.

Recalling a recent case in which a candidate for election was being celebrated in the Press for his position as “a Liberal and a Protectionist”, and his opponent castigated for being “a Conservative and a Freetrader”, Smith cavilled at the misuse of labels, likening it to the impossibility of being simultaneously a sceptic, and theologically orthodox.¹⁷ Words have meanings, contended Smith, and to wilfully bandy important terminology around in an obfuscatory manner produced nothing but confusion. Written in the aftermath of the electoral upheaval of 1886 in Britain, Smith was aware that his subject matter had Empire-wide significance. If the new doctrines, which Smith believed were falsely bearing the title ‘Liberal’, were not checked, then they would “completely undermine our freedom and our enterprise, as well as the deeper foundations of our social order and progress.”¹⁸

In laying out his argument as to what constituted true liberalism, one of Smith’s primary tools was history. Perhaps predictably, the sweeping narrative he supplied was Whiggish and Teutonic, yet it gives a good impression of the mental atmosphere of a late-century Australian thinker. The prose is that of a man self-consciously British, whose claim to the Anglo-Saxon liberties of his forbears has not been diminished by geographical location, but merely transplanted. There is, too, significance to the way which Smith uses important thinkers—Coke, Locke, Burke, Macaulay, Carlyle, Maine, Spencer etc.—that goes beyond name-dropping. Certainly Smith may have been more advanced in his education and social

¹⁷ Bruce Smith, *Liberty and Liberalism: A Protest Against the Growing Tendency Toward Undue Interference by the State, with Individual Liberty, Private Enterprise, and the Rights of Property* (New York: Cosmo Classics, 2006. First published 1887), p.3.

¹⁸ *Ibid.*, p.18.

position than other Australian politicians, but the familiarity with which he discusses both historical and current events within Britain is indicative of a complete lack of any sense of colonial inferiority.

“True Liberalism”, in Smith’s consideration rested on scientific considerations, and “has regard for the happiness of all who comprise the state; not only for their immediate happiness, nor for the happiness of the present generation exclusively.”¹⁹ Central to this end lies the security of property, for “the safety of society depends upon accumulation.”²⁰ Once the security of property was ensured, individuals needed the liberty to pursue their own happiness. Smith therefore concurs with Locke that the purpose of the law was to “preserve and enlarge freedom.”²¹ Summarising the correct order of things in true Liberalism, Smith continues:

The argument stands thus: The object of man (upon which all sane men must be agreed) is to be happy. The first essential to that end is that he may live. In order to live, others must be prevented from killing him. Hence the necessity for ‘security for the person.’ To maintain life the body must be nourished. Food, therefore, is essential; and inasmuch as the uncertainty of supply of food renders life precarious, it is also essential, to man’s continuance of life, that he should accumulate. Security is essential to accumulation, for without it man would have no encouragement to accumulate. Security, however, being obtained by common consent and common assistance, it becomes necessary to offer every additional encouragement to accumulation. A certain amount of freedom is indispensable to that end, and beyond that, the greater the freedom, the greater the chances of accumulation, provided that the freedom be sufficiently limited to enable every member of the community to enjoy the same protection and security; that is to say, ‘the liberty of each, limited only by the like liberty of all.’²²

¹⁹ Ibid., p.140.

²⁰ Ibid., p.142.

²¹ Ibid., p.143.

²² Ibid., pp.143-144.

The argument's closing quotation of Spencer's 'Law of Equal Freedom', from *Social Statics*, demonstrates the magnitude of esteem which Smith felt for the philosopher he later referred to as "our modern Aristotle."²³

A crucial dividing line between classical liberals like Smith, and the newer school of social liberals (or New Liberals), lies in the meaning and development of liberty. To the classical liberal, the realisation of liberty meant the removal of legal privileges and unnatural restrictions upon the individual. To this end, much of the reform work of the early and mid-Victorian period had been directed. The New Liberals saw reform as an ongoing work, and liberty as a dynamic and transformative process, of which the earlier Old Liberal reform had been merely a staging post. When a truly Liberal state had been reached, the Liberal had to become a conservative in order to preserve liberty. Smith writes:

Assuming, then, that this advanced state of Liberalism has been reached in any country—that by dint of popular effort, and representative advocacy, the condition of 'equal opportunities' has actually been realised—what is the policy of Liberalism? My answer is to preserve that state of things; to watch, as I have already said, for any attempts to encroach upon the domain of freedom or 'equal opportunities,' and to see that no new rights or liberties, which may be developed in our ever-evolving social organization are left unprotected from aggression by any one, or any number of citizens.²⁴

On the possibility of rapprochement between Conservatives and Liberals, Smith writes:

If, therefore, Conservatism be taken in the present day to mean merely a maintenance or preservation of institutions as they are, then society, having reached the desired social condition at which Liberalism aims, we should have the two political schools, Conservatives and Liberals, embracing the same policy...²⁵

Smith turns his attention to the practical application of true liberalism. While opposed to the over-extension of State activity, Smith did not negate its usefulness altogether. True

²³ Smith, *Free Trade and Liberal Association, their true purpose: A Lecture delivered at The Glebe, Sydney, August 19th, 1889* (Sydney: Jas Miller, 1889), p.20.

²⁴ *Liberty and Liberalism*, p.168.

²⁵ *Ibid.*, p.168.

liberalism was not anarchism, and he cites Huxley approvingly about the interplay between individuality and society.²⁶ The practical application of true liberal theory is at the heart of Smith's doctrine. A doctrine could not be practically sound if it was theoretically unsound and vice versa.²⁷ For Smith, the term *laissez-faire* was unsatisfactory when no description was given to the limits beyond which a State should 'let be'. His aversion to the radical Individualist tendency to Anarchy is clear by the approbation with which he quotes LPDL grandee, the Earl of Pembroke, that every political principle carried to its logical end would "lead to ruin and absurdity."²⁸ Strict limits on the extent of the State were necessary, for it was in a state of freedom that man could attain, in the words of Wilhelm von Humboldt, "the highest and most harmonious development of his powers."²⁹ Self-interest was not to be confused with selfishness, for, as the Duke of Argyll had stated in the *Reign of Law*, the interests of self might also be the interests of Society, Country, Church and the world.³⁰

Smith looks then at what the proper limits of the State ought to be. Two theories are discussed. According to the first, if the State were not to be permitted to act beyond a certain point then it was a case of rights, or claims of the individual citizen against the whole community. The social contract is acknowledged to be a legal fiction, whose usefulness lies rather in its descriptive power than its historical veracity. The second view holds with Bentham that "property and law are born together, and die together." Thus it dispenses with the notion of natural rights altogether but sees rights as dependent on the prior existence of law, and the authority to back it up.³¹ Smith holds to the second view, for the first, if taken to its logical conclusion, would lead to great "practical inconvenience". If Spencer's early view of the "right to ignore the State" were true, then whole sections of the community would use their claim to natural rights to demand differential treatment from the government. Rather, the test of legislation is expediency, and legislation itself is "at once elevated into an art, founded upon the science of man and the science of society."³²

While at first glance appearing utilitarian, the influence of Burke upon Smith quickly becomes evident:

²⁶ Ibid., p.281. Huxley: "If individuality has no play, society *does not advance*. If individuality *breaks out of all bounds, society perishes*."

²⁷ Ibid., p.281.

²⁸ Ibid., p.283.

²⁹ Ibid., p.286.

³⁰ Ibid., p.287.

³¹ Ibid., pp.294-295.

³² Ibid., pp.295-296.

It then becomes the duty of the legislator to consider the welfare of the whole community, and not merely those who now form it, but, also, those who are to come—that is to say, posterity. A community is continuous, and should be so viewed by legislators.³³

This should of course necessitate a low time-preference on the part of the legislator, as well as heeding Bastiat's advice to remember 'what is not seen, as well as what is seen'.³⁴ Still, laying down concrete parameters to legislation was "impracticable."³⁵ The goal was to attain the medium between the wide extent of freedom necessary for human progress and development and the limits on individual freedom necessary to avoid a breakdown into anarchy. This could be achieved by affording every citizen security for the person and for property, whilst allowing "liberty to do as one chooses (consistently with other persons' liberties) with one's own person, and one's own individuality" and "liberty to do as one wishes with one's own legally acquired property, subject to the same reservation."³⁶

Following from this, Smith describes his first fundamental principle of politics: the State should not impose taxes or use public revenue for any purpose except in order to secure the equal freedom of all its citizens.

In order that this statement is not misconstrued Smith delves into a number of contemporary political issues. He considers the poor laws valuable in times of great distress for relief and obtaining the bare necessities of life, yet considers strict limits necessary to discourage reliance.³⁷ Education he considered to be outside the general remit of the State, and better provided by private enterprise. Yet he also considered a basic education to be, next to food and clothing, "the most essential advantage which a child can receive". He therefore was prepared to admit a basic education provided by the State, provided it did not transgress the basic principle that State action should exist merely to secure equal liberties for all citizens.³⁸ The provision of work for all members of society was a clear violation of Smith's central principle, and he opposes it on Spencerian grounds. Any obligation on the part of the State to provide employment for someone out of work places society generally under the

³³ Ibid., pp.295-296.

