

CHAPTER IV

THE ORGANIZATION OF THE POLITICAL MEANS: RESTRICTIVE LEGISLATION AND ENCLOSURE OF LAND BY FORCE

"I believe, for one, that you cannot tear up ancient rootages and safely plant the tree of liberty in soil which is not native to it. I believe that the ancient traditions of a people are its ballast; you cannot make a *tabula rasa* upon which to write a political programme. You cannot take a new sheet of paper and determine what your life shall be tomorrow. You must knit the new into the old. . . . If I did not believe that to be progressive was to preserve the essentials of our institutions, I for one could not be a progressive."—WOODROW WILSON, *The New Freedom*, Chap. II, p. 44.

RESTRICTIVE legislation was severe enough, in all conscience, from 1351 to the middle of the sixteenth century; but under Elizabeth there was some relief granted, and the labourer was permitted to go about the country in search of work. So long as he carried a discharge certificate from his last employer, and a testimonial from two house-holders, he was free to look for employment. The laws relating to the care of the poor, enacted during Elizabeth's reign, were for the purpose of relieving distress and want; but, as follows with all legislation of this kind, the Poor Law laid the basis of a system which perpetuated destitution and woe. The shameful

work-house arose out of the poor law legislation of Elizabeth. But something had to be done and, as justice was not to be thought of, the worst form of charity was adopted and became the law of the land. The rich, who had made hunger in a land of plenty, were forced by statute to care for the poor, the consequence of their own deliberate policy of depopulating the countryside. Something had to be done; for, during the reign of Henry VIII, tens of thousands of vagrants and thieves were put to death. Over sixty thousand people, at one time, lay in the horrible gaols of the land, so an act of Parliament stated in 1512. Beggars were whipped, and burned through the tough part of the ear. As many as three and four hundred a year died on the gallows.

The poor law legislation of Elizabeth made every parish liable for the maintenance of the poor; housing and feeding of the lame, old, and blind were obligatory, and all persons using no ordinary or daily trade were put to work. The keepers of the houses of correction were instructed to provide the poor with materials for work and to pay them for their labour.

Shortly after the death of Elizabeth, the landlords, who had been kept in some restraint during her reign, resumed the policy of enclosing the land by force. Then came the rebellion of John Reynolds. The people rose against the enclosures, but the revolt was crushed and thousands were killed. The landless peasantry starved under Cromwell. How terrible the lot of the poor was can be estimated by the number of uprisings of the time. They were frequent. Many rich people sympathized with the rebels. Lieutenant-Colonel John Lilburne

was imprisoned in the Tower for saying, " England is not a free people till the poor that have no land have a free allowance to dig and labour the commons, and so live as comfortably as the landlords that live in their enclosures."

The Poor Law had directed the poor to repair to the place of their birth to be maintained there; but, by the time of the Restoration, the system had borne so heavily upon the rich that they in turn cried out for relief from the poor. Then there was passed, in the reign of Charles II, a most iniquitous piece of legislation, arising out of Elizabeth's Poor Law. In 1662 Parliament made the period of residence needful to obtain a settlement only forty days, and empowered any two justices to remove any newcomer to the parish where he was last legally settled, unless he either rented a tenement of ten pounds a year, or gave such security as the justices deemed sufficient. This Act tied the labourer to the village. He could not move about in search of employment, and he became a serf. The Act coined fortunes for lawyers. Millions have been spent determining to which parish the poor were chargeable.

But this was not enough. The political means had not yet done all its deadly work. Enclosure by act of Parliament still remained, and in Queen Anne's time the hey-day of land enclosure began. The procedure of enclosing land by act of Parliament was simple enough. Usually a great landlord, or his agents, got up a petition, signed by his people on the spot, describing the "ill-condition" of the land common to the people, their "lack of knowledge" of agriculture, the "waste of good ground," etc., and stating the advantages of enclosure. A Parliament of landlords would consider the petition

and give leave to bring in a Bill. The rest was not difficult. The result: the common land added to the landlord's estate — and depopulation. Dr. Slater in his admirable work on *English Peasantry and the Enclosure of Common Fields* shows how over six million acres of fertile land were enclosed under more than four thousand acts of Parliament from 1700 to 1844. All this was done by private Bill legislation — with the probable exception of the two General Enclosure Bills of 1801 and 1844. Thus the political means used the Parliamentary machine to evict the people from their common fields and wastes, and scatter them over the highways of the land, finally to crowd them into the towns to raise a race of slum-dwellers. It took, in this last phase, about a hundred and forty years to finish the job of making a landless people. The conspiracy, begun long before the days of Sir Thomas More, was completed in the days of the "hungry forties."

