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S U M M A R Y

THE SOCIAL TEACHING OF HUGH MILLER

With special reference to the Witness  
Newspaper, Contemporary Movements and  
Theological Influences.

John Mackay Cooke.

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## THE SOCIAL TEACHING OF HUGH MILLER

Following a biographical sketch of Hugh Miller, his conduct of the Witness newspaper is considered in relation to contemporary social questions, the place and influence of the Witness being noted. Miller's teaching is elucidated from his writings in the Witness during the period of his editorship (1840-1856) and defined critical criteria applied to verify his authorship.

Reviving the question of the Highland Clearances, Miller advances the view of Sismondi that they were made possible by the breakdown of the old Celtic system under the aegis of English Law. He further asserts that the Sutherlands were not personally responsible for the atrocities associated with the Clearances were culpable in devising and carrying out a policy of 'improvement' without due regard for the human life affected by it. Miller refutes the charges levelled against the Highlanders by the supporters of the 'Clearances' and claims that so far from being a depraved people, they are virtuous, intelligent and religious. Contemporary and near-contemporary evidence is used to assess the validity of Miller's contentions.

The/

The proposed currency legislation of Sir Robert Peel which threatened to deprive the Scottish Banks of their free-note issue, and which culminated in the Bank Charter Act of 1844, caused Miller to make an excursus into the field of economics. His work in opposition to the legislation reveals an intimate knowledge of the growing industrialisation of Scotland, and an appreciation of the character and strength of the Scottish Banking System, but not least, the nationalism of the editor of the Witness. In viewing the growing industrialisation whether from the side of labour or of capital, Miller sees clearly that economic systems must have ends outside themselves and for all his emphasis upon industry and thrift, people are always 'more important than money'.

When the 'slavery question' became a live issue following the acceptance of money from American Churches, Miller supported the official Free Church attitude, namely, that slavery was wrong but that Christian communion ought to be maintained with Churches approving or condoning the practice of slavery. Miller's views of the ethics of slave-holding, the duty of Christians in society and the relationship of one Church to another holding a different ethical standard, are brought out clearly in his conflict with both slavist and abolitionist.

Not least among the problems of the Free Church was that of financing the schools it was forced to establish and it was only found possible by underpaying the schoolmaster and later it was found to be impossible without the acceptance of government grants. In the ensuing controversy, Miller, following Chalmers, advocated a national system of education with religious instruction to be provided by the respective denominations. The crisis of the whole country was kept in mind, since the old system was already broken under the increase in population. Miller also argued for a division between primary and secondary departments, provision for further education and better treatment of schoolmasters - much of which has subsequently received implementation. His pamphlet on the subject is considered within the broad history of education in Scotland up to the present but Miller's wider views on education are noticed. Education is of importance both to the individual and to society through the enrichment of the individual, therefore, should be available to all of whatever age or condition. Above all, Miller deplures any narrow definition of education and draws the distinction between moral and intellectual training. Each has a part to play in education where mentors range from the schoolmaster to the minister.

Public/

Public attention being directed to the problem of crime and criminals, Miller addressed leading articles to specific instances. They reveal his opposition to the abolition of capital punishment for murder and his insistence that punishment should fit the crime with the primary object of protecting society. Capital punishment is in accord with both popular sentiment and divine law but always the civil magistrate is to be regarded as having divine sanction for his actions. Miller sees little hope of reforming adult criminals in their existing environment but attention should be directed to the young and the emphasis be on prevention rather than cure.

The nature and history of Chartism is regarded and its manifestation in Scotland noted with an analysis of Miller's attitude. He regarded the popular excesses as misguided and foolish. The attempt to reform society simply by political manipulation was as absurd as it was wrong to abolish the natural law of property and only an irresponsible electorate would be the result of franchise divorced from a property qualification. With the addition of strictures on their atheistic basis, socialism and communism/

communism receive similar condemnation. At the same time Miller recognises the real ground of political unrest and has the greatest possible sympathy with the masses in their misery.

Miller shared Chalmers' abhorrence of a poor-law and only abandoned his view under the pressure of prevailing misery. The contrasting views of Chalmers and Alison are examined against the history of the poor in Scotland compared with England, and Miller's position noted. To Miller, the moral cause of poverty is apparent in the poor themselves but also in the perpetrators of such schemes as the 'bothy system', the 'clearances' and the 'truck' system of credit. He gives full support to Penny Savings Banks, Ragged Schools and such schemes as the Leith Experiment to provide houses for working men.

Theological categories are prominent in Miller's thought. Man is fallen and depraved, divine Providence and retribution are active, and the Scriptures are the Word of God. Yet Miller will not allow Scripture the last word in matters of science or social ethics. Slavery and Chartism were opposed on the ground of natural law although Chartism themselves/

themselves were making claims on the same principle. Liberal in relation to Scripture, Miller was conservative in his application of natural law. Considering the effects of religion, an anticipation of Max Weber is found in Miller's comparison of the relative effects of Protestantism and Romanism. The former produces character and industry, the latter does the opposite and militates against social well-being.

Although Miller held to moral and theological postulates he admitted the reality of physical influences upon society. He asserted that the Church had a specific duty to preach the Gospel, but Christian men and ministers had no right to stand aloof from practical affairs, for there was a relation between the material state of a society and the opportunity of effectively communicating the Gospel. In politics the Church should play an active role without being aligned to any particular party, but remain free to act as the occasion demanded.

THE SOCIAL TEACHING OF HUGH MILLER

With Special Reference to the Witness Newspaper,  
Contemporary Movements and Theological Influences.

by

John Mackay Cooke.

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P R E F A C E

The primary source examined in compiling this work is the writing of Hugh Miller published in the Witness newspaper during the period of his editorship from 1840 until 1856. The issues of the Witness numbering 1 to 1,829 were read with particular reference to editorials and correspondence relative to social questions, and critical criteria were applied to verify Miller's authorship.

Since much of Miller's work in the Witness later appeared in pamphlet form and in a collection of leading articles, these are used for convenience of reference. The autobiography, "My Schools and Schoolmasters", and Peter Bayne's "Life and Letters of Hugh Miller, supplemented by reminiscent reference in the Witness, supplied biographical information.

In the consideration of Miller's teaching, contemporary and near contemporary sources were compared and his conclusions related to subsequent development. The works so used were as follows:

The Highland Clearances -

A Tour through the Highlands of Scotland -  
John Knox (1787).

A View of the British Empire - John Knox (1787).

Observation on a Tour of the Highlands - Dr. Garnett.

The Highland Clearances (contd.)

Economical History of the Hebrides and Highlands -  
Professor Walker (1808).

An Account of the Improvements on the Estates of  
the Marquis of Stafford - James Loch.

Memoirs of George Granville, Late Duke of  
Sutherland - James Loch.

Sketches - General Stewart of Garth.

Gloomy Memories - Donald McLeod.

The Highland Clearances - Alexander Mackenzie.

The Sutherland Evictions of 1814 - Thomas Sellar.

The Trial of Patrick Sellar (notes of).

Memorabilia Domestica - Donald Sage.

Slavery -

Key to Uncle Tom's Cabin - Harriet Beecher Stowe.

Dred - Harriet Beecher Stowe.

Poverty and Pauperism -

Chalmers Works.

Parliamentary Reports.

Alison's Illustrations and Observations.

The Philosophy of Ragged Schools (anon).

Chartism -

The Chartist Movement - Gammage (1854).

The following works were consulted generally -

English Social History - G. M. Trevelyan.

Scottish Democracy - Laurance J. Saunders.

Church and Reform in Scotland - W. L. Mathieson.

In particular matters, use was made of -

Fasti Ecclesiae Scoticae.

The First and Second Statistical Accounts.

History of British Socialism - Max Beer.

Social and Political Ideas of the Renaissance and Reformation - ed. F. J. C. Hearnshaw.

The Scotch Poor Law: The English Poor Law - Nicholls.

The Law of Scotland regarding the Poor - Dunlop.

History of Banking in Scotland - A. W. Kerr.

The Theory of Currency and Credit - R. G. Hawtrey.

Money - Mills and Walker.

The History of Education - Cubberly.

Two hundred and fifty Years of Scottish Education - H. M. Knox.

Chapters from the History of the Free Church - Norman L. Walker.

Critical Criteria for Establishing Hugh Miller's Authorship of Articles in the Witness:

1. Important articles were collected under his name and published either

(a) as pamphlets - Thoughts on Education  
Words of Warning  
Sutherland as it Was and Is.

Critical Criteria (contd.):

- (b) as collections - Essays, ed. Bayne.  
Leading Articles, ed. Davidson.
  - (c) as autobiography - My Schools and Schoolmasters.
2. Pre-Witness articles under Hugh Miller's name are extant -
- The Herring Fishery.
  - Letter to Lord Brougham.
3. Many articles in the Witness are reminiscent of -
- (a) Boyhood in Cromarty.
  - (b) Visit to Sutherland.
  - (c) Work as a Mason.
  - (d) Geological Interest and Activity.
  - (e) Literary Pursuits.
  - (f) Experience as a Banker.
  - (g) Experience as a Travelling Workman.
  - (h) Self Improvement.
4. Direct personal reference frequently occurs in articles, and in reply to correspondence Miller appends his name.
5. Opponents assume Miller's authorship, and he replies without denial.
6. Literary style was found useful used in conjunction with the foregoing.

The originality of this work consists in the comprehensive survey and critical evaluation of Hugh Miller's social teaching in relation to his time, the period immediately preceding and the subsequent progress of social reform.

## INTRODUCTION

(i)

### The Man

(1) Hugh Miller was born in Cromarty on the 10th of October 1802, and was found dead from wounds obviously self-inflicted on Christmas Day 1856. (2) The diseased brain which brought such an unhappy end to a life of extraordinary dimensions had been driven by the will of the man to great achievements in the infant science of geology, in the realm of literature and, not least, in the political, social and ecclesiastical conflicts of his time.

(1) Born in relatively humble circumstances, Miller became a journeyman stone-mason, an occupation which quickened his native scientific instincts as he wrought the crude stone in the quarries of the countryside or traversed the strata of his neighbourhood in search of work. The solitude of hillside cemetery where he found employment in time of depression, gave his naturally reflective mind abundant opportunity for contemplation. His painstaking self-education not only disciplined and informed his mind, but developed the granite-like character which made him a formidable opponent and faithful friend.

(1) Biographical detail from "My Schools and Schoolmasters".

(2) Account of Death Witness  
Life and Letters - Bayne P.461-482 Vol.2

Miller the wandering workman, living in barrack and bothy, acquired a keen sympathy with the working man but at the same time a true appreciation of his worth and weakness.