³⁴ For an assessment of time-preference in relation to libertarian thought, see Hans-Herrmann Hoppe *Democracy: the god that failed*.

³⁵ *Liberty and Liberalism*, p.297 This sentiment is similar to the one expressed by Cecil in *Liberty and Authority*. There Cecil criticises the Millian view of a legal concept of harm predicated on the distinction between "self-regarding" and "other-regarding" acts, pp.11-13.

³⁶ Ibid., p.298.

³⁷ Ibid., p.307.

³⁸ Ibid., pp.321-322.

obligation, which means that every member must cooperate in finding work for his fellow citizen. Such a case “would be practically educating such people in the sheerest improvidence.”³⁹

Smith was also opposed to the payment of parliamentary members. While any person ought in principle to be free to enter parliament, regardless of qualifications, it did not follow that he had the right to be supported to do so at the taxpayer’s expense.⁴⁰ Indeed, his marked dislike of the professionalisation of politics, and its accompanying disregard for civic duty, grew as he aged, later blaming it for the sectionalism and disruptions of the mid-1910s.⁴¹ Naturally, land nationalisation was a distinct breach of his first principle, extending taxation beyond that necessary for securing equal liberties for all people. Thereafter he turns his attention to public works. In 1889 he was to briefly hold the office of Minister for Public Works in Parkes’ colonial government, the only ministerial position he would ever hold, yet his tenure appears to have been particularly uneventful. This is not surprising, given his overall unsympathetic opinion on public works altogether. As a general rule, the pursuit of public works did not, in Smith’s view, contribute the security of equal liberties for all. Where he did allow for it was where it enabled to the State to fulfil its primary objectives, as an enforcer of the law (in the construction of police stations, court houses, gaols etc.), the maintenance of a military defence, and in certain cases of expediency, such as the construction of roads and bridges.⁴²

Smith’s second fundamental principle of politics was that the State should not interfere with the legally acquired property of any section of society, for any purpose other than securing the equal liberties of all citizens. In those cases where the State had to interfere, then full compensation was essential.⁴³ To classical liberals and conservatives alike, ‘interferences’ with property had become *de rigueur* by the 1880s, and many of the instances Smith catalogues are the same ones the LPDL took great pains to publicise. Shop-closing legislation, enacted in Victoria at the same time as Radicals in Britain were pressing for its introduction, was a flagrant violation of the liberty of the individual to buy and sell as he pleased, and thus stood in opposition to true liberalism.⁴⁴ He took a similar line on factory acts; like Wemyss before him, Smith allowed exceptions in the case of women and children.⁴⁵

³⁹ Ibid., p.328.

⁴⁰ Ibid., p.330.

⁴¹ Smith, *The Paralysis of a Nation* (Sydney: Boylan and Co., 1914), p.46.

⁴² *Liberty and Liberalism*, pp.339-340.

⁴³ Ibid., p.347.

⁴⁴ Ibid., pp.354.

⁴⁵ Ibid., p.357.

Smith's third fundamental principle of politics was that the State ought not to restrict the liberties of citizens for any purpose other than securing the equal liberties of all. Protection, ever at the forefront of Australian colonial politics, stood in violation of this principle, for it restricted the right of the individual to purchase whatever he wished.⁴⁶ A similar charge is made against alcohol licensing, which Smith likened to a resurrection of the state monopolies of Queen Elizabeth's day.⁴⁷

The closing chapter of *Liberty and Liberalism* was devoted to a study of socialism and communism, ideologies that in late nineteenth-century literature were not always sharply defined, yet in the minds of Individualists represented the dreaded culmination of existing trends. As a disciple of Spencer, Smith recoiled at the levelling prospect of Collectivism, which by eliminating self-interest, would serve to "sap the energies of the people constituting the community, and to reduce them all to the dead level of the tribal form of society, in which the conditions of life are of the most primitive, and progress, in the higher developments of man's nature, as in art, science, philosophy, and literature, almost unknown."⁴⁸ In short, Collectivism (whether socialist or communist) would destroy advanced civilisation. Smith's Individualism did not preclude him from supporting attempts at cooperative social formations amongst the working classes. His concern was on the proper use of the State and its agencies and the maintenance of freedom of the individual, which was the essence of true Liberalism.⁴⁹

In this regard Smith's reputation has suffered somewhat, largely because of unverified claims that during the Maritime Strike of 1890, when he was Colonial Minister of Works, he stated that striking workers who obstructed the arrival of free labour ought to be shot down "like dogs".⁵⁰ His own position on trade unions was more constructive. Barely three years before the Maritime Strike he had produced a short paper, *Strikes and their Cure*.⁵¹ In it, he stated that he regarded trade unionism, legally recognised and legally exercised, as nothing more than a voluntary combination of workers to obtain the highest price for their labour. The

⁴⁶ Ibid., p.358.

⁴⁷ Ibid., p.358.

⁴⁸ Ibid., p.364.

⁴⁹ Ibid., p.446.

⁵⁰ This claim went a long way to establish Smith as a cold businessman deaf to the complaints of workers (Smith's own business background was in shipping). However, his friend Joseph Carruthers disputed the veracity of this quote, claiming that Smith's response was actually far more measured than his detractors have claimed: "This is the time when one should keep a wet towel around one's head and not let the blood run to the brain." Michael Hogan, ed., *A Lifetime in Conservative Politics: Political Memoirs of Sir Joseph Carruthers* (Sydney: University of New South Wales Press, 2005), p.94.

⁵¹ Smith, *Strikes and their Cure: Issued by the New South Wales Employers' Union* (Sydney: John Sands, 1888. Reprinted from *The Centennial Magazine*, Oct. 1888).

whole matter was one of economics. Labour was a marketable commodity like any other, and there was a constant antagonism between capitalist and labourer, for both parties were acting on the fact of the scarcity or abundance of one or the other's commodities.⁵² In Smith's view, employers ought to have their own associations and disputes between the two bodies ought to be referred to a jointly-approved independent tribunal, whose decision was binding, and whose board would be composed of both employers and labourers.⁵³ Smith's argument, though from a "Radical Individualist of the most thorough-going kind", and his moderate even-handed tone, won support from the English social democrat H.H. Champion, who reckoned that if its advice had been heeded in the previous two years, the Australian colonies "would now be many hundreds of thousands of pounds richer."⁵⁴

Smith's purpose in writing *Liberty and Liberalism* was to establish the true meaning and function of liberalism in an age when definitions were becoming blurred. This purist liberalism was the mantle in which he wrapped himself, yet it would be hasty to disavow any conservatism to his politics. There was a definite conservative streak to his politics which manifested itself in a number of ways. First and foremost there was the situational conservatism, anxious to preserve a status quo in which many of his cherished liberal principles held sway. To this extent his conservatism mirrors that of many of the Old Liberal figures in Britain who lost faith in the Liberal party, like the Dicey brothers, Fitzjames Stephen, Sidgwick, Lecky, Goschen and his philosophical hero, Spencer. On these grounds alone, however, it would be difficult to consider Smith a representative of a conservative tradition.

However, when we look closer at his political writings there are more than a few shades of Burke. It has already been seen how he charged the legislator with the weighty task of ensuring all laws were mindful not just of those living now, but for those yet unborn. In an 1894 lecture on *The Ideal and the Actual in Politics* Smith reminds his audience that "politics involves an assumption of the prophetic."⁵⁵ Optimistic views of the future may be redolent within literature—More's *Utopia*, Bulwer-Lytton's *The Coming Race*, Bellamy's *Looking Backward*, Butler's *Erewhon* and Morris' *News from Nowhere*—yet he makes a staunch warning against utopianism.⁵⁶ He continues:

⁵² Ibid., pp.6-7.

⁵³ Ibid., p.11.

⁵⁴ H.H. Champion, "How to Remedy Labour Conflicts: Prevention better than Cure", undated article in the *Melbourne Telegraph*, in Smith to Parkes, 3 Oct. 1890. SLNSW, Parkes Papers, A907/37, f.208.

⁵⁵ Smith, *The Ideal and the Actual in Politics: A Paper Read Before the members of the Neutral Bay School of Arts Literary and Debating Society* (North Sydney: The Times, 1894) p.2.

⁵⁶ Ibid., p.6.