Let it be remembered that, during the period of enclosure by act of Parliament, coal, iron-ore, clay, etc., sprang suddenly into general use, and that the so-called factory system found the hungry millions already on the spot. It was not the so-called factory system which despoiled the worker, it was land enclosure, for it deprived him of an alternative. Without land he was forced into the labour market to compete with his fellow, and consequently forced wage down to a subsistence level. And a shockingly low level it was for a century or more.

We are told by the Hammonds in their book, *The Village Labourer*, that the

"governing class continued its policy of extinguishing the old village life and all the relationships and interests attached to it, with unsparing and unhesitating hand; and as

its policy progressed, there were displayed all the consequences predicted by its critics. Agriculture was revolutionized; rents leapt up; England seemed to be triumphing over the difficulties of a war with half the world. But it had one great permanent result which the rulers of England ignored. The anchorage of the poor was gone. For enclosure was fatal to three classes: the small farmer, the cottager, and the squatter. To all of these classes their common right was worth more than anything they received in return. . . . For the commons were the patrimony of the poor. The commoner's child, however needy, was born with a spoon in its mouth. He came into a world in which he had a share and a place. The civilization which was now submerged had spelt a sort of independence for the obscure lineage of the village. It had represented, too, the importance of the interest of the community in its soil, and in this aspect also the robbery of the present was less important than the robbery of the future. For one act of confiscation blotted out a principle of permanent value to the State. . . . History has drawn a curtain over those days of exile and suffering, when cottages were pulled down as if by an invader's hand, and families that had lived for centuries in their dales or on their small farms and commons were driven before the torrent, losing

'Estate and house . . . and all their sheep,
A pretty flock, and which for aught I know
Had clothed the Ewbanks for a thousand years.'

Ancient possessions and ancient families disappeared. But the first consequence was not the worst consequence: so far from compensating for this misery, the ultimate result was still more disastrous. The governing class killed by this policy the spirit of a race."

It is strange how little has been said by historians of the English revolution which raged more or less fiercely from 1760 to 1832. The French revolution was perhaps more attractive, more sensational, more sentimental, and brought forth figures which were successful in holding the centre of the stage, therefore historians preferred these events on which to

lavish their literary skill to those far more vital, economically and politically, which were taking place in England. How few Americans know anything about the English revolution which had been in progress centuries before the House of Hanover had been thought of? That terrific struggle of the English people to regain their old liberty, which at the time of the American revolution passed through a period of awful woe and bitter despair? Neglected as that period has been by historians, it is as well to remind the people of this country of it, for I believe the men who made the struggle here, and carried the issue successfully, sprang from the same stock, and were to a great extent animated by the same principles of liberty, as those whose names were buried in the grounds of English jails and the Australasian wastes. The last part of the epic of the English peasant is contained in those two books, called *The Village Labourer*, and *The Town Labourer*, by J. L. Hammond and Barbara Hammond. They say:

“In towns men are face to face with the brutal realities of their lives, unsoftened by any of the assuaging influences of brook and glade and valley. Men and women who work in the fields breathe something of the resignation and peace of Nature; they bear trouble and wrong with a dangerous patience. Discontent moves, but it moves slowly, and whereas storms blow up in the towns, they beat up in the country. That is one reason why the history of the anguish of the English agricultural labourer so rarely breaks into violence. Castlereagh's Select Committee in 1817 rejoiced in the discovery that 'notwithstanding the alarming progress which has been made in extending disaffection, its success has been confined to the principal manufacturing districts, and that scarcely any of the agricultural population have lent themselves to these violent projects.' There is a Russian saying that the peasant must 'be boiled in the factory pot' before a revolution can succeed. And if it is

difficult in the nature of things to make rural labourers as formidable to their masters as industrial workers, there is another reason why the English labourer rebelled so reluctantly and so tardily against what Sir Spencer Walpole called, in the true spirit of a classical politician, 'his inevitable and hereditary lot.' Village society was constantly losing its best and bravest blood. Banford's description of the poacher who nearly killed a gamekeeper's understrapper in a quarrel in a public-house, and then hearing from Dr. Healey that his man was only stunned, promised the doctor that if there was but one single hare on Lord Suffield's estates, that hare should be in the doctor's stew-pot next Sunday, reminds us of the loss a village suffered when its poachers were snapped up by a game-preserving bench, and tossed to the other side of the world. During the years between Waterloo and the Reform Bill the governing class was decimating the village populations on the principle of the Greek tyrant who flicked off the heads of the tallest blades in his field; the Game laws, summary jurisdiction, special commissions, drove men of spirit and enterprise, the natural leaders of their fellows, from the villages where they might have troubled the peace of their masters. The village Hampdens of that generation sleep on the shores of Botany Bay. Those who blame the supine character of the English labourer forget that his race, before it had quite lost the memories and the habits of the days of its independence and its share in the commons, was passed through this sieve. The scenes we shall describe in the next chapter show that the labourers were capable of great mutual fidelity when once they were driven into rebellion. If they had had a right to defend and a comradeship to foster from the first, Cobbett, who spent his superb strength in a magnificent onslaught on the governing class, might have made of the race whose wrongs he pitied as his own, an army no less resolute and disciplined than the army O'Connell made of the broken peasants of the West."

