

temporarily dispense with the necessity of checks to population. Further than this we have not to speak of it in this place. The general subject of colonization as a practical question, its importance to this country, and the principles on which it should be conducted, will be touched incidentally in many passages of this work, and treated of in a chapter devoted to the purpose.

## BOOK II.

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## DISTRIBUTION.

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### DISTRIBUTION.

#### CHAPTER I.

##### OF PROPERTY.

§ 1. THE principles which have been set forth in the first part of this Treatise, are, in certain respects, strongly distinguished from those, on the consideration of which we are now about to enter. The laws and conditions of the production of wealth, partake of the character of physical truths. There is nothing optional, or arbitrary in them. Whatever mankind produce, must be produced in the modes, and under the conditions, imposed by the constitution of external things, and by the inherent properties of their own bodily and mental structure. Whether they like it or not, their production will be limited by the amount of their previous accumulation, and, that being given, it will be proportional to their energy, their skill, the perfection of their machinery, and their judicious use of the advantages of combined labour. Whether they like it or not, a double quantity of labour will not raise, on the same land, a double quantity of food, unless some improvement takes place in the processes of cultivation. Whether

they like it or not, the unproductive expenditure of individuals will *pro tanto* tend to impoverish the community, and only their productive expenditure will enrich it. The opinions, or the wishes, which may exist on these different matters, do not control the things themselves. We cannot indeed foresee to what extent the modes of production may be altered, or its powers increased, by future extensions of our knowledge of the laws of nature, suggesting new processes of industry of which we have at present no conception. But howsoever we may succeed in making for ourselves more space within the limits set by the constitution of things, those limits exist; there are ultimate laws, which we did not make, which we cannot alter, and to which we can only conform.

It is not so with the Distribution of Wealth. That is a matter of human institution, solely. The things once there, mankind, individually or collectively, can do with them as they like. They can place them at the disposal of whomsoever they please, and on whatever terms. Further, in the social state, in every state except total solitude, any disposal whatever of them can only take place by the general consent of society. Even what a person has produced by his individual toil, unaided by any one, he cannot keep unless it is the will of society that he should. Not only can society take it from him, but individuals could and would take it from him, if society only remained passive; if it did not either interfere *en masse*, or employ and pay people for the purpose of interfering, to prevent him from being disturbed in the possession. The distribution of wealth, therefore, depends on the laws and customs of society. The rules by which it is determined, are what the opinions and feelings of the community make them, and are very different in different ages and countries; and might be still more different, if mankind so chose.

The opinions and feelings of mankind, doubtless, are not a matter of chance. They are consequences of the funda-

mental laws of human nature, and of the constitution of the planet which we inhabit, modified by local or special peculiarities. But the laws of the generation of human opinions are not within our present subject. They are part of the general theory of human progress, a far larger and more difficult subject of inquiry than political economy. We have here to consider, not the causes, but the consequences, of the rules according to which wealth may be distributed. Those, at least, are as little arbitrary, and have as much the character of physical laws, as the laws of production. Human beings can control their own acts, but not the consequences of their acts, even on their own minds. Society can subject the distribution of wealth to whatever rules it thinks best; but what practical results shall flow from the operation of those rules, society cannot choose, but must be content to learn.

We proceed then to the consideration of the different modes of distributing the produce of land and labour, which have been adopted in practice, or may be conceived in theory. Among these, our attention is first claimed by that primary and fundamental institution, on which, unless in some exceptional and very limited cases, the economical arrangements of society have always rested, although in its secondary features it has varied and is liable to vary. I mean, of course, the institution of individual property.

§ 2. Private property, as an institution, did not owe its origin to any of those considerations of utility, which plead so strongly for the maintenance of it when established. Enough is known of rude ages, both from history and from analogous states of society in our own time, to show, that tribunals (which always precede laws) were originally established, not to determine rights, but to repress violence and terminate quarrels. With this object chiefly in view, they naturally enough gave legal effect to first occupancy, by treating as the aggressor the person who first commenced

violence, by turning, or attempting to turn, another out of possession. The preservation of the peace, which was the original object of civil government, was thus attained; while, by confirming to those who already possessed it, even what was not the fruit of personal exertion, a guarantee was incidentally given to them and others that they would be protected in what was so.

In considering the institution of property as a question in social philosophy, we must leave out of consideration its actual origin in any of the existing nations of Europe, and we may suppose a community unhampered by any previous possession; a body of colonists, occupying for the first time an uninhabited country; bringing nothing with them but what belonged to them in common, and having a clear field for the adoption of the institutions and polity which they judged most expedient: free therefore to choose whether they would conduct the work of production on the principle of individual property, or on some system of common ownership and collective agency.

If private property were adopted, we must presume that it would be accompanied by none of the initial inequalities and injustices which obstruct the beneficial operation of the principle in old societies. Every full grown man or woman, we must suppose, would be secured in the unfettered use and disposal of his or her bodily and mental faculties; and the instruments of production, the land and tools, would be divided fairly among them, so that all might start, in respect to outward appliances, on equal terms. It is even possible to conceive that in this original apportionment, compensation might be made for the injuries of nature, and the balance redressed by assigning to the less robust members of the community advantages in the distribution, sufficient to put them on a par with the rest. But the division, once made, would not again be interfered with; individuals would be left to their own exertions and to the ordinary chances, for making an advantageous use of what was assigned to them.

If individual property, on the contrary, were excluded, the plan which must be adopted would be to hold the land and all instruments of production as the joint property of the community, and to carry on the operations of industry on the common account. The direction of the labour of the community would devolve upon a magistrate or magistrates, whom we may suppose elected by the suffrages of the community, and whom we must assume to be voluntarily obeyed by them. The division of the produce would in like manner be a public act. The principle might either be that of complete equality, or of apportionment to the necessities or deserts of individuals, in whatever manner might be conformable to the ideas of justice or policy prevailing in the community.

Examples of such associations, on a small scale, are the monastic orders, the Moravians, the followers of Rapp, and others; and from the plausible remedy which they hold out for the miseries and iniquities of a state of much inequality of wealth, schemes for a larger application of the same idea have reappeared and become popular at all periods of active speculation on the first principles of society. In an age like the present, when a general reconsideration of all first principles is felt to be inevitable, and when for the first time in history the most suffering portions of the community have a voice in the discussion, it was impossible but that ideas of this nature should spread far and wide. Owenism, or Socialism, in this country, and Communism on the Continent, are the most prevailing forms of the doctrine. These suppose a democratic government of the industry and funds of society, and an equal division of the fruits. In the more refined and elaborate form of the same scheme, which attained a temporary celebrity under the name of St. Simonism, the administering authority was supposed to be a monarchy or aristocracy, not of birth but of capacity; the remuneration of each member of the community being by salary, proportioned to the importance of the services supposed to be rendered by each to the general body.

§ 3. It would be too much to affirm that communities constituted on either of these principles could not permanently subsist. That a country of any large extent could be formed into a single "Co-operative Society," is indeed not easily conceivable. The nearest approach to it ever realized seems to have been the government of Peru under the Incas, a despotism held together by a superstition; not likely to be erected into a type for modern aspirations, although it appeared mild and beneficent to those who contrasted it with the iron rule which took its place\*. But a country might be covered with small Socialist communities, and these might have a Congress to manage their joint concerns. The scheme is not what is commonly meant by impracticable. Supposing that the soil and climate were tolerably propitious, and that the several communities, possessing the means of all necessary production within themselves, had not to contend in the general markets of the world against the competition of societies founded on private property, I doubt not that by a very rigid system of repressing population, they might be able to live and hold together, without positive discomfort. This would be a considerable improvement, so far as the great majority are concerned, over those existing states of society in which no restraint at all is placed on population, or in which the restraint is very inadequate.

The objection ordinarily made to a system of community of property and equal distribution of the produce, that each person would be incessantly occupied in evading his fair share of the work, is, I think, in general considerably overstated. There is a kind of work, hitherto more indispensable than most others, that of fighting, which is never conducted on any other than the co-operative system; and neither in a rude nor in a civilised society has the supposed difficulty been experienced. Education and the current of opinion having adapted themselves to the exigency, the sense of honour

\* See Prescott's "History of the Conquest of Peru."

and the fear of shame have as yet been found to operate with sufficient strength; and common sentiment has sanctioned the enforcement by adequate penalties, upon those not sufficiently influenced by other motives, of rules of discipline certainly not deficient in rigidity. The same sanctions would not fail to attach themselves to the operations of industry, and to secure, as indeed they are found to do in the Moravian and similar establishments, a tolerable adherence to the prescribed standard of duty. The deficiency would be of motives to exceed that minimum standard. In war, the question lies between great success and great failure, between losing a battle and gaining it, perhaps between being slaves and conquerors: and the circumstances of the case are stirring and stimulating to the feelings and faculties. The common operations of industry are the reverse of stirring and stimulating, and the only direct result of extra exertion would be a trifling addition to the common stock shared out among the mass. Mankind are capable of a far greater amount of public spirit than the present age is accustomed to suppose possible. But if the question were that of taking a great deal of personal trouble to produce a very small and unobtrusive public benefit, the love of ease would preponderate. Those who made extra exertions would expect and demand that the same thing should be required from others and made a duty; and in the long run, little more work would be performed by any, than could be exacted from all: the limit to all irksome labour would be the amount which the majority would consent to have made compulsory on themselves. But the majority, even in our present societies, where the intensity of competition and the exclusive dependence of each on his own energies tend to give a morbid strength to the industrial spirit, are almost everywhere indolent and unambitious; content with little, and unwilling to trouble themselves in order to make it more. The standard of industrial duty would therefore be fixed extremely low. There are, no doubt, some kinds of useful exertion, to which

the stimulus would not be weakened in the same degree. Invention is one of these. Invention is in itself an agreeable exercise of the faculties; and when applied successfully to the diminution of labour or the satisfaction of the physical wants of the community, it would in any society be a source of considerable *éclat*. But though to invent is a pleasant operation, to perfect an invention and render it practical is a dull and toilsome one; requiring also means and appliances which, in a society so constructed, no one would possess of his own. The many and long-continued trials by which the object is at last attained, could only be made by first persuading the majority that the scheme would be advantageous; and might be broken off at the very time when the work approached completion, if the patience of the majority became exhausted. We might expect therefore that there would be many projects conceived, and very few perfected: while, the projects being prosecuted, if at all, at the public expense and not at the projector's, if there was any disposition to encourage them, the proportion of bad schemes to good would probably be even greater than at present.

It must be further observed, that the perfect equality contemplated in the theory of the scheme could not be really attained. The produce might be divided equally, but how could the labour? There are many kinds of work, and by what standard are they to be measured one against another? Who is to judge how much cotton spinning, or distributing goods from the stores, or bricklaying, or chimney sweeping, is equivalent to so much ploughing? In the existing system of industry these things do adjust themselves with some, though but a distant, approach to fairness. If one kind of work is harder or more disagreeable than another, or requires a longer practice, it is better paid, simply because there are fewer competitors for it; and an individual generally finds that he can earn most by doing the thing which he is fittest for. I admit that this self-adjusting machinery does not

touch some of the grossest of the existing inequalities of remuneration, and in particular the unjust advantage possessed by almost the commonest mental over almost the hardest and most disagreeable bodily labour. Employments which require any kind of technical education, however simple, have hitherto been the subject of a real monopoly as against the mass. But as popular instruction advances, this monopoly is already becoming less complete, and every increase of prudence and foresight among the people encroaches upon it more and more. On the Communist system the impossibility of making the adjustment between different qualities of labour is so strongly felt, that the advocates of the scheme usually find it necessary to provide that all should work by turns at every description of useful labour: an arrangement which, by putting an end to the division of employments, would sacrifice the principal advantage which co-operative production possesses, and would probably reduce the amount of production still lower than in our supposition. And after all, the nominal equality of labour would be so great a real inequality, that justice would revolt against its being enforced. All persons are not equally fit for all labour; and the same quantity of labour is an unequal burthen on the weak and the strong, the hardy and the delicate, the quick and slow, the dull and the intelligent.

Assuming, however, all the success which is claimed for this state of society by its partisans, it remains to be considered how much would be really gained for mankind, and whether the form that would be given to life, and the character which would be impressed on human nature, can satisfy any but a very low estimate of the capabilities of the species. Those who have never known freedom from anxiety as to the means of subsistence, are apt to overrate what is gained for positive enjoyment by the mere absence of that uncertainty. The necessaries of life, when they have always been secure for the whole of life, are scarcely more a subject of consciousness or a source of happiness than the elements.

There is little attractive in a monotonous routine, without vicissitudes, but without excitement; a life spent in the enforced observance of an external rule, and performance of a prescribed task: in which labour would be devoid of its chief sweetener, the thought that every effort tells perceptibly on the labourer's own interests or those of some one with whom he identifies himself; in which no one could by his own exertions improve his condition, or that of the objects of his private affections; in which no one's way of life, occupations, or movements, would depend on choice, but each would be the slave of all: a social system in which identity of education and pursuits would impress on all the same unvarying type of character, to the destruction of that multiform development of human nature, those manifold unlikenesses, that diversity of tastes and talents, and variety of intellectual points of view, which by presenting to each innumerable notions that he could not have conceived of himself, are the great stimulus to intellect and the mainspring of mental and moral progression. The perfection of social arrangements would be to secure to all persons complete independence and freedom of action, subject to no restriction but that of not doing injury to others: but the scheme which we are considering abrogates this freedom entirely, and places every action of every member of the community under command.

I am aware it may be said that the great majority of the species already suffer, in the existing state of society, all the disadvantages which I ascribe to the Communist system. The factory labourer has as monotonous, indeed a more monotonous existence, than a member of an Owenite community; working a greater number of hours, and at the same dull occupation, without the alternation of employment which the Socialist scheme provides. The generality of labourers, in this and most other countries, have as little choice of occupation or freedom of locomotion, are practically as dependant on fixed rules and on the will of others, as they could be on any system short of actual slavery; to say nothing of the

entire domestic subjection of one half the species, to whom it is the signal honour of Owenism and most other forms of Communism that they assign equal rights, in all respects, with those of the hitherto dominant sex. Again, it may be said of almost all labourers, on the present system, namely of all who work by the day, or for a fixed salary, that labouring for the gain of others, not for their own, they have no interest in doing more than the smallest quantity of work which will pass as a fulfilment of the mere terms of their engagement. Production, therefore, it may be said, should be at least as inefficient on the present plan, as it would be from a similar cause under the other.

To take the last argument first, it is true that, for the very reason assigned, namely, the insufficient interest which day-labourers have in the result of their labour, there is a natural tendency in such labour to be extremely inefficient: a tendency only to be overcome by vigilant superintendence on the part of persons who *are* interested in the result. The "master's eye" is notoriously the only security to be relied on. If a delegated and hired superintendence is found effectual, it is when the superintendents themselves are well superintended, and have a high salary and a privileged situation to lose on being found neglectful of their trust. Superintend them as you will, day-labourers are so much inferior to those who work by the piece, that the latter system is practised in all industrial occupations to which it is conveniently applicable. And yet it is by no means true that day-labourers, under the present arrangements, have no inducements of private interest to energetic action. They have a strong inducement, that of gaining a character as workmen, which may secure them a preference in employment; and they have often a hope of promotion, and of rising in the world, nor is that hope always disappointed. Where no such possibility is open to the labouring classes, their condition is confessedly wrong, and demands a remedy. With respect to the other objections which I have anticipated, I freely admit

them. I believe that the condition of the operatives in a well-regulated manufactory, with a great reduction of the hours of labour and a considerable variety of the kind of it, is very like what the condition of all would be in a Socialist community. I believe that the majority would not exert themselves for any thing beyond this, and that unless they did, nobody else would; and that on this basis human life would settle itself into one invariable round. But to maintain even this state, the limitation of the propagative powers of the community must be as much a matter of public regulation as everything else; since under the supposed arrangements prudential restraint would no longer exist. Now, if we suppose an equal degree of regulation to take place under the present system, either compulsorily, or, what would be so much preferable, voluntarily; a condition at least equal to what the Socialist system offers to all, would fall to the lot of the least fortunate, by the mere action of the competitive principle. Whatever of pecuniary means or freedom of action any one obtained beyond this, would be so much to be counted in favour of the competitive system. It is an abuse of the principle of equality to demand that no individual be permitted to be better off than the rest, when his being so makes none of the others worse off than they otherwise would be.