Beware of panaceas, beware of milleniums, beware of any theory of doctrine which promises, or is represented to you as capable of adoption of removing from men the necessity, the obligation, the duty of taking their honest part in the work of the world, and in the great and inevitable struggle which it involves. The result of my own study is to teach me that any scheme which professes to make men happy by levelling the industrious and the idle, the provident and the improvident, the sober and the drunken, can only succeed by dragging down the former to the level of the latter. No scheme, though passed by all the Parliaments in Christendom, can lift the latter to the level of the former. Men can only be lifted by individual effort.⁵⁷

Conservative instincts can be detected in Smith's thought during the process of Australian Federation. In an editorial for *United Australia* journal in 1900, he mused as to a possible future social order which would bring stability to the new Dominion as well as providing the framework through which his much-cherished liberty could operate. Even more so than American society at its infancy, Australia was *sui generis*. The comparison with Britain was inevitable. The mother country had an aristocracy of birth, but also a "formidable array of brilliant scholars, savants, statesmen, diplomats, soldiers, lawyers, divines, writers, and artists". Australia strove to imitate, but these respective classes existed there "in miniature, as regards both number and calibre."⁵⁸ As for what the highest standard for the new Australian society would be, two possibilities are presented. The first, an aristocracy of talent, explicitly owes its debt to Mallock, whom Smith mentions by name. The second, clearly less desirable option, is an imitation of America, and the "worship of the golden calf", where money becomes the social standard by which all else is compared.⁵⁹ Whether or not this is a fair critique of the United States at the tail-end of the Gilded Age is immaterial. Its significance lies in the way that Smith, the avowed champion of the free market, disavows the implied connection between laissez-faire and the destructive influence of greed.

Philosophically, Smith's early position fits into the general mould of late-Victorian Individualism. In an 1896 paper called *Tolerance*, he gives a discursive discourse of differences of opinion in philosophy, theology, conceptions of beauty, and politics, in which

⁵⁷ Ibid., pp.6-10.

⁵⁸ Bruce Smith, "Australian Society Under the Commonwealth", *United Australia*, 1.4 (Oct. 1900): 1.

⁵⁹ Ibid., p.2.

he advocates a Liberal pluralist position. Within this, he still assumes the dichotomous character of contemporary politics between Individualism and Socialism. The former, he states, contends that society consists of “an aggregate of separate and distinct individuals, each of whom should be left to work out his own worldly destiny, independent, as far as is possible for him”. In contrast, the Socialist position holds that society “should be joint and independent, each unit leaning on the others and depending on them to supplement his own individual deficiencies in the universal struggle against the laws of nature.”⁶⁰

Twenty-five years later, however, it appears that Smith’s position had altered slightly. He wrote *The Truisms of Statecraft* in 1921 to provide an outline of the purpose of government and its actions in an age of mass democracy. While he was still clearly in the Individualist rather than Collectivist camp, he was not a social atomist. Distinguishing between human needs and wants, he calls an essential aspect of the former “the formation and continuation of the social community in some binding mutual understanding as to the relationship of the units to one another, and of each unit towards the community as a whole.”⁶¹ Like Mallock, Smith was concerned with preserving an order conducive to the political principles he had spent a lifetime championing. The new mass democratic age posed significant problems to the possibility of such an order. He regretted the way men of influence, self-respect and character were being swarmed out of politics by a newer class interested in milking politics for its financial rewards. In other words, these were the “wire-pullers” that Maine had foreseen, and to Smith’s disgust, they had recognised it beneficial to themselves to follow rather than lead public opinion.⁶² Here Smith’s statements are remarkably similar to those sentiments, sometimes unspoken, which had haunted conservative patricians of both the Whig and Tory varieties, throughout the 1880s in Britain. The Old Liberals had become Tories.⁶³

Smith was not the only Individualist whose concern for the stability of the existing order led him to espouse more conservative sentiments. Fellow New South Wales free trader William McMillan came to claim the label Conservative Liberal, a description of a tendency he believed to be “dominated by common sense and experience, which believes in slow movement and exhaustive investigation in all Radical legislation affecting the lives of the

⁶⁰ Smith, *Tolerance: A Paper Read before the St. John's Institute, Glebe, April 28th, 1896* (Glebe, Sydney: Glebe Gazette Office, 1896) p.6.

⁶¹ Smith, *The Truisms of Statecraft: an attempt to define, in general terms, the Origin, Growth, Purpose, and Possibilities, of Popular Government* (London: Longman's, 1921), p.83.

⁶² *Ibid.*, p.103.

⁶³ *Ibid.*, p.239. By this stage, any who defended the liberties of the people had been stigmatised in public debate as “Conservatives” or “Tories”.

people.”⁶⁴ They were statements which could just as easily have been made at one of the annual dinners of the LPDL. Mentally, McMillan seems to have come to terms with the tendencies of the age by framing his own ‘Manchester School’ liberalism in conservative terms. His biographer Peter Gunnar notes how as McMillan aged, he sought nourishment from Burke. Yet, he did not fail to appreciate the apparent tension amongst those Liberals who claimed Burke as one of their own and yet followed after Gladstone.⁶⁵

For McMillan, the new turn in Liberalism was due to the influence of Utilitarian dogma, where the notion of ‘the greatest good for the greatest number’ could easily be put to Collectivist ends. The result was a society guided by the whims of a few Radicals, likened to “political peacocks with abnormal windpipes”.⁶⁶ In those uncertain days he took great comfort from his Christian faith, which he believed provided the only sound basis for order and reason, and thus a healthy, functioning society. McMillan’s intellectual development from Liberal to Conservative Liberal, likened to the evolution of Maine, Fitzjames Stephen and Lecky in Britain, is illuminating in the way it shows the direction that classical liberalism could take in the 1890s. As pointed out earlier, this is not conservatism simply as a preservation of a particular set of political and social arrangements, which had come into existence through the efforts of classical liberal reformers of a previous generation. It implies a recognition that those particular arrangements could only function within an accepted, common framework, provided for by a more conservative philosophy. The Old Liberal policy prescriptions may not have changed, but the frame of mind had altered, so the mood and outlook of the libertarian of the 1890s had more in common with Lord Salisbury than Richard Cobden.⁶⁷

⁶⁴ William McMillan, “Mr Deakin and the Liberal Outlook”, *United Australia* 1.3 (Jul. 1900): 5.

⁶⁵ Peter M. Gunnar, *Good Iron Mac: The Life of Australian Federation Father Sir William McMillan* (Sydney: The Federation Press, 1995), p.111. The reference is to the increasing radicalism of the older Gladstone.

⁶⁶ McMillan, quoted in Gunnar, *Good Iron Mac*, p.111.

⁶⁷ McMillan's continued usage of 'Liberal' within his appellation of 'Conservative Liberal' is indicative of a reluctance to give ground to those who had falsely stolen the label. Gunnar, p.113.

II. AUSTRALIA IN THE ANGLO-SAXON IMPERIUM

The links between Australian Individualism and its British counterpart were strong. As already stated, the LPDL's view of its mission as part of a wider international struggle against Collectivism necessitated the formation of an Australian branch. The greatly increased speed and efficiency of late-Victorian communication made it possible for political news and discussion to reach the furthest corners of the Empire and beyond very quickly. The writings and speeches of Smith make it clear how accessible contemporary events in Britain were to the reading public in the white settler colonies. Conversely works like *Liberty and Liberalism* were being published and read in Britain. Thus it becomes possible to speak of the existence of a kind of intellectual exchange, by which libertarian ideas could pass between the Imperial centre and the periphery, whilst being adapted and modulated according to the circumstances. The lens of Empire also provides important detail on the relationship between political and cultural identities.

In his first editorial for the new pro-Federation journal *United Australia*, Smith laid out his view that the new nationality should simply be "'Australian', and there end the national classification." Readers over a century later may make the mistake of interpreting this along republican lines, but the reverse was in fact the case. 'Australian' was to be the designated label for members of the newly-united colonies, but they were still "citizens of one of the most important limbs of the British Empire."⁶⁸ Although *United Australia* was not bound to any particular party, and did not ostensibly preach any political doctrines, Smith's own imprint on its general tone is unmistakeable. It stood for a government which protected life, liberty and property. Beyond this, though, there is the indelible wash of Anglo-Saxonism, which, as the twentieth century commenced, was to provide a focal point around which the British, and their descendants, whether in the Empire, or the United States, could congregate. This sense of Anglo-Saxon unity was to be the chief guiding principle of the new journal:

Finally, we are for Empire; for we recognise this more clearly than any other great political truth—that the future of the Australian Commonwealth must stand or fall with the destinies of the motherland, from whose womb the whole Anglo-

⁶⁸ *United Australia*, 1.1 (Jan. 1900): 1-2.