But Hugh Miller was destined to move both vertically and horizontally in the social strata.(1) At the age of thirty-two, like Burns, he had thoughts of emigration, a prospect from which he was turned by an occurrence which he regarded as an act of Providence, namely the offer of a post as a bank accountant. No greater tribute could be paid to the solidity of Miller's character than that a mere mechanic should receive such an offer. Being sponsored by Mr. Ross of Cromarty, he was finally settled in the Branch Bank there, at last finding the measure of security which his sense of responsibility demanded before he would marry. In the Branch Bank, then as now, an overall view of the country's economy could be obtained, as well as<sup>of</sup> the varying qualities of individual character. Such opportunities were not lost on Hugh Miller who stored in a remarkably retentive memory, facts and impressions for use in the polemics of the future.

No account of Hugh Miller would be complete without reference to his religion, for he lived 'sub specie aeternitatis', with a personal faith as much of the heart as of the head. Born

(1) Biographical detail from "My Schools and Schoolmasters".

Born in Cromarty he was close to Evangelical tradition, full of the rising feeling against a cold Moderatism, and passionately devoted to the vitality and freedom of the Kirk. It is not surprising that he should be found on the Non-Intrusion side in the approaching Disruption or that he should be chosen as the first editor of the newspaper founded to further that cause.

News of the death of Hugh Miller was received with dismay:

"It may safely be stated that no event since the death of Dr. Chalmers has caused such deep felt sorrow and regret"(1),

and another journal records that despite the inclement weather

"It has been informed that the attendance (at his funeral) was even greater than on the occasion of the funeral of Dr. Chalmers in 1847."(2).

In the same issue of the Witness the London correspondent writes:

"The tragical event of Mr. Miller's death has made a deep sensation here. It forms the theme of general conversation and has cast a shadow even upon the festivities of the season..... The space his name occupied in the literary and scientific world could hardly have been conjectured, but for the blank he leaves behind him now that he has left it."

The leading newspapers of the country also testified of Hugh Miller as a strong adversary, skilful controversialist, and a man of stature.

(1) Witness 31/12/1856.

(2) Quoted in Witness 31/12/1856.

Tributes to Hugh Miller's character and genius were not lacking during his lifetime. The Witness of 15th March 1854 records:

"On Friday last a deputation waited on Mr. Hugh Miller, editor of the Witness and presented him with a valuable testimonial in silver plate. A gorgeous salver, of great weight and size, bore the following inscription 'Presented to the author of 'The Old Red Sandstone' by a few of his friends, subscribers to the fund for establishing the Witness newspaper, impressed with the honourable independence of his conduct with regard to the fund, and appreciating very highly his eminent services to that journal'."

Dr. Hannah, the son-in-law and biographer of Chalmers, writes in Hugh Miller's obituary:

"Dr. Chalmers did not err when, self oblivious, he spake of Mr. Miller, as he so often did, as the greatest Scotchman alive after Sir Walter Scott's death....."(1)

He writes further of his regret that in writing the biography of Dr. Chalmers, that specific object precluded his doing justice to the part played by Miller in establishing the Free Church:

"next to the writings and actings of Dr. Chalmers, the leading articles of Mr. Miller in this journal did more than anything else to give the Free Church the place it holds in the affections of our countrymen."(2)

Nor was this uncritical praise, for Hugh Miller had the defects of his virtues, of which his friends and enemies were well aware. Dr. Hannah continues:

- (1) Witness 27/12/1856
- (2) Witness 27/12/1856

"There was nothing in him of the spirit and temper of the sectarian. He breathed too broad an atmosphere to live and move in such narrow bounds. In the heat of conflict there may have been too much occasionally of the partisan and in the pleasure that the sweep and stroke of his intellectual tomahawk gave to him who wielded it, he may have forgotten at times the pain inflicted where it fell...."(1)

Numerous letters reached Mrs. Miller in her sorrow and it is indicative of her husband's recognition and influence that among them should be condolences from Charles Dickens, Thomas Carlyle and John Ruskin (2). It was also fitting that Hugh Miller should be laid to rest in the Grange Cemetery near Dr. Chalmers, to whose genius and greatness he was the lay counterpart and complement. But probably the most appropriate circumstance of all is recorded in the account of the funeral:

"After the whole company had retired, a labouring man, clad in humble habiliments, seized hold of a handful of ivy or laurel leaves, and gently strewed them upon the grave, while the tearful eye eloquently spoke of the strength of his feelings." (3)

Such testimony from friends and opponents, from distinguished and famous, and from the representative of the lowly class from which he arose was fitting tribute to a great man.

(1) Witness 27/12/1856

(2) Life and Letters - Bayne P.484. Vol.2

(3) Witness 31/12/1856

(ii)

The Witness

In 1839, when the Non-Intrusion controversy was at its height, a group of leaders in the Evangelical cause decided to start a newspaper to support them in that conflict. They were casting about for a suitable editor. Early in the same year, Hugh Miller, now secure at Cromarty, was profoundly disturbed at the course of events. In consequence, he penned a pamphlet in the form of 'A Letter Addressed To Lord Brougham', that statesman having adopted and enforced the view that the congregations of the Church of Scotland had merely the right to specify objections to the presentee of the patron.

The pamphlet, in its own right a powerful piece of writing, was most influential in its oblique effects. Miller sent it with a covering letter to his friend Mr. Paul, the manager of the Commercial Bank in Edinburgh and an ardent Non-Intrusionist. (1) Dr. Candlish could recall, in a letter addressed to Mrs. Miller dated 3rd December 1860, how the pamphlet came into his hands through Mr. Paul:

"I finished the reading in a state of great excitement, so much so that though it was late, I could not rest till I had hastened with the manuscript to Mr. Dunlop, beseeching him to read it...." (2)

Within a day or two it was decided to call Hugh Miller to the editorial chair.

(1) Life and Letters - Bayne P.180. Vol.2

(2) " " " " " " " "

The prospectus composed by the prospective editor was based on the resolutions of the promoters and embraced the following principles:

"It was to be in the common sense a newspaper, comprising political and general intelligence; to be 'pervaded by a spirit of decided piety'; to espouse the cause of no one political party, but be 'scriptural and constitutional'; to maintain the spiritual independence of the Church and 'place the connection between Church and State upon its true Scriptural footing'".(1)

The question of Non-Intrusion was only regarded in the general term 'independence'. The name Witness having been chosen, the paper was launched with a subscribed capital of one thousand pounds plus the addition of a few hundreds provided by Mr. Robert Fairly, the printer who also became co-proprietor together with the subscribers.

The first issue of the Witness appeared on January the 15th 1840. The introductory article gives no direct definition of policy but the motto text which appeared under the title of that and every other issue was a dictum of John Knox, at once suggestive and prophetic:

"I am in the place where I am demanded of conscience to speak the truth, and therefore the truth I speak, impugn it whoso list".

Although there was no direct espousal of the Non-Intrusion cause, the editorial lance is raised in this introductory article. The situation is analysed:

(1) Life and Letters - Bayne P.201. Vol.2

"We enter upon our labours at a point emphatically momentous, - at the commencement, it is probable, of one of the most important eras, never forgotten by a country, which influence for ages the condition and character of the people.... We enter, too, at a time, when with few exceptions, our Scottish contemporaries in the same field, - unable it would seem to lead, and unwilling to follow, neither guide the opinion of the great bulk of their countrymen, nor yet echo their sentiments.....on one of the most important questions ever agitated in Scotland, the Newspaper Press have taken opposite sides."(1)

Having drawn a perspective of the age, and having placed the Witness in relation to the contemporary press, Miller defines the great issue. Despite the fact that parties change their original principles and make it necessary that

"the historian in tracing their progress must regulate his definitions by his dates,"(2)

there are parties which are constant.

"The differences of the contemporary parties within the Church of Scotland arise solely from the circumstance that the one retains its original principles and that the other has given them up."(3)

He goes on to establish the identity of the popular party with the original Church. He adduces the testimony of Burns in satire, the existence of such characters in fiction as David Deans, and the attitude of the first Seceders to show that this is so. He argues further that there is a consistency of theological conviction also for:

"...the Chalmerses and the Gordons of the nineteenth century agree in their theology and their views on Church Government, with the Wotherspoons and Dr. Erskines of the eighteenth; these again with the Hendersons and Rutherfords of the seventeenth, and these with the Knoxes and Melvilles of the sixteenth."(1)

There is no such consistency in the opposite party. They absorb the sentiments of the age and differ no less with one another than with their forefathers. On this distinction the Witness will take a stand because:

".....the cause of the unchanged party within the Church, is that of the Church itself;- it is that of the people of Scotland and the people know it."(2)

The Witness was an immediate success. Beginning in 1840, two years after the Scotsman, the initial circulation of 600 copies per issue steadily increased, so that the paper became a business success as well as a popular advocate. When the Bill for the Abrogation of Advertisement Duty became law on the 5th of August 1853, the Witness comments editorially on the benefits such a measure will have on the press:

"Our advertising columns are now relieved from a duty which has proved not more depressing to the interests of Newspapers than to the mercantile interest in general."(3)

An increase in advertisements is anticipated but the assurance is given that the ordinary matter will in no way be

- (1) Witness 15/1/1848  
 (2) " "  
 (3) " 6/8/1853

reduced, a supplement being provided where necessary. The concluding paragraph is of special interest as exhibiting at once the type of circulation which the Witness enjoyed, and also the acute business instincts of its Editor and proprietors:

"The Witness being one of the most extensively circulated newspapers in Scotland, and its circulation being chiefly among the Middle and Upper classes, it may be regarded as one of the most valuable mediums for giving publicity to all sorts of respectable advertisements."(1)

Early in the following year the Witness announced a twenty-five per cent increase in its columns in consequence of the greatly increased number of advertisements.

Further evidence of the quality of circulation appears with the passing of the Bill for the Abrogation of the Penny Stamp on Newspapers which came into operation on Saturday, the 30th June 1855. The editorial comment on the tendency for newspapers to spring up since the possibility of the stamp abolition was known, reveals that he regarded the Witness as holding a national place. Since the abolition of the stamp did not enable the papers to be transmitted by post, the newcomers could only have local interest, and therefore, in virtue of small circulation and the corresponding reduction of advertisement revenue, could not afford to provide the same literary quality.

(1) The Witness 6/8/1853.

The partial repeal of the Stamp Duty was also the occasion for the Government to publish a return of the stamp duty paid by individual newspapers in the first six months of 1855. The Witness editorial carries the following comparative table and points out the place of the Witness:

(1) "Edinburgh Evening Courant	148,000
Caledonian Mercury	71,000
Edinburgh Advertiser	70,629
Scotsman	190,000
Edinburgh Evening Post	42,000
<u>THE WITNESS</u>	173,000
Edinburgh News	119,000
Scottish Press	102,600
North British Agriculturalist	66,000
The Rock	51,500

It will be seen from the above that the number of stamps issued to the Witness for the half year ending 30th June 1855 was 173,000, giving an average circulation of 3089 copies."

Thus we find that in 1855 the Witness was second only to the Scotsman in circulation.