§ 4. These arguments, to my mind conclusive against Communism, are not applicable to St. Simonism, a system of far higher intellectual pretensions than the other; constructed with greater foresight of objections, and juster appreciation of them; grounded on views of human nature much less limited, and the work altogether of larger and more accomplished minds, by most of whom accordingly, what was erroneous in their theory has long ago been seen and abandoned. The St. Simonian scheme does not contemplate an equal, but an unequal division of the produce; it does not propose that all should be occupied alike, but differently, according

to their vocation or capacity; the function of each being assigned, like grades in a regiment, by the choice of the directing authority, and the remuneration being by salary, proportioned to the importance, in the eyes of that authority, of the function itself, and the merits of the person who fulfils it. For the constitution of the ruling body, different plans might be adopted, consistently with the essentials of the system. It might be appointed by popular suffrage. In the idea of the original authors, the rulers were supposed to be persons of genius and virtue, who obtained the voluntary adhesion of the rest by mere force of mental superiority, through a religious feeling of reverence and subordination. Society, thus constituted, would wear as diversified a face as it does now; would be still fuller of interest and excitement, would hold out even more abundant stimulus to individual exertion, and would nourish, it is to be feared, even more of rivalries and animosities than at present. That the scheme might in some peculiar states of society work with advantage, I will not deny. There is indeed a successful experiment, of a somewhat similar kind, on record, to which I have once alluded; that of the Jesuits, in Paraguay. A race of savages, belonging to a portion of mankind more averse to consecutive exertion for a distant object than any other authentically known to us, was brought under the mental dominion of civilized and instructed men who were united among themselves by a system of community of goods. To the absolute authority of these men they reverentially submitted themselves, and were induced by them to learn the arts of civilized life, and to practise labours for the community which no inducement that could have been offered would have prevailed on them to practise for themselves. This social system was of short duration, being prematurely destroyed by diplomatic arrangements and foreign force. That it could be brought into action at all was probably owing to the immense distance in point of knowledge and intellect which separated the few rulers from the whole body of the ruled, without any



intermediate orders, either social or intellectual. In any other circumstances it would probably have been a complete failure; and we may venture to say that in no European community could it have even the partial success, which might really be obtained by an association on the principle of Communism. It supposes an absolute despotism in the heads of the association; which would probably not be much improved if the depositaries of the despotism (contrary to the views of the authors of the system) were varied from time to time according to the result of a popular canvass. But to suppose that one or a few human beings, howsoever selected, could, by whatever machinery of subordinate agency, be qualified to adapt each person's work to his capacity, and proportion each person's remuneration to his merits—to be, in fact, the dispensers of distributive justice to every member of a community, were it even the smallest that ever had a separate political existence—or that any use which they could make of this power would give general satisfaction, or would be submitted to without the aid of force—is a supposition almost too chimerical to be reasoned against. A fixed rule, like that of equality, might be acquiesced in, and so might chance, or an external necessity; but that a handful of human beings should weigh everybody in the balance, and give more to one and less to another at their sole pleasure and judgment, would not be borne unless from persons believed to be more than men, and backed by supernatural terrors.

§ 5. There has never been imagined any mode of distributing the produce of industry, so well adapted to the requirements of human nature on the whole, as that of letting the share of each individual (not in a state of bodily or mental incapacity,) depend in the main on that individual's own energies and exertions, and on such furtherance as may be obtained from the voluntary good offices of others. It is not the subversion of the system of individual property that should be aimed at; but the improvement of it, and the

participation of every member of the community in its benefits. The principle of private property has never yet had a fair trial in any country; and less so, perhaps, in this country than in some others. The social arrangements of modern Europe commenced from a distribution of property which was the result, not of just partition, or acquisition by industry, but of conquest and violence: and notwithstanding what industry has been doing for many centuries to modify the work of force, the system still retains many traces of its origin. The laws of property have never yet conformed to the principles on which the justification of private property rests. They have made property of things which never ought to be property, and absolute property where only a qualified property ought to exist. They have not held the balance fairly between human beings, but have heaped impediments upon some, to give advantages to others; they have purposely fostered inequalities, and prevented all from starting fair in the race. That all should indeed start on perfectly equal terms, is inconsistent with any law of private property: but if as much pains as has been taken to aggravate the inequality of chances arising from the natural working of the principle, had been taken to temper that inequality by every means not subversive of the principle itself; if the tendency of legislation had been to favour the diffusion, instead of the concentration of wealth, to encourage the subdivision of the large masses, instead of striving to keep them together; the principle of individual property would have been found to have no real connexion with the physical and social evils which have made so many minds turn eagerly to any prospect of relief, however desperate.

It is, at the same time, undeniable that an increasing power of co-operation in any common undertaking, is one of the surest fruits, and most accurate tests, of the progress of civilization: and we may expect, as mankind improve, that joint enterprises of many kinds, which would now be impracticable, will be successively numbered among possibili-

ties, thus augmenting, to an indefinite extent, the powers of the species. But the proper sphere for collective action lies in the things which cannot be done by individual agency, either because no one can have a sufficiently strong personal interest in accomplishing them, or because they require an assemblage of means surpassing what can be commanded by one or a few individuals. Where individual agency is at all suitable, it is almost always the most suitable; working, as it does, with so much greater intensity of motive when the object is personal, with so much stronger a sense of responsibility when it is public, and in either case with a feeling of independence and individual power, unknown to the members of a body under joint government.

## CHAPTER II.

### THE SAME SUBJECT CONTINUED.

§ 1. IT is next to be considered, what is included in the idea of private property, and by what considerations the applicability of the principle is bounded.

The institution of property, reduced to its essential elements, consists in the recognition, in each person, of a right to the exclusive disposal of what he or she have produced by their own exertions, or received by gift or fair agreement, without force or fraud, from those who produced it. The foundation of the whole is, the right of producers to what they themselves have produced. It may be objected, therefore, that the institution as it now exists, recognizes rights of property in individuals over things which they have not produced. For example, (it may be said,) the operatives in a manufactory create, by their labour and skill, the whole produce; yet instead of its belonging to them, the law gives them only their stipulated hire, and transfers the produce to some one who has merely supplied the funds, without perhaps contributing anything to the work itself, even in the form of superintendence. The answer to this is, that the labour of manufacture is only one of the conditions which must combine for the production of the commodity. The labour cannot be carried on without materials and machinery, nor without a stock of necessaries provided in advance, to maintain the labourers during the production. All these things are the fruits of previous labour. If the labourers were possessed of them, they would not need to divide the produce with any one; but since they have them not, an equivalent must be given to those who have, both for the antecedent labour, and for the abstinence by which the produce of that

labour, instead of being expended on indulgences, has been reserved for this use. The capital may not have been, and in most cases was not, created by the labour and abstinence of the present possessor; but it was created by the labour and abstinence of some former person, who, by gift or contract, transferred his claims to the present capitalist; and the abstinence at least must have been continued by each successive owner, down to the present. The terms of co-operation between present labour and the fruits of past labour, are a subject for adjustment between the two parties. Each is necessary to the other. The capitalist can do nothing without labourers, nor the labourers without capital. It may be said, they do not meet on an equal footing: the capitalist, as the richer, can take advantage of the labourer's necessities, and make his conditions as he pleases. He could do so, undoubtedly, if he were but one. The capitalists collectively could do so, if they were not too numerous to combine, and act as a body. But as things are, they have no such advantage. Where combination is impossible, the terms of the contract depend on competition, that is, on the amount of capital which the collective abstinence of society has provided, compared with the number of the labourers. If the labourers compete for employment, the capitalists on their part compete for labour, to the full extent of the circulating capital of the country. A joint administration on account of the state, would not make the fund go further, or afford better terms to the labourers, unless either by enforcing, on the society collectively, greater abstinence, or by limiting more strictly the number of the labouring population. It is impossible to increase the quotient that falls to the share of each labourer, without either augmenting the dividend, or diminishing the divisor.

The right of property includes, then, the freedom of acquiring by contract. The right of each to what he has produced, implies a right to what has been produced by others, if obtained by their free consent, and without fraud;

since the producers must either have given it from good will, or exchanged it for what they esteemed an equivalent, and to prevent them from doing so would be to infringe their right of property in the product of their own industry.

§ 2. Before proceeding to consider the things which the principle of individual property does *not* include, we must specify one more thing which it does include: and this is, that a title, after a certain period, shall be given by prescription. According to the fundamental idea of property, indeed, nothing ought to be treated as such, which has been acquired by force or fraud, or appropriated in ignorance of a prior title vested in some other person; but it is necessary to the security of rightful possessors, that they should not be molested by charges of wrongful acquisition, when by the lapse of time witnesses must have perished or been lost sight of, and the real character of the transaction can no longer be cleared up. Possession which has not been legally questioned within a moderate number of years, ought to be, as by the laws of all nations it is, a complete title. Even when the acquisition was wrongful, the dispossession, after a generation has elapsed, of the probably *bonâ fide* possessors, by the revival of a claim which had been long dormant, would generally be a greater injustice, and almost always a greater private and public mischief, than leaving the original wrong without atonement. It may seem hard that a claim originally just, should be defeated by mere lapse of time; but there is a time after which (even looking at the individual case, and without regard to the general effect on the security of possessors), the balance of hardship turns the other way. With the injustices of men as with the convulsions and disasters of nature, the longer they remain unrepaired, the greater become the obstacles to repairing them, arising from the after-growths which would have to be torn up or broken through. In no human transactions, not even in the simplest and clearest, does it follow that a thing is fit to be done now,

because it was fit to be done sixty years ago. It is scarcely needful to remark, that these reasons for not disturbing acts of injustice of old date, cannot apply to unjust systems or institutions; since a bad law or usage is not one bad act, in the remote past, but a perpetual repetition of bad acts, as long as the law or usage lasts.

Such, then, being the essentials of private property, it is now to be considered, to what extent the forms in which the institution has existed in different states of society, or still exists, are necessary consequences of its principle, or are recommended by the reasons on which it is grounded.

§ 3. Nothing is implied in property but the right of each to his own faculties, to what he can produce by them, and to whatever he can get for them in a fair market: together with his right to give this to another person if he chooses, and the right of that other to receive and enjoy it.

It follows, therefore, that although the right of bequest, or gift after death, forms part of the idea of private property, the right of inheritance, as distinguished from bequest, does not. That the property of a person who has made no disposition of it during his lifetime, should pass first to his children, and failing them, to his nearest relations, may be a proper arrangement or not, but is no consequence of the principle of private property. Although there belong to the decision of such questions many considerations besides those of political economy, it is not foreign to the plan of this work to suggest, for the judgment of thinkers, the view of them which most recommends itself to the writer's mind.

No presumption in favour of existing ideas on this subject is to be derived from their antiquity. In early ages, the property of a deceased person passed to his children and nearest relatives by so natural and obvious an arrangement that no other could ever have been thought of in competition with it. In the first place, they were usually present on the spot; they were in possession, and if they had no other title,

had that, so important in an early state of society, of first occupancy. Secondly, they were already, in a manner, joint owners of his property during his life. If the property was in land, it had generally been conferred by the State on a family rather than on an individual: if it consisted of cattle or moveable goods, it had probably been acquired, and was certainly protected and defended, by the united efforts of all members of the family who were of an age to work or fight. Exclusive individual property, in the modern sense, scarcely entered into the ideas of the time; and when the first magistrate of the association died, he really left nothing vacant but his own share in the division, which devolved on the member of the family who succeeded to his authority. To have disposed of the property otherwise, would have been to break up a little commonwealth, united by ideas, interest, and habits, and to cast them adrift on the world. These considerations, though rather felt than reasoned about, had so great an influence on the minds of mankind, as to create the idea of an inherent right in the children to the possessions of their ancestor; a right which it was not competent to himself to defeat. Bequest, in a primitive state of society, was seldom recognized; a clear proof, were there no other, that property was conceived in a manner totally different from the conception of it in the present time.

But the feudal family, the last historical form of patriarchal life, has long perished, and the unit of society is not now the family or clan, composed of all the reputed descendants of a common ancestor, but the individual; or at most a pair of individuals, with their unemancipated children. Property is now inherent in individuals, not in families; the children when grown up do not follow the occupations or fortunes of the parent: if they participate in his pecuniary means it is at his pleasure, and not by a voice in the ownership and government of the whole, but generally by the exclusive enjoyment of a part: and in this country at least (except as far as entails or other settlements are an obstacle)

it is in his power to disinherit even his children, and leave his fortune to strangers. More distant relatives are in general almost as completely detached from the family and its interests as if they were in no way connected with it. The only claim they are supposed to have on their richer relations is to a preference, *ceteris paribus*, in good offices, and some aid in case of actual necessity.

So great a change in the constitution of society must make a considerable difference in the grounds on which the disposal of property by inheritance should rest. The reasons usually assigned by modern writers for giving the property of a person who dies intestate, to the children, or nearest relatives, are first, the supposition that in so disposing of it, the law is more likely than in any other mode to do what the proprietor himself would have done, if he had done anything; and secondly, the hardship, to those who lived with their parent and partook in his opulence, of being cast down from the enjoyments of wealth into poverty and privation.

There is force in both these arguments. The law certainly ought to do, for the children or dependants of an intestate, whatever it was the duty of the parent or protector to have done, but from accident or negligence or worse causes he failed to do. Whether it would be possible, by means of a public administrator of intestate estates, to take cognizance of special claims and see justice done in detail, is a question of some difficulty into which I forbear to enter. I shall only consider what might with best reason be laid down as a general rule.

We may first remark, that in regard to collateral relations, it is not, unless from special and peculiar causes, the duty of any one to make a pecuniary provision for them. No one now expects it, unless there happen to be no direct heirs; nor would it be expected even then, if the expectation were not created by the provisions of the law in case of intestacy. I see, therefore, no reason why collateral inheritance should exist at all. Mr. Bentham long ago pro-

posed, and other high authorities have agreed in the opinion, that if there are no heirs either in the descending or in the ascending line, the property, in case of intestacy, should escheat to the State. There is no good reason why the accumulations of some childless miser should on his death (as every now and then happens) go to enrich a distant relative who never saw him, who perhaps never knew himself to be related to him until there was something to be gained by it, and who had no moral claim upon him of any kind, more than the most entire stranger. Where collaterals have real claims, those claims are personal, and the proper mode of paying regard to them is by bequest. That duty may be neglected, but is not more likely to be so in the case of relatives than of strangers, who may have just as strong claims of the same nature. If any near relatives, known to be such, were in a state of indigence, a donation, or a small pension, according to circumstances, might, in case of intestacy, be assigned to them when the State appropriated the inheritance. This would be a justice, or a generosity, which they do not experience from the present law, since that gives all to the nearest collaterals, however great may be the necessities of those more distant.

The claims of children are of a different nature: they are real, and indefeasible. But even of these, I venture to think that the measure usually taken is an erroneous one: what is due to children is in some respects underrated, in others, as it appears to me, exaggerated. One of the most binding of all obligations, that of not bringing children into the world unless they can be maintained in comfort, and brought up with a likelihood of its continuance, is both disregarded in practice and made light of in theory in a manner disgraceful to human intelligence. On the other hand, when the parent possesses property, the claims of the children upon it seem to me to be the subject of an opposite error. Whatever fortune a parent may have inherited, or, still more, may have acquired, I cannot admit that he owes to his children, merely because

they are his children, to leave them rich, without the necessity of any exertion. I could not admit it, even if to be so left were always, and certainly, for the good of the children themselves. But this is in the highest degree uncertain. It depends on individual character. Without supposing extreme cases, it may be affirmed that in a majority of instances the good not only of society but of the individuals would be better consulted by bequeathing to them a moderate, than a large provision. This, which is a commonplace of moralists ancient and modern, is felt to be true by many intelligent parents, and would be acted upon much more frequently, if they did not allow themselves to consider less what really is, than what will be thought by others to be, advantageous to the children.