Saxon race has derived its being, as well as its noblest and most ennobling tradition.⁶⁹

Barely a couple of pages after his initial declaration of Australian identity, Smith was back to using the words “we British”. The Empire was a cause for unity and celebration, and Queen Victoria was hailed as the “sceptered...head of our race.”⁷⁰ The spread of English culture and political traditions across the globe was a source of tremendous pride for many like Smith. The burgeoning role of the United States was also a cause for great excitement. They had immense wealth and increasing power, but most importantly of all, they had “Anglo-Saxon hearts and heads” and were said to be increasingly sensible of their ties of kinship.⁷¹

It was Henry Parkes who uttered perhaps the most famous statement about Australian identity in the years running up to Federation, when he remarked that, “The crimson thread of kinship runs through us all, even the native-born Australians are Britons, as much as the men born within the centres of London and Glasgow.”⁷² Most Australians considered themselves not just part of the British Imperium, but Britons themselves, who had been transposed to a new continent. Like a Greek colony of antiquity, the settlers brought with them the customs and habits of home. Yet, the image in the mirror was only partial, for there was no Court, no nobility, no established Church or vested interest of any kind. For the Conservative politician Ernest Beckett, commenting in *The Nineteenth Century*, these conditions made for a country which was a living refutation of Radical principles. The inequalities and social distinctions which existed had “grown up out of the natural differences of human nature” and were proof that Socialism “rests on a wrong basis and untrue conception of humanity.”⁷³ Like the United States, the Antipodes could be seen as a kind of real-time experiment in democracy, oriented to the future, but anchored in an idealised past situated in the Teutonic forest. The constitution of its Federation was modelled on both the British and American examples, but unlike the United States, which had severed its connection to the mother colony in the storm of Revolution, Australia still rested under the protective mantle of the British Empire.

British interest in Australian affairs reached a new peak as the colonies neared Federation. *United Australia* regularly featured a segment entitled “Hands Across the Sea”,

⁶⁹ Ibid., 3.

⁷⁰ Ibid., 1-2. The commendation from Smith is glowing: “...the perfect woman, the perfect wife, the perfect mother, and the perfect queen”.

⁷¹ Ibid., 3.

⁷² Parkes, speech before the Federal Conference, 6 Feb. 1890. Quoted in Hogan, *A Lifetime in Conservative Politics*, p.103.

⁷³ Ernest W. Beckett, “Australian Side Lights on English Politics”, *NC*, 25 (Jan. 1889): 110-132 (110-111).

which kept readers abreast of British comment on developments in Australia. Following the news of Federation, the first edition gleefully reported the congratulatory messages sent by Goschen, Dilke, Bryce and the Earls of Carrington, Jersey and Hampden. Interestingly, as America had been viewed by Freeman and others as the recipient of the torch of liberty from England, so now some began to view Australia in a similar light. The aging Lecky might have been full of doubts about Britain's future, wearied as he was with the transformation of British Liberalism into Collectivism, but glancing across the seas to the Antipodes filled him with a renewed confidence in the prospects of the Anglo-Saxon peoples. Australia "must bear a great part of moulding its destiny", as he considered it rested on the sure foundation of placing moral above material needs.⁷⁴ Other observers close at hand recognised a success and prosperity built upon character. The English-born educator Percy Rowland emphasised a very particular kind of individualism in the Australian character that was redolent of the best Anglo-Saxon traits. He praised the Australian tendency to take risks and speculate.⁷⁵ The language was evocative of the American frontier, where similarly enterprising Anglo-Saxons had successfully brought vast stretches of the untamed wilds under the guiding hand of Teutonic civilisation. He praised the rugged, but honest simplicity, where there was "determination, pluck, sportsmanship, good-humour, religion without theology, civility without servility, and an uncommon power of good sense."⁷⁶

More famous figures had visited Australia too. Froude went to Australia in 1885, recording his experiences in *Oceana*, deliberately paying homage to Sir James Harrington's seventeenth-century dream of the expansion of the English race across the globe.⁷⁷ He found his hosts somewhat concerned by the perceived mismanagement of British Imperial affairs by the Gladstone government. In such times they were "*ipsis Anglicis Angliciores*, as if at the circumference the patriotic spirit was more alive than at the centre."⁷⁸ The Radical Charles Dilke, who first saw the Antipodean colonies during an extensive tour of the Empire in 1866 and 1867 saw much to admire in Australia, even if his own political preferences and prejudices were rather different from Froude's. In this case, there was much Britain could learn from the experience of daughter colonies, where the democratic spirit and influence of working class men was more advanced.⁷⁹ In the latter nineteenth century there was a tendency

⁷⁴ *United Australia*, 1, 2, (Apr., 1900).

⁷⁵ Percy F. Rowland, "The Beginnings of an Australian National Character", *NC*, 52 (Sep. 1902): 400-411 (407).

⁷⁶ *Ibid.*, p.411.

⁷⁷ J.A. Froude, *Oceana: or England and Her Colonies* (London: Longmans, Green, and Co., 1886), p.1.

⁷⁸ *Ibid.*, p.51.

⁷⁹ Charles W. Dilke, *Greater Britain: A Record of Travel in English-Speaking Countries During 1866-7* (Philadelphia: J.B. Lippincott and Co., 1869).

to celebrate the bonds between all Anglo-Saxons. Fraternal comparisons, however, were inevitable. The Earl of Meath noted a greater sense of individual freedom in Great Britain and her colonies than in the United States, where he was convinced the police acted less as the servants of the people, and more their masters.⁸⁰ Nevertheless, the bonds of language and kinship united them all, and a British traveller would never be treated as a foreigner “but as a relation... who through kinship possesses a claim on the hospitality of his hosts.”⁸¹

One peculiarly late-Victorian manifestation of this racial and cultural affinity between English-speaking peoples was Imperial Federation, a cause that was notably championed in Britain by Joseph Chamberlain. Mooted as a replacement for the existing Imperial model, Imperial Federation sought to bring the settler colonies into a closer union with Britain. In 1884, the Imperial Federation League was founded in London, with further branches added later in Canada, Australia, New Zealand and the West Indies. Fewer expositions of the dream of an integrated British Imperium were more influential than J.R. Seeley’s *The Expansion of England*, first published in 1883. As Seeley explains, the concept of the British Empire meant much more than the diffusion of English blood across the world. His Imperial ideal was not that of the Greek, where the extension of English nationality into Canada and Australia was akin to the Greek settlement of Sicily, Southern Italy and Western Asia Minor, but of the Roman, in that it was to be “an enlargement of the English State.”⁸² Supporters of the Federal idea were animated by an Anglo-Saxon, or more broadly ‘Teutonic’, racial consciousness. Yet not all proponents of the Teutonic idea appreciated the concept of Federal parliamentary representation for the settler colonies. E.A. Freeman, for whom past and present were woven together in an inseparable fabric, was a noted dissenter. He preferred the Greek model, whereby such colonies would mature to independence whilst maintaining familial bonds. Conversely, the Roman model was antithetical to his concept of Englishness, and would serve to hamper, not strengthen, liberty.⁸³ For some enthusiastic observers, Australian Federation was but a staging post on the road to a full union. In this grand Imperial vision, not only would the white settler colonies be amalgamated within one political unit, but the estranged daughter, the United States, would be brought back into the family fold. Lord

⁸⁰ Reginald Brabazon, 12th Earl of Meath, “A Britisher’s Impressions of America and Australia”, *NC*, 33 (Mar. 1893): 493-514 (494).

⁸¹ *Ibid.*, p.514.

⁸² John Robert Seeley, *The Expansion of England: Two Courses of Lectures* (London: Macmillan, 1914. First published 1883) p.50.

⁸³ See Duncan Bell, “Alter Orbis: E.A. Freeman on Empire and Racial Destiny” in G.A. Bremner, Jonathan Conlin, eds., *Making History: Edward Augustus Freeman and Victorian Cultural Politics* (Oxford:OUP, 2015), pp.1-19.

Brassey, the British Liberal and Governor of the colony of Victoria, considered the hopes of the world to rest on such a political union of free English-speaking communities dotted across the world, asserting their dominance of the seas and sharing the blessings of liberty with all.⁸⁴ In this capacity, the Anglo-Saxon becomes much more self-conscious, aware that his role in the world is Providential. The artist George Frederic Watts struck at a deeper part of the metaphysics of Imperialism, when he mused that the English people were “perhaps the agents of the great law—Movement, Progress, Evolution.”⁸⁵

If ‘progress’ and ‘evolution’ were the watchwords of British expansion, then by contrast the Aborigines of Australia were seen by strident Imperialists as prime examples of non-development, stagnation and tribalism. It is difficult to ascertain the exact number of Aborigines living in Australia at the time of Federation, since “tribal aborigines” were not reckoned as part of the census calculation.⁸⁶ Nevertheless they were obviously a sizeable and distinct presence from the colonists. While there was obviously a tendency for many observers to perceive an innate inferiority in the Aboriginal population, this view is not wholly representative. The physician and politician John Mildred Creed disputed the generally accepted view that Aborigines possessed a very low level of intelligence. He believed that this mistaken assessment was the result of the observations of the early colonists, themselves not endowed with either great intelligence or the desire to learn the natives’ language, and had been accepted as truth ever since.⁸⁷ He supplied the readers with anecdotes to suggest that it was entirely possible for full-blooded Aborigines to attain a great level of personal development, when they were in an environment conducive to such success.

