



LORD SALISBURY

(1830-1903)

THE LIBERTARIAN



ANDREW
ROBERTS



EDITORIAL NOTE

This publication is basically a topped and tailed collection of excerpts from Andrew Roberts' book, *Salisbury — Victorian Titan*, which was published in September 1999 by Weidenfeld & Nicolson, London (£25 hardback). This book contains abundant bibliographical information about the sources of all the quotations. We have simply added the page numbers of the passages in *Salisbury* which have been used by Andrew Roberts as the basis of this publication.

In the pantheon of Great Libertarians of the past there is an empty pedestal waiting for Robert Gascoyne-Cecil, 3rd Marquess of Salisbury, thrice British Prime Minister in 1885-86, 1886-92 and 1895-1902. Without a major biography of Salisbury for over sixty years, it has hitherto been impossible to rate his libertarianism objectively, but after five years researching his life, I believe doctrinaire laissez-faire to have been epicentral to his philosophy of Toryism.



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25 Chapter Chambers, Esterbrooke Street, London SW1P 4NN
www.libertarian.co.uk email: admin@libertarian.co.uk

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Andrew Roberts took a first in Modern History at Gonville and Caius, Cambridge. His biography of Lord Halifax *The Holy Fox* (1991) and *Eminent Churchillians* (1994) were published to critical acclaim. A thriller, *The Aachen Memorandum*, followed in 1995. He writes regularly for the *Sunday Telegraph* and reviews widely. He lives in Chelsea with his wife and two children.

The views expressed in this publication are those of its author, and not necessarily those of the Libertarian Alliance, its Committee, Advisory Council or subscribers.

Director: Dr Chris R. Tame

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FOR LIFE, LIBERTY AND PROPERTY

“By a free country, I mean a country where people are allowed, so long as they do not hurt their neighbours, to do as they like. I do not mean a country where six men may make five men do exactly as they like.”

(pp. 279-282)

“By a free country,” he told the Kingston and District Working Men’s Conservative Association in June 1883, “I mean a country where people are allowed, so long as they do not hurt their neighbours, to do as they like. I do not mean a country where six men may make five men do exactly as they like.” His attitude towards freedom of contract was fundamentalist: “When it is a question of what men should commercially gain or lose by a bargain, Parliament had better let grown-up men settle with each other their own bargains,” he pronounced in Edinburgh in November 1882, adding that although the Whitehall civil servant generally believed “he himself is the best person to decide”, he was usually wrong, and over-centralisation of power was inimical to liberty.

“You can no more act against the operation of great economic laws than you can act against the laws of the weather”, was his laissez-faire philosophy, believing that “all Parliament can really do is to free the energies and support the efforts of an intelligent and industrious people”. Such support should not include large-scale social reform unless the need was obvious and overwhelming. Leasehold reform was an abomination to him, for, as he told a correspondent, he could “see no reason for forcing A to sell his freehold to B simply because B wishes to have it”. He feared that such a principle might set a dangerous precedent. “He hated all factory acts and Temperance laws,” recalled one of his daughters-in-law, “believing that no one had a right to prevent anyone else from getting drunk.” He did support laws against child labour, however, on the grounds that abuse had indeed been shown to be happening and children were by definition too young to enter into a legitimate contract with employers.

During the 1860s, Salisbury spoke of how “that great moral teacher, Mr Punch, some years ago proclaimed a society which he called ‘The Anti-meddling-in-other-people’s-business Society’,” which he hoped the Government would join. When Sir Charles Burrell introduced a Bill intended to lessen the number of accidents to servants from falling off window-panes when cleaning and repairing them, Salisbury asked facetiously: “Does he propose to repeal the law of gravitation by Act of Parliament? ... If, while he is about it, he will insert a clause forbidding the dirt to accumulate on the window-panes, he will be conferring a real service on the metropolis.” Another Bill to provide chairs for shop assistants and housemaids had him asking whether Parliament was “prepared to have an army of inspectors to examine the house of every householder to see that there are a number of chairs placed at stated intervals, so that at each moment of exhaustion the housemaid may sit down in comfort?” He argued that putting such “impediments” in the way of

retail traders would only diminish the market for women’s labour. “I have a profound distrust of government inspectors,” he told the Rev. Nathaniel Woodard in 1871, “and am generally disposed to find them wrong.”