The duties of parents to their children are those which are indissolubly attached to the fact of causing the existence of a human being. The parent owes to society to endeavour to make the child a good and valuable member of it, and owes to his children to provide, so far as depends on him, such education, and such appliances and means, as will enable them to start with a fair chance of a successful life. To this every child has a claim; and I cannot admit, that as a child he has a claim to more. There is a case in which these obligations present themselves nakedly, without any extrinsic circumstances to disguise or confuse them: it is that of an illegitimate child. To such a child it is generally felt that there is due from the parent, the amount of provision for his welfare which will enable him to make his life on the whole a desirable one. I hold that to no child, merely as such, anything more is due, than what is admitted to be due to an illegitimate child: and that no child for whom thus much has been done, has, unless on the score of previously raised expectations, any grievance, if the remainder of the parent's fortune is devoted to public uses, or to the benefit of individuals on whom in the parent's opinion it is better bestowed.

In order to give the children that fair chance of a desirable existence, to which they are entitled, it is generally necessary that they should not be brought up from childhood in habits of luxury which they will not have the means of indulging in after-life. This, again, is a duty often flagrantly violated by possessors of terminable incomes, who have little property to leave. When the children of rich parents have lived, as to a certain degree it is natural they should do, in habits corresponding to the scale of expenditure in which the parents indulge, it is generally the duty of the parents to make a greater provision for them, than would suffice for children otherwise brought up. I say generally, because even here there is another side to the question. It is a proposition quite capable of being maintained, that to a strong nature, which has to make its way against narrow circumstances, to have known early some of the feelings and experiences of wealth, is on the whole an advantage both in the formation of character and in the happiness of life. But ordinary rules of conduct are not framed to suit strong natures, and it is mostly true, that children have a just ground of complaint, who have been brought up more luxuriously than they are afterwards enabled to live. Their claim, therefore, is good to a provision bearing some relation to the mode of their bringing up. But this too is a claim which, though just in itself, is particularly liable to be stretched further than its reasons warrant. The case is exactly that of the younger children of the nobility and landed gentry, the bulk of whose fortune passes to the eldest son. The other sons, who are usually numerous, are brought up in the same habits of luxury as the future heir, and they receive, as a younger brother's portion, generally what the reason of the case dictates, namely, enough to support, in the habits of life to which they are accustomed, themselves, but not a wife and children. It really is no grievance to any man, that for the means of marrying and of supporting a family, he has to depend on his own exertions.

A provision, then, such as is admitted to be reasonable in the case of illegitimate children, of younger children, wherever in short the justice of the case, and the real interests of the individuals and of society, are the only things considered, is, I conceive, all that parents owe to their children, and all, therefore, which the state owes to the children of those who die intestate. The surplus, if any, I hold that it may rightfully appropriate to the general purposes of the community. I would not, however, be so far misunderstood as to be supposed to recommend that parents should not do more for their children than what, merely as children, they have a moral right to. In some cases it is imperative, in many laudable, and in all allowable, to do much more. For this however, the means are afforded by the liberty of bequest. It is due, not to the children but to the parents, that they should have the power of showing marks of affection, of requiting services and sacrifices, and of bestowing their wealth according to their own preferences, or their own judgment of fitness.

§ 4. Whether the power of bequest should itself be subject to limitation, is an ulterior question of no little importance. Unlike inheritance *ab intestato*, bequest is one of the attributes of property: the ownership of a thing cannot be looked upon as complete without the power of bestowing it, at death or during life, at the owner's pleasure: and all the reasons, which recommend that private property should exist, recommend *pro tanto* this extension of it. But property is only a means to an end, not itself the end. Like all other proprietary rights, and even in a greater degree than most, the power of bequest is liable to conflict with objects still more important. It does so, when, not content with bequeathing an estate to A, the testator prescribes that on A's death it shall pass to his eldest son, and to that son's son, and so on for ever. No doubt, persons have occasionally exerted themselves more strenuously to acquire a fortune,

from the hope of founding a family in perpetuity; but the mischiefs to society of such perpetuities outweigh the value of this incentive to exertion, and the incentives in the case of those who have the opportunity of making large fortunes are strong enough without it. A similar abuse of the power of bequest is committed when a person who does the meritorious act of leaving property for public uses, attempts to prescribe the details of its application in perpetuity; when in founding a place of education (for instance) he dictates, for ever, what doctrines shall be taught. It being impossible that any one should know what doctrines will be fit to be taught after he has been dead for centuries, the law ought not to give effect to such dispositions of property, unless subject to the perpetual revision (after a certain interval has elapsed) of a fitting authority.

These are obvious limitations. But even the simplest exercise of the right of bequest, that of determining the person to whom property shall pass immediately on the death of the testator, has always been reckoned among the privileges which might be limited or varied, according to views of expediency. The limitations, hitherto, have been almost solely in favour of children. In England the right is in principle unlimited, almost the only impediment being that arising from a settlement by a former proprietor, in which case the holder for the time cannot indeed bequeath his possessions, but only because there is nothing to bequeath, he having merely a life interest. By the Roman law, on which the civil legislation of the Continent of Europe is principally founded, bequest originally was not permitted at all, and even after it was introduced, a *legitima portio* was compulsorily reserved for each child: and such is still the law in some of the Continental nations. By the French law since the Revolution, the parent can only dispose by will, of a portion equal to the share of one child, each of the children taking an equal portion. This entail, as it may be called, of the bulk of every one's property upon the children

collectively, seems to me as little defensible in principle as an entail in favour of one child, though it does not shock so directly the sentiment of justice. It is questionable whether parents should be compelled to leave to their children even that provision which, as children, I have contended that they have a moral claim to. Children may forfeit that claim by general unworthiness, or particular ill-conduct to the parents: they may have other resources or prospects: what has been previously done for them, in the way of education and advancement in life, may fully satisfy their moral claim; or others may have claims superior to theirs. If they are of age and strength to provide, however humbly, for themselves, the maintenance of some authority in the parent by the power of disinheriting, is perhaps expedient. But however the case may be as to a mere provision, I hold that justice and expediency are wholly against compelling anything beyond. That a person should be certain from childhood of succeeding to a large fortune independently of the good will and affection of any human being, is, unless under very favourable influences of other kinds, almost a fatal circumstance in his education.

The extreme restriction of the power of bequest in French law, was adopted as a democratic expedient, to break down the custom of primogeniture, and counteract the tendency of inherited property to collect in large masses. I agree in thinking these objects eminently desirable; but the means used are not, I think, the most judicious. Were I framing a code of laws according to what seems to me best in itself, without regard to existing opinions and sentiments, I should prefer to restrict, not what any one might bequeath, but what any one should be permitted to acquire, by bequest or inheritance. Each person should have power to dispose by will of his whole property; but not to lavish it in enriching some one individual, beyond a certain maximum, which should be fixed sufficiently high to afford the means of comfortable independence. The inequalities of property which

arise from unequal industry, frugality, perseverance, talents, and even opportunities, are inseparable from the principle of private property, and if we accept the principle, we must bear with these consequences of it: but I see nothing objectionable in fixing a limit to what any one may acquire by the mere favour of others, without any exercise of his faculties, and in requiring that if he desires any further accession of fortune, he shall work for it. I do not conceive that the degree of limitation which this would impose on the right of bequest, would be felt as a burthensome restraint by any testator who estimated a large fortune at its true value, that of the pleasures and advantages that can be purchased with it: on even the most extravagant estimate of which, it must be apparent to every one, that the difference to the happiness of the possessor between a moderate independence and five times as much, is insignificant when weighed against the enjoyment that might be given, and the permanent benefits diffused, by some other disposal of the four-fifths. So long indeed as the opinion practically prevails, that the best thing which can be done for an object of affection is to heap on him to satiety all the external good things of life, there might be little use in enacting such a law, even if it were possible to get it passed, since if there were the inclination, there would generally be the power of evading it. The law would be unavailing unless the popular sentiment went energetically along with it; which (judging from the tenacious adherence of public opinion in France to the law of compulsory division,) it would in some states of society and government be very likely to do, however much the contrary may be the fact in England and at the present time. If the restriction could be made practically effectual, the benefit would be great. Wealth which could no longer be employed in enriching a few, would either be devoted to objects of public usefulness, or if bestowed on individuals, would be distributed among a larger number. While those enormous fortunes which no one needs for any purpose but



ostentation or improper power, would become much less numerous, there would be a great multiplication of families in easy circumstances, with the advantages of leisure, and all the real enjoyments which wealth can give, except those of vanity; a class by whom the services which a nation is entitled to expect from its leisured classes, either by their direct exertions or by the tone they give to the feelings and tastes of the public, would be rendered in a much more beneficial manner than at present. A large portion also of the accumulations of successful industry would probably be devoted to public uses, either by direct bequests to the State, or by the endowment of institutions; as is already done very largely in the United States, where the ideas and practice in the matter of inheritance seem to be unusually rational and beneficial\*.

§ 5. The next point to be considered is, whether the reasons on which the institution of property rests, are applicable to all things in which a right of exclusive ownership is at present recognized; and if not, on what other grounds the recognition is defensible.

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\* "Munificent bequests and donations for public purposes, whether charitable or educational, form a striking feature in the modern history of the United States, and especially of New England. Not only is it common for rich capitalists to leave by will a portion of their fortune towards the endowment of national institutions, but individuals during their lifetime make magnificent grants of money for the same objects. There is here no compulsory law for the equal partition of property among children, as in France, and on the other hand, no custom of entail or primogeniture, as in England, so that the affluent feel themselves at liberty to share their wealth between their kindred and the public; it being impossible to found a family, and parents having frequently the happiness of seeing all their children well provided for and independent long before their death. I have seen a list of bequests and donations made during the last thirty years for the benefit of religious, charitable, and literary institutions in the state of Massachusetts alone, and they amounted to no less a sum than six millions of dollars, or more than a million sterling."—Lyell's *Travels in America*, vol. i., p. 263.

The essential principle of property being to assure to all persons what they have produced by their labour and accumulated by their abstinence, this principle cannot apply to what is not the produce of labour, the raw material of the earth. If the land derived its productive power wholly from nature, and not at all from industry, or if there were any means of discriminating what is derived from each source, it not only would not be necessary, but it would be the height of injustice, to let the gift of nature be engrossed by a few. The use of the land in agriculture must indeed, for the time being, be of necessity exclusive: the same person who has ploughed and sown must be permitted to reap: but the land might be occupied for one season only, as among the ancient Germans; or might be periodically redivided as population increased; or the State might be the universal landlord, and the cultivators tenants under it, either on lease or at will.

But though land is not the produce of industry, most of its valuable qualities are so. Labour is not only requisite for using, but almost equally so for fashioning, the instrument. Considerable labour is often required at the commencement, to clear the land for cultivation. In many cases, even when cleared, its productiveness is wholly the effect of labour and art. The Bedford Level produced little or nothing until artificially drained. The bogs of Ireland, until the same thing is done to them, can produce little besides fuel. One of the barrenest soils in the world, composed of the material of the Goodwin Sands, the Pays de Waes in Flanders, has been so fertilized by industry, as to have become one of the most productive in Europe. Cultivation also requires buildings and fences, which are wholly the produce of labour. The fruits of this industry cannot be reaped in a short period. The labour and outlay are immediate, the benefit is spread over many years, perhaps over all future time. A holder will not incur this labour and outlay when his successors and not himself will be benefited by it. If he undertakes such

improvements, he must have a long period before him in which to profit by them : and he cannot continue always to have a long time before him, unless his tenure is perpetual\*.

§ 6. These are the reasons which form the justification, in an economical point of view, of property in land. It is seen, that they are only valid, in so far as the proprietor of land is its improver. Whenever, in any country, the proprietor, generally speaking, ceases to be the improver, political economy has nothing to say in defence of landed pro-

\* "Ce qui donnait à l'homme l'intelligence et la constance dans ses travaux, ce qui lui faisait diriger tous ses efforts vers un but utile à sa race, c'était le sentiment de la perpétuité. Les terrains les plus fertiles sont toujours ceux que les eaux ont déposés le long de leur cours, mais ce sont aussi ceux qu'elles menacent de leurs inondations ou qu'elles corrompent par des marécages. Avec la garantie de la perpétuité, l'homme entreprit de longs et pénibles travaux pour donner aux marécages un écoulement, pour élever des digues contre les inondations, pour répartir par des canaux d'arrosement des eaux fertilisantes sur les mêmes champs que les mêmes eaux condamnaient à la stérilité. Sans la même garantie, l'homme, ne se contentant plus des fruits annuels de la terre, a démêlé parmi la végétation sauvage les plantes vivaces, les arbustes, les arbres qui pouvaient lui être utiles, il les a perfectionnés par la culture, il a changé en quelque sorte leur essence, et il les a multipliés. Parmi les fruits, en effet, on en reconnaît que des siècles de culture ont seuls pu amener à la perfection qu'ils ont atteinte aujourd'hui, tandis que d'autres ont été importés des régions les plus lointaines. L'homme en même temps a ouvert la terre jusqu'à une grande profondeur, pour renouveler son sol, et le fertiliser par le mélange de ses parties et les impressions de l'air; il a fixé sur les collines la terre qui s'en échappait, et il a couvert la face entière de la campagne d'une végétation partout abondante, et partout utile à la race humaine. Parmi ses travaux, il y en a dont il ne recueillera le fruit qu'au bout de dix ou de vingt ans; il y en a d'autres dont ses derniers neveux jouiront encore dans plusieurs siècles. Tous ont concouru à augmenter la force productive de la nature, à donner à la race humaine un revenu infiniment plus abondant, un revenu dont une portion considérable est consommée par ceux qui n'ont point part à la propriété territoriale, et qui cependant n'auraient point trouvé de nourriture sans ce partage du sol qui semble les avoir deshérités."—Sismondi, *Etudes sur l'Economie Politique*, Troisième Essai, De la Richesse Territoriale.

perty, as there established. In no sound theory of private property was it ever contemplated that the proprietor of land should be merely a sinecurist quartered on it.

In Great Britain, the landed proprietor is not unfrequently an improver. But it cannot be said that he is generally so. And in the majority of cases he grants the liberty of cultivation on such terms, as to prevent improvements from being made by any one else. In the southern parts of the island, as there are usually no leases, permanent improvements can scarcely be made except by the landlord's capital: accordingly the South, compared with the North of England, and with the Lowlands of Scotland, is extremely backward in agricultural improvement. The truth is, that any very general improvement of land by the landlords, is hardly compatible with a law or custom of primogeniture. When the land goes wholly to the heir, it generally goes to him severed from the pecuniary resources which would enable him to improve it, the personal property being absorbed by the provision for younger children, and the land itself often heavily burthened for the same purpose. There is therefore but a small proportion of landlords who have the means of making expensive improvements, unless they do it with borrowed money, and by adding to the mortgages with which in most cases the land was already burthened when they received it. But the position of the owner of a deeply mortgaged estate is so precarious; economy is so unwelcome to one whose apparent fortune greatly exceeds his real means, and the vicissitudes of rent and price which only trench upon the margin of his income, are so formidable to one who can call little more than that margin his own; that it is no wonder if few landlords find themselves in a condition to make immediate sacrifices for the sake of future profit. Were they ever so much inclined, those alone can prudently do it, who have seriously studied the principles of scientific agriculture: and great landlords have seldom seriously studied anything. They might at least hold out in-

duancements to the farmers to do what they will not or cannot do themselves; but even in granting leases, it is in England a general complaint that they tie up their tenants by covenants grounded on the practices of an obsolete and exploded agriculture; while most of them, by withholding leases altogether, and giving the farmer no guarantee of possession beyond a single harvest, keep the land on a footing little more favourable to improvement than in the time of our barbarous ancestors,

— *immetata quibus jugera liberas  
Fruges et Cererem ferunt,  
Nec cultura placet longior annuâ.*

Landed property in England is thus very far from completely fulfilling the conditions which render its existence economically justifiable. But if insufficiently realized even in England, in Ireland those conditions are not complied with at all. With individual exceptions (some of them very honourable ones), the owners of Irish estates do nothing for the land but drain it of its produce. What has been epigrammatically said in the discussions on "peculiar burthens" is literally true when applied to them; that the greatest "burthen on land" is the landlords. Returning nothing to the soil, they consume its whole produce, minus the potatoes strictly necessary to keep the inhabitants from dying of famine; and when they have any notion of improvement, it consists in not leaving even this pittance, but turning out the people, to beggary if not to starvation. When landed property has placed itself upon this footing it ceases to be defensible, and the time has come for making some new arrangement of the matter.