During the early years of Federation, and stretching back through New South Wales’ colonial history, politicians evinced a whole range of views on the Aborigines.⁸⁸ The Free Traders, like Smith, may have proudly espoused the language of Anglo-Saxonism, but their libertarianism precluded any support for measures which attempted to enforce an inferior status on Aborigines. In 1891, the Free Trade Party defeated an amendment to an electoral bill which would have restricted the Aboriginal right to vote.⁸⁹

⁸⁴ Thomas Brassey, 1st Earl Brassey, “Australian Federation”, *NC*, 45 (Apr. 1899): 548-557 (556-557).

⁸⁵ G.F. Watts, “Our Race as Pioneers”, *NC*, 49 (May 1900): 849-857 (849).

⁸⁶ See “A Snapshot of Australia, 1901”

<http://www.abs.gov.au/websitedbs/D3110124.NSF/24e5997b9bf2ef35ca2567fb00299c59/c4abd1fac53e3df5ca256bd8001883ec!OpenDocument#People%20of%20Indigenous%20Origin>. Accessed 31.3.17.

⁸⁷ John Mildred Creed, “The Position of the Australian Aborigines in the Scale of Human Intelligence”, *NC*, 57 (Jan. 1905): 89-96 (89).

⁸⁸ Anna Doukakis, *The Aboriginal People, Parliament and 'Protection' in New South Wales, 1856-1916* (Sydney: Federation Press, 2006).

⁸⁹ For the debate on the aboriginal vote see *NSW Hansard*, 12 Aug 1891, LA, 823-824.

Creed was an opponent of the White Australia policy, a legal restriction on non-White immigration into the new Commonwealth which continued to exist in various forms well into the twentieth century. Introduced concurrently with the emergence of the 'Yellow Peril', it reflected widespread fears that the usage of East Asian, and particularly Chinese, labour, threatened to submerge the Australian nation. For its proponents, who represented the majority of the political establishment of Australia, such laws were a necessary safeguard for the young Dominion. It secured Australia's uniquely Anglo-Saxon identity, preserved the "crimson thread of kinship", and by ensuring the continuance of British ideals served the interests of all humanity.⁹⁰ Others saw it as an act of biological as well as civic protection, guarding the "purity of the race" and preventing white civilisation "from being crowded out by a lower social organism."⁹¹

In these concerns there is a tension both between differing conceptions of liberty, and differing conceptions of the relationship between liberty and the good of the nation as a whole. While Protectionists and Free Traders alike may have held a distinctly Anglo-Saxon view of liberty, the former clearly placed a higher premium on the New Liberal notion of the community as a whole. For them, restrictions on individual liberty, such as the freedom to trade with or hire whomever one wished, were necessary to preserve the social liberty of the whole body of the community.

While the racial aspect was much more closely felt in Australia than Britain, it is abundantly clear that the wider philosophical debates were refractions of similar discussions taking place in the mother country. It was well to speak of the baton of liberty being passed from Britain, outwards to the Anglo-Saxon periphery, but that meant also passing on the debates as to what that 'liberty' actually meant. For the Free Trade Party, Australia represented a powerful opportunity to preserve the 'true' tradition of liberty, that of the free individual prospering and living in accordance with his own customs. As the future Premier of New South Wales, and later Australia, George Reid, put it in 1876, it meant "a community young yet conservative, pushing yet generous, free yet orderly."⁹² For a new society, it was a rather good summary of libertarian conservatism.

⁹⁰ Oswald P. Law, W.T. Gill, "A White Australia: What it Means", *NC*, 55 (Jan. 1904): 146-154 (150).

⁹¹ George Frodsham, late Bishop of North Queensland, "Tropical Australia: a Great Colonising Experiment", *NC*, 74 (Aug. 1913): 333-340 (340). On the Aborigines, Frodsham wrote: "an interesting, kindly and lovable race" who "have found themselves unable to bridge the gulf between the early Stone Age and the twentieth century." (335).

⁹² George Reid, *An Essay on New South Wales: The Mother Colony of the Australias* (Sydney: Thomas Richards, 1876), p.146.

Conclusion

On the last day of June 1914, the Earl of Wemyss died, weeks before his ninety-sixth birthday. News of his death was carried far and wide, as is illustrated by a short note that appeared in the *Poverty Bay Herald* of New Zealand, the colony whose settlement by British emigrants had been sponsored by the Canterbury Association, on the board of which Wemyss had sat over half a century earlier. It remarked how Wemyss had first been elected to Parliament “as far back as 1841.”¹ The day after his death *The Times* published his obituary, calling him “one of the most interesting and distinguished of the public men of the 19th century gone to the 20th”. It particularly emphasised Wemyss’ patrician virtues:

He belonged to that small class of non-official magnates whose words command attention not merely on account of the rank of the speakers; who live up to their rank; and whose abstention from office is one of the defects of our party system of government and certainly a loss to the state.²

It noted, however, that he became, “a lone individualist, protesting vigorously against every kind of social legislation that debarred adult men from making what use they liked of their liberty.”³ Behind these words, and the praise of the aristocrat’s “youthful vigour”, there was a deeper truth. To many, his political views belonged to a distant era, the age of Peel, and had lasted into the twentieth century merely by dint of Wemyss’ astonishing longevity.

Did libertarian conservatism live and die with Wemyss? To the world of 1914 Wemyss certainly seemed like an anachronism, his political vocabulary rooted in the debates of the mid-Victorian era. It had long been difficult to pin a particular party label on Wemyss. Although elected as a protectionist Tory in 1842, after his conversion to Free Trade he acquired the reputation as a cross-bencher. In 1866 he associated with the Liberal Robert Lowe as one of the leaders of the anti-democratic Adullamites, and yet it is noteworthy that in 1880 a newspaper referred to him as a “Tory country gentleman”.⁴ In an edition from the 1870s *The World* described him as “superior to the hard-and-fast divisions of party politics.”⁵

¹ *Poverty Bay Herald*, Vol. XLI, 2 July 1914, Issue 13422.

² *The Times*, 1 July 1914, Issue 4064, .9.

³ *Ibid.*, 9.

⁴ *Daily Review*, 17 Feb 1880. WP, RH4/40/11.

⁵ “9 Portraits in Oil”, *The World*. WP, RH4/40/11.

In an 1895 letter to *The Times* he described himself as having “no party politics—save that I hold to the unity of the Empire.”⁶

While as an “independent Liberal Conservative” he seemed like a throwback, there was also a recognition that his particular philosophical vintage had developed with age. “His views on the sacredness of contract and “liberty” in general”, the obituary continued, “had crystallized into the conviction which made him in later years the doughty opponent of Early Closing Bills, Shop Seats Bills and the like, and an eager protestor against everything that savoured of socialistic legislation.”⁷ The death of the preeminent crusader for individual liberty found a parallel in the demise of his libertarian creed. In his history of the Conservative Party Robert Blake disparagingly notes how by 1910 Hugh Cecil was the only remaining Unionist Free Trader in the House of Commons, representing Oxford University, “the home of lost causes”.⁸ Yet this remark is quite misleading. While it declined in prominence in the years following 1914, libertarian conservatism had made, and continued to make enough of a mark for its presence to be noticeable.

While the approach of this thesis has been thematic, this should not obscure the important chronological shifts that took place during the near half-century of 1867-1914. It is clear that this was no monolithic period of steady progress (or regress from the Individualist point of view) from mid-Victorian laissez-faire to the Collectivism of the First World War. Within it, there were distinct sub-periods, the debate within each coloured by the political events occurring then. While the general tendency of libertarian argument throughout was to make comparisons with some presumed lost earlier age of laissez-faire, it is also true that the trends among libertarians were sensitive to the current state of party politics. For example, the radical turn in Gladstonian Liberalism following the 1880 election provoked a sense of urgency amongst libertarians of all stripes—conservative, Old Liberal, Individualist—which led to the formation of the LPDL. But it was the Irish question and the commitment to Home Rule which gave sufficient form to the spectre of Radicalism lurking in the back of Whig and Moderate Liberal minds, provoking the party split of 1886. The emergent Liberal Unionists provided a natural repository for most of the libertarian segment of the Liberal Party, a component which naturally segued into Conservatism as the 1890s wore on.

At the end of the nineteenth century and beginning of the twentieth it was of course Conservatism which was politically dominant. It is no accident therefore that the libertarian

⁶ Wemyss to the *The Times*, 28 Dec. 1895. WP, RH4/40/11.

⁷ *The Times*, 1 July 1914, 10.