These views were regularly taken to their logical conclusions, as when Salisbury opposed an important clause of Lord Rosebery’s Bill to protect young women from pimps, or when he described as “repulsive” the idea “that the State should undertake the responsibility of seeing that all, or any one, of the classes which form the nation are well educated”. To a correspondent who recommended that pleasure-cruising should be regulated by law, Salisbury admitted that lives might be saved, but added: “It runs counter to the time-honoured right of the Englishman to take any risk he fancies”, which was of greater importance. As a magistrate, he was zealous in protecting the civil rights of suspects when questioned by the police.

When in April 1889, the Under-Secretary at the Foreign Office reported that fraudulent agents were purporting to organise emigration to Argentina, without having any genuine knowledge of the country, Salisbury declared that for the Government to undertake to caution people could be the thin end of the wedge. “If you warn them against dishonest emigration agents, why not against dishonest promotion of companies — or dishonest vendors of medicine?” he asked, arguing that it was not the duty of the State to teach people the common-sense precaution of making proper inquiries before parting with money. Writing to the Tory MP Sir Henry Peek about the 1888 Pigeons Bill, Salisbury stated that: “On general grounds I object to Parliament trying to regulate private morality in matters which only affects the person who commits the offence.” This disbelief in victimless crime was a highly advanced opinion to hold in paternalist Victorian England.

Salisbury’s support for a minimal State arose partly from his profound suspicion of government’s ability to do good. “As a general rule”, he had written in the Saturday Review, “it is almost as bad to stimulate prosperity as to depress it, by artificial means.” What his nephew and successor Arthur Balfour called his “contradictoriness” and love of paradox left him a lifelong believer, as he told the Associated Chambers of Commerce in March 1891, that “Parliament is a potent engine, and its enactments must always do something, but they very seldom do what the originators of these enactments meant”, and therefore most legislation “will have the effect of surrounding the industry which it touches with precautions and investigations, inspections and regulations, in which it will be slowly enveloped and stifled”.

As well as an ideological preference for liberty on its own merits, Salisbury was convinced of the inherent incompetence of bureaucracy in general and in particular the way that Whitehall “will create business for itself as surely as a new railway will create traffic”. One of the reasons he disliked Prussia was because of its “despotism of officials” and he was determined that over-centralisation and a lack of vigilance should not allow the bureaucracy to impose itself on Britons in the same way. His

two worst bugbears were the Treasury and the two Service departments.

Although Salisbury's strong points were never military or naval strategy, the War Office and Admiralty regularly came in for Prime Ministerial rebuke. The Tory Chancellor of the Exchequer, Sir Michael Hicks Beach, believed that this dislike amounted to "distrust", because Salisbury constantly suspected that the experts were attempting to entice the politicians into unnecessary conflict and expenditure. Furthermore, as he complained to Evelyn Baring, "that mania for paper piling, which is the endemic pest of the British Departments," opened up "endless temptations to pedantry and circumlocution".

Salisbury's patience and persistence helped turn him into an unusually effective, grizzled old inter-departmental warrior, who established a primacy for the Foreign Office in Whitehall which took many decades to unfasten. When, after years of being lobbied, Salisbury finally in 1889 bowed to pressure for a Board of Agriculture to be set up, the minister in charge, Henry Chaplin, was not allowed a financial grant, a Parliamentary under-secretary, or even a departmental building, let alone a seat in the Cabinet.

"... [T]he discredit of having adopted for electoral purposes a proposal, which is inconsistent with the rights of property as hitherto understood, and which some twelve months ago we were vehemently denouncing ..." (pp. 472-473)

When in January 1886, Balfour wrote a memorandum advocating the compulsory purchase of allotments in parishes by the Local Government Board for "the public good", Salisbury annotated that he could "under no circumstances consent", and struck out the whole paragraph concerning it. He would not oppose legislation "to facilitate the holding of allotments by agricultural labourers", he stated in August, but absolutely drew the line at anything smacking of compulsory purchase, let alone for so nebulous a concept as the public good. He was broadly in favour of the aim of turning the British peasant into a yeoman, in a mainland version of what successive tenant-purchase schemes were trying to achieve in Ireland, but if the owners of the land did not want to sell land for allotments, Salisbury would champion their right to refuse.