When the "sacredness of property" is talked of, it should always be remembered, that this sacredness does not belong in the same degree to landed property. No man made the land. It is the original inheritance of the whole species. Public reasons exist for its being appropriated. But if those reasons lost their force, the thing would be unjust. It is no

hardship to any one, to be excluded from what others have produced. They were not bound to produce it for his use, and he loses nothing by not sharing in what otherwise would not have existed at all. But it is some hardship to be born into the world and to find all nature's gifts previously engrossed, and no place left for the new-comer. To reconcile people to this, after they have once admitted into their minds the idea that any moral rights belong to them as human beings, it will always be necessary to convince them that the exclusive appropriation is good for mankind on the whole, themselves included. But this is what no sane human being could be persuaded of, if the relation between the landowner and the cultivator were the same everywhere as it is in Ireland.

Landed property is felt, even by those most tenacious of its rights, to be a different thing from other property; and where the bulk of the community have been disinherited of their share of it, and it has become the exclusive attribute of a small minority, men have generally tried to reconcile it, at least in theory, to their sense of justice, by endeavouring to attach duties to it, and erecting it into a sort of magistracy, either moral or legal. But if the state is at liberty to treat the possessors of land as public functionaries, it is only going one step farther to say, that it is at liberty to discard them. The claim of the landowners to the land is altogether subordinate to the general policy of the state. The principle of property gives them no right to the land, but only a right to compensation for whatever portion of their interest in the land it may be the policy of the state to deprive them of. To that, their claim is indefeasible. It is due to landowners, and to owners of any property whatever, recognized as such by the state, that they should not be dispossessed of it without receiving its full pecuniary value, or an annual income equal to what they derived from it. This is due on the general principles on which property rests. If the land was bought with the produce of the

labour and abstinence of themselves or their ancestors, compensation is due to them on that ground; even if otherwise, it is still due on the ground of prescription. Nor can it ever be necessary for accomplishing an object by which the community altogether will gain, that a particular portion of the community should be immolated. When the property is of a kind to which peculiar affections attach themselves, the compensation ought to exceed a bare pecuniary equivalent. But, subject to this proviso, the state is at liberty to deal with landed property as the general interests of the community may require, even to the extent, if it so happen, of doing with the whole, what is done with a part whenever a bill is passed for a railroad or a new street. I do not pretend that occasions can often arise in which so drastic a measure would be fit to be taken into serious consideration, or that it should be thought of as any thing else than an extreme remedy, which may happen to be the only suitable one for an extreme case. But even if this ultimate prerogative of the state could never require to be actually exercised, it ought nevertheless to be asserted, because the principle which permits the greater of two things permits the less, and though to do all which the principle would sanction might never be advisable, to do much less than all not only may be so, but often is so in a very high degree. The community has too much at stake in the proper cultivation of the land, and in the conditions annexed to the occupancy of it, to leave these things to the discretion of a class of persons called landlords, when they have shown themselves unfit for the trust. The legislature, which if it pleased might convert the whole body of landlords into fundholders or pensioners, might, *à fortiori*, commute the average receipts of Irish landowners into a fixed rent charge, and raise the tenants into proprietors; supposing always (without which these acts would be nothing better than robbery,) that the full market value of the land was tendered to the landlords, in case they preferred that to accepting the conditions proposed.

There will be another place for discussing the various modes of landed property and tenure, and the advantages and inconveniences of each; in this chapter our concern is with the right itself, the grounds which justify it, and (as a corollary from those grounds,) the conditions by which it should be limited. To me it seems almost an axiom that property in land should be interpreted strictly, and that the balance in all cases of doubt should incline against the proprietor. The reverse is the case with property in moveables, and in all things the product of labour: over these, the owner's power both of use and of exclusion should be absolute, except where positive evil to society would result from it; but in the case of land, no exclusive right should be permitted in any individual, which cannot be shown to be productive of positive good. To be allowed any exclusive right at all, over a portion of the common inheritance, while there are others who have no portion, is already a privilege. No quantity of moveable goods which a person can acquire by his labour, prevents others from acquiring the like by the same means; but from the very nature of the case, whoever owns land, keeps it from somebody else. The privilege, or monopoly, is only defensible as a necessary evil: it becomes an injustice when carried to any point to which the compensating good does not follow it.

For instance, the exclusive right to the land for purposes of cultivation does not imply an exclusive right to it for purposes of access; and no such right ought to be recognized, except to the extent necessary to protect the produce against damage, and the owner's privacy against invasion. The pretension of two Dukes to shut up a part of the Highlands, and exclude the rest of mankind from many square miles of mountain scenery to prevent disturbance to wild animals, is an abuse; it exceeds the legitimate bounds of landed property. When land is not intended to be cultivated, no good reason can in general be given for its being private property at all; and if any man is permitted to call it his, he ought to

know that he holds it by sufferance of the community, and on an implied condition that his ownership, since it cannot possibly do them any good, at least shall not deprive them of any, which they could have derived from the land if it had been unappropriated. Even in the case of cultivated land, a man whom, though only one among millions, the law permits to hold thousands of acres as his single share, is not entitled to think that all this is given to him to use and abuse, and deal with as if it concerned nobody but himself. The rents or profits which he can obtain from it are his, and his only; but with regard to the land, in everything which he does with it, and in everything which he abstains from doing, he is morally bound, and should whenever the case admits be legally compelled, to make his interest and pleasure consistent with the public good. The species at large still retains, of its original claim to the soil of the planet which it inhabits, as much as is compatible with the purposes for which it has parted with the remainder.

§ 7. Besides property in the produce of labour, and property in land, there are other things which are or have been subjects of property, in which no proprietary rights ought to exist at all. But as the civilized world has in general made up its mind on most of these, there is no necessity for dwelling on them in this place. At the head of them, is property in human beings. It is almost superfluous to observe, that this institution can have no place in any society even pretending to be founded on justice, or on fellowship between human creatures. But, iniquitous as it is, yet, when the state has expressly legalized it, and human beings, for generations, have been bought, sold, and inherited under sanction of law, it is another iniquity to abolish the property without full compensation. This wrong was avoided by the great measure of justice in 1833, probably the most virtuous act, as well as one of the most practically beneficent, ever done collectively by a nation. Other examples of property

which ought not to have been created, are properties in public trusts; such as judicial offices under the old French regime, and the heritable jurisdictions which, in countries not wholly emerged from feudality, pass with the land. Our own country affords, as cases in point, that of a commission in the army, and of an advowson, or right of nomination to an ecclesiastical benefice. A property is also sometimes created in a right of taxing the public; in a monopoly, for instance, or other exclusive privilege. These abuses prevail most in semibarbarous countries; but are not without example in the most civilized. In France there are several important trades and professions, including notaries, attorneys, brokers, appraisers, printers, even bakers and butchers, of which the numbers are limited by law. The *brevet* or privilege of one of the permitted number consequently brings a high price in the market. There is in England a court of justice (the Palace Court at Westminster) in which the number of barristers permitted to practise is restricted to four, who buy their places from their predecessors. In these various cases, compensation probably could not with justice be refused, on the abolition of the privilege. There are other cases in which this would be more doubtful. The question would turn upon what, in the peculiar circumstances, was sufficient to constitute prescription; and whether the legal recognition which the abuse had obtained, was sufficient to constitute it an institution, or amounted only to an occasional licence. It would be absurd to claim compensation for losses caused by changes in a tariff, a thing confessedly variable from year to year; or for monopolies like those granted to individuals by Queen Elizabeth, favours of a despotic authority, which the power that gave was competent at any time to recal.

So much on the institution of property, a subject of which, for the purposes of political economy, it was indispensable to treat, but on which we could not usefully confine ourselves to economical considerations. We have now to

inquire on what principles and with what results the distribution of the produce of land and labour is effected, under the relations which this institution creates among the different members of the community.

## CHAPTER III.

OF THE CLASSES AMONG WHOM THE PRODUCE IS  
DISTRIBUTED.

§ 1. PRIVATE property being assumed as a fact, we have next to enumerate the different classes of persons to whom it gives rise; whose concurrence, or at least whose permission, is necessary to production, and who are therefore able to stipulate for a share of the produce. We have to inquire, according to what laws the produce distributes itself among these classes, by the spontaneous action of the interests of those concerned: after which, a further question will be, what effects are or might be produced by laws, institutions, and measures of government, in superseding or modifying that spontaneous distribution.

The three requisites of production, as has been so often repeated, are labour, capital, and land: understanding by capital, the means and appliances which are the accumulated results of previous labour, and by land, the materials and instruments supplied by nature, whether contained in the interior of the earth, or constituting its surface. Since each of these elements of production may be separately appropriated, the industrial community may be considered as divided into landowners, capitalists, and productive labourers. Each of these classes, as such, obtains a share of the produce: no other person or class obtains anything, except by concession from them. The remainder of the community is, in fact, supported at their expense, giving, if any equivalent, one consisting of unproductive services. These three classes therefore are considered in political economy as making up the whole community.

§ 2. But although these three sometimes exist as separate classes, dividing the produce among them, they do not necessarily or always so exist. The fact is so much otherwise, that there are only one or two communities in which the complete separation of these classes is the general rule. England and Scotland, with parts of Belgium and Holland, are almost the only countries in the world, where the land, capital, and labour employed in agriculture, are generally the property of separate owners. The ordinary case is, that the same person owns either two of these requisites, or all three.

The case in which the same person owns all three, embraces the two extremes of society, in respect to the independence and dignity of the labouring class. First, when the labourer himself is the proprietor. This is the commonest case in the Northern States of the American Union; one of the commonest in France, Switzerland, the three Scandinavian kingdoms, and parts of Germany\* ; and a common

\* "The Norwegian return" (say the Commissioners of Poor Law Enquiry, to whom information was furnished from nearly every country in Europe and America by the ambassadors and consuls there) "states that at the last census in 1825, out of a population of 1,051,318 persons, there were 59,464 freeholders. As by 59,464 freeholders must be meant 59,464 heads of families, or about 300,000 individuals; the freeholders must form more than a fourth of the whole population. Mr. Macgregor states that in Denmark (by which Zealand and the adjoining islands are probably meant) out of a population of 926,110, the number of landed proprietors and farmers is 415,110, or nearly one-half. In Sleswick Holstein, out of a population of 604,085, it is 196,017, or about one-third. The proportion of proprietors and farmers to the whole population is not given in Sweden; but the Stockholm return estimates the average quantity of land annexed to a labourer's habitation at from one to five acres; and though the Gottenburg return gives a lower estimate, it adds, that the peasants possess much of the land. In Wurtemberg we are told that more than two-thirds of the labouring population are the proprietors of their own habitations, and that almost all own at least a garden of from three-quarters of an acre to an acre and a half." In some of these statements, proprietors and farmers are not discriminated; but "all the returns concur in stating the number of day-labourers to be very small."—(*Preface to Foreign Communications*, p. xxxviii.) As the general *status* of the labouring people, the condition of a workman for hire is almost peculiar to Great Britain.

case in parts of Italy and in Belgium. In all these countries there are, no doubt, large landed properties, and a still greater number which, without being large, require the occasional or constant aid of hired labourers. Much, however, of the land is owned in portions too small to require any other labour than that of the peasant and his family, or fully to occupy even that. The capital employed is not always that of the peasant proprietor, many of these small properties being mortgaged to obtain the means of cultivating; but the capital is invested at his risk, and though he pays interest for it, it gives to no one any right of interference, except perhaps eventually to take possession of the land, if the interest ceases to be paid.

The other case in which the land, labour, and capital, belong to the same person, is the case of slave countries, in which the labourers themselves are owned by the landowner. Our West India colonies before emancipation, and the sugar colonies of the nations by whom a similar act of justice is still unperformed, are examples of large establishments for agricultural and manufacturing labour (the production of sugar and rum is a combination of both) in which the land, the factories (if they may be so called), the machinery, and the degraded labourers, are all the property of a capitalist. In this case, as well as in its extreme opposite, the case of the peasant proprietor, there is no division of the produce.

§ 3. When the three requisites are not all owned by the same person, it often happens that two of them are so. Sometimes the same person owns the capital and the land, but not the labour. The landlord makes his engagement directly with the labourer, and supplies the stock necessary for cultivation. This system is the usual one in those parts of Continental Europe, in which the labourers are neither serfs on the one hand, nor proprietors on the other. It was the common system in France before the Revolution, and is still much practised in some parts of that country, when the land

is not the property of the cultivator. It prevails generally in the level districts of Italy, except those purely pastoral, such as the Maremma of Tuscany and the Campagna of Rome. On this system the division of the produce is between two classes, the landowner and the labourer.

In other cases again the labourer does not own the land, but owns the little stock employed upon it, the landlord not being in the habit of supplying any. This system generally prevails in Ireland. It is nearly universal in India, and in most countries of the East; whether the government retains, as it generally does, the ownership of the soil, or allows portions to become, either absolutely or in a qualified sense, the property of individuals. In India, however, things are so far better than in Ireland, that the owner of land is in the habit of making advances to the cultivators, if they cannot cultivate without them. For these advances the native landed proprietor usually demands high interest; but the principal landowner, the government, makes them gratuitously, recovering the advance after the harvest, together with the rent. The produce is here divided as before, between the same two classes, the landowner and the labourer.

These are the principal variations in the classification of those among whom the produce of agricultural labour is distributed. In the case of manufacturing industry there never are more than two classes, the labourers and the capitalists. The original artisans in all countries were either slaves, or the women of the family. In the manufacturing establishments of the ancients, whether on a large or on a small scale, the labourers were the property of the capitalist. If any manual labour was thought compatible with the dignity of a freeman, it was only agricultural labour. The converse system, in which the capital was owned by the labourer, was coeval with free labour, and under it the first great advances of manufacturing industry were achieved. The artizan owned the loom or the few tools he used, and worked on his own account; or at least ended by doing so, though he usually

worked for another, first as apprentice and next as journeyman, for a certain number of years before he could be admitted a master. But the *status* of a permanent journeyman, all his life a hired labourer and nothing more, had no place in the crafts and guilds of the middle ages. In country villages, where a carpenter or a blacksmith cannot live and support hired labourers on the returns of his business, he is even now his own workman; and shopkeepers in similar circumstances are their own shopmen, or shopwomen. But wherever the extent of the market admits of it, the distinction is now fully established between the class of capitalists, or employers of labour, and the class of labourers; the capitalists, in general, contributing no other labour than that of direction and superintendence.



## CHAPTER IV.

### OF COMPETITION, AND CUSTOM.

§ 1. Under the rule of individual property, the division of the produce is the result of two determining agencies: Competition, and Custom. It is important to ascertain the amount of influence which belongs to each of these causes, and in what manner the operation of one is modified by the other.

Political economists generally, and English political economists above others, are accustomed to lay almost exclusive stress upon the first of these agencies; to exaggerate the effect of competition, and take into little account the other, and conflicting principle. They are apt to express themselves as if they thought that competition actually does, in all cases, whatever it can be shewn to be the tendency of competition to do. This is partly intelligible, if we consider that only through the principle of competition has political economy any pretension to the character of a science. So far as rents, profits, wages, prices, are determined by competition, laws may be assigned for them. Assume competition to be their exclusive regulator, and principles of broad generality and scientific precision may be laid down, according to which they will be regulated. The political economist justly deems this his proper business: and as an abstract or hypothetical science, political economy cannot be required to do anything more. But it would be a great misconception of the actual course of human affairs, to suppose that competition exercises in fact this unlimited sway. I am not speaking of monopolies, either natural or artificial, or of any interferences of authority with the liberty of production or exchange. Such disturbing causes have always been allowed

for by political economists. I speak of cases in which there is nothing to restrain competition; no hindrance to it either in the nature of the case or in artificial obstacles; yet in which the result is not determined by competition, but by custom or usage; competition either not taking place at all, or producing its effect in quite a different manner from that which is ordinarily assumed to be natural to it.