Apart from the high literary merit of the Witness, in which most of the leading articles were from the pen of the editor, the paper was characterised by a sturdy independence. Miller never deviated from the principles laid down for its conduct. In a large measure,

"the Witness was Hugh Miller".

As his introductory article makes plain, he had a shrewd estimate of 'parties' both political and ecclesiastical. It was almost inevitable that a conflict should come when the Free Church

settled after the Disruption. The bitter quarrel which arose between the editor of the Witness and Dr. Candlish was not healed on Miller's death, but in 1860 Dr. Candlish could write to Mrs. Miller in terms of approbation. Bayne records that in private conversations with Dr. Candlish in 1856 the Doctor spoke of Hugh Miller with

"Clear acknowledgment of his intellectual power, satisfaction with the part played by himself in bringing him to Edinburgh, and a regretful, not angry, feeling that he could not let bygones be bygones".(2)

Without judging the merits of the case, an examination of the issues involved shows clearly the independence of Hugh Miller in the conduct of the Witness.

The main source of information regarding the efforts made to control the Witness, is the pamphlet of some fifty pages which was circulated privately by Hugh Miller among Free Church Leaders, among whom were Dr. Chalmers, Dr. R. Gordon, Dr. Cunningham and others of the original sponsors of the paper. While it is not without acrimony, the pamphlet is an open and manly appeal to those who had put him in the Editorial chair to decide whether he was to remain there. The direct approach was the only way for Hugh Miller

The pamphlet gives the detail of the five schemes for 'improving' the Witness and in all of them Dr. Candlish is noted as having taken a leading part. In 1845 Miller had rejected a proposal for the centralisation of the Free Church

press, the suggestion being supported by Dr. Candlish:(1)

"I did not like the centralization idea; nor could I realise what my position as Editor would be with a Sub-Editor who, as a Proprietor of the Paper, would of course be one of my employers, and be perhaps backed, to boot, in his centralization views, by the influence of Dr. Candlish.....  
What I dreaded most in the scheme was, I must say, the direct control of some Edinburgh Committee and the inevitable effect of the centralization jealousy outside."(2)

As the Witness is constituted,

"..the Editor stands alone. He is an insulated individual..... He is no convenient pendicle of a centralization scheme."(3)

The second proposal was the union of the Witness and the Guardian as one Edinburgh paper. Again Miller will have none of it. He argues that since the Witness reports the proceedings of the Edinburgh Presbytery and the Guardian those of Glasgow, a united paper centred in Edinburgh could not give full reports of both, nor would the readers endure it if they could. Glasgow Presbytery

"would assume in consequence,...a provincial and secondary character.....The Church would have its Archbishop Presbytery associated with its centre of secular influence."(4)

(1) Mr. McCosh of the Northern Warder was to be given a part share in the new paper and also to be appointed sub-editor. Miller was not yet a proprietor of the Witness.

(2) Life and Letters - Bayne-Pamphlet P.263  
(3) " " " " " P.264  
(4) " " " " " P.265

Miller then refers to the third proposal, made this time through Sheriff Montieth, and so obscure that only after great effort he

"came to discover that they embodied a scheme of salaried censorship for the Witness, devised, it would seem, for the express purpose of keeping the articles right."(1)

This scheme was summarily rejected. But a fourth proposal followed, resulting in Hugh Miller becoming a proprietor of the Witness but not after the manner of the original proposal. The thousand pounds originally subscribed was offered to him as a gift which he refused:

"I was startled by some of the conditions attached, and insisted that the terms should be those of ordinary business."(2)

In the conditions, which Miller claims were only altered after his repeated expostulation when he rejected the original offer of the thousand pounds subscribed capital as gift, Mr. Somers of the Scottish Herald was to be appointed Sub-Editor,

"...legally independent both of the Editor and the proprietors of the Witness".(3)

Miller saw this as a further attempt to influence him from without. This was

"Dr. Candlish's proposed Parliamentary House Editor".(4)

- |     |      |     |         |   |                |       |
|-----|------|-----|---------|---|----------------|-------|
| (1) | Life | and | Letters | - | Bayne-Pamphlet | P.266 |
| (2) | "    | "   | "       | " | "              | P.267 |
| (3) | "    | "   | "       | " | "              | P.267 |
| (4) | "    | "   | "       | " | "              | P.268 |

Thus Hugh Miller became a co-proprietor with Mr. Fairly, upon refusing the thousand pounds as a gift from the subscribers and undertaking to repay that sum by instalments. Nor is Miller unaware of the fact that no allowance is made for the depreciation of working capital in this arrangement.

The dispute was finally settled when the fifth proposal had been brought into the light by Hugh Miller writing and circulating his pamphlet, despite Dr. Candlish's last minute attempt to dissuade him.(1) The suggestion is nothing less than that Hugh Miller ought not to be Editor of the Witness.

(2) "In one certain quarter the Witness Newspaper has of late given extreme dissatisfaction. Influential gentlemen of the Parliament House and gentlemen whom the influential gentlemen influence have thrown it up; and such has been the effect on the nerves of Dr. Candlish that he never opens it now 'without a feeling of dread lest something untoward should be in it'. The papers of the Editor evince, the Doctor is clear, an entire want of delicacy, - there is no 'taste or tact' shown in the handling of public questions. In short, a great crisis has arrived in the history of the Paper."

Dr. Candlish has decided that the Editor must be removed to make way for

"an Editor of taste, tact, and delicacy, - a gentleman connected with Parliament House."(3)

(1) Postscript to Pamphlet

(2) Life and Letters - Bayne, Pamphlet P.256

(3) " " " " " P.257

Mr. Fairly had been informed that in the event of a difference in policy between the old Editor and the new, a Committee would decide.

"There are thus, obviously, two elements in the Doctor's scheme, the element of a Parliament House Editor, prepared doubtless by the peculiar practice of his profession to take his clue from his clients; and the element of a controlling Committee."(1)(3).

Either element would prove fatal to the Witness. Miller who

"has felt as with a stethoscope, how the heart of the Free Church was beating outside the disturbing influences of Edinburgh Society"(2)

declares that neither the Parliament House Editor nor the Managing Committee would be acceptable to the Witness readers.

The subsidiary reasons which caused Miller to reject the proposals of control by a Committee are various. He held that only practical newspapermen knew how to run a newspaper. Dr. Candlish had complained of inadequate reporting of lengthy speeches in the Church Courts, but Miller points out that only a certain amount of space could be given them in a general newspaper such as the Witness was. Dr. Candlish also advocated more frequent supplements to which it is replied that supplements had been supplied but the editor had to consider the economics of the matter. He quotes the opinion of Mr. Fyfe whom he describes as one of the best sub-editors in Scotland, and whose services the Witness was unable to retain. Mr. Fyfe explained his frustration and failure in sub-editing the Witness

(1) Life and Letters - Bayne, Pamphlet P.257

(3) Hugh Miller was now a proprietor of the Witness

(2) Life and Letters - Bayne, Pamphlet P.258

on account of

"-first, our long and heavy reports, the weight of which the Scotsman and every other Edinburgh newspaper escape; second, the insertion of documents, such as reports of Committees etc., which though important in themselves, are unsuited for the columns of a newspaper; and, third, disturbances from without, of a kind he had never before experienced:- time after time, at a late hour, when the order of the paper had been completed for publication, Mr. Fyfe found that some document, or article, or report had to be inserted, agreeably to instructions, and that the news of the day had, in consequence to give way....."(1)

The fundamental reasons, however, for Hugh Miller's rejection of Dr. Candlish's proposals go deeper. They concerned the relation of the Witness to the Free Church. Behind the proposals Miller saw the Witness being caught up in the centralisation which was taking place and which he heartily deplored. Also he saw the proposed liason of the Witness and Parliament House as part of the desire of some to identify the Witness and the Free Church with a political party. In this case it was to be with the Whigs who were in power. Both these policies were anathema to the editor of the Witness. Undue centralisation of Free Church interests in Edinburgh would bring dissatisfaction in other areas and be a threat to the vital Sustentation Fund.

"The men of the Disruption are dropping away and leaving their places to others less under the kindly feeling of a soldiery who never fought side by side in the same battle. And as they are removed and disappear, the scheme of unequal incomes will be coming into effect."(2)

(1) Life and Letters - Bayne, Pamphlet P.281  
 (2) " " " " " " P.261

He deplores the pressure being brought to bear upon the Free Church by its "lawyers of the Parliament House" for

"there exists no body of men among whom political feeling is more vivacious than among our Edinburgh lawyers;...peculiarly on the legal profession in Scotland the dew of Government patronage descends, like the dews of heaven upon the fleece of Gideon...."(1)

The strength of the Free Church being apparent, the legal Free Churchmen of Parliament House have a bargaining counter with the Government. Hence, Miller alleges, their pressure that the Free Church shall take political action and that the Witness shall do likewise. For (the Witness),

"It comes between them and the Free Church people. It abides firm by the Old Whiggism, but it warns its constituency against the designs of the new".(2)

Hugh Miller would not support the New Whig ministry or those in the Free Church who wished to align with the Non-Conformists of England under the Whig aegis, on the question of the Disestablishment of the Churches.

Peter Bayne, who was a younger contemporary of Miller and succeeded him in the editorial chair of the Witness, was also his sympathetic biographer. But he hesitates to pronounce judgment on the merits of the dispute because he himself favoured the proposed policy of Dr. Candlish and others. He does venture to suggest that the situation arose because of Miller's sensitivity and knightly devotion to the Free Church

(1) Life and Letters - Bayne, Pamphlet P.275  
 (2) " " " " " P.276

so that he was hurt at the implication that he had in any way failed. No doubt such elements did enter into the bitterness of the matter but some months after the question was settled, without any particular reference to the quarrel which had not been reflected in the Witness, Miller published an article entitled 'The Politics of the Free Church' which gives the solid reasons for his attitude.

He asks "What ought to be the politics of the Free Church? The endowed Churchman is naturally a Conservative, -it has been said, the Dissenter as naturally a Liberal: the one belongs to a stationary party, -the other to the movement one."(1)

But while there may be questions on which they are diametrically opposed, it is not so in all questions:

"They do not fall into any of the previously marshalled ranks which Whig or Tory, Radical or Conservative have come to present".(2)

In the dissolution of these parties the Free Church may find a proper place in the new integration. From the French Revolution the popular party in the Church of Scotland have been forsaking Whiggish principles for Conservatism.

(3) "The Moderates as a body were all Tories. The Evangelicals were Whigs and made common cause for many years with the Whig party." But, "The infidel democracy consequent upon the French Revolution with which Whiggism sympathised and Evangelism could not, served still further to sever the Evangelical party from the Whigs, and to introduce into the Church a dread of the unrestrained popular voice in the earlier period."