It is an almost impossible task to do justice to the heroism of the last revolt of the English labourers. It was doomed to defeat, from the first, but out of it all there has come a record of sacrifice and nobility

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unsurpassed by the common men of any other country. Here is another page from the Hammonds' work:

"A traveller who wished to compare the condition of the English and the French rural populations in 1830 would have had little else to do than to invert all that had been written on the subject by travellers a century earlier. At the beginning of the eighteenth century England had the prosperous and France the miserable peasantry. But by the beginning of the nineteenth century the French peasant had been set free from the impoverishing and degrading services which had made his lot so intolerable in the eyes of foreign observers; he cultivated his own land, and lived a life, spare, arduous, and exacting but independent. The work of the Revolution had been done so thoroughly in this respect that the Bourbons, when Wellington and the allies lifted them back on to their throne, could not undo it. It is true that the future of the French peasants was a subject of some anxiety to English observers, and that M'Culloch committed himself to the prediction that in half a century, owing to her mass of small owners, France would be the greatest pauper-warren in Europe. If any French peasant was disturbed by this nightmare of the political economy of the time, he had the grim satisfaction of knowing that his position could hardly become worse than the position that the English labourer already occupied. He would have based his conclusion, not on the wild language of revolutionaries, but on the considered statement of those who were so far from meditating revolution that they shrank even from a moderate reform of Parliament. Lord Carnarvon said in one House of Parliament that the English labourer had been reduced to a plight more abject than that of any race in Europe; English landlords reproduced in the other that very parallel between the English labourer and the West Indian negro which had figured so conspicuously in Thelwall's lectures. Thelwall, as Canning reminded him in a savage parody on the Benedicite, got pelted for his pains. Since the days of those lectures all Europe had been overrun by war, and England alone had escaped what Pitt called the liquid fire of Jacobinism. There had followed for Eng-

land fifteen years of healing peace. Yet at the end of all this time the conquerors of Napoleon found themselves in a position which they would have done well to exchange with the position of his victims. The German peasant had been rescued from serfdom; Spain and Italy had at least known a brief spell of less unequal government. The English labourer alone was the poorer; poorer in money, poorer in happiness, poorer in sympathy, and infinitely poorer in horizon and in hope."

This must not be forgotten in a consideration of the uprising of the peasant, that, though his lot was sufficient to drive him to desperate acts, he had the knowledge that he had been deprived of rights to use the earth. The blessings of the free life of village communities might have been within his own experience, or its story imparted to him by his father or grandsire, who had enjoyed equal opportunity, and then afterwards witnessed the effect of enclosure, the depopulation of the countryside. No other peasantry in Europe was in a similar position. It was the English peasantry who, as a people, had enjoyed pure economic and political rights. They fought to regain their lost liberty. Their present woe was aggravated mightily by the sense of injustice done them by the governing classes. In the following the Hammonds give us a glimpse of what took place:

"We have seen that in 1795 and in 1816 there had been serious disturbances in different parts of England. These had been suppressed with a firm hand, but during hard winters sporadic violence and blazing hay-stacks showed from time to time that the fire was still alive under the ashes. The rising of 1830 was far more general and more serious; several counties in the south of England were in a state bordering on insurrection; London was in a panic, and to some at least of those who had tried to forget the price that had been paid for the splendour of the rich, the message of red skies and broken mills and mob diplomacy and

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villages in arms sounded like the summons that came to Hernani. The terror of the landowners during those weeks is reflected in such language as that of the Duke of Buckingham, who talked of the country being in the hands of the rebels, or of one of the Barings, who said in the House of Commons that if the disorders went on for three or four days longer they would be beyond the reach of almost any power to control them. This chapter of social history has been overshadowed by the riots that followed the rejection of the Reform Bill. Every one knows about the destruction of the Mansion House at Bristol, and the burning of Nottingham Castle; few know of the destruction of the hated workhouses at Selborne and Headley. The riots at Nottingham and Bristol were a prelude to victory; they were the wild shout of power. If the rising of 1830 had succeeded, and won back for the labourer his lost livelihood, the day when the Headley workhouse was thrown down would be remembered by the poor as the day of the taking of the Bastille. But this rebellion failed, and the men who led that last struggle for the labourer passed into the forgetfulness of death and exile."