§ 2. Competition, in fact, has only become in any considerable degree the governing principle of contracts, at a comparatively modern period. The farther we look back into history, the more we see all transactions and engagements under the influence of fixed customs. The reason is evident. Custom is the most powerful protector of the weak against the strong; their sole protector where there are no laws or government adequate to the purpose. Custom is a barrier which, even in the most oppressed condition of mankind, tyranny is forced in some degree to respect. To the industrious population, in a turbulent military community, freedom of competition is a vain phrase; they are never in a condition to make terms for themselves by it: there is always a master who throws his sword into the scale, and the terms are such as he imposes. But though the law of the strongest decides, it is not the interest nor in general the practice of the strongest to strain that law to the utmost, and every relaxation of it has a tendency to become a custom, and every custom to become a right. Rights thus originating, and not competition in any shape, determine, in a rude state of society, the share of the produce enjoyed by those who produce it. The relations, more especially, between the landowner and the cultivator, and the payments made by the latter to the former, are, in all states of society but the most modern, determined by the usage of the country. Never until late times have the conditions of the occupancy of land been (as a general rule) an affair of com-

petition. The occupier for the time has very commonly been considered to have a right to retain his holding, while he fulfils the customary requirements; and has thus become, in a certain sense, a co-proprietor of the soil. Even where the holder has not acquired this fixity of tenure, the terms of occupation have often been fixed and invariable.

In India, for example, and other Asiatic communities similarly constituted, the ryots, or peasant-farmers, are not regarded as tenants at will, or even as tenants by virtue of a lease. In most villages there are indeed some ryots on this precarious footing, consisting of those, or the descendants of those, who have settled in the place at a known and comparatively recent period: but all who are looked upon as descendants or representatives of the original inhabitants, are thought entitled to retain their land, as long as they pay the customary rents. What these customary rents are, or ought to be, has indeed, in most cases, become a matter of obscurity; usurpation, tyranny, and foreign conquest having to a great degree obliterated the evidences of them. But when an old and purely Hindoo principality falls under the dominion of the British Government, or the management of its officers, and when the details of the revenue system come to be inquired into, it is often found that although the demands of the great landholder, the State, have been swelled by fiscal rapacity until all limit is practically lost sight of, it has yet been thought necessary to have a distinct name and a separate pretext for each increase of exaction; so that the demand has sometimes come to consist of thirty or forty different items, in addition to the nominal rent. This circuitous mode of increasing the payments assuredly would not have been resorted to, if there had been an acknowledged right in the landlord to increase the rent. Its adoption is a proof that there was once an effective limitation, a real customary rent; and that the understood right of the ryot to the land, so long as he paid rent according to custom, was

at some time or other more than nominal\*. The British Government of India always simplifies the tenure by consolidating the various assessments into one, thus making the rent nominally as well as really an arbitrary thing, or at least a matter of specific agreement: but it scrupulously respects the right of the ryot to the land, though it seldom leaves him much more than a bare subsistence.

In modern Europe the cultivators have gradually emerged from a state of personal slavery. The barbarian conquerors of the Western empire found that the easiest mode of managing their conquests would be to leave the land in the hands in which they found it, and to save themselves a labour so uncongenial as the superintendence of troops of slaves, by allowing the slaves to retain in a certain degree the control of their own actions, under an obligation to furnish the lord with provisions and labour. A common expedient was to assign to the serf, for his exclusive use, as much land as was thought sufficient for his support, and to make him work on the other lands of his lord whenever required. By degrees these indefinite obligations were transformed into a definite one, of supplying a fixed quantity of provisions or a fixed quantity of labour: and as the lords, in time, became inclined to employ their income in the purchase of luxuries rather than in the maintenance of retainers, the payments in kind were commuted for payments in money. Each concession, at first voluntary, and revocable at pleasure, gradually acquired the force of custom, and was at last recognised and enforced by the tribunals. In this manner the serfs progressively rose into a free tenantry, who held their land in perpetuity on fixed conditions. The conditions were sometimes very onerous, and the people very

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\* The ancient law books of the Hindoos mention in some cases one-sixth, in others one-fourth of the produce, as a proper rent: but there is no evidence that the rules laid down in those books were, at any period of history, really acted upon.

miserable. But their obligations were determined by the usage or law of the country, and not by competition.

Where the cultivators had never been, strictly speaking, in personal bondage, or after they had ceased to be so, the exigencies of a poor and little advanced society gave rise to another arrangement, which in some parts of Europe, even highly improved parts, has been found sufficiently advantageous to be continued to the present day. I speak of the *métayer* system. Under this, the land is divided, in small farms, among single families, the landlord generally supplying the stock which the agricultural system of the country is considered to require, and receiving, in lieu of rent and profit, a fixed proportion of the produce. This proportion, which is generally paid in kind, is usually, (as is implied in the words *métayer*, *mezzaiuolo*, and *medietarius*.) one-half. There are places, however, such as the rich volcanic soil of the Province of Naples, where the landlord takes two-thirds, and yet the cultivator by means of an excellent agriculture contrives to live. But whether the proportion is two-thirds or one-half, it is a fixed proportion; not variable from farm to farm, or from tenant to tenant. The custom of the country is the universal rule; nobody thinks of raising or lowering rents, or of letting land on other than the customary conditions. Competition, as a regulator of rent, has no existence.

§ 3. Prices, whenever there was no monopoly, came earlier under the influence of competition, and are much more universally subject to it, than rents: but that influence is by no means, even in the present state of intense competition, so absolute as is sometimes assumed. There is no proposition which meets us in the field of political economy oftener than this—that there cannot be two prices in the same market. Such undoubtedly is the natural effect of unimpeded competition; yet every one knows that there are, very often, two prices in the same market. Not only are

there in every large town, and in almost every trade, cheap shops and dear shops, but the same shop often sells the same article at different prices to different customers: and, as a general rule, each retailer adapts his scale of prices to the class of customers whom he expects. The wholesale trade, in the great articles of commerce, is really under the dominion of competition. There, the buyers as well as sellers are traders or manufacturers, and their purchases are not influenced by indolence or vulgar finery, but are business transactions. In the wholesale markets therefore it is true as a general proposition, that there are not two prices at one time for the same thing: there is at each time and place a market price, which can be quoted in a price-current. But retail price, the price paid by the actual consumer, seems to feel very slowly and imperfectly the effect of competition; and when competition does exist, it often, instead of lowering prices, merely divides the gains of the high price among a greater number of dealers. Hence it is that, of the price paid by the consumer, so large a proportion is absorbed by the gains of retailers; and any one who inquires into the amount which reaches the hands of those who made the things he buys, will often be astonished at its smallness. When indeed the market, being that of a great city, holds out a sufficient inducement to large capitalists to engage in retail operations, it is generally found a better speculation to attract a large business by underselling others, than merely to divide the field of employment with them. This influence of competition is making itself felt more and more through the principal branches of retail trade in the large towns; and the rapidity and cheapness of transport, by making consumers less dependent on the dealers in their immediate neighbourhood, are tending to assimilate more and more the whole country to a large town: but hitherto it is only in the great centres of business that retail transactions have been chiefly, or even much, determined, by competition. Elsewhere it rather acts, when it acts at all,

as an occasional disturbing influence; the habitual regulator is custom, modified from time to time by notions existing in the minds of purchasers and sellers, of some kind of equity or justice.

In many trades the terms on which business is done are a matter of positive arrangement among the trade, who use the means they always possess of making the situation of any member of the body who departs from its fixed customs, inconvenient or disagreeable. It is well known that the bookselling trade is one of these, and that notwithstanding the active spirit of rivalry in the trade, competition does not produce its natural effect in breaking down the trade rules. All professional remuneration is regulated by custom. The fees of physicians, surgeons, and barristers, the charges of attorneys, are nearly invariable. Not certainly for want of abundant competition in those professions, but because the competition operates by diminishing each competitor's chance of fees, not by lowering the fees themselves.

Since custom stands its ground against competition to so considerable an extent, even where, from the multitude of competitors and the general energy in the pursuit of gain, the spirit of competition is strongest, we may be sure that this is much more the case where people are content with smaller gains, and estimate their pecuniary interest at a lower rate when balanced against their ease or their pleasure. I believe it will often be found, in Continental Europe, that prices and charges, of some or of all sorts, are much higher in some places than in others not far distant, without its being possible to assign any other cause than that it has always been so: the customers are used to it, and acquiesce in it. An enterprising competitor, with sufficient capital, might force down the charges, and make his fortune during the process; but there are no enterprising competitors; those who have capital prefer to leave it where it is, or to make less profit by it in a more quiet way.

These observations must be received as a general correc-

tion, to be applied whenever relevant, whether expressly mentioned or not, to the conclusions contained in the subsequent portions of this treatise. Our reasonings must, in general, proceed as if the known and natural effects of competition were actually produced by it, in all cases in which it is not restrained by some positive obstacle. Where competition, though free to exist, does not exist, or where it exists but has its natural consequences overruled by any other agency, the conclusions will fail more or less of being applicable. To escape error, we ought, in applying the conclusions of political economy to the actual affairs of life, to consider not only what will happen supposing the maximum of competition, but how far the result will be affected if competition falls short of the maximum.

The states of economical relation which stand first in order, to be discussed and appreciated, are those in which competition has no part, the arbiter of transactions being either brute force or established usage. These will be the subject of the next four chapters.

## CHAPTER V.

### OF SLAVERY.

§ 1. AMONG the forms which society assumes under the influence of the institution of property, there are, as I have already remarked, two, otherwise of a widely dissimilar character, but resembling in this, that the ownership of the land, the labour, and the capital, is in the same hands. One of these cases is that of slavery, the other is that of peasant proprietors. In the one, the landowner owns the labour, in the other the labourer owns the land. We begin with the first.

In this system all the produce belongs to the landlord. The food and other necessaries of his labourers are part of his expenses. The labourers possess nothing but what he thinks fit to give them, and until he thinks fit to take it back; and they work as hard as he chooses, or is able, to compel them. Their wretchedness is only limited by his humanity, or his "enlightened self-interest." With the first consideration, we have on the present occasion nothing to do. What the second in so detestable a constitution of society may dictate, depends on the facilities for importing fresh slaves. If full-grown able-bodied slaves can be procured in sufficient numbers, and imported at a moderate expense, enlightened self-interest will recommend working the slaves to death, and replacing them by importation, in preference to the slow and expensive process of breeding them. Nor are the slave-owners generally backward in learning this lesson. It is notorious that such was the practice in our own slave colonies, while the slave-trade was legal; and it is said to be so still in Cuba, and in those States of the American Union which receive a regular supply of negroes from other States.

When, as among the ancients, the slave-market could only be supplied by captives either taken in war, or kidnapped from thinly-scattered tribes on the remote confines of the known world, it was generally more profitable to keep up the number by breeding, which necessitates a far better treatment of them; and for this reason, joined with several others, the condition of slaves, notwithstanding occasional enormities, was probably much less bad in the ancient world, than in the colonies of modern nations. The Helots are usually cited as the type of the most hideous form of personal slavery, but with how little truth, appears from the fact, that they were regularly armed (though not with the panoply of the hoplite) and formed an integral part of the military strength of the State. They were doubtless an inferior and degraded caste, but their slavery seems to have been one of the least onerous varieties of serfdom. Slavery appears in far more frightful colours among the Romans, during the period in which the Roman aristocracy was gorging itself with the plunder of a newly-conquered world. The Romans were a cruel people, and the worthless nobles sported with the lives of their myriads of slaves with the same reckless prodigality with which they squandered any other part of their ill-acquired possessions. Yet, slavery is divested of one of its worst features when it is compatible with hope: enfranchisement was easy and common; enfranchised slaves obtained at once the full rights of citizens, and instances were frequent of their acquiring not only riches, but latterly even honours. By the progress of milder legislation under the Emperors, much of the protection of law was thrown round the slave, he became capable of possessing property, and the evil altogether assumed a considerably gentler aspect.

Until, however, slavery assumes the mitigated form of villenage, in which not only the slave has property and legal rights, but his obligations are more or less limited by usage, and he partly labours for his own benefit; his condition is seldom such as to produce a rapid growth of population.

This cannot be from physical privation, for no slave-labourers are worse fed, clothed, or lodged, than the free peasantry of Ireland. The cause usually assigned, is the great disproportion of the sexes which almost always exists where slaves are not bred but imported: this cannot however be the sole cause, as the negro population of our West India colonies continued nearly stationary, after the slave-trade to those colonies was suppressed. Whatever be the causes, a slave population is seldom a rapidly increasing one. Slave countries, unless of very small extent or limited natural resources, are generally underpeopled in proportion to their cultivable land. The labour of the slaves, therefore, under any tolerable management, produces much more than is sufficient for their support; especially as the great amount of superintendence which their labour requires, preventing the dispersion of the population, ensures some of the advantages of combined labour. Hence, in a good soil and climate, and with reasonable care of his own interests, the owner of many slaves has the means of being rich.

§ 2. The influence, however, of such a state of society on production, is perfectly well understood. It is a truism to assert, that labour extorted by fear of punishment is inefficient and unproductive. It is true that in some circumstances, human beings can be driven by the lash to attempt, and even to accomplish, things which they would not have undertaken for any payment which it could have been worth while to an employer to offer them. And it is likely that productive operations which require much combination of labour, the production of sugar for example, would not have taken place so soon in the American colonies, if slavery had not existed to keep masses of labour together. There are also savage tribes so averse from regular industry, that industrial life is scarcely able to introduce itself among them until they are either conquered or made slaves of, or become conquerors and make others so. But after allowing the

full value of these considerations, it remains certain that slavery, even in the most mitigated form, is incompatible with any high state of the arts of life, and any real efficiency of labour. For all products which require much skill, slave countries are always dependent on foreigners. Hopeless slavery effectually brutifies the intellect; and intelligence in the slaves, though often encouraged in the ancient world and in the East, is in a more advanced state of society a source of so much danger and an object of so much dread to the masters, that in some countries it is a highly penal offence to teach a slave to read. All processes carried on by slave labour are conducted in the rudest and most unimproved manner. And even the animal strength of the slave is, on an average, not half exerted. The mildest form of slavery is certainly the condition of the serf, who is attached to the soil, supports himself from his allotment, and works a certain number of days in the week for his lord. Yet there is but one opinion on the extreme inefficiency of serf labour. The following passage is from Professor Jones\*, whose *Essay on the Distribution of Wealth* (or rather on Rent), is a copious repertory of valuable facts on the landed tenures of different countries.

“The Russians, or rather those German writers who have observed the manners and habits of Russia, state some strong facts on this point. Two Middlesex mowers, they say, will mow in a day as much grass as six Russian serfs, and in spite of the dearness of provisions in England and their cheapness in Russia, the mowing a quantity of hay which would cost an English farmer half a copeck, will cost a Russian proprietor three or four copecks†. The Prussian counsellor of state Jacob is considered to have proved, that in Russia, where everything is cheap, the labour of a serf is

\* *Essay on the Distribution of Wealth and on the Sources of Taxation.* By the Rev. Richard Jones. Page 50.

† “Schmalz, *Economie Politique*, French translation, vol. i. p. 66.”

doubly as expensive as that of a labourer in England. M. Schmalz gives a startling account of the unproductiveness of serf labour in Prussia, from his own knowledge and observation\*. In Austria, it is distinctly stated, that the labour of a serf is equal to only one-third of that of a free hired labourer. This calculation, made in an able work on agriculture, (with some extracts from which I have been favoured), is applied to the practical purpose of deciding on the number of labourers necessary to cultivate an estate of a given magnitude. So palpable, indeed, are the ill effects of labour rents on the industry of the agricultural population, that in Austria itself, where proposals for changes of any kind do not readily make their way, schemes and plans for the commutation of labour rents are as popular as in the more stirring German provinces of the North."

What is wanting in the quality of the labour itself, is not made up by any excellence in the direction and superintendence. As the same writer† remarks, the landed proprietors "are necessarily, in their character of cultivators of their own domains, the only guides and directors of the industry of the agricultural population," since there can be no intermediate class of capitalist farmers where the labourers are the property of the lord. Great landowners are everywhere an idle class, or if they labour at all, addict themselves only to the more exciting kinds of exertion; that lion's share which superiors always reserve for themselves. "It would," as Mr. Jones observes, "be hopeless and irrational to expect, that a race of noble proprietors, fenced round with privileges and dignity, and attracted to military and political pursuits by the advantages and habits of their station, should ever become attentive cultivators as a body." Even in England, if the cultivation of every estate depended upon its proprietor, any one can judge what would be the result.

\* "Vol. ii. p. 107."

† Jones, pp. 53, 54.

There would be a few cases of great science and energy, and numerous individual instances of moderate success, but the general state of agriculture would be contemptible.