⁸ Robert Blake, *The Conservative Party from Peel to Churchill* (New York: St. Martin's, 1970), p.181.

pressure groups of this period, the LPDL and BCA, took on an increasingly Conservative hue. However, the 1906 election demonstrated how transient political fortunes can be as the Liberal Party swept to power and for the first time were granted sufficient mandate to put New Liberal policies into practice. The effect was arguably the greatest change in the political landscape in generations. While libertarian conservatives still operated through their usual organisational channels like the BCA, the overall tone of their arguments had to be altered in accordance with the changing climate. No longer was the doctrinaire purism of the LPDL able to find a sizeable enough audience. The new breed of anti-Socialist was represented eponymously by the ASU. Founded by the *Daily Express*' editor, R.D. Blumenfeld, and politically neutral, it was however symbolic of a shift in political power where party machines were increasingly operated by the middle classes. In the context of Edwardian social liberalism it abandoned the doctrinaire commitment to pure Individualist principles which had characterised the LPDL and BCA, and was more accepting of modest government interventions if these by their operation prevented a full-blown Socialist alternative. This change in attitude by anti-Socialists is evident in Wilson W. Lawler's 1909 work *The Menace of Socialism*. Of the LPDL, he considered it "neither in nor out of politics, its position is an anomaly, and its policy an anachronism", adding that "it would leave humanity in a ditch and reduce the State to a mummy."⁹ He passed a rather stinging judgment on the state of Individualism:

Of all policies intended to remedy the social evils or to win the workers away from Socialism, individualism is the most hopeless. Its propaganda has been a feeble failure, and its remonstrances are spurned by all parties. If we are to believe the devotees of this neglected cult none but individualists are fit to fight Socialism. They have been fighting Socialism with the aid of Spenser [sic] and Bastiat for the better part of a generation, and the results we can see.¹⁰

In examining the emergence of libertarian conservatism during the late nineteenth and early twentieth centuries this thesis has brought together a number of neglected figures from the worlds of politics and letters. Each one, in their own way, resisted the oncoming tide of Collectivism by attempting to conserve the existing political and social structure of the country and proposing an alternative vision of national harmony and prosperity based on the

⁹ Wilson W. Lawler, *The Menace of Socialism* (London: Grant Richards, 1909), p.442

¹⁰ *Ibid.*, p.442.

principle of individual liberty. This libertarian form of conservatism has been both propounded and contested across a wide range of fora, including books, pamphlets, periodicals, novels and parliamentary speeches. Within these, the focus, tone and register has altered accordingly but these have all been variations upon the same grand theme. What has emerged from a study of these tremendously diverse venues is not always a clearly defined doctrine or ideology but a mindset in which an emphasis on individual liberty coexisted with a strong desire to preserve a set of traditional social and cultural institutions. That these emphases appear so frequently across so many different genres is testament to the strength of the libertarian conservative mind in late-Victorian and Edwardian Britain.

Furthermore, the fact that libertarian conservatism was articulated so widely is reflective of a range of different audiences. Cecil's works *Liberty and Authority* and *Conservatism* were of a particularly scholarly flavour, the former beginning life as a lecture to students at the University of Edinburgh. While clearly situated within the turbulent environment of late-Edwardian politics both works still evoked the secluded elitist environment of Victorian Hatfield House (recalling again, Herbert's "gentlemen in a library") in which the seed of his thought had germinated. They would have engaged a much smaller audience than the many popular nonfiction political and economic works of Mallock. That Mallock was considered more of a populariser of economic truths than a discoverer, was, in the eyes of one reviewer of *Aristocracy and Evolution* for *The Economic Journal*, the periodical of the Royal Economic Society, a strength not a weakness: "We do not consider his work to be less, but more, important on that account; for he is able on topics of high interest to attract an audience which would probably refuse in these days to listen to severer writers."¹¹

Meanwhile, organisations like the LPDL had been concerned with both popularising and 'discovering' truths—their literary efforts including a restatement of orthodox arguments for laissez-faire whilst simultaneously allowing space to some of their more visionary thinkers, such as Donisthorpe and Mackay, to articulate positive alternatives to Collectivist schemes of reform. By virtue of their federated membership they were able to achieve a particularly wide, if neither that deep nor sustained, reach that encompassed a multitude of commercial interests, different political parties and a membership drawn from all social classes. This is indicative of the fact that libertarian conservatism did not exist purely as an expression of certain cherished ideals among a small coterie of political and intellectual elites,

¹¹ L.L. Price, "Aristocracy and Evolution by W.H. Mallock", *The Economic Journal*, 8.31 (Sep. 1898): 363-367 (363).

but was in fact much more widespread. By locating its reference points within a popular vocabulary of freedom, common-sense, individual responsibility and national inheritance, intellectual arguments for a small State were distilled into a generally accessible form that was able to garner a broad base of supporters and sympathisers.

Greenleaf's thesis that a distinct libertarian conservatism existed in the late nineteenth and early twentieth centuries is largely correct, albeit with certain strong qualifications. Later in the twentieth century it became common for critics of the more laissez-faire section of the Conservative Party to attribute the existence of libertarian ideas within their ranks to the transfusion of Whig and Liberal doctrine that occurred following the Home Rule crisis of 1886. For example, while a young Conservative MP in 1927, Robert Boothby wrote derisively in a pamphlet on *Industry and the State* of the "Die-hard section of the Conservative Party, which is so paradoxically imbued with Whig and Liberal traditions."¹² Although this sentiment summed up the frustration of the more Collectivist Tories with their 'reactionary' cohorts, it is incorrect.

In reality, libertarian conservatism was authentically conservative. It was a conservatism that emphasised individual liberty against the encroachments of the State, whilst simultaneously stressing the importance of traditional social and institutional arrangements. Its appearance as a distinctive brand of politics on the Right coincides with the increasing diffusion of ideology that occurred as politics became ever more democratised. That it contained heavy doses of classical liberalism is undeniable, although this occurred partly as a result of the influx of Old Liberals into the Conservative Party, and partly through a conservative recognition of the usefulness and power of classical liberal reasoning and argument. Although it was able to fashion itself using some of the garb of classical liberalism, in many ways it was the continuation of a deep-seated spirit long-present within conservatism. For this reason, therefore, Greenleaf's attribution of influence to Spencer is greatly overstated. Individualist theorists, many of whom were disciples of Spencer, worked in tandem with conservative libertarians, in that they both shared the same immediate policy goals, but the underlying philosophy of each group was entirely different.¹³

Primarily these differing conceptions of society were derived from different ethical bases. Since Burke, traditionalist conservatism had been rooted in a Christian conception of society that existed as part of a transcendent, Divinely-instituted order. As such, it placed great significance on an official recognition of Christianity. For a libertarian conservative

¹² Greenleaf, *The Ideological Heritage*, p.263.

¹³ This difference is stressed by Taylor.

such as Cecil, the belief in the importance of individual liberty was derived from Christian presuppositions, as necessary for the cultivation of virtue. For Spencer and the Individualists, while there was also obviously a strong emphasis on an organic, natural order, they did not attribute its origins to God in the way that the Christian Cecil did. Further, liberty was held by Individualists in a much more abstract *a priori* sense, summarised by Spencer's 'Law of Equal Liberty'. These different ethical conceptions had implications for the way the social structure was perceived, which fed directly into longstanding differences between the conservative and liberal views.

However, the realm of science provided an important bridge between Individualist and conservative conceptions of social change. Following Darwin, evolutionary arguments held considerable intellectual appeal and were applied to a whole range of organic systems outside the biological sciences. The strength of this evolutionary reasoning was that it appeared to provide a satisfactory explanation as to how complex, elegant systems could emerge from what were, at times, quite messy processes. Furthermore it could also be adapted to provide scientific justification for core aspects of the conservative frame of mind such as the importance of inheritance. As Mallock argued, a new scientific conservatism provided suitable intellectual means to argue against the claims of both the new Radicalism and Socialism, and in favour of the existing state of free market competition. Mallock's extensive use of statistics was notable as it provided intellectual heft to conservative arguments, thus dissociating conservatives from the old Millian pejorative about being the "stupid party". Indeed, Mallock's remarkable published output, dealing critically with matters of religion, politics, economics and society, is testament to a formidable intellect and worthy of further research.

Mallock's scientific conservatism was a marked shift from the earlier appeals to different forms of authority. Nevertheless, in the libertarian conservative mind, it did not replace these earlier forms but supplemented them. For the early Victorian Tory opponents of administrative centralisation this authority had been custom, and more particularly, the time-honoured 'rights of Englishmen'. The kind of contract imagined here was inter-generational. This particular language did not lose any of its rhetorical currency for the remainder of the Victorian and Edwardian periods. Nevertheless conservatives sought additional forms of argument for liberty as the State, by mid-Victorian standards, grew much more intrusive as the century wore on.

As Angus Hawkins has noted, prior to the late nineteenth century the prevailing conception of liberty necessitated those (essentially conservative) values of hierarchy and obligation. It was the freedom to fulfil responsibilities owed to a community that existed as an organic whole. This removed society from a large, overbearing, managerial, mechanical State whilst also distinguishing it from a mere collection of atoms free to do whatever each wished.¹⁴ It had much in common with Burke, who held liberty as part of an inheritance. This was not a “solitary, unconnected, selfish liberty, as if every man was to regulate the whole of his conduct by his own will.”¹⁵ It was instead a “social freedom”, by which he meant “a state of things in which liberty is secured by the equality of restraint.”¹⁶ This does not diminish any sense of individuality, by subsuming individuals within a collective body. Rather it emphasises that a true state of individual liberty is only possible when all bodies exist in harmony within an organic social structure. That this liberty is guaranteed by “the equality of restraint” suggests the Rule of Law, a concept that was later to form so central a plank of Dicey’s analytical frame of Individualism and Collectivism.