The conclusion of this sad story contains a warning we might well take to heart. A great war has just come to an end and the condition of labour here is said to be comparatively prosperous. Since Waterloo we have had a century full of high-sounding phrases in which the words democracy and liberty have stood forth as beacons to guide the mass of men. Now, as then, we are told by some counselors to look forward to an era of peace and prosperity, but there are tremendous domestic problems which must be solved before these blessings can be enjoyed by all. Still, with all the advance in science and invention, the terrible business of disinheritance goes on. It takes another form, but nevertheless, brings the same dire results. Let us not hoodwink ourselves, for "amid the great dis-

tress that followed Waterloo and peace, it was a commonplace of statesmen like Castlereagh and Canning that England was the only happy country in the world, and that so long as the monopoly of their little class was left untouched, her happiness would survive. That class has left bright and ample records of its life in literature, in art, in political traditions, in the display of great orations and debates, in memories of brilliant conversation and sparkling wit; it has left dim and meagre records of the disinherited peasants that are the shadow of its wealth; of the exiled labourers that are the shadow of its pleasures; of the villages sinking in poverty and crime and shame that are the shadow of its power and its pride."

Since the passing of the Reform Bill in 1832 the British people have had an experience in reform unequalled by any people during that period. What have they not tried? Think of the political battles on the franchise. It seems as if the suffrage has not been absent from their programmes and debates for a single year, and yet after the reform of 1832 they had to wait until 1867 for the next extension of the franchise; the agricultural labourer, however, had to wait until 1884 before he got a vote. It has taken all the pressure of a European war to force the Government to abolish the old political disabilities, and grant adult suffrage to the people. A history of painful effort in a cause that was an inheritance! — and now political freedom is once more to be enjoyed by the British people we hope they will have learned this lesson: that, no matter in what circumstances the emergency may arise, it is unwise to abate one jot, or concede to the government in a crisis, any infringement of liberty. It has taken hundreds of

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years to regain the principle, and now well might the English people say the price of liberty is eternal vigilance. Evils always come to a people from within, seldom from without. Surely this can be said with certainty of England. The ruling class at home inflicted all the woe of poverty, hunger, disease, ignorance, and superstition. It was no foreign foe who placed the yoke upon the necks of the English peasantry.

There is no period which illustrates so clearly as this how those economic principles, fundamental to English liberty, were ruthlessly destroyed. True, the period we have chosen is only the last phase of centuries of destructive work, but it contains an agglomeration of evil: economic, fiscal, political, social, industrial and legislative such as no other country ever experienced. And it is now an open book to which Americans may turn, if they wish to avoid the legislative pitfalls that have lain in the path of British progress down to this day. It is in misunderstanding the causes which led to that period of industrialism which steam and machinery, the factory system and protection, standing armies and imperialism, perfected, that brought about the modern phase of Socialism, and drove the thought of the masses away from economic principles to those of state control. This fact must be grasped and fully appreciated if there is to be economic reform.

Karl Marx himself knew that he had blundered, but the knowledge came too late, long after he had written his chapter on *The Analysis of Capital*, in which he says, "the circulation of commodities is the starting point of capital." He, however, dealing with colonization, in the final chapter of *Capital*, tells us that "the expropriation of the mass of the

people from the soil forms the basis of the capitalist mode of production," and further on he sees quite clearly that "where land is very cheap and all men are free, where every one who pleases can easily obtain a piece of land for himself, not only is labour very dear, but the difficulty is to obtain combined labour at any price."

Marxian notions of reform, so seldom understood, even by his disciples, have directly and indirectly been the cause of many of the troubles, the antagonisms, the preposterous misunderstandings affecting the economic question called labour and capital. It is an economic question and must be so recognized. So long as the capitalist imagines that labour is his enemy and so long as labour imagines that the capitalist is his enemy, there will be no peace. So long as capitalists, ignorant of the definition and function of capital, oppose labour delegates who are ignorant of the functions of the factors in production, nothing but confusion and friction may be expected. We must then at once get back to economic principles and, as Mr. Schwab says, teach the American labouring man, but at the same time not forget the American employer. He needs instruction and must not be overlooked.