§ 3. Whether the proprietors themselves would lose by the emancipation of their slaves, is a different question from the comparative effectiveness of free and slave labour to the community. There has been much discussion of this question as an abstract thesis; as if it could possibly admit of any universal solution. Whether slavery or free labour is most profitable to the employer, depends on the wages of the free labourer. These, again, depend on the numbers of the labouring population, compared with the capital and the land. Hired labour is generally so much more efficient than slave labour, that the employer can pay a considerably greater value in wages, than the maintenance of his slaves cost him before, and yet be a gainer by the change: but he cannot do this without limit. The decline of serfdom in Europe, and its extinction in the Western nations, was doubtless hastened by the changes which the growth of population must have made in the pecuniary interests of the master. As population pressed harder upon the land, without any improvement in agriculture, the maintenance of the serfs necessarily became more costly, and their labour less valuable. With the rate of wages such as it is in Ireland, or in England (where in proportion to its efficiency labour is quite as cheap as in Ireland,) no one can for a moment imagine that slavery could be profitable. If the Irish peasantry were slaves, their masters would be as willing, as their landlords now are, to pay large sums merely to get rid of them. In the rich and underpeopled soil of the West India islands, there is just as little doubt that the balance of profits between free and slave labour was greatly on the side of slavery, and that the compensation granted to the slave-owners for its abolition was not more, but in all probability less, than an equivalent for their loss.

More needs not be said here on a cause so completely judged and decided as that of slavery. It will be curious to see how long the other nations possessing slave colonies will be content to remain behind England in a matter of such concernment both to justice, which decidedly is not at present a fashionable virtue, and to philanthropy, which certainly is so. Europe is far more inexcusable than America in tolerating an enormity, of which she could rid herself with so much greater ease. I speak of negro slavery, not of the servage of the Slavonic nations, who have not yet advanced beyond a state of civilization corresponding to the age of villenage in Western Europe, and can only be expected to emerge from it in the same gradual manner, however much accelerated by the salutary influence of the ideas of more advanced countries.

## CHAPTER VI.

## OF PEASANT PROPRIETORS.

§ 1. IN the régime of peasant properties, as in that of slavery, the whole produce belongs to a single owner, and the distinction of rent, profits, and wages, does not exist. In all other respects, the two states of society are the extreme opposites of each other. The one is the state of greatest oppression and degradation to the labouring class. The other is that in which they are the most uncontrolled arbiters of their own lot.

The advantage, however, of small properties in land, is one of the most disputed questions in the range of political economy. On the Continent, though there are some dissentients from the prevailing opinion, the benefit of having a numerous proprietary population exists in the minds of most people in the form of an axiom. But English authorities are either unaware of the judgment of Continental agriculturists, or are content to put it aside, on the plea of their having no experience of large properties in favourable circumstances: the advantage of large properties being only felt where there are also large farms; and as this, in arable districts, implies a greater accumulation of capital than usually exists on the Continent, the great Continental estates, except in the case of grazing farms, are mostly let out for cultivation in small portions. There is some truth in this; but the argument admits of being retorted; for if the Continent knows little, by experience, of cultivation on a large scale and by large capital, the generality of English writers are no better acquainted practically with peasant proprietors, and have almost always the most erroneous ideas of their social condition and mode of life. Yet the old traditions



even of England are on the same side with the general opinion of the Continent. The "yeomanry" who were vaunted as the glory of England while they existed, and have been so much mourned over since they disappeared, were either small proprietors or small farmers, and if they were mostly the last, the character they bore for sturdy independence is the more noticeable. There is a part of England, unfortunately a very small part, where peasant proprietors are still common; for such are the "statesmen" of Cumberland and Westmoreland, though they pay, I believe, generally if not universally, certain customary dues, which, being fixed, no more affect their character of proprietors than the land-tax does. There is but one voice, among those acquainted with the country, on the admirable effects of this tenure of land in those counties. No other agricultural population in England could have furnished the originals of Wordsworth's peasantry\*.

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\* In Mr. Wordsworth's little descriptive work on the scenery of the Lakes, he speaks of the upper part of the dales as having been for centuries "a perfect republic of shepherds and agriculturists, proprietors, for the most part, of the lands which they occupied and cultivated. The plough of each man was confined to the maintenance of his own family, or to the occasional accommodation of his neighbour. Two or three cows furnished each family with milk and cheese. The chapel was the only edifice that presided over these dwellings, the supreme head of this pure commonwealth; the members of which existed in the midst of a powerful empire, like an ideal society, or an organized community, whose constitution had been imposed and regulated by the mountains which protected it. Neither high-born nobleman, knight, nor esquire was here; but many of these humble sons of the hills had a consciousness that the land which they walked over and tilled had for more than five hundred years been possessed by men of their name and blood. . . . Corn was grown in these vales sufficient upon each estate to furnish bread for each family, no more. The storms and moisture of the climate induced them to sprinkle their upland property with outhouses of native stone, as places of shelter for their sheep, where, in tempestuous weather, food was distributed to them. Every family spun from its own flock the wool with which it was clothed; a weaver was here and there found among them, and the rest of their wants was supplied by the produce of the yarn, which they carded and spun in

The general system, however, of English cultivation, affording no experience to render the nature and operation of peasant properties familiar, and Englishmen being in general profoundly ignorant of the agricultural economy of other countries, the very idea of peasant proprietors is strange to the English mind, and does not easily find access to it. Even the forms of language stand in the way: the familiar designation for owners of land being "landlords," a term to which "tenants" is always understood as a correlative. When, very recently, the suggestion of peasant properties as a means of Irish improvement found its way into parliamentary and newspaper discussions, there were writers of pretension to whom the word "proprietor" was so far from conveying any distinct idea, that they mistook the small holdings of Irish cottier tenants for peasant properties. The subject being so little understood, I think it important, before entering into the theory of it, to do something towards shewing how the case stands as to matter of fact; by exhibiting, at greater length than would otherwise be admissible, some of the testimony which exists respecting the state of cultivation, and the comfort and happiness of the cultivators, in those countries and parts of countries, in which the greater part of the land has neither landlord nor farmer, other than the labourer who tills the soil.

§ 2. I lay no stress on the condition of North America where, as is well known, the land, wherever free from the curse of slavery, is almost universally owned by the same person who holds the plough. A country combining the natural fertility of America with the knowledge and arts of modern Europe, is so peculiarly circumstanced, that scarcely

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their own houses, and carried to market either under their arms, or more frequently on packhorses, a small train taking their way weekly down the valley, or over the mountains, to the most commodious town."—*A Description of the Scenery of the Lakes in the North of England*, 3rd edit. pp. 50 to 53 and 63 to 65.

anything, except insecurity of property or a tyrannical government, could materially impair the prosperity of the industrious classes. I might, with Sismondi, insist more strongly on the case of ancient Italy, especially Latium, that Campagna which then swarmed with inhabitants in the very regions which under a contrary régime have become uninhabitable from malaria. But I prefer taking the evidence of the same writer on things known to him by personal observation.

“C'est surtout la Suisse,” says M. de Sismondi, “qu'il faut parcourir, qu'il faut étudier, pour juger du bonheur des paysans propriétaires. C'est la Suisse qu'il faut apprendre à connaître pour se convaincre que l'agriculture pratiquée par ceux-là même qui en recueillent les fruits suffit pour procurer une grande aisance à une population très nombreuse; une grande indépendance de caractère, fruit de l'indépendance des situations; un grand commerce de consommation, conséquence du bien être de tous les habitans, même dans un pays dont le climat est rude, dont le sol est médiocrement fertile, et où les gelées tardives et l'inconstance des saisons détruisent suivent l'espoir du laboureur. On ne saurait voir sans admiration ces maisons de bois du moindre paysan, si vastes, si bien closes, si bien construites, si couvertes de sculpture. Dans l'intérieur de grands corridors dégagent chaque chambre de la nombreuse famille; chaque chambre n'a qu'un lit, et il est abondamment pourvu de rideaux, de couvertures, et du linge le plus blanc; des meubles soignés l'entourent; les armoires sont remplies de linge, la laiterie est vaste, aérée, et d'une netteté exquise; sous le même toit on trouve de grands approvisionnement de blé, de viande salée, de fromage et de bois; dans les étables on voit le bétail le mieux soigné et le plus beau de l'Europe; le jardin est planté de fleurs, les hommes comme les femmes sont chaudement et proprement habillés, les dernières conservent avec orgueil leur antique costume; tous portent sur leur visage l'empreinte de la vigueur et de la santé. Que d'autres nations

vantent leur opulence, la Suisse pourra toujours leur opposer avec orgueil ses paysans\*.”

The same eminent writer thus expresses his opinion on peasant proprietorship in general.

“Partout où l'on retrouve les paysans propriétaires, on retrouve aussi cette aisance, cette sécurité, cette confiance dans l'avenir, cette indépendance qui assurent en même temps le bonheur et la vertu. Le paysan qui fait avec ses enfans tout l'ouvrage de son petit héritage, qui ne paie de fermage à personne au-dessus de lui, ni de salaire à personne au-dessous, qui règle sa production sur sa consommation, qui mange son propre blé, boit son propre vin, se revêt de son chanvre et de ses laines, se soucie peu de connaître les prix du marché; car il a peu à vendre et peu à acheter, et il n'est jamais ruiné par les révolutions du commerce. Loin de craindre pour l'avenir, il le voit s'embellir dans son espérance; car il met à profit pour ses enfans, pour les siècles qui viendront, chacun des instans que ne requiert pas de lui le travail de l'année. Il lui a suffi de donner peu de momens de travail pour mettre en terre le noyau qui dans cent ans sera un grand arbre, pour creuser l'aqueduc qui séchera à jamais son champ, pour former le conduit qui lui amènera une source d'eau vive, pour améliorer par des soins souvent répétés mais dérobés sur les instans perdus, toutes les espèces d'animaux et de végétaux dont il s'entoure. Son petit patri-moine est une vraie caisse d'épargnes, toujours prête à recevoir tous ses petits profits, à utiliser tous ses momens de loisir. La puissance toujours agissante de la nature les féconde, et les lui rend au centuple. Le paysan a vivement le sentiment de ce bonheur attaché à la condition de propriétaire. Aussi est-il toujours empressé d'acheter de la terre à tout prix. Il la paie plus qu'elle ne vaut, plus qu'elle ne lui rendra peut-être; mais combien n'a-t-il pas raison d'estimer

\* *Etudes sur l'Economie Politique*, Essai iii. See also to the same effect Laing's *Notes of a Traveller*, p. 354.

à un haut prix l'avantage de placer désormais toujours avantageusement son travail, sans être obligé de l'offrir au rabais; de trouver toujours au besoin son pain, sans être obligé de le payer à l'enchère.

“Le paysan propriétaire est de tous les cultivateurs celui qui tire le plus de parti du sol; parceque c'est celui qui songe le plus à l'avenir, tout comme celui qui a été le plus éclairé par l'expérience; c'est encore lui qui met le mieux à profit le travail humain, parceque répartissant ses occupations entre tous les membres de sa famille, il en réserve pour tous les jours de l'année, de manière à ce qu'il n'y ait de chômage pour personne: de tous les cultivateurs il est le plus heureux, et en même temps, sur un espace donné, la terre ne nourrit bien, sans s'épuiser, et n'occupe jamais tant d'habitans que lorsqu'ils sont propriétaires; enfin de tous les cultivateurs le paysan propriétaire est celui qui donne le plus d'encouragement au commerce et à l'industrie, parcequ'il est le plus riche\*.”

This picture of unwearied assiduity, and what may be called affectionate interest in the land, is borne out in regard

\* And in another work (*Nouveaux Principes d'Economie Politique*, liv. iii., ch. 3.) he says: “Quand on traverse la Suisse presque entière, plusieurs provinces de France, d'Italie, et d'Allemagne, il n'est pas besoin de demander, en regardant chaque partie de terre, si elle appartient à un cultivateur propriétaire ou à un fermier. Les soins bien entendus, les jouissances préparées au laboureur, la parure que la campagne a reçue de ses mains, indiquent bien vite le premier. Il est vrai qu'un gouvernement oppressif peut détruire l'aisance et abrutir l'intelligence que devait donner la propriété, que l'impôt peut enlever le plus net du produit des champs, que l'insolence des agens du pouvoir peut troubler la sécurité des paysans, que l'impossibilité d'obtenir justice contre un puissant voisin peut jeter le découragement dans l'âme, et que, dans le beau pays qui a été rendu à l'administration du Roi de Sardaigne, un propriétaire porte aussi bien qu'un journalier l'uniforme de la misère.” He is here speaking of Savoy, where the peasants are generally proprietors; and according to authentic accounts, extremely miserable. But, as M. de Sismondi continues, “On a beau se conformer à une seule des règles de l'économie politique, elle ne peut pas opérer le bien à elle seule; du moins elle diminue le mal.”

to the more intelligent Cantons of Switzerland by English observers. “In walking anywhere in the neighbourhood of Zurich,” says Mr. Inglis, “in looking to the right or to the left, one is struck with the extraordinary industry of the inhabitants; and if we learn that a proprietor here has a return of ten per cent, we are inclined to say, ‘he deserves it.’ I speak at present of country labour, though I believe that in every kind of trade also, the people of Zurich are remarkable for their assiduity; but in the industry they show in the cultivation of their land I may safely say they are unrivalled. When I used to open my casement between four and five in the morning to look out upon the lake and the distant Alps, I saw the labourer in the fields; and when I returned from an evening walk, long after sunset, as late, perhaps, as half-past eight, there was the labourer, mowing his grass, or tying up his vines. . . . It is impossible to look at a field, a garden, a hedging, scarcely even a tree, a flower, or a vegetable, without perceiving proofs of the extreme care and industry that are bestowed upon the cultivation of the soil. If for example, a path leads through, or by the side of a field of grain, the corn is not, as in England, permitted to hang over the path, exposed to be pulled or trodden down by every passer by; it is everywhere bounded by a fence, stakes are placed at intervals of about a yard, and, about two or three feet from the ground, boughs of trees are passed longitudinally along. If you look into a field towards evening, where there are large beds of cauliflower or cabbage, you will find that every single plant has been watered. In the gardens, which around Zurich are extremely large, the most punctilious care is evinced in every production that grows. The vegetables are planted with seemingly mathematical accuracy; not a single weed is to be seen, nor a single stone. Plants are not earthed up as with us, but are planted in a small hollow, into each of which a little manure is put, and each plant is watered daily. Where seeds are sown, the earth directly above is broken into the finest powder; every

shrub, every flower is tied to a stake, and where there is wall-fruit a trellice is erected against the wall, to which the boughs are fastened, and there is not a single thing that has not its appropriate resting place\*."

Of one of the remote valleys of the High Alps the same writer thus expresses himself\* :—

"In the whole of the Engadine the land belongs to the peasantry, who, like the inhabitants of every other place where this state of things exists, vary greatly in the extent of their possessions. . . . Generally speaking, an Engadine peasant lives entirely upon the produce of his land, with the exception of the few articles of foreign growth required in his family, such as coffee, sugar, and wine. Flax is grown, prepared, spun, and woven, without ever leaving his house. He has also his own wool, which is converted into a blue coat without passing through the hands of either the dyer or the tailor. The country is incapable of greater cultivation than it has received. All has been done for it that industry and an extreme love of gain can devise. There is not a foot of waste land in the Engadine, the lowest part of which is not much lower than the top of Snowdon. Wherever grass will grow, there it is; wherever a rock will bear a blade, verdure is seen upon it; wherever an ear of rye will ripen, there it is to be found. Barley and oats have also their appropriate spots; and wherever it is possible to ripen a little patch of wheat, the cultivation of it is attempted. In no country in Europe will be found so few poor as in the Engadine. In the village of Suss, which contains about six hundred inhabitants, there is not a single individual who has not wherewithal to live comfortably, not a single individual who is indebted to others for one morsel that he eats."

Notwithstanding the general prosperity of the Swiss

\* *Switzerland, the South of France, and the Pyrenees, in 1830.* By H. D. Inglis. Vol. i. ch. 2.