(1) The Witness, 11/8/1847

(2) " " "

(3) " " "

The position in which the ecclesiastical parties were identified with the political is now altered so that

"We are in less danger of being entangled into the advocacy of error or abuse, or of unconsciously identifying the support of unscrupulous politicians intolerant in the principles and immoral in their conduct, with the cause of God."(1)

He maintains that the Free Church should conserve what is worthy of conservation but goes on to show how the principles of political parties change and only the name remains constant.

"..the old Conservative position involved much less the Conservatism of the Constitution than the maintenance of the privilege of class; and this perilous position the Disruption, we repeat, thoroughly altered."(2)

The privileged classes in Scotland have done themselves a vast amount of harm:

"In nothing is the Free Church more free than in her independence of party as such. She owes nothing to the Whigs as Whigs and nothing to the Conservatives in their Conservative character. She has friends in both parties."(3)

It would be a pity now if the Free Church should

"be degraded, on any pretext or consideration whatever, into a mere tool of any political party."(4)

It is also unnecessary for

"gratitude is a coin in which statesmen rarely deal"(5)

and what is true of individual statesmen is more true of impersonal parties. Free Church political influence can be

achieved not by seeking exclusively the support of either party but by extending and consolidating herself. Her own Sustentation Fund will yield more profit than subscriptions to any political club

"It is a most important portion of the politics of the Free Church, to be as little political in the ordinary meaning of the word as possible."(1)

The political principles of a church should be appropriate subjects for prayer and pulpit as in the old Scotland when

"every political right involved a religious principle... There is much in the British Constitution regarding which a wise man ought to be a Conservative and not a little regarding which he should be as decidedly a Reformer, and an opponent of the narrow interests of class."(2)

Thus Hugh Miller in his pamphlet and subsequent article made clear his conviction that the Free Church should remain clear of party politics and to the utmost of his power he would keep the Witness independent.

"The triumph of Miller was instant, absolute, final. Dr. Chalmers, having perused the letter, lost not a moment in convoking the Committee. He addressed it with great animation on behalf of Miller, dwelling on the absurdity of the officious meddling with such a man, and asking with peremptory, leonine glance, 'Which of you could direct Hugh Miller?'"(3)

The Witness pursued its independent policy imposed upon it by its editor and co-proprietor, whose prolific flow of articles dealt with a growing number and variety of questions to the

(1) and (2) The Witness 11/8/1847

(3) Bayne Life and Letters - Pamphlet P.295

satisfaction of a large proportion of the thinking people in the Free Church, if not always pleasing to certain groups in Edinburgh or the gentlemen of Parliament House.

(iii)

The Period

Under Hugh Miller's editorship from 1840 until 1856, the Witness reflects the events and movements of those years, but in near retrospect also regards the decades from the beginning of the century.

The Highland Clearances which had taken place on a large scale from 1814, were still within living memory and their social consequences had to be reckoned with in terms of pauperism and depopulation. In 1843, the refusal of the Highland proprietors to grant sites to the Free Church was seized as an opportunity to bring the total grievances of the Highlanders before the public. In the Lowlands, the 'large farm system' which Burns saw in its beginnings, had now reached full operation with consequent development of the bothy and its accompanying social evils.

As the century advanced the increased industrialisation and urbanisation brought a crop of problems. The masses crowded together in cities and large towns were badly housed, subject to the fluctuations of trade and a prey to vice or

the voice of the agitator. The traditional Scottish parochial administration of poor relief was quite helpless to deal with the ever growing multitude of poor who required assistance. Further, the educational system which depended so much on a parochial economy was totally inadequate in the face of the rapidly increasing population.

The restiveness of the masses is indicated by the Chartists in Scotland who followed their English counterparts while the reluctance of liberal men to support reform arose from the aftermath of fear left by the French Revolution. In such a context the Church of Scotland was 'disrupted' in 1843 on the question of patronage and the curious circumstance arose that Free Church leaders, notably Chalmers, while clamouring for democratic rights in religion set little store by popular suffrage in political affairs.

Before Hugh Miller became editor of the Witness the Reform Bill of 1832 had become law but popular need caused popular demands to continue and Chartism became a subject ready to Miller's hand. In England in 1834, the New Poor Law went some of the way to meet the problem of poverty but not until 1845 was comparable legislation given to Scotland. The Witness was therefore fully occupied with domestic problems but circumstances forced attention further afield. The relations of the Free Church with the churches of the United States renewed the question of slavery which had been settled in Britain in 1833, and the Witness became a clearing house of opinions and

argument in a perplexing matter. In Europe, the resurgence of revolutionary movements revived earlier fears and exercised the minds of statesmen, political philosophers and theologians alike.

CHAPTER ONE

The Highland Clearances \*

That the Highland Clearances took place in the first half of the nineteenth century there can be no doubt. The movements of the population to the sea-coast fringes and beyond to the New World are matters of historical fact, and the present day social pattern in the Highlands, together with the persistent problem of depopulation and under-development there, is a constant reminder of their peculiar history.

The term 'Clearances' is usually associated with the direct removal of Highland tenants by the proprietors or their agents but the question arises whether the real 'clearance' was not basically the result of economic pressure, the social pattern being an anachronism in a developing Scotland. Such an expression as 'The Highland Clearances' is not dissimilar in its emotional evocation to that of the 'Black and Tans' in Ireland. In both cases, feelings of outraged nationalism and humanity are involved and charges are made against powers socially, politically, and financially entrenched. If the atrocities were actually committed, and if tyranny and oppression were characteristic, then it is reasonable to expect that the whole weight of law and influence would be used either to conceal or to justify them. On the other hand, if these conditions obtained in a lesser degree than alleged, or did not exist at all, there is the Celtic imagination to be reckoned with.

\* See notes on sources of criticism. P. 69

The result is that the subject of 'The Highland Clearances' is a mass of conflicting evidence. There is charge and counter charge and general concentration in the popular mind upon the direct oppressive removal of tenants by the proprietor. Thus the more important 'economic clearance' of the Highlands is neglected while it is a problem still to be solved and there is heat without light.

The Sutherland Clearances being the most extensive, Hugh Miller's pamphlet "Sutherland As It Was And Is", is of value as a comprehensive survey of the case against the proprietors, from the views presented by the French historian Sismondi to the "Gloomy Memories" of Donald McLeod. In addition, Miller's first hand experience of Sutherland is useful in assessing the arguments advanced by the apologists of the Sutherlands. Nevertheless, since the pamphlet was written in 1844 when the Free Church was being denied sites by the Duke of Sutherland, there is suspicion that it is something between a piece of special pleading and a personal attack upon the Duke. Indeed, as such it is dismissed by Mathieson(1). While this may be so, it does not necessarily invalidate the argument of Miller or prove his facts to be inaccurate but does suggest that they should be dealt with cautiously.

(2) It is clear that Miller regards the building sites question as a continuation of popular oppression begun in the

(1) Church and Reform in Scotland P.258.

(2) Sutherland As It Was And Is. Ch.6

'Clearances'. Significance is added by the fact that the greater part of the Highland population joined the Free Church. Miller's work therefore raised important questions. First, are the facts true and the arguments valid? Second, if shown to be true, what was the motive of the Sutherland policy and action? Third, is there any casual connection between the social and economic state of the Highlands and the overwhelming adherence of the Highlanders to the Free Church?

The argument of the pamphlet is along four main lines:

- ( i) That the old clan system having broken down, the new claims and attitudes of the proprietors received the sanction of English Law.
- ( ii) That the Sutherlands, while not personally or necessarily responsible for the 'atrocities' were responsible and culpable for the policy of 'clearance'.
- ( iii) That the Highlands were neither depressed nor the Highlanders depraved prior to 'The Clearances', but great harm followed the carrying out of the Sutherland policy.
- ( iv) That the Free Church was feared by the Sutherlands.

( i)

Miller opens his case by holding with Sismondi that the 'Clearances' could only have taken place with the breakdown

of the Celtic tenures which existed under the clan system, and with the introduction of alien notions of the rights of land and property holding. The ancient consuetudinary law became inoperative and the land was 'cleared' under the aegis of English Law. He quotes Sismondi -

"It is a cruel abuse of legal forms - it is an unjust usurpation - that the tacksmen and the tenant of Sutherland are considered as having no right to the land which they have occupied for so many ages.... A count or earl has no more right to expel from their homes, the inhabitants of a country than a king to expel from his kingdom, the inhabitants of his kingdom."(1)

Summarising Sismondi's argument Miller writes:

(1) "Under the old Celtic tenures - the only tenures through which the lords of Sutherland derive their rights to their lands - the Kwaan or children of the soil, were the proprietors of the soil. 'The whole of Sutherland', says Sismondi, 'belonged to the men of Sutherland'. The chief was their monarch, and a very absolute monarch he was. 'He gave the different tacks of land to his officers or took them away from them according as they showed themselves more or less useful in war. But though he could thus in a military sense reward or punish the clan, he could not diminish in the least the property of the clan itself'. He was their chief and not a proprietor, and had no more right to expel from their homes the inhabitants of his country than a king to expel from his kingdom the inhabitants of his kingdom. 'Now the Gaelic tenant' continues the Frenchman\*, 'has never been conquered; nor did he forfeit on any after occasion, the rights which he originally possessed'. In point of fact he is still co-proprietor with his captain."

(1) Sutherland As It Was And Is. Ch.I.

\* Sismondi was actually Swiss.

Miller recognises that such a view is bound to seem extreme to British eyes, for in Britain quite a different law of property existed, having been effective in the Highlands for at least a century and elsewhere for two centuries. But Sismondi's analysis would not be novel on the continent. Switzerland is instanced by Sismondi as a parallel case for there land was likewise distributed among a small number of lords, but not being 'protected' by English Law, those lords were unable to effect 'improvements' by clearing the Alps to make way for sheep. He quotes Sismondi with tacit approval:

- (1) "The clan, recognised at first by the captain whom they followed in war and obeyed for their common advantage as his friends and relations, then as his soldiers, then as his vassals, then as his farmers - he has come to regard as his farm-labourers, whom he may perchance allow to remain on the soil of their common country for his own advantage, but whom he has power to expel so soon as he finds it no longer for his interest to keep them."

That such a change was possible in the attitude of the chief to the members of the clan, is attributed by Hugh Miller to the anglicising of the lords and also to their absenteeism. The sole survivor and heir of the 17th Earl of Sutherland was brought up in England by her maternal grandmother,

- (2) "an intriguing and scheming woman".

On marrying the Marquis of Stafford who already possessed ample estates in England, the Countess assisted the process by which the ancient relationship of people and chief was destroyed. Later as the Duke and Duchess of Sutherland the climax

was reached in the 'Clearances'. Miller comments on the identity of the old earls with the social life of Sutherland, it being such that, although entitled to the privileges of ecclesiastical patronage, many of them signed ministerial calls along with the other men of the parishes within the Sutherland territory. Angliæation and non-residence had destroyed this unity of people and chief.