The key to the conservative expression of liberty lies in the difference between abstractions and realities. For conservatives, from Burke onwards, existing conditions were more important than the ethereal abstract notions of those philosophers he derided as “metaphysical scribblers”.¹⁷ The basis for this liberty was not, therefore, abstract reasoning, but prescription. A clear example of this conservatism is provided by Pembroke, who, reflecting on an “examination paper” at the end of a January 1888 edition of the LPDL’s publication *Jus*, disagreed with the implication of its author Auberon Herbert that all political questions could be solved by resorting to principles: “The more I looked at them the less it seemed possible to answer the majority of them satisfactorily with a simple ‘Yes’ or ‘No’.”¹⁸ Certainly by the late Victorian period, many Old Liberals (including Individualists) were defending a form of liberty which had a much greater basis in abstract reasoning than it did purely in the historical evolution of the Constitution, and they were a group with which conservatives had common cause. Many of the key components of laissez-faire which late-Victorian libertarians defended had occurred as a result of mainly Liberal reforms in the mid-

¹⁴ Angus Hawkins, *Victorian Political Culture: ‘Habits of Heart and Mind’*, (Oxford: OUP, 2015), p.12.

¹⁵ Burke, Letter to Charles-Jean-François Dupont (1789) in Daniel Ritchie, ed., *Further Reflections on the Revolution in France*, (Indianapolis : Liberty Fund, 1992), p.7.

¹⁶ *Ibid.*, pp.7-8.

¹⁷ As Samuel Huntington noted, this theme was common across European conservative thought. He compares this radical psychology to Hooker’s sixteenth century Puritan, Metternich’s “presumptuous man”... Hawthorne’s Hollingsworth, Cortès “self-worshipping man”, Hoffer’s twentieth century “true believer”.

“Conservatism as an Ideology”, 460.

¹⁸ Pembroke, *Letters and Speeches*, p.295.

Victorian period. Yet a conservative defence of these aspects—free trade, freedom of contract, a non-interventionist approach to political economy—was entirely justifiable on the grounds of experience. Furthermore, none of these things were in any way incongruent with the traditional aspects of Tory libertarianism, such as the opposition to centralisation, distrust of officials, and a reverence for the complex web of local social arrangements (such as between landlord and tenants).

Nevertheless, while Greenleaf's basic framework of a libertarian and a Collectivist form of conservatism is useful, we must be cautious in how we deal with these two strands. Positing a tension between a libertarian and a statist strand is a highly useful framework to use when analysing the different types of conservative thought. To do this we must recognise the two positions as poles, rather than discrete compartments. Further, it is simplistic to refer to the statist strand as "paternalist", as both Greenleaf, and later Green, did. It is true that paternalist tendencies have often manifested themselves through the application of the State to social problems. For example, the Conservative Party of the mid-twentieth century 'adopted' the Welfare State (a creation of the Labour Party on the recommendation of a Liberal peer) as part of an updated One Nation vision of national politics. However, as this thesis has repeatedly demonstrated, paternalism of a sort was at the heart of traditionalist conservatism, in a way that was entirely in keeping with libertarian views on the role of the State. In the traditionalist conservative conception of society as a complex organism, paternalist authority was more often than not channelled through the different organs of civil society.

It is possible that under the weight of democratic reform, when the increased support for State intervention was accompanied by the withering of these organs of civil society, the cleavage between the two poles within conservatism became more pronounced. To compensate, some 'paternalists' sought to increase the power of the State to fulfil the roles that other institutions would have performed, on grounds of necessity or sufficiency. A clear example of this group would be the Radical Conservatives of the 1890s and 1900s, particularly those who gathered around Lord Alfred Milner.¹⁹ In libertarian eyes this would have exacerbated the problem, further disrupting the equipoise of society. The libertarians sought to resist the advance of the State in the hope that the traditional social structure could be maintained.

¹⁹ Taylor divides the Conservative Party of this period into Radicals (or Collectivists) and traditionalists.

It is important to remember that conservatism in the Anglosphere has always been defined more as an attitude than a concrete ideology, and libertarian conservatism certainly qualifies under these parameters. As this thesis has maintained, the key to understanding the complex processes involved in the emergence of a libertarian conservatism is the concept of a ‘frame of mind’. In fact, realisation of the importance of ‘mind’ and ‘mindset’ goes a long way to not just permitting comprehension of how political ideas are translated into actions, but to our wider understanding of what actually makes a culture, and a civilisation. As Walter Houghton explained in the preface to his monumental study of *The Victorian Frame of Mind*, this sort of study is essential if we are to render what is a rather complex “bundle” of “often paradoxical ideas and attitudes” intelligible—and as he reminds us, “intelligibility is a system of relationships”.²⁰ Likewise, as described here, libertarian conservatism is a system of relationships: political, personal, social, economic, and in the wider sense, cultural. Furthermore, the practice of politics exists in a real flesh-and-blood world, not in an abstract, detached vacuum. This flesh-and-blood world being one of complexity, an individual mind will often hold differing ideas in tension with each other. For conservatives the need for freedom is held in tension with a desire for authority, hence the emphasis on ordered liberty.

Delineating a frame of mind is an attempt to venture beyond the purely rationalistic limits of ideology. If, as Bismarck noted, politics is “the art of the possible”, then it is clear that practical realities necessitate some degree of compromise with the purism of ideology. Individualist libertarian views represented the most doctrinaire form of anti-Collectivist political thought at the end of the nineteenth century. Nevertheless, even here, the alliance with Toryism that occurred around the time Spencer attacked the New Liberalism in 1884 suggests at least practical compromise. For conservative libertarians, whose hostility to the powers of the State extended only to their misuse, rather than their existence *per se*, an alliance with non-conservative libertarians was not too high a hurdle to overcome.

As maintained in this thesis, libertarian conservatism was in large part a product of an aristocratic age. While it was certainly not aristocrats who formulated detailed treatises of their position (Cecil is the one figure who comes closest to achieving this in *Conservatism*), it was an aristocratic environment in which libertarian ideas were able to flourish, and it was they who tended and cultivated anti-Collectivist thought. This required not only a certain

²⁰ Houghton, *The Victorian Frame of Mind*, xiii.

breadth of mind, but also suggests one of a certain type.²¹ One of the chief characteristics of this type was a spirit of independence, where loyalty to certain assumed truths took precedence over a rigid attachment to organisation. From the perspective of today, or even that of the twentieth century, it is tempting to read back our own conceptions of ‘party’ onto the Victorian political scene. Although by the mid-nineteenth century the modern concept of party organisation had much greater shape and form than it had for Burke, when he championed a notion of ‘party’ amid the rough and tumble of Georgian politics, it was still much more a loose grouping of like minds and spirits than its modern managerial incarnation. As the case of Wemyss demonstrates this was certainly the case for those aristocratic parliamentary members who had entered politics almost by default. For them, terms like ‘liberty’, ‘independence’, and the ‘constitution’ were more than mere shibboleths. In truth these particular loyalties were aspects of their mental furniture. They acted as points of reference or marks on the map of a worldview.

In G.M. Young’s *Victorian England: Portrait of an Age*, the author perceptively remarks that to later Victorians, Free Trade “had become a habit of mind.”²² It was an assumed truth whose acceptance had become so widespread that even into the twentieth century, when all other industrialised nations had for some time adopted a policy of protection, proposals to introduce tariffs in Britain once again were so controversial. Late-Victorians mentally divided the century into the years before and after 1846, and thus perhaps in part implicitly accepted Dicey’s view of the mid-Victorian period as a halcyon age of individual liberty. As already noted, however, later historians have handled the notion of a pure system of laissez-faire with care. Moreover, Young highlights the view of one social observer of the 1860s who considered the Factory Act of 1847 as *the* significant turning-point, and for exactly the opposite reason. Along with the Public Health Acts and the Education Minute of 1846, it heralded a change in the philosophical tide. This could be traced back to the reform movement of 1830, even though its progenitors could not have seen the direction events would take. “The cataclysm of 1830”, Young continues, “proved to have been the beginning of a slow evolution, by which, while an aristocratic fabric was quietly permeated with Radical ideas, an individualistic society was unobtrusively schooled in the ways of State control.”²³ This point is suggestive of a tension between a libertarianism and interventionism,

²¹ This is certainly not to say that all aristocrats exhibited these characteristics, or that they were unique to the upper classes, but that these traits were perhaps most prevalent among those whose educational background combined with a sense of cultural custodianship.

²² G.M. Young, *Victorian England: Portrait of an Age* (London: OUP, 1957. First published 1936), p.47.