† *Ibid.* ch. 8 and 10.

peasantry, this total absence of pauperism and (it may almost be said) of poverty, cannot be predicated of the whole country; the largest and richest canton, that of Berne, being an example of the contrary; for although, in the parts of it which are occupied by peasant proprietors, their industry is as remarkable and their ease and comfort as conspicuous as elsewhere, the canton is burthened with a numerous pauper population, through the operation of the worst regulated system of poor-law administration in Europe, except that of England before the new Poor Law. Nor is Switzerland in some other respects a favourable example of all that peasant properties might effect. There exists a series of statistical accounts of the Swiss cantons, drawn up mostly with great care and intelligence, containing detailed information, of tolerably recent date, respecting the condition of the land and of the people. From these, the subdivision appears to be often so minute, that it can hardly be supposed not to be excessive; and the indebtedness of the proprietors in the flourishing canton of Zurich "borders" as the writer expresses it, "on the incredible\*:" so that "only the intensest industry, frugality, temperance, and complete freedom of commerce enable them to stand their ground." Yet the general conclusion deducible from these books is that since the beginning of the century, and concurrently with the subdivision of many great estates which belonged to nobles or

\* "Eine an das ungläubliche gränzende Schuldenmasse" is the expression. (*Historisch-geographisch-statistisches Gemälde der Schweiz. Erster Theil. Der Kanton Zürich.* Von Gerold Meyer von Knonau, 1834, pp. 80-1.) There are villages in Zurich, he adds, in which there is not a single property unmortgaged. It does not, however, follow that each individual proprietor is deeply involved because the aggregate mass of incumbrances is large. In the Canton of Schaffhausen, for instance, it is stated that the landed properties are almost all mortgaged, but rarely for more than one-half their registered value (*Zwölfter Theil, Der Kanton Schaffhausen*, von Edward Im-Thurn, 1840, p. 52,) and the mortgages are often for the improvement and enlargement of the estate. (*Siebenzehnter Theil. Der Kanton Thurgau*, von J. A. Pupikofer, 1837, p. 209.)

to the cantonal governments, there has been a striking and rapid improvement in almost every department of agriculture, as well as in the houses, the habits, and the food of the people. The writer of the account of Thürgau goes so far as to say, that since the subdivision of the feudal estates into peasant properties, it is not uncommon for a third or a fourth part of an estate to produce as much grain, and support as many head of cattle, as the whole estate did before\*.

§ 3. One of the countries in which peasant proprietors are of oldest date, and most numerous in proportion to the population, is Norway. Of the social and economical condition of that country an interesting account has been given by Mr. Laing. His testimony in favour of small landed properties both there and elsewhere, is given with great decision. I shall quote a few passages.

“If small proprietors are not good farmers, it is not from the same cause here which we are told makes them so in Scotland—indolence and want of exertion. The extent to which irrigation is carried on in these glens and valleys shews a spirit of exertion and *co-operation*” (I request particular attention to this point) “to which the latter can shew nothing similar. Hay being the principal winter support of live stock, and both it and corn, as well as potatoes, liable, from the shallow soil and powerful reflection of sunshine from the rocks, to be burnt and withered up, the greatest exertions are made to bring water from the head of each glen, along such a level as will give the command of it to each farmer at the head of his fields. This is done by leading it in wooden troughs (the half of a tree roughly scooped) from the highest perennial

\*“Denselben Erfolg hat die Vertheilung der ehemaligen grossen Lehenhöfe in mehrere kleinere eigenthümliche Bauerngüter. Es ist gar nicht selten, dass ein Drittheil oder Viertheil eines solchen Hofes nun eben soviel Getreide liefert und eben so viel Stück Vieh unterhält als vormals der ganze Hof.” (*Thürgau*, p. 72.)

stream among the hills, through woods, across ravines, along the rocky, often perpendicular, sides of the glens, and from this main trough giving a lateral one to each farmer in passing the head of his farm. He distributes this supply by moveable troughs among his fields; and at this season waters each rig successively with scoops like those used by bleachers in watering cloth, laying his trough between every two rigs. One would not believe, without seeing it, how very large an extent of land is traversed expeditiously by these artificial showers. The extent of the main troughs is very great. In one glen I walked ten miles, and found it troughed on both sides: on one, the chain is continued down the main valley for forty miles. Those may be bad farmers who do such things; but they are not indolent, nor ignorant of the principle of working in concert, and keeping up establishments for common benefit. They are, undoubtedly, in these respects, far in advance of any community of cottars in our Highland glens. They feel as proprietors, who receive the advantage of their own exertions. The excellent state of the roads and bridges is another proof that the country is inhabited by people who have a common interest to keep under repair. There are no tolls.”

“It is, I am aware, a favourite and constant observation of our agricultural writers, that these small proprietors make the worst farmers. It may be so; but a population may be in a wretched condition, although their country is very well farmed; or they may be happy, although bad cultivators. . . . Good farming is a phrase composed of two words which have no more application to the happiness or well-being of a people than good weaving or good iron-founding. That the human powers should be well applied, and not misapplied, in the production of grain, or iron, or clothing, is, no doubt, an object of great importance; but the happiness or well-being of a people does not entirely depend upon it. *It has more effect on their numbers than on their condition.* The producer of grain who is working for himself only, who is

owner of his land, and has not a third of its produce to pay as rent, can afford to be a worse farmer by one-third, than a tenant, and is, notwithstanding, in a preferable condition. Our agricultural writers tell us, indeed, that labourers in agriculture are much better off as farm-servants than they would be as small proprietors. We have only the master's word for this. Ask the servant. The colonists told us the same thing of their slaves. If property is a good and desirable thing, I suspect that the smallest quantity of it is good and desirable; and that the state of society in which it is most widely diffused is the best constituted\*."

On the effects of peasant proprietorship on the Continent generally, the same writer expresses himself as follows † :—

"If we listen to the large farmer, the scientific agriculturist, the" [English] "political economist, good farming must perish with large farms; the very idea that good farming can exist, unless on large farms cultivated with great capital, they hold to be absurd. Draining, manuring, economical arrangement, cleaning the land, regular rotations, valuable stock and implements, all belong exclusively to large farms, worked by large capital, and by hired labour. This reads very well; but if we raise our eyes from their books to their fields, and coolly compare what we see in the best districts farmed in large farms, with what we see in the best districts farmed in small farms, we see, and there is no blinking the fact, better crops on the ground in Flanders, East Friesland, Holstein, in short on the whole line of the arable land of equal quality of the Continent, from the Sound to Calais, than we see on the line of British coast opposite to this line, and in the same latitudes, from the Frith of Forth all round to Dover. Minute labour on small portions of arable ground gives evidently, in equal soils and climate, a superior productiveness, where these small portions belong in property, as in Flan-

\* Laing's *Journal of a Residence in Norway*, pp. 36—40.

† *Notes of a Traveller*, pp. 299 et seqq.

ders, Holland, Friesland, and Ditmarsch in Holstein, to the farmer. It is not pretended by our agricultural writers, that our large farmers even in Berwickshire, Roxburghshire, or the Lothians, approach to the garden-like cultivation, attention to manures, drainage, and clean state of the land, or in productiveness from a small space of soil not originally rich, which distinguish the small farmers of Flanders, or their system. In the best-farmed parish in Scotland or England, more land is wasted in the corners and borders of the fields of large farms, in the roads through them, unnecessarily wide because they are bad, and bad because they are wide, in neglected commons, waste spots, useless belts and clumps of sorry trees, and such unproductive areas, as would maintain the poor of the parish, if they were all laid together and cultivated. But large capital applied to farming is of course only applied to the very best of the soils of a country. It cannot touch the small unproductive spots which require more time and labour to fertilize them than is consistent with a quick return of capital. But although hired time and labour cannot be applied beneficially to such cultivation, the owner's own time and labour may. He is working for no higher returns at first from his land than a bare living. But in the course of generations fertility and value are produced; a better living, and even very improved processes of husbandry, are attained. Furrow draining, stall feeding all summer, liquid manures, are universal in the husbandry of the small farms of Flanders, Lombardy, Switzerland. Our most improving districts under large farms are but beginning to adopt them. Dairy husbandry even, and the manufacture of the largest cheeses by the co-operation of many small farmers\*, the mutual assurance of property against fire and

\* The manner in which the Swiss peasants combine to carry on cheese-making by their united capital deserves to be noted. "Each parish in Switzerland hires a man, generally from the district of Gruyère in the canton of Freyburg, to take care of the herd, and make the cheese. One cheeseman, one pressman or assistant, and one cowherd, are considered

hail-storms, by the co-operation of small farmers—the most scientific and expensive of all agricultural operations in modern times, the manufacture of beet-root sugar,—the supply of the European markets with flax and hemp, by the husbandry of small farmers,—the abundance of legumes, fruits, poultry, in the usual diet even of the lowest classes abroad, and the total want of such variety at the tables even of our middle classes, and this variety and abundance essentially connected with the husbandry of small farmers,—all these are features in the occupation of a country by small proprietor-farmers, which must make the inquirer pause before he admits the dogma of our land doctors at home, that large farms worked by hired labour and great capital can alone bring out the greatest productiveness of the soil, and furnish the greatest supply of the necessaries and conveniences of life to the inhabitants of a country.”

§ 4. Among the many flourishing regions of Germany in which peasant properties prevail, I select the Palatinate, for the advantage of quoting, from an English source, the results of recent personal observation of its agriculture and its people. Mr. Howitt, a writer whose habit it is to see all English objects and English socialities *en beau*, and who, in treating of the

necessary for every forty cows. The owners of the cows get credit each of them, in a book daily, for the quantity of milk given by each cow. The cheeseman and his assistants milk the cows, put the milk all together, and make cheese of it, and at the end of the season each owner receives the weight of cheese proportionable to the quantity of milk his cows have delivered. By this co-operative plan, instead of the small-sized unmarketable cheeses only, which each could produce out of his three or four cows' milk, he has the same weight in large marketable cheese superior in quality, because made by people who attend to no other business. The cheeseman and his assistants are paid so much per head of the cows, in money or in cheese, or sometimes they hire the cows, and pay the owners in money or cheese.” *Notes of a Traveller*, p. 351. A similar system exists in the French Jura. One of the most remarkable points in this interesting case of combination of labour, is the confidence which it supposes, and which experience must justify, in the integrity of the persons employed.

Rhenish peasantry, certainly does not underrate the rudeness of their implements and the inferiority of their ploughing, nevertheless shows that under the invigorating influence of the feelings of proprietorship, they make up for the imperfections of their apparatus by the intensity of their application. “The peasant harrows and clears his land till it is in the nicest order, and it is admirable to see the crops which he obtains\*.” “The peasants† are the great and ever-present objects of country life. They are the great population of the country, because they themselves are the possessors. This country is, in fact, for the most part, in the hands of the people. It is parcelled out among the multitude . . . . The peasants are not, as with us, for the most part, totally cut off from property in the soil they cultivate, totally dependent on the labour afforded by others—they are themselves the proprietors. It is perhaps from this cause that they are probably the most industrious peasantry in the world. They labour busily, early and late, because they feel that they are labouring for themselves. . . . The German peasants work hard, but they have no actual want. Every man has his house, his orchard, his roadside trees, commonly so heavy with fruit, that he is obliged to prop and secure them all ways, or they would be torn to pieces. He has his corn plot, his plot for mangel-wurzel, for hemp, and so on. He is his own master; and he, and every member of his family, have the strongest motives to labour. You see the effect of this in that unremitting diligence which is beyond that of the whole world besides, and his economy which is still greater. The Germans, indeed, are not so active and lively as the English. You never see them in a bustle, or as though they meant to knock off a vast deal in a little time. . . . They are, on the contrary, slow, but for ever doing. They plod on from day to day, and year to year—the most patient,

\* *Rural and Domestic Life of Germany*, p. 27.

† *Ibid.*, p. 40.

untirable, and persevering of animals. The English peasant is so cut off from the idea of property, that he comes habitually to look upon it as a thing from which he is warned by the laws of the large proprietors, and becomes, in consequence, spiritless, purposeless. . . . The German bauer, on the contrary, looks on the country as made for him and his fellow-men. He feels himself a man; he has a stake in the country, as good as that of the bulk of his neighbours; no man can threaten him with ejection, or the workhouse, so long as he is active and economical. He walks therefore with a bold step: he looks you in the face with the air of a free man, but of a respectful one."

Of their industry, the same writer thus further speaks: "There is not an hour of the year in which they do not find unceasing occupation. In the depth of winter, when the weather permits them by any means to get out of doors, they are always finding something to do. They carry out their manure to their lands while the frost is in them. If there is not frost, they are busy cleaning ditches and felling old fruit trees, or such as do not bear well. Such of them as are too poor to lay in a sufficient stock of wood, find plenty of work in ascending into the mountainous woods, and bringing thence fuel. It would astonish the English common people to see the intense labour with which the Germans earn their firewood. In the depth of frost and snow, go into any of their hills and woods, and there you find them hacking up stumps, cutting off branches, and gathering, by all means which the official wood police will allow, boughs, stakes, and pieces of wood, which they convey home with the most incredible toil and patience." After a description of their careful and laborious vineyard culture, he continues†, "In England, with its great quantity of grass lands and its large farms, so soon as the grain is in, and the fields are shut up for hay

\* *Rural and Domestic Life of Germany*, p. 44.

† *Ibid.*, p. 50.

grass, the country seems in a comparative state of rest and quiet. But here they are everywhere, and for ever, hoeing and mowing, planting and cutting, weeding and gathering. They have a succession of crops like a market-gardener. They have their carrots, poppies, hemp, flax, saintfoin, lucerne, rape, colewort, cabbage, rotabaga, black turnips, Swedish and white turnips, teazles, Jerusalem artichokes, mangel-wurzel, parsnips, kidney-beans, field-beans and peas, vetches, Indian corn, buckwheat, madder for the manufacturer, potatoes, their great crop of tobacco, millet—all, or the greater part, under the family management, in their own family allotments. They have had these things first to sow, many of them to transplant, to hoe, to weed, to clear off insects, to top; many of them to mow and gather in successive crops. They have their water-meadows, of which kind almost all their meadows are, to flood, to mow, and re-flood; watercourses to reopen and to make anew: their early fruits to gather, to bring to market with their green crops of vegetables; their cattle, sheep, calves, foals, most of them prisoners, and poultry to look after; their vines, as they shoot rampantly in the summer heat, to prune, and thin out the leaves when they are too thick: and any one may imagine what a scene of incessant labour it is."

This interesting sketch, to the general truth of which any observant traveller in that highly cultivated and populous region can bear witness, accords with the more elaborate delineation by a distinguished inhabitant, Professor Rau, in his little treatise "*On the Agriculture of the Palatinate*.\*" M. Rau bears testimony not only to the industry, but to the skill and intelligence of the peasantry; their judicious employment of manures, and excellent rotation of crops; the progressive improvement of their agriculture for generations past, and the spirit of further improvement which is still

\* *Ueber die Landwirtschaft der Rheinpfalz, und insbesondere in der Heidelberger Gegend.* Von D. Karl Heinrich Rau. Heidelberg, 1830.



active. "The indefatigableness of the country people, who may be seen in activity all the day and all the year, and are never idle, because they make a good distribution of their labours, and find for every interval of time a suitable occupation, is as well known as their zeal is praiseworthy in turning to use every circumstance which presents itself, in seizing upon every useful novelty which offers, and even in searching out new and advantageous methods. One easily perceives that the peasant of this district has reflected much on his occupation: he can give reasons for his modes of proceeding, even if those reasons are not always tenable; he is as exact an observer of proportions as it is possible to be from memory, without the aid of figures; he attends to such general signs of the times as appear to augur him either benefit or harm\*."

§ 5. But the most decisive example in opposition to the English prejudice against cultivation by peasant proprietors, is the case of Belgium. The soil is originally one of the worst in Europe. "The provinces," says Mr. Macculloch†, "of West and East Flanders, and Hainault, form a far stretching plain, of which the luxuriant vegetation indicates the indefatigable care and labour bestowed upon its cultivation; for the natural soil consists almost wholly of barren sand, and its great fertility is entirely the result of very skilful management and judicious application of various manures." There exists a carefully prepared systematic treatise on Flemish Husbandry, in the Farmer's Series of the Society for the Diffusion of Useful Knowledge. The writer observes‡, that the Flemish agriculturists "seem to want nothing but a space to work upon: whatever be the quality or texture of the soil, in time they will make it produce

\* Ran, pp. 15, 16.