(1a)

Bringing Miller's charge to the test of further evidence it is clear that it is not without weight. Indeed, his argument and that of Sismondi is confirmed from rather a curious source, namely, James Loch's 'Account'. That doyen of 'Clearance' protagonists points out how the arrangement of the northern counties was suspended while the kingdoms were divided, but following the union of the crowns the borders were cleared for sheep. The hereditary jurisdictions still remained in force in the Highlands until abolished in 1746 consequent upon the defeat of the Pretender. This event -

(1) "Having brought the Highland chieftains within the pale of law, and placed them on the same footing as the other gentlemen of the land, they began rapidly to acquire the same tastes, - to be occupied with the same pursuits, - to feel the same desires, - and to have the same wants as their brethren of the south. In order, however, to indulge these propensities, and to be able to appear in the capital with due effect, it was necessary that they should convert their estates to that mode of occupation most suited

(1) An Account of the Improvements of the Estates of the Marquess of Stafford. Int.p.17

to their circumstances, and from which they could derive the greatest income. Luckily in this, as in every other instance in political economy, the interest of the individual and the prosperity of the estate went hand in hand."

Thus Miller's charge of legal sanction of injustice to the people of the soil is confirmed, and his further charge of self-interest and absenteeism is strengthened. John Knox adds further confirmation in his work of 1786, writing of the resources of the Highlands he remarks:

- (1) "But as the value of its national produce by sea and land is almost wholly absorbed by the great landowners, and by many of them spent at Edinburgh, London, Bath and elsewhere, the people are more or less at the mercy of stewards and tacksmen....."

But, writing in 1847, Russell of the 'Scotsman' makes a more powerful criticism. Even while defending the 'Clearances' in general, and the Sutherland group in particular as having been carried out with humanity and liberality as well as with great forbearance and intelligence, Russel can write:

- (2) "but these Highland clearings must forever stand a scandal to the laws, which in the midst of a civilised country, left a large portion of the hereditary occupants of the soil with no better security for their holdings than the unhappy aborigines of North America or Australia."

(1) John Knox - A Tour Through The Highlands of Scotland, P.40

(2) Russel Edinburgh Review Lxxxvi (1847) P.500.

Nor is liberality enough:

- (1) "The most profuse liberality on the part of an individual will never supply the want of a law of vested rights, to some thousands of people."

Russel held that Sismondi misapprehended the character of British Law when he regarded it simply as devoted to the interest of making money, and that life and liberty are subservient to the accumulation of wealth. The very misapprehension is a rebuke and points to a real weakness in the law for:

- (2) "In our eyes, (Russell's) whatever is wrong in them may be attributed to rigid and unthinking application to one part of the country, of the laws which have grown up in full adaptation to the habits of another and far more important, and perfectly distinct class of the community."

(ii)

As has been pointed out, much heat was occasioned by the 'atrocities' with which the clearing of the land was carried out. The appearance of 'The Gloomy Memories' of Donald McLeod who claimed to have been an eye-witness of acts of great inhumanity, kept feeling running high and such feeling naturally had its influence on Hugh Miller. Despite extensive quotation from McLeod, however, he has a more profound charge to make against the Sutherlands.

The first and most weighty charge is that they viewed the process of clearance as a mere economic experiment. The

The Stafford family which possessed such vast wealth, when linked through marriage with the young Countess, did not apply that wealth to the advantage of Sutherland. Miller argues that it enabled them:

- (1) "to treat it as the mere subject of an economic experiment, in which gain to themselves was really no object."

It seems a clear case of planning based on a narrow view of economic ends and ignoring human values such as were expressed in the Highland society of Sutherland. They sought to apply the theory that by altering the economy of the country they could make it more productive - a scheme quite unexceptionable in theory. The alteration was to be achieved by converting the small farms into large sheep-farms and moving the tenants to the sea-coasts where they could reap the harvests of the sea. Thus was a self-supporting country to be made exporting. But:

- "The poor inhabitants of the country had very serious objections to urge against it." (2)

Their humble houses were the work of their own hands. They had broken in their own fields and held their mountain possession from time immemorial. Prowess in battle was inspired by love of these fields. Such people were to be removed, regardless of all the human factors involved. This for Miller was the

cardinal error of the Sutherlands. They treated the people of Sutherland as 'Its' to be fitted into a neat scheme of improvement and not as 'Thous' to be considered in their total humanity. This insistence on human values and the wider welfare of human life is characteristic of Hugh Miller and it is a spirit which prompts the economic writings of Chalmers.

Secondly, Miller holds that on narrow economic grounds alone the scheme was a failure. At the time of writing (1844) the country knew of continual famine in Sutherland whereas while there was periodic scarcity before, there never was such chronic want. Further the first efforts of the 'removed' as fishermen were disastrous although some success was later achieved. Nevertheless:

- (1) "The employments of the herring fisher have all the uncertainty of the ventures of the gambler."

Fluctuations, gluts and falling averages can ruin the herring fisherman who has slender resources and no reserve to meet such contingencies. The newly established fishermen of Sutherland, unlike the hereditary fishermen of the north have not be compensating alternative of the white fishing. Further, in times of famine they could not depend upon their land since the new allotments were far too small and often poor in quality also, being

- (2) "just such patches as the Irish starve upon"

Extending the economic argument, Miller illustrates the bad bargain made by the Sutherlands in the 'improvements'. The recurrence of famine due to the inhabitants being placed in a hopeless position made a Scottish Poor Law with a compulsory assessment inevitable.

"It was a conviction of this character based on experience, which led the writer of these remarks (Miller) to state, when giving evidence before the present Poor Law Commissioners for Scotland, that although opposed to the principle of legal assessment generally, he could see no other mode of reaching the destitution of the Highlanders. Our humane Scottish Law compels the man who sends another man to prison to support him there, just because it is held impossible that within the walls of a prison a man can support himself. Should the principle alter, if, instead of sending him to prison, he banish him to a bleak inhospitable coast, where unless he receives constant support from others, he must inevitably perish?"(1)

The prospective Poor Law will bring retribution for while

"The rents in every instance seem moderate; the money of the tenant flows towards the landlord in a steady stream of not half the volume of that in which the money of the landlord must flow towards the tenant when the Poor Law shall be extended to Scotland."(2)

When the Poor Law comes -

"then shall the selvage of deep poverty which fringes the sea-coasts of Sutherland avenge on the titled proprietor of the county both his mother's error and his own."(3)

Miller appears to accept the charges brought by Donald McLeod but he pursues a deeper analysis and is not content with mere castigation of the Sutherland family. Significantly, he remarks

- |     |            |    |    |     |     |     |      |
|-----|------------|----|----|-----|-----|-----|------|
| (1) | Sutherland | As | It | Was | And | Is. | Ch.5 |
| (2) | "          | "  | "  | "   | "   | "   | Ch.3 |
| (3) | "          | "  | "  | "   | "   | "   | Ch.1 |

that they were under the disadvantage of having to conduct the experiment by proxy and -

"It is the misfortune of such men that there creep around them creatures whose business is to anticipate their wishes; but who doubtless, instead of anticipating, misinterpret them; and who even when not much mistaken, impart to everything they do, the impress of their own low and mental natures."(1)

Thus Miller indicates the problem of delegated responsibility implicit in the more complicated forms of society. While he holds the Sutherlands responsible for the overall plan of the 'Clearances', he does at least allow this degree of exculpation in the matter of the attendant 'atrocities'.

(ia)

A critical examination of this second thesis of Hugh Miller's leads to the stormy controversy which continued for half a century after the first major 'Clearances'. Such an examination cannot ignore the Strathnaver Clearances of 1814, if the methods and motives of the perpetrators are to be examined. It is of these 'clearances' that Donald McLeod claims to have been an eye-witness and Miller apparently accepts McLeod's testimony. Also the events at Strathnaver led to the famous trial of Patrick Sellar and both the events and the trial had the effect jointly, of bringing the general principle of 'clearance' and the accompanying particulars before the general public, in a manner unprecedented in the past. Sellar was

(1) Sutherland As It Was And Is. Ch.6

charged with

"Culpable Homicide, Real Injury, and Oppression" but while ostensibly it was concerned with the guilt or innocence of Patrick Sellar, the trial had the result of reinforcing with the sanction of law, the whole 'clearance' policy. Indeed Sellar's counsel said so in as many words in his address to the jury:

"This was not merely the trial of Mr. Sellar, but in truth, a conflict between the law of the land and resistance to that law. That the question at issue involved the future fate and progress of agricultural and even moral improvements in the county of Sutherland."(1)

Patrick Sellar was found not guilty but the justice of that decision has been in question ever since. Since most critics base their judgment largely on oral tradition and to a considerable extent on the 'Gloomy Memories' of Donald McLeod whose work appeared a quarter of a century after the event, The Report of The Trial is the most reliable primary source.

An objective study of the Report reveals the following facts in favour of Patrick Sellar's innocence: Donald McLeod did not come forward at the trial in spite of his professed first hand knowledge of events. He contented himself with writing the account from Canada twenty-five years later. MacKidd who was the Sheriff Substitute and the immediate instigator of the proceedings does appear to have had a personal grudge against Sellar and it was a matter on which the

(1) Report of The Trial of Patrick Sellar, P.65

Procurator Fiscal took his oath. It is established that only twenty-eight families were removed. Against the justice of the verdict the following facts are to be taken into account: eight out of the fifteen jurors were landed proprietors, their names and places of residence being listed in the Report. The other seven had a direct interest in landed proprietors, among them being a tacksman, a merchant, a writer, and a farmer. Many of the witnesses for the prosecution were unable to speak English and the occasion must have been confusing and even terrifying for them. Nine witnesses were led for the defence and these comprised the Sheriff-Substitute of Inverness, one Baronet, both of whom testified to Sellar's good character; a foxhunter and a shepherd oppugned the evidence of Munro; a ground officer, an appraiser for the Sutherland family, two others who assisted in the removals along with a Caithnes farmer gave evidence of the humanity with which the process was carried out. Apart from the first two, most of the others who gave evidence were participants or had a direct interest in the Sutherland estate. The Caithnes farmer is a possible exception and is cited by Thomas Sellar (the son of the accused in his account) as being an independent witness. But his independence is open to question since he appears to have been visiting Patrick Sellar and to have gone with him to see the ejections. Lastly, Lord Pitmilley, in his charge to the jury, founded upon three certificates as to Sellar's character and humanity. These were written by three landed proprietors who were unable to appear. Even if it be granted, as is held by

Thomas Sellar, that this was in accordance with the practice of the time, it certainly weighed in Sellar's favour.