When the issue resurfaced in December, and a Bill was drawn up which provided for the Sanitary Authorities in rural districts compulsorily to acquire land for re-letting as allotments to "small-holders", Salisbury wrote his own memorandum, pointing out how such a scheme was entirely without precedent:

Land has never been taken forcibly by Parliament from one individual merely to benefit another individual. The principle so introduced will spread. The restriction to one acre is purely artificial, and will speedily be overstepped. After this Bill passes there will be no course of precedent or accepted practice

to restrain it. The extension to any class of men of the benefits of expropriation at their neighbours' expense will depend solely upon the possession of sufficient electoral power to disquiet a certain number of Conservative members.

Salisbury was angered by Conservative MPs, such as Henry Chaplin and Arthur Balfour, who supported this most un-Tory idea merely for "electoral purposes". He argued that property had only been expropriated, or bought at an artificially lower than market price, for public health, educational or communication reasons. By July 1887, the Government was forced to bring in a Bill permitting compulsory purchase by local councils, but Salisbury managed to limit its powers to the bare minimum, despite being almost completely alone in Cabinet. He even spoke of "the evil of breaking up [the] Government" on the issue. After a defeat in a by-election in the rural seat of Spalding in Lincolnshire, the general pressure for legislation grew too strong for him, and Salisbury had to bow to it. He nevertheless felt "the discredit of having adopted for electoral purposes a proposal, which is inconsistent with the rights of property as hitherto understood, and which some twelve months ago we were vehemently denouncing". For Salisbury, it was yet another instance of the Conservatives' lust for office overcoming the principles of Tory Libertarianism.

"... [A] rush towards Puritanism in amusements and social life ..." (pp. 501-503)

Similarly, the most hazardous moment in the passing of the 1888 Local Government Bill came when the left wing of the Conservative Party threatened to support the Liberal John Morley's amendments to its licensing clauses. A lifelong supporter of the drinks trade, Salisbury did not want to see local authorities in nonconformist and Temperance areas of the country penalising publicans and breweries through licensing restrictions. Calling a Party meeting at the Foreign Office, he upbraided the more independent Tory members and generally rapped knuckles successfully. Salisbury never believed that restricting the number of public houses would significantly lessen the amount of alcohol consumed nationally. When thirty-five MPs had supported a Temperance motion in June 1864, he remarked that they might as well bring in a Bill to abolish pocket-handkerchiefs "in order to restore the over-tempted virtue of the pickpockets". On another occasion, in a debate in the House of Lords on reducing the number of liquor licences, Salisbury confessed that he could never understand how more public houses meant a greater danger to public sobriety: "I forget how many bedrooms I have at Hatfield, but I know that I never feel any more inclination to go to bed there than I do in Arlington Street."

The right to drink went to the heart of his libertarian beliefs. "It is impossible for any legislation to perform", he told the House of Lords in May 1872, "by the action of Government to ensure morality among the people." The upper classes of 150 years before, he said, were just as drunkenly behaved "as the lower classes are now. People

did not then trust to legislative action, they resorted to civilisation and religion.”

The 15th Earl of Derby assumed that Salisbury’s “eager and almost violent” support for the drinks trade in 1874 was because teetotalers were “for the most part dissenters or freethinkers”, and it was true that in those areas of Wales where nonconformism was strongest, the Temperance movement most threatened the drinks trade. Derby was half right, for as Salisbury told his friend Lady John Manners, teetotalism tended to encourage “a rush towards Puritanism in amusements and social life”. He also disliked sudden change of any kind: “The reformation which comes of ‘rushes’ is more than three-quarters mere following of fashion.” Salisbury also believed in the beneficial powers of alcohol. When Gladstone suffered a bad fall in February 1881, Salisbury commented how “Dr Kidd, Lord Beaconsfield’s doctor, is fond of prescribing claret: and you may have observed that Lord Beaconsfield never tumbles.” Sound enough advice, except that two months after Salisbury wrote it, Beaconsfield died. Lady Salisbury also believed in alcohol’s medicinal properties; she would administer a medication to elderly tenants at Hatfield made up of the whole family’s left-over medicines all mixed together in a jug, added to an equal measure of her husband’s port.