²³ *Ibid.*, p.47.

not merely within conservatism, but within national politics as a whole. It is possible that this disjunction between two conflicting streams was instrumental in arranging the mental furniture of the conservative mind around some form of libertarian/Collectivist dichotomy, thus making it more receptive to the later influx of classical liberal ideas, when those ideas could be seen to bolster an already existing conservative worldview.

Another unmistakeable aspect of the libertarian conservative mind is its linkage to a sense of national identity. As Cecil repeatedly emphasised in *Conservatism*, the conservative political creed owed its direct origins to the French Revolution. Opposition to ‘French principles’ was equally matched by an opposition to French forms of government. This feature of Gallic political life was not unique to the Revolution, for as de Tocqueville demonstrated, the Revolutionary period merely continued and exacerbated trends that had been in place before 1789.²⁴ What it means is that there was a strong correlation in British (and particularly English minds) between government inspectors, ‘officialdom’, and foreign government. Excessive governmental interference was seen as foreign, intrinsically ‘un-English’, and the province of less-fortunate peoples. By contrast England (or by enlargement, Britain) stood for liberty and freedom from the meddling of officials. By the late nineteenth century Prussia had also come to represent a particularly pernicious form of foreign bureaucracy, as characterised by the third Marquess of Salisbury’s quip about its “despotism of officials”.²⁵ The Anglo-Saxon was notable for his healthy individualism and spirit of independence. Reading these characteristics as part of a chain extending into the distant past situated much of conservatism on the side of ‘individual liberty’, ‘freedom of contract’ and ‘laissez-faire’ by the time the political winds changed during the last two decades of the nineteenth century.

In discussing libertarian conservatism as a frame of mind it becomes evident that its form and content are not divisible. It did not purport to be a universal ideology, for it was built upon a sense of a very specific inheritance. It was not interested in creating an ideal society, but conserving one that already existed. As with all forms of conservatism it was self-consciously anti-Utopian, yet combined this with the longstanding view that those things it was conserving were a kind of rich blessing by Providence. It implicitly agreed with Burke’s belief that society was a trust from those dead, held by the living for those yet unborn. It was intergenerational in its view of society as part of an organic continuum. These aspects

²⁴ See de Tocqueville, *The Old Regime and the Revolution*, tr., John Bonner (New York: Harper Brothers. First Published 1835).

²⁵ Salisbury, quoted in Andrew Roberts, *Salisbury: Victorian Titan*, p.281.

demonstrate what was simultaneously a strength and a weakness. On the one hand, by locating itself within the English historical experience it had a strong resonance and was easily accessible. On the other hand, its inability to clearly articulate a unified, specific platform made it difficult to compete in the field of mass politics. This was especially the case as its political rivals were able to offer clear policy objectives that appealed directly to the masses. Furthermore, much of its essence was not easily transplantable, given the specificity of its geographic and historical context.

However, as the case of Australia demonstrates, it was possible for all self-styled Anglo-Saxons to appeal to and access important aspects of this peculiar libertarian heritage, even absent the same social structure as the homeland. Because of the lack of an actual nobility or established church, Australians on the Right were reluctant to apply the moniker ‘conservative’ to themselves. Nevertheless, when we assess the political philosophy of a figure like Bruce Smith, we are confronted with the fact that this was a liberalism of the most conservative hue. Though a Spencerian, Smith made extensive reference to the past, and the Anglo-Saxon heritage. He recognised that conservatism provided a better guarantor of the sort of individual liberty he espoused than the self-described Liberals.

The question of just how far libertarian conservatism was present in other areas of the Anglosphere is an important one, but the necessary constraints of a thesis have precluded a proper examination here. While the Australian angle has been addressed here, the varying examples of Canada, New Zealand and South Africa would provide important depth to the question of how far a specifically Anglo-Saxon libertarian and conservative heritage was accessible and applicable outside Great Britain. It is of course well-known that the concept of individual liberty found a fertile ground in the United States. Indeed the application of the term libertarian to Individualists largely dates from its post-Second World War American usage, a legacy of the Old Right alliance of conservatives and Individualists against the New Deal. From the 1950s onwards, a debate raged within elements of this alliance as to how congruent the philosophies of libertarianism and traditionalist conservatism actually were.²⁶ Further study might consider the extent to which these American debates found their parallel with late-Victorian British political discourse, allowing for the obvious differences in political culture and context.

²⁶ As mentioned earlier, Frank Meyer’s ‘fusionism’ attempted to blend the two. The Winter edition of *Modern Age*, 24.1 (1980) contains a number of important essays on the subject, including Robert Nisbet, “Conservatives and Libertarians: Uneasy Cousins”; Murray N. Rothbard, “Myth and Truth About Libertarianism”; Tibor R. Machan, “Libertarians and Conservatives”; John P. East, “The American Conservative Movement of the 1980’s: Are Traditional and Libertarian Dimensions Possible?”.

It is precisely these differences that must make us wary about inferring lines of ‘apostolic succession’ between politicians of the Victorian or Edwardian Age and those of the later twentieth century. Looming large in the background of Greenleaf’s monumental study was the rise of Thatcherism and the re-emergence of anti-Collectivism on the Right after many years wandering in the wilderness. Despite the similarities in argument and language between Margaret Thatcher and some of the libertarian figures of the late nineteenth century, there was not as much congruence between the ‘free market Conservatism’ of her day and the libertarian conservatism with which this thesis engages. On the other hand, Enoch Powell’s political philosophy had a much greater resonance with the libertarian conservatism of the late-Victorian period, as it contained many libertarian elements and yet was located firmly within the High Tory tradition. In Powell we can detect many of the elements of the frame of mind described here. For example, he was one of the strongest and earliest advocates of laissez-faire against the *dirigiste* policies of both major parties in the post-war period, whilst also holding to a romantic and historicist conception of the British nation as an organic whole.²⁷

Five years after Wemyss’ death, the American anarchist Victor S. Yarros penned an article in the *International Journal of Ethics* that described what the author believed to be a steadily approaching spirit of “radical *détente*”, between Socialism and Individualism. This was occurring because both sides had largely abandoned the narrow purism that had characterised them in previous decades. For Socialists, there had been the abandonment of “dogmatism...the worship of the State...blind trust in mere machinery, organization, external changes”, while Individualists had come to relinquish the “narrow sectarian, holier-than-thou attitude toward the State”, the “professed abhorrence of all “compulsion””, and the “blind worship of competition, of personal liberty.”²⁸ In most people’s minds, Yarros noted, Individualism was still (erroneously) connected with, among other names, Herbert Spencer and the LPDL.²⁹ By this time the LPDL still existed, but with few of the parliamentary representatives still around, and the cream of the Individualists either dead or no longer active in its circles, it declined in relevance and grew increasingly moribund.

²⁷ For a recent treatment of Powell’s thought see Greville Howard, Baron Howard of Rising, ed., *Enoch at 100: A Re-Evaluation of the Life, Politics and Philosophy of Enoch Powell* (London: Biteback, 2012).

²⁸ Victor S. Yarros, “Socialism and Individualism in Evolution”, *International Journal of Ethics*, 29.4 (Jul., 1919): 405-413 (413).

²⁹ *Ibid.*, 405.

What had changed everything was the coming of war, a point universally recognised, and which A.J.P. Taylor later so poignantly recalled.³⁰ By the 1920s the Conservative Party had become firmly established as the political voice of anti-Socialism at the same time as the Liberal Party died its “strange death”.³¹ While an examination of this lies beyond the remit of this thesis, the groundwork for the Conservative Party’s adoption of this role had been laid by the libertarian figures under discussion here. It was during the late nineteenth and early twentieth centuries that the Conservative Party became a natural repository for libertarian arguments. However, the post-First World War form of anti-Socialism was not doctrinally identical to the form that had existed in the late-Victorian and Edwardian periods. The principles of tradition and individual liberty had to be adapted for a new era and a different context, but the underlying frame of mind had been firmly entrenched. As Roger Scruton has noted:

Conservatism may rarely announce itself in maxims, formulae or aims. Its essence is inarticulate, and its expression, when compelled, sceptical. But it is capable of expression, and in times of crisis, forced either by political necessity, or by the clamour for doctrine, conservatism does its best, though not with any confidence that the words it finds will match the instinct that required them. This lack of confidence stems not from diffidence or dismay, but from an awareness of the complexity of human things, and from an attachment to values which cannot be understood with the abstract clarity of utopian theory.³²

Many of these characteristics ring true for the libertarian form of conservatism described in this thesis. While not lacking in confidence, its exposition occurred by necessity rather than choice. Yet, the attachment to a real inheritance of liberty, which formed a central part of its frame of mind, would persist as a core element of British and Anglosphere conservatism long after its Victorian and Edwardian champions had passed away.

³⁰ A.J.P. Taylor, *English History 1914-1945*, p.2.

³¹ See George Dangerfield’s *The Strange Death of Liberal England* (New York: H. Smith and R. Haas, 1935).

³² Roger Scruton, *The Meaning of Conservatism* (Basingstoke: Palgrave, 2001), p.1.

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