Donald Sage, a contemporary of Patrick Sellar, gives accounts of three particular 'clearances'. He refers to the so-called "First Clearances" and in particular to those of 1813 which fell most heavily on the parish of Kildonan.(1)

"It was a very short time before my residence in Mr. MacKid's family that the first Sutherland Clearances took place."(2)

He attributes the policy to Mr. Young who had been engaged as the Commissioner of the Sutherland Estates in 1810. But

"Young had as his associate in the factorship, a man of the name of Sellar, who acted in the subordinate capacity of legal agent and accountant on the estate, and who, by his unprincipled recklessness in conducting the process of ejectment, added fuel to the flame."(3)

It was reported that a general rising was imminent and military aid was called for

"and every preparation made as for the commencement of civil war. But the chief magistrate of the county, shrewdly suspecting the origin of these reports, ordered back the military, came himself along with the people, and instituted a cool and impartial inquiry into their proceedings. It could not be proved that a single act of violence was committed. Sellar laboured hard to involve my father and mother in the criminality of these proceedings."(4)

- (1) For critical evaluation of this source see P. 69  
 (2) Donald Sage Memorabilia Domestica, P.248  
 (3) " " " " P.249  
 (4) " " " " P.249

With regard to this particular 'clearing' Sage presents Sellar with no certificate of good character and humanity and while not an eye-witness, Sage was close in time to this event and his father was minister at Kildonan.

Sage comments also on the next of the so-called 'First Clearances'

"which took place in the year 1815, nearly a year before I went to Achness."(1)

This 'clearance' was in Strathnaver in the parish of Farr and is recognised as that which led to the trial of Patrick Sellar. Sage recounts the circumstances; a vast area was let to Sellar as a sheep-farm and he ejected the tenants with fire and destroyed a corn-mill contrary to the ancient statutes of Scotland. Again Sage was not an eye-witness of these occurrences but he entered his mission charge at Achness, closely following them. He does not mention the matter of culpable homicide but merely alludes to

"certain aggravating particulars disclosed to MacKid"(2). He confirms, however, that MacKid and Sellar were not on good terms but maintains that such a circumstance did not alter the particulars of the case. These events which Sage describes actually took place in 1814 and the trial was in 1816 but Sage places this 'clearance' in 1815, apparently in error. He

(1) Donald Sage Memorabilia Domestica P.265

(2) " " " " " P.265

comments on the result of the trial:

"it was only to be expected when a case came to be determined between the poor, as the party offended, and the rich, as the lordly and heartless aggressor."(1)

Thus far is Sage from accepting Sellar's innocence or the impartiality of the law in the matter. After the trial, MacKid was threatened by Sellar with an action for damages and Sellar's defenders make much of the fact that MacKid completely recanted, professing to have spoken a tissue of lies against Sellar(2). At first sight MacKid's retraction seems inexplicable, but it must be remembered that he was heavily censured at the trial and the threatened action faced him with ruin.

Sage comments:

"To ward off this blow, MacKid threw himself on the other's mercy - a submission which was readily accepted, as Sellar was only too happy to escape incurring any further odium."(3)

Hence Sage rejects the unhappy MacKid's certificate which exonerated Sellar. He writes at considerable length and with much detail of a 'third clearance' which he calls the Sutherland Clearances of 1819. If reliable, the record is important as Sage was personally involved and was himself 'removed'; his mission charge at Achness was extinguished and Sellar stands accused of heartless conduct three years after his trial.

(1) Donald Sage Memorabilia Domestica, P.265

(2) See 'The 1814 Clearances' Appendix 5 which contains certified extracts from the Register of Deeds and Probative Writs for Sutherland, including MacKid's retraction.

(3) Memorabilia Domestica. P.266

"The Sutherland Clearance of 1819 was not only the climax of their system of oppression for many years, but the extinction of the last remnant of the Highland peasantry of the north."(1)

Sage attributes this 'clearance' to Sellar whom he identifies with the Patrick Sellar of the previous ejections although Sage here refers to Peter Sellar\*. Referring to the forced removal of an aged widow who was in such a state that she could only be moved with great pain and at the risk of her life Sage says:

"She was the mother-in-law of Samuel Matheson, and had, with her family, been removed by Mr. Sellar, from Rhimsdale some time before. His treatment of her and others on that occasion had brought Mr. Sellar into trouble as we have seen."(2)

Sage obviously means the Patrick Sellar of the previous 'clearances' and cites his personal part in these proceedings, the direct result of which the old lady mentioned died a few months later. Also, Henny Munro, the aged widow of a soldier, had her meagre possessions burned, because Sellar would not allow others to assist in their removal. He records details of the burning and ejection and that, while a few were offered miserable allotments by the sea-shore, many had nowhere to go. The week after the evictions, Sage had occasion to go to the manse of

(1) Memorabilia Domestica P.288

(2) " " P.293

\* Possibly an error in transcription on the part of the author or editor. See Note, P. 70

Tongue and his records:

"The spectacle presented was hideous and ghastly... of all the houses the thatched roofs were gone.. the sooty rafters of the cottages, as they were being consumed, filled the air with a heavy and most offensive odour."(1)

Nor is Sage at a loss to explain Sellar's conduct:

"The enormous number of citations might be accounted for by the fact that Mr. Peter Sellar had a threefold interest in the whole matter. He was, in the first place, factor on the Sutherland estate at the time; then he was law agent for the proprietors; and lastly, the lessee or tacksman of more than a third of the county cleared of its inhabitants. It may easily be conceived how such a three-fold worldly interest would bind him over to greater rigour, and even atrocity in executing the orders of his superiors on the wretched people among whom he was let loose, for ever list a beast of prey."(2)

If Sage's account of the Strathnaver Clearance of 1819 is factually correct, then Patrick Sellar must stand condemned and his former trial is proved a farce. There is evidence, however, to show that Patrick Sellar did not take part in this particular 'clearance'. Sage's error in placing the evictions which led to the trial in 1815 has already been noted as well as the substitution of the Christian name 'Peter' for 'Patrick'. Such errors weigh against the accuracy of the 'Memorabilia' but in themselves, are by no means conclusive. Other evidence may be brought to bear, and MacKenzie(3), who was not disposed to favour Sellar or his associates, states that both Young and Sellar relinquished office soon after the trial. MacKenzie

- (1) Memorabilia Domestica, P.293
- (2) " " " P.289
- (3) History of The Highland Clearances  
A. MacKenzie. P.26

wrote in 1881 and was in ignorance of Sage's Memorabilia. He does not cite his sources but Patrick Sellar himself in a statement published in 1826 writes:

"I continued in the noble family's employment in this department until Martinmas 1818; but no further arrangements of the estate followed."(1)

Presumably Sellar means that he was not personally involved in further 'clearances' for the Strathnaver Clearances of 1819 are fully documented by Loch.(2)

Sage also records that the action in 1819 was taken by Young and Sellar, whereas, Young had resigned in 1816 (3), to give place to James Loch, and Sellar had ceased to be factor and law-agent on the 11th of November 1818 (4). Both these facts seem beyond dispute since they would be adequately engrossed in the legal documents pertaining to their respective offices. Further, since Sellar's statement was published in 1826 and Loch's Account in 1820 (5), it is unlikely, on grounds of prudence alone, that their statements would be false.

In considering the 1819 Strathnaver Clearance, Sage's charge against Young and Sellar is difficult to maintain and reserve must be exercised in accepting the general account. Such a reserve, however, may be modified when Sage's personal

- (1) The Sutherland Evictions - Thos. Sellar P.50 and 13. Account of The Improvements on the Estates of the Marquess of Stafford - James Loch. P.50
- (2) .... do .... do .... do .... P.82
- (3) The Sutherland Evictions. P.13 (note)
- (4) The possibility of Sellar having taken action in his other capacity as lessee must be considered.
- (5) The Memorabilia was published in 1891 (written 1840-69)  
See note on sources. P.60

involvement is remembered, together with the fact that his mission charge was indeed extinguished. Nevertheless, striking a balance, and ignoring oral tradition of atrocity, it is difficult to avoid the conclusion that the proceedings of the trial favoured Patrick Sellar. It appears to have been the inevitable result of a case brought by the poor against the rich and privileged. But the lurid accounts of McLeod can be accepted at most as only partly true, the exaggerated and demagogic style militating against their literal value as evidence. Sage's Memorabilia, particularly with regard to the alleged part of Patrick Sellar in the 1819 'clearance' is likewise doubtful but does serve to show the atmosphere of hate with which Sellar was surrounded. The truth of the matter seems to be that the 'Clearances' in Sutherland were carried out with severity at the hands of underlings and that inhumanity may not be excepted, but the accounts have lost no sensationalism at the cross-roads or by the Canadian stove.

With regard to the general policy of the clearances, the generosity of the Sutherland family can scarcely be denied. That the country lacked roads, bridges and other public facilities is plain enough and is evidenced in the First Statistical Account. Equally clear is the fact that the proprietors at great cost sought to open up the county. Loch's Account gives much detail, at a time (1820) when the works were within living memory, and (1) General Stewart of Garth who was no friendly

(1) Sketches of the Character, Manners, and Present State of the Highlanders. 3rd.ed.vol.I.p.175.

critic of the Sutherlands estimates the cost to the proprietors at about £210,000.

In addition to his Account, Loch's 'Memorial To The Late Duke of Sutherland' shows how deliberately and persistently the proprietors formed their general plan and carried it out. On narrow grounds of economic expediency it may have been justifiable at the time, although the later collapse of the wool-market and the failure of the fishing have since shown the contrary. The policy may even have been well-meaning, if not actually benevolent, but the fact remains that its execution was in the hands of underlings who were not without personal interest in the matter and that the proprietor's control was remote. It seems scarcely possible to ascribe without qualification to the proprietors of Sutherland, base motives of selfish gain and oppressive turanny. Yet they cannot escape blame for what was done in their name or with their tacit consent.

(iii)

Miller calls upon the written testimony of General Stewart of Garth to show that the Highland people were of pious and stable character prior to the Clearances and the Disruption. The Sutherland Highlanders were originally embodied in 1793 under the name of the Sutherland Fencibles and in 1800 became the 93rd Regiment. They were men of discipline and moral rectitude and actually formed themselves into a congregation in the regiment, and paid the stipend of a minister when

stationed at the Cape of Good Hope. They sent money home regularly, were often found in the book shops and took part in social life. The army authorities exempted them from being called to witness executions carried out in the interests of discipline and even in North America where they had many relatives there was not a single instance of desertion. A quotation from the Christian Herald October 1814 commends the 93rd Regiment:

"The regiment was certainly a pattern for morality and good behaviour to every other corps. They read their Bibles; they observed the Sabbath; they saved money in order to do good.... Their example had a good effect on both colonists and heathen."(1)

The Fourth Annual Report of the Edinburgh Gaelic School records that the regiment remitted £78 before embarking for North America. General Stewart regarded them as a credit to their country. Yet, argues Miller, the peasantry from which such men had sprung, was the object of 'clearance'.