Salisbury, who was himself a prodigious tea-drinker but who also appreciated good wine, was opposed to the Sunday closing of public houses in Cornwall, as “tending to restrict the liberty of the subject”. He built a small “coffee-palace” in Hatfield for those teetotalers who felt they needed one, on much the same basis that he also gave land for a nonconformist chapel there. When on 23rd June 1886, Lord Fitzgerald proposed a Bill to prohibit the sale of intoxicating liquor to children under thirteen, Salisbury recalled his rowing days at Eton, when aged twelve he would pull up-river to Surley Hall and commit “the enormity of drinking cider to quench his thirst”. He commented on the Bill that “it was not worthy of serious opposition, because he did not suppose that anyone would pay attention to it if it were passed”. Later that year he told Lady John Manners that he considered “the racing mania in England far more destructive — because that seems to get worse as civilisation advances. Yet I would not wish for Parliamentary interference even to stop that.”

When in 1890, Salisbury proposed an excise duty on beers and spirits to compensate those publicans who had been refused licences by Temperance-dominated local authorities, a political row broke out which was fought out over twenty-five nights, the longest amount of time spent on a customs measure since the Corn Laws. The Opposition denounced the measure as “pensioning a lot of decayed publicans”, but Salisbury was adamant. With a fine disregard for mixed metaphors, one Temperance reformer accused the Prime Minister of “throwing down an apple of discord which has burst into flames and flooded the country!” As well as the Church, Salisbury secured the influential drinks trade to the Tory cause, receiving vast contributions to the election fighting funds and even ennobling brewers. Once again his deepest held prin-

ciples and his Party’s political advantage were able to merge fortuitously.

“... [T]hese peddling philosophers with their petty, spiteful acts of confiscation, animated by no philanthropic spirit, but by a mere impulse of class antipathy ...” (pp. 543-544)

A loathing of socialism as inimical to liberty was another mainstay of his beliefs. In October 1889, Salisbury had told Queen Victoria that on investigation the recent by-election losses in Peterborough and North Buckinghamshire had not been down to “mere mismanagement”, as had been originally thought, but instead, “He fears they indicate also the existence of a ‘Socialist’ current.” His speech to the Tory party Conference at Nottingham on 26th November therefore contained several passages against “these peddling philosophers with their petty, spiteful acts of confiscation, animated by no philanthropic spirit, but by a mere impulse of class antipathy”. He warned that “if you allow them to have their way, the substratum and foundation of all your civilisation and prosperity and happiness will melt away”. So too would the confidence of capitalists, and “you will be left to such support as can be obtained from the efforts of the hour and lose all the advantages of a great sovereignty. ... If I were asked to define Conservative policy, I should say that it was the upholding of confidence.”

Such confidence disappeared, he argued, when property and contract rights came under attack. Salisbury believed that if one worked more than eight hours a day, “you add nothing to the value of the work you do”. Yet legislation to stop a man working ten hours if he so desired “would be an unpardonable interference with the freedom which Englishmen of all classes have established for generations”.

“The only true lasting benefit which the statesman can give to the poor man is so to shape matters that the greatest possible liberty for the exercise of his own moral and intellectual qualities should be offered to him by law.” (pp. 572-573)

Over Joseph Chamberlain’s pressure to introduce Old Age Pensions, Salisbury offered only a modest reinforcement of the existing benefit societies, something Chamberlain had to accept for the present. “The only true lasting benefit which the statesman can give to the poor man”, Salisbury declared at Exeter in early February, “is so to shape matters that the greatest possible liberty for the exercise of his own moral and intellectual qualities should be offered to him by law.” It was a fine definition of libertarianism, and both as a philosopher and as a practitioner, it is high time that Lord Salisbury’s credentials as a leading light of the libertarian movement should be acknowledged.