† *Geographical Dictionary*, art. "Belgium."

‡ Pp. 11—4.

something. The sand in the Campine can be compared to nothing but the sands on the sea-shore, which they probably were originally. It is highly interesting to follow step by step the progress of improvement. Here you see a cottage and rude cow-shed erected on a spot of the most unpromising aspect. The loose white sand blown into irregular mounds is only kept together by the roots of the heath: a small spot only is levelled and surrounded by a ditch: part of this is covered with young broom, part is planted with potatoes, and perhaps a small patch of diminutive clover may show itself:" but manures, both solid and liquid, are collecting, "and this is the nucleus from which, in a few years, a little farm will spread around. . . . If there is no manure at hand, the only thing that can be sown on pure sand, at first, is broom: this grows in the most barren soils; in three years is fit to cut, and produces some return in fagots for the bakers and brickmakers. The leaves which have fallen have somewhat enriched the soil, and the fibres of the roots have given a certain degree of compactness. It may now be ploughed and sown with buckwheat, or even with rye without manure. By the time this is reaped some manure may have been collected, and a regular course of cropping may begin. As soon as clover and potatoes enable the farmer to keep cows and make manure, the improvement goes on rapidly; in a few years the soil undergoes a complete change: it becomes mellow and retentive of moisture, and enriched by the vegetable matter afforded by the decomposition of the roots of clover and other plants. . . . After the land has been gradually brought into a good state, and is cultivated in a regular manner, there appears much less difference between the soils which have been originally good, and those which have been made so by labour and industry. At least the crops in both appear more nearly alike at harvest, than is the case in soils of different qualities in other countries. This is a great proof of the excellency of the Flemish system; for it shews that the land is in a constant state of improve-

ment, and that the deficiency of the soil is compensated by greater attention to tillage and manuring, especially the latter."

The people who labour thus intensely, because labouring for themselves, have practised for centuries those principles of rotation of crops and economy of manures, which in England are counted among modern discoveries; and even now the superiority of their agriculture, as a whole, to that of England, is admitted by competent judges. "The cultivation of a poor light soil, or a moderate soil," says the writer last quoted\*, "is generally superior in Flanders to that of the most improved farms of the same kind in Britain. We surpass the Flemish farmer greatly in capital, in varied implements of tillage, in the choice and breeding of cattle and sheep," (though, according to the same authority†, they are much "before us in the feeding of their cows,") "and the British farmer is in general a man of superior education to the Flemish peasant. But in the minute attention to the qualities of the soil, in the management and application of manures of different kinds, in the judicious succession of crops, and especially in the economy of land, so that every part of it shall be in a constant state of production, we have still something to learn from the Flemings," and not from an instructed and enterprising Fleming here and there, but from the general practice.

Much of the most highly cultivated part of the country consists of peasant properties, managed by the proprietors, always either wholly or partly by spade husbandry‡. "When the land is cultivated entirely by the spade, and no horses are kept, a cow is kept for every three acres of land, and entirely fed on artificial grasses and roots. This mode of cultivation is principally adopted in the Waes district, where properties are very small. All the labour is done by the different mem-

\* *Flemish Husbandry*, p. 3.

† *Ibid.*, p. 13.

‡ *Ibid.*, pp. 73 *et seq.*

bers of the family;" children soon beginning "to assist in various minute operations, according to their age and strength, such as weeding, hoeing, feeding the cows. If they can raise rye and wheat enough to make their bread, and potatoes, turnips, carrots, and clover, for the cows, they do well; and the produce of the sale of their rape-seed, their flax, their hemp, and their butter, after deducting the expense of manure purchased, which is always considerable, gives them a very good profit. Supposing the whole extent of the land to be six acres, which is not an uncommon occupation, and which one man can manage;" then (after describing the cultivation), "if a man with his wife and three young children are considered as equal to three and a half grown up men, the family will require thirty-nine bushels of grain, forty-nine bushels of potatoes, a fat hog, and the butter and milk of one cow: an acre and a half of land will produce the grain and potatoes, and allow some corn to finish the fattening of the hog, which has the extra buttermilk: another acre in clover, carrots, and potatoes, together with the stubble turnips, will more than feed the cow; consequently two and a half acres of land is sufficient to feed this family, and the produce of the other three and a half may be sold to pay the rent or the interest of purchase-money, wear and tear of implements, extra manure, and clothes for the family. But these acres are the most profitable on the farm, for the hemp, flax, and colza are included; and by having another acre in clover and roots, a second cow can be kept, and its produce sold. We have, therefore, a solution of the problem how a family can live and thrive on six acres of moderate land." After showing by calculation that this extent of land can be cultivated in the most perfect manner by the family without any aid from hired labour, the writer continues, "In a farm of *ten* acres entirely cultivated by the spade, the addition of a man and a woman to the members of the family will render all the operations more easy; and with a horse and cart to carry out the manure, and bring home the produce, and occasionally

draw the harrows, *fifteen* acres may be very well cultivated. . . . Thus it will be seen," (this is the result of some pages of details and calculations\*), "that by spade husbandry, an industrious man with a small capital, occupying only fifteen acres of good light land, may not only live and bring up a family, *paying a good rent*, but may accumulate a considerable sum in the course of his life." But the indefatigable industry by which he accomplishes this, and of which so large a portion is expended not in the mere cultivation, but in the improvement, for a distant return, of the soil itself—has that industry no connexion with *not* paying rent? Could it exist, without presupposing, at least, a virtually permanent tenure?

As to their mode of living, "the Flemish farmers and labourers live much more economically than the same class in England: they seldom eat meat, except on Sundays and in harvest: buttermilk and potatoes with brown bread is their daily food." It is on this kind of evidence that English travellers, as they hurry through Europe, pronounce the peasantry of every Continental country poor and miserable, its agricultural and social system a failure, and the English the only régime under which labourers are well off. It is, truly enough, the only régime under which labourers, whether well off or not, never attempt to be better. So little are English observers accustomed to consider it possible that a labourer should not spend all he earns, that they habitually mistake the signs of economy for those of poverty. Observe the true interpretation of the phenomena.

"Accordingly *they are gradually acquiring capital*, and their great ambition is to have land of their own. They eagerly seize every opportunity of purchasing a small farm, and the price is so raised by the competition, that land pays little more than two per cent interest for the purchase money. Large properties gradually disappear, and are

\* *Flemish Husbandry*, p. 81.

divided into small portions, which sell at a high rate. But the wealth and industry of the population is continually increasing, being rather diffused through the masses than accumulated in individuals."

With facts like these, known and accessible, it is not a little surprising to find the case of Flanders referred to not in recommendation of peasant properties, but as a warning against them; on no better ground than a presumptive excess of population, inferred from the distress which existed among the peasantry of Brabant and East Flanders in the disastrous year 1846-47. The evidence which I have cited from a writer conversant with the subject, and having no economical theory to support, shows that the distress, whatever may have been its severity, arose from no insufficiency in these little properties to supply abundantly, in any ordinary circumstances, the wants of all whom they have to maintain. It arose from the essential condition to which those are subject who employ land of their own in growing their own food, namely, that the vicissitudes of the seasons must be borne by themselves, and cannot, as in the case of large farmers, be shifted from them to the consumer. When we remember the season of 1846, a partial failure of all kinds of grain, and an almost total one of the potato, it is no wonder that in so unusual a calamity the produce of six acres, half of them sown with flax, hemp, or oil seeds, should fall short of a year's provision for a family. But we are not to contrast the distressed Flemish peasant with an English capitalist who farms several hundred acres of land. If the peasant were an Englishman, he would not be that capitalist, but a day labourer under a capitalist. And is there no distress, in times of dearth, among day labourers? Was there none, that year, in countries where small proprietors and small farmers are unknown? Is there any reason whatever to believe that the distress was greater in Belgium, than corresponds to the proportional extent of the failure of crops compared with other countries?

§ 6. It is from France, however, that impressions unfavourable to peasant properties are generally drawn: it is in France that the system is so often asserted to have brought forth its fruit, in the most wretched possible agriculture, and to be rapidly reducing, if not to have already reduced the peasantry, by subdivision of land, to the verge of starvation. It is difficult to account for the general prevalence of impressions so much the reverse of the truth. The agriculture of France was wretched, and the peasantry in great indigence before the Revolution. At that time they were not, generally speaking, landed proprietors. There were, however, considerable districts of France where the land, even then, was to a great extent the property of the peasantry, and among these were many of the most conspicuous exceptions to the general bad agriculture and to the general poverty. An authority, on this point, not to be disputed, is Arthur Young, the inveterate enemy of small farms, the coryphæus of the modern English school of agriculturists; who yet, travelling over nearly the whole of France in 1787, 1788, and 1789, when he finds remarkable excellence of cultivation, never hesitates to ascribe it to peasant property. "Leaving Sauve," says he\*, "I was much struck with a large tract of land, seemingly nothing but huge rocks; yet most of it inclosed and planted with the most industrious attention. Every man has an olive, a mulberry, an almond, or a peach tree, and vines scattered among them; so that the whole ground is covered with the oddest mixture of these plants and bulging rocks, that can be conceived. The inhabitants of this village deserve encouragement for their industry; and if I were a French minister they should have it. They would soon turn all the deserts around them into gardens. Such a knot of active husbandmen, who turn their rocks into scenes of fertility, because I suppose *their own*, would do the same by the wastes, if animated by the same om-

\* Arthur Young's *Travels in France*, vol. i. p. 50.

nipotent principle." Again\*. "Walk to Rossendal," (near Dunkirk) "where M. le Brun has an improvement on the Dunes, which he very obligingly showed me. Between the town and that place is a great number of neat little houses, built each with its garden, and one or two fields enclosed, of most wretched blowing *dune* sand, naturally as white as snow, but improved by industry. The magic of *property* turns sand to gold." And again †: "Going out of Gange, I was surprised to find by far the greatest exertion in irrigation which I had yet seen in France; and then passed by some steep mountains, highly cultivated in terraces. Much watering at St. Lawrence. The scenery very interesting to a farmer. From Gange, to the mountain of rough ground which I crossed, the ride has been the most interesting which I have taken in France; the efforts of industry the most vigorous; the animation the most lively. An activity has been here, that has swept away all difficulties before it, and has clothed the very rocks with verdure. It would be a disgrace to common sense to ask the cause; the enjoyment of property *must* have done it. Give a man the secure possession of a bleak rock, and he will turn it into a garden; give him a nine years' lease of a garden, and he will convert it into a desert."

In his description of the country at the foot of the Western Pyrenees, he speaks no longer from surmise, but from knowledge. "Take ‡ the road to Moneng, and come presently to a scene which was so new to me in France, that I could hardly believe my own eyes. A succession of many well-built, tight, and *comfortable* farming cottages, built of stone and covered with tiles; each having its little garden, inclosed by clipt thorn-hedges, with plenty of peach and other fruit trees, some fine oaks scattered in the hedges, and young trees nursed up with so much care, that nothing but

\* Vol. i. p. 88.

† Ibid. p. 51.

‡ Ibid. p. 56.

the fostering attention of the owner could effect anything like it. To every house belongs a farm, perfectly well enclosed, with grass borders mown and neatly kept around the corn-fields with gates to pass from one inclosure to another. There are some parts of England (where small yeomen still remain) that resemble this country of Béarn; but we have very little that is equal to what I have seen in this ride of twelve miles from Pau to Moneng. It is all in the hands of little proprietors, without the farms being so small as to occasion a vicious and miserable population. An air of neatness, warmth, and comfort breathes over the whole. It is visible in their new built houses and stables; in their little gardens; in their hedges; in the courts before their doors; even in the coops for their poultry, and the sties for their hogs. A peasant does not think of rendering his pig comfortable, if his own happiness hang by the thread of a nine years' lease. We are now in Béarn, within a few miles of the cradle of Henry IV. Do they inherit these blessings from that good prince? The benignant genius of that good monarch seems to reign still over the country; each peasant has *the fowl in the pot*." He frequently notices the excellence of the agriculture of French Flanders, where the farms "are all small, and much in the hands of little proprietors\*." In the Pays de Caux, also a country of small properties, the agriculture was miserable; of which his explanation was that it "is a manufacturing country, and farming is but a secondary pursuit to the cotton fabric, which spreads over the whole of it†." The same district is still a seat of manufactures, and a country of small proprietors, and is now, whether we judge from the appearance of the crops or from the official returns, one of the best cultivated in France. In "Flanders, Alsace, and part of Artois, as well as on the banks of the Garonne, France possesses a

\* Young, pp. 322—4.

† Ibid. p. 325.

husbandry equal to our own\*." These countries, and a considerable part of Quercy, "are cultivated more like gardens than farms. Perhaps they are too much like gardens, from the smallness of properties†." In those districts the admirable rotation of crops, so long practised in Italy, but at that time generally neglected in France, was already universal. "The rapid succession of crops, the harvest of one being but the signal of sowing immediately for a second," (the same fact which must strike all observers in the valley of the Rhine,) "can scarcely be carried to greater perfection: and this is a point, perhaps, of all others the most essential to good husbandry, when such crops are so justly distributed as we generally find them in these provinces; cleaning and ameliorating ones being made the preparation for such as foul and exhaust."

It must not, however, be supposed, that Arthur Young's testimony on the subject of peasant properties is uniformly favourable. In Lorraine, Champagne, and elsewhere, he finds the agriculture bad, and the small proprietors very miserable, in consequence, as he says, of the extreme subdivision of the land. His opinion is thus summed up‡:—"Before I travelled, I conceived that small farms, in property, were very susceptible of good cultivation; and that the occupier of such, having no rent to pay, might be sufficiently at his ease to work improvements, and carry on a vigorous husbandry; but what I have seen in France, has greatly lessened my good opinion of them. In Flanders, I saw excellent husbandry on properties of 30 to 100 acres; but we seldom find here such small patches of property as are common in other provinces. In Alsace, and on the Garonne, that is, on soils of such exuberant fertility as to demand no exertions, some small properties also are well cultivated. In Béarn, I passed through a region of little

\* Young, vol. i. p. 357.

† Ibid. p. 364.

‡ Ibid. p. 412.

farmers, whose appearance, neatness, ease, and happiness, charmed me; it was what property alone could, on a small scale, effect; but these were by no means contemptibly small; they are, as I judged by the distance from house to house, from 40 to 80 acres. Except these, and a very few other instances, I saw nothing respectable on small properties, except a most unremitting industry. Indeed, it is necessary to impress on the reader's mind, that though the husbandry I met with, in a great variety of instances on little properties, was as bad as can well be conceived, yet the industry of the possessors was so conspicuous, and so meritorious, that no commendations would be too great for it. It was sufficient to prove that property in land is, of all others, the most active instigator to severe and incessant labour. And this truth is of such force and extent, that I know no way so sure of carrying tillage to a mountain top, as by permitting the adjoining villagers to acquire it in property; in fact, we see that in the mountains of Languedoc, &c., they have conveyed earth in baskets, on their backs, to form a soil where nature had denied it."

The experience, therefore, of this celebrated agriculturist, and apostle of *la grande culture*, may be said to be, that the effect of small properties, cultivated by peasant proprietors, is admirable, when they are not *too* small; so small, namely, as not fully to occupy the time and attention of the family; for he often complains, with great apparent reason, of the quantity of idle time which the peasantry had on their hands when the land was in very small portions, notwithstanding the ardour with which they toiled to improve their little patrimony in every way which their knowledge or ingenuity could suggest. He recommends, accordingly, that a limit of subdivision should be fixed by law; and this is by no means an indefensible proposition in countries, if such there are, where the *morcellement*, having already gone farther than the state of capital and the nature of the staple articles of cultivation render advisable, still continues progressive. That

each peasant should have a patch of land, even in full property, if it is not sufficient to support him in comfort, is a system with all the disadvantages, and scarcely any of the benefits of small properties; since he must either live in indigence on the produce of his land, or depend as habitually as if he had no landed possessions, on the wages of hired labour; which, besides, if all the lands surrounding him are held in a similar manner, he has little prospect of finding. The benefits of peasant properties are conditional upon their not being too much subdivided; that is, upon their not being required to maintain too many persons, in proportion to the produce that can be raised from them by those persons. The question resolves itself, like most questions respecting the condition of the labouring classes, into one of population. Are small properties a stimulus to undue multiplication, or a check to it?