Even after the Disruption, Miller finds evidence of sterling character among the Highlanders. On a visit to an open-air service in Sutherland, he saw the remains of cottages and of former cultivation now only under the feet of sheep and shepherds. Yet the assembled congregation were wonderfully clean and neat, despite obvious marks of poverty. All had family worship in their homes and were intensely loyal to their religion. But he can recall from personal observation of

(1) Sutherland As It Was And Is. Ch.2

twenty years earlier (about 1824) - the former condition and can remark:

"To know what the district once was and what it is now, is to know with peculiar emphasis the meaning of the sacred text, 'One sinner destroyeth much good.'"(1)

Miller had lived with relative in one of the turf cottages of Sutherland. There were four apartments, one of which was occupied by four milk cows, a sitting room, a bedroom, and a stranger's room. There was neither lock nor bar on any door. Family worship took place night and morning and a feature of the social life was the Saturday evening fellowship meeting for prayer and religious conversation. These meetings were under a kind of patriarchal leadership and the English Bible was translated into the Gaelic idiom - a mark of the intelligence of the fathers. Miller comments:

"One is too apt to associate intelligence with the external improvements of a country."(2)

This intelligence was not book-derived but nurtured from the pulpit and the religious meeting:

"It was an intelligence out of which morality sprung; it was an intelligence founded in earnest belief."(3)

Miller admits there were less genial regions than those of which he had experience and that judgments on social conditions are liable to be influenced by the motives of the inquirer and the sample selected for examination. But the country which now hears so much of famine in Sutherland never heard of utter

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|-----|------------|----|----|-----|-----|-----|------|
| (1) | Sutherland | As | It | Was | And | Is. | Ch.3 |
| (2) | "          | "  | "  | "   | "   | "   | Ch.3 |
| (3) | "          | "  | "  | "   | "   | "   | Ch.3 |

dearth there before, despite seasonal shortages. The Highlander could have recourse to pot-herbs. Supporters of the changes which have been made instance the eating of nettle-broth and of a sort of blood pudding made by bleeding cattle and mixing the blood with oatmeal as an example of the dire straits of the Highlanders. But Miller replies that it was a common practice in the house of his relative where he had never seen any scarcity. It was a matter of taste. It is not argued that there is a perpetual famine in France because Frenchmen have a taste for frogs' legs. The Sutherlanders according to Miller were reasonably well-fed and housed, deeply religious and stable of character. They were happy in their social gatherings and games and in the enjoyment of music and song. They had a further deep satisfaction in the multitude of practical tasks which they had of necessity to undertake in addition to their farm duties.

"Never were there a happier or a more contented people, more strongly attached to the soil; and not one of them now lives in the altered circumstances on which they were so rudely precipitated by the landlord, who does not look back on this period of comfort and enjoyment with sad and hopeless regret."(1)

Thus Miller denies that the inhabitants of Sutherland were either depressed or depraved and maintains that they only appeared so to 'English eyes'. When the 17th Earl of Sutherland died, he was the last of the good Earls. His sole survivor and

(1) Sutherland As It Was And Is. Ch.3

heir was a daughter:

"and she was brought up South of Scotland... far removed from the influences of those genial sympathies of her clan, for which the old lords of Sutherland had been so remarkable, and what was sorer still, from the vitalities of that religion which for five generations her fathers had adorned."(1)

The marriage of the young countess into a noble English family brought

"a new set of eyes upon Sutherland".(2)

To them Sutherland was a wild and barbarous country,

"a sort of Russia on a small scale where all was wrong and had to be put right."(3)

The question of whether the English eyes or those of Miller saw more clearly must be decided on wider lines of evidence. There is no scarcity of apologists for the Sutherlands but the great influence and power which they wielded must be remembered and it is in sources outside of either the Free Church controversy over sites, or the apologia for the 'Clearances' that a true perspective will be found.

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| (1) | Sutherland As It Was And Is. | Ch.4 |
| (2) | " " " " " "                  | Ch.4 |
| (3) | " " " " " "                  | Ch.4 |

## (iia)

The antithesis of Miller's view is to be found in James Loch's Account(1) which sets forth definitively the argument of the backwardness of the Highland society and the appalling depravity of the people. Loch points out that nostalgia had painted life in the glens in fanciful colours with the result that the arrangement of Highland property had never been judged on its merits. In England the Highlanders were romanticised and judged to be exempt from the changes to which the rest of the country had been subjected. The vocal opponents of the 'Clearances' were either emigrants or exiles, and Loch's point has some force when the propensity of such people is remembered. Both the Irish and the Highland emigrant tend to be sentimental over the land they or their ancestors may have left with an empty stomach.

According to Loch, the Highlands and particularly Sutherland, were remote from rebellion and the revolutions of war and peace. Chieftains were wealthy in accordance with the number of men they could command for purposes of war. Thus population was encouraged but lack of knowledge of the English language and geographical isolation prevented the Highland population from developing habits and aptitudes of industry.

- (1) Loch in his introduction claims that he can take for granted principles generally accepted over the rest of the country. (a) That emigration should be encouraged. (b) That small occupancies should be abolished in favour of large farms and urbanisation. Granted such presuppositions, Loch's case is unassailable, but the morality involved is precisely the question at issue.

The population continued to grow, and when the necessity of 'private' armies no longer existed, became an embarrassment, relieved in Sutherland by the chief raising 'a family regiment' for the service of the crown. When that regiment was incorporated as a 'regiment of the line', there was no relief from the burden of excess population except emigration and a low standard of living.

"Thus was the county of Sutherland kept in the same state as it had been in for ages, or rather, the evils of the system were infinitely increased throughout, at the very time the country was advancing in the contrary direction."(1)

To make matters worse(2), those who had been cleared of lands further south, flooded in, together with malcontents and fugitive debtors. In addition, the tack system imposed burdens of feudal servitude which were against the interest of the peasantry. In consequence, the standard of life was pitifully low.

"Their huts were of the most miserable description. They were built of turf, dug from the most valuable portions of the mountain side."(3)

Built on the declivity of the hill

"so that all the filth might flow from the habitation without further exertion from the owner."(4)

Animals and humans lived together. The fire filled the place with smoke, the only egress being a hole in the roof.

- (1) Loch's Account. P.47 (for evaluation as a source, see P.71)
- (2) There does not appear to be external corroboration of this.
- (3) Loch's Account, P.51
- (4) " " P.51

Periodically the meagre crop failed and the reluctance of the tacksman to give any assistance added to the misery. The people themselves were

"impatient of regular and constant work and all the heavy work was abandoned to the women."(1)

Miller's account and that of Loch are directly opposed and both belong to controversy, but a consideration of the thirteen parishes of Sutherland as revealed in the First Statistical Account gives a picture which may be more readily accepted. With few exceptions, all freely admit the primitive nature of the husbandry which had remained unchanged for centuries, but it is pointed out that the absence of proper leases and the practice of the short lease system gave no incentive. On the contrary, good husbandry might be the quickest way to lose possession:

"Small tenants have no leased here; little improvement, therefore, of any kind can be expected."(2)

Of the thirteen parishes, seven of the ministers comment specifically on the absence of industries and commerce and plead for the introduction of suitable manufactures(3). In ten out of the thirteen, comment is made on the character of the people with reference to industrious habit and aptitude.

(1) Loch's Account, P.51

(2) Dornoch - First Statistical Account. Vol.8.P.7  
See also accounts for Clyne and Tongue.

(3) Dornoch, Creich, Farr, Tongue, Rogart, Golspie, Lairg.

With the notable exception of the parish of Lairg, in no case is there unqualified condemnation. The Dornoch account records:

"The people here cannot be called industrious but they are tenacious and frugal of what they get,"(1)

and adds that under guidance and encouragement they might profit themselves and the country in industry. The minister of Durness says:

"The inhabitants are moderately industrious, hospitable and fond of a military life."(2)

In Creich, the Rev. George Rainy writes:

"It cannot be said that they are industrious nor do they enjoy much that would prompt them thereto as there are no manufactures carried on here."(3)

He speaks with approval of the proposal to establish a cotton mill.

The minister of Farr says of the people:

"They are rather indolent...the introduction of manufactures would operate as a spur to industry and meliorate their condition."(4)

The minister of Tongue records:

"They are fast emerging from their former habits of indolence."(5)

In Rogart the opinion is:

"The people seem to be much more inclined to idleness than industry. They are, however, in general, religious and well disposed, and may become industrious when they have more inducements to become so."(6)

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| (1) | First Statistical Account, Vol. 8. P. 15 |
| (2) | " " " " 3. P. 576                        |
| (3) | " " " " 8. P. 362                        |
| (4) | " " " " 3. P. 538                        |
| (5) | " " " " 3. P. 517                        |
| (6) | " " " " 3. P. 563                        |

The Edderachylis account speak of a peaceful and pious people who are excellent boatmen

"as well as ingenious and ready to learn any mechanical business."(1)

The minister of Loth regards the people as honest, sober and religious and

"attentive to their business and credit."(2)

In the Golspie account the minister writes:

"The inhabitants are economical, humane and contented - the condition of the inhabitants would be meliorated by establishing manufactures in the country, which is the principle thing wanted."(3)

And in Assynt the people are judged

"civil, sober, hospitable to a high degree... They are becoming every day more industrious and attentive to domestic affairs."(4)

The First Statistical Account with regard to Sutherland, does not present a picture of a people incorrigibly indolent, but the curious exception of the account for the parish of Lairg is worthy of consideration since it has a quality of acerbity which is not present in the other records. The Lairg account is not written by the parish minister who was apparently prevented by the people from writing it. Instead, his place was taken by 'A Friend To Statistical Inquiries', who by his work in this connection showed himself certainly to be no friend of the people of Lairg. Only want of industry

- (1) The First Statistical Account. Vol.6. P.278  
 (2) " " " " " 6. P.319  
 (3) " " " " " 9. P. 20  
 (4) " " " " " 16. P.163

prevented the local inhabitants from using the abundant limestone to improve their land. The 'Friend of Statistical Inquiries' does not mention the absence of proper leases or the unsatisfactory system of short leases. He writes:

"Respecting their character in general, it is not in its favour, that they seemed to entertain a particular dread of these statistical inquiries, and would not permit the minister of the district to draw up an account of it, as if conscious that it could not turn out much in their favour."(1)

In his suggested improvements the writer advocates the making of an inland canal but significantly suggests that sheep farms should be developed and

"it would be unnecessary to remove the present possessors for that purpose, for unless they are very stubborn and obstinate indeed, they might easily be prevailed upon to convert their cattle into sheep."(2)

Unless the writer of this statement was grossly impractical, he must have envisaged that only the large farms could remain in the undisturbed possession of the tenants and have ignored the peasant class who must inevitably have been dispossessed. The people of Lairg were no doubt right in suspecting the proverbial wolf in sheep's clothing in their midst and may be pardoned for wrongly identifying the First Statistical Account with its interest.

In general the First Statistical Account does not suggest that the inhabitants of Sutherland were very poor but that

(1) First Statistical Account Vol.11. P.572  
(2) " " " " " 11. P.572

their poverty issued in frugality rather than depravity. The minister of Dornoch does indeed complain that the people are poorly fed and badly housed, while another minister points out that his parish can support itself(1). There is every indication of hardship but little of crude misery. All agree, however, that some melioration of the people's condition must be found and the two main suggestions are the granting of proper leases to improve the husbandry and the introduction of manufactures. The minister of Tongue strongly advocates the abolition of the servitude which was a part of the tack system:

"a degree of bondage almost equal to that of negroes in the West Indies."(2),

but the minister of Loth defends the servitude as the only suitable means of payment in the absence of manufactures. The ministers of Dornoch and Edderachylis both felt that sea fishing could be more developed in their parishes but there is no advocacy of sheep-farming except in the case of Lairg which has been noted. In Edderachylis the minister is of the opinion that sheep-farms would be of more advantage to the landlord since they would double his rent but

"the only inconvenience would be, that he would by this plan greatly depopulate his country."(3)

(1) Golspie.

(2) The First Statistical Account. Vol. 3 P. 529

(3) " " " " " 6 P. 278

Professor John Walker's(1) account of the state of the Highlands and Hebrides is the result of six journeys taken from 1760 to 1786, and although used by the defenders of the 'Clearances' as justification, in fact only gives ground for condemnation. Thomas Sellar's(2) selective quotation may prove the point that Highland husbandry was poor but Sellar's main purpose in defending the 'clearing' system is defeated if the whole of Walker's work is weighed. Dr. Walker writes:

"The agriculture of the country appears to have undergone little improvement since the era that domestic cattle and cultivation of grain were first introduced. Any alterations for the better have taken place within the last fifty years; and among these the introduction of potatoes and white oats seem to be the most valuable."(3)

He also makes the familiar point that remoteness had kept the Highlands apart from the improvements of the South. There is no conflict in such judgments with the arguments of the 'Clearance' protagonists but the main body of Dr. Walker's history provides little to strengthen their case.

The Highland Character is described:

"The proprietors and inhabitants of a higher rank are men of education, of a liberal mind and fond of their country, from which it is regretted they are too often necessarily abstracted. The lower ranks are composed of a sensible, virtuous, hardy and laborious race of people."(4)

- (1) An Economical History of The Hebrides and Highlands of Scotland - John Walker. For critical note, see P. 74
- (2) The 1814 Evictions - Thos. Sellar. Introd.P.2 note
- (3) An Economical History of the Hebrides and Highlands, Int. P. 74
- (4) ..... do ..... do ..... do.....P.11

The common contrary opinion represents a superficial view. No better workmen were found in digging the Forth and Clyde canal and their field culture with the spade is the heaviest toil found anywhere in husbandry. Their defections in industry are due to their misfortunes and are not such that they might not be judiciously rectified.

Before considering methods of improvement, Dr. Walker lays down basic considerations and in doing so goes to the heart of the problem:

"In the improvements here recommended there are four sets of interests to be regarded, the interest of the landlord, the interest of the farmer, of the inferior people, and of the public at large."(1)

Justice requires that all be regarded. He does not find that it was so in the 'clearances' which had taken place prior to the time of writing but points out that just as the population of Maderia was crushed by bad government and hurtful customs:

"In like manner, the thriving population of the Highlands has of late been obstructed, and is threatened to be destroyed, not by any natural but by an extrinsic and incidental cause - the great extension of grass farms."(2)

The 'clearing' of the population is a short-sighted policy. It may give an immediate increase in rent,

"but must destroy the population of the country."(3)

- (1) An Economical History of The Hebrides and Highlands.P.14  
 (2) " " " " " " " " " Int.P.35  
 (3) " " " " " " " " " " P.34

The large farmer may fail or markets collapse and the proprietor will have lost the people who alone can maintain permanent improvement. Thus on economic as well as on moral grounds Dr. Walker disapproves of the 'Clearances' already effected.

While suggesting that the tack system should be abolished as a relic of the old feudal system, Dr. Walker returns to the precarious tenures possessed by the great mass of the people and sees it as the greatest obstacle to progress:

"Did the sub-tenants hold their possessions by more certain tenure, and enjoyed them by a lease from the landlord, there would be a far greater appearance of industry among them than at present."(1)

Their precarious situation militates against any improvement of the soil and something more than

"tenants at will"(2)

is needed. He attacks also the danger of monopoly inherent in the stock-farm system:

"The monopoly of farms is everywhere inconsistent with the interest of the public... There is reason to presume that no farmer's possession should anywhere be of greater extent than what he can daily and personally inspect and supervise."(3)

Professor Walker is opposed to the extension of sheep<sup>D</sup>-farming generally:

"The sheep-farming in the Highlands ought not to be greatly extended beyond what it was in former years.... There is much reason for enlarging the cultivated land but none for abridging it."(4)

- (1) An Economical History of the Hebrides and Highlands. Vol. 1. P52  
 (2) " " " " " " " " " " 1. P52  
 (3) " " " " " " " " " " 1. P61  
 (4) " " " " " " " " " " 1. P152

He then utters warnings which it would have been well for those engaged in later 'improvement' to have heeded:

"Whatever the intended improvements are, it will generally be found expedient, not to attempt their execution in a manner too rapid, nor too violently to oppose the dispositions of the people. Those improvements which are gradual in their advancement will always prove most effectual in the end."(1)

"At any rate, whatever change may be made in the Highlands in the advancement of sheep farming, it certainly ought not to be sudden and universal."(2)

Nor is it practicable to envisage villages of displaced Highlanders for there is relatively little division of labour among them and there would be little employment for day labourers.

"The establishment of a village in the Highlands is easy in speculation, but different in practice, and can only be done by assigning to each villager an allotment of land."(3)

Apart from his judgment upon the primitive Highland husbandry, the sheep farmers and the 'clearing' proprietors find little support in Dr. Walker. On the contrary, they stand condemned by his four criteria of justice to the landlord, justice to the farmer, justice to the inferior people and to the country at large.

(4)The 'Tour' of John Knox, a wealthy merchant philanthropist, is roughly contemporaneous with the observations of Professor Walker, and was undertaken to support Knox's great project for the development of fisheries in the Highlands. In

- (1) An Economical History of the Hebrides & Highlands V.1 p 67  
 (2) " " " " " " " " V.2 p151  
 (3) " " " " " " " " V.2 p153  
 (4) For critical note, see P.74

execution, therefore, it bears the stamp of a business man but with this caveat in mind it may be regarded as a valuable piece of evidence.

His description of Sutherland, which is mostly quotation from Pennant, does lend support to the argument of James Loch and those of the 'improving' school:

"Members of the miserables of this country were now (1772) migrating. They wander in a state of desperation; too poor to pay, they madly sell themselves for their passage, preferring a temporary bondage in a strange land, to starving for life on their native soil." (1)

Knox concludes that the indigence and desperation of the people arise from the severity of the climate and the poverty of the soil which make agricultural improvement impossible. He sees hope in the development of the Sutherland fisheries since that county was fortunate in having three sea-coasts abounding in fish. But no improvement can be effected at all in agriculture until the tack system and the accompanying servitude is abolished and a more satisfactory system of leases is introduced. Thus, he differs from Walker in his denial that the answer lies in improved agriculture, but is at one with him in holding that the tack and lease systems must be reformed. It is to be noted that much later, James Loch argued that all these conditions had been met fully in the Sutherland Clearances but it is also to be noted that the people had to remove before a lease of any sort was granted. So far as the occupiers were concerned the

(1) A Tour Throughout the Highlands of Scotland and The Hebride Isles in 1786 - John Knox, P.249

conditions were not observed 'in situ'. Thus far does Knox support the 'improvers' but he does not lack the wider humanity and ethical sense shown by Professor Walker for he writes:

"But none of the circumstances above mentioned provided so unfavourable to population, as the newly devised custom of ejecting 50 to 100 families at a time, to make room for a flock of sheep...."(1)

He quotes an instance of 1786 when 550 emigrants left for America and of that number 500 were from the one estate, the scene on departure being

"too moving for human nature to behold."(2)

While the practice of large scale 'clearing' is not approved by Knox, he is sympathetic to the difficulties of the proprietors. He urges them to do what they can to alleviate the distresses, by abolishing servitude, entry money and short leases:

"But they must be more than human to resist invariably, the tempting offers that are constantly made by sheep farmers."(3)

The bad crops and harvest failures make the treble rent of the sheep-farmers, who pay punctually, very tempting to the landlord whose land is burdened with 50 families on the poverty level. The non-residence of proprietors has the disadvantage that the wealth of the country is spent at London, Bath and elsewhere, as well as leaving the people at the mercy of tacksmen and factors. The existing system in the Highlands is entirely unsatisfactory as the emigration figures show. Knox's remedy seeks to reckon with these hard facts of his exposition. In

(1) Knox's Tour, P.89  
 (2) " " P.89  
 (3) " " P.89

the interests of his scheme for establishing free towns and fishing villages(1), he puts a business proposition to the proprietors. The Society would establish these new communities and support an improved agriculture. By this means the tenants would cease being a burden and the inducements to depopulation would no longer exist. Therefore, it will be to the advantage of the proprietors to meet the Society half-way, for with such development, the value of land will rise:

"By thus blending private benefit with general good, the names of such proprietors who shall with a liberal hand come forward, and at an early period, will be engraved upon every Highland rock, and be recorded with applause to the end of time."(2).

(iv)

The fourth argument advanced by Miller is that the Duke of Sutherland feared the Free Church, hence his refusal of sites for building purposes. There is a distinct relation between the 'Clearances' and the religious intolerance shown by the Duke:

"The experiment of the late Duchess was not intended to be made in the eyes of Europe."(3)

She had been startled when Cobbett made a simple reference to it and ever since the 'Clearances', the noble family showed the utmost reluctance to having its results made public, - but the Free Church threatens to keep the wound open and to translate the wrongs from Gaelic into English -

(1) See Walker's comments, Note P.74

(2) Knox's Tour, P.87

(3) Sutherland As It Was And Is. Ch.1

"to give them currency in the general mart of opinion."(1)

Further, if clearing started again, the Free Church might even shake the Duke's despotic power, therefore he struggles hard to exclude the Free Church from his territories. It is not improbable, also, that faced with the threatened Poor Law and the burden of an impoverished population, the Duke sees a method of 'refined clearance' by which his intolerance would become intolerable and the inhabitants voluntarily remove, leaving the revenue from his large sheep-farms unimpaired by assessment.

The Duke is not a member of the Establishment and can have no ecclesiastical interest in the matter. His conduct is to be linked with that of his immediate forbears, the whole revealing a flaw in the British Constitution by which the rights of property may be so abused as to deny the rights of conscience and humanity. Therefore, he fears the Free Church. (2) The members of the Free Church by direct political action and by the pressure of public opinion in both Britain and America should make him see that his fears are real.

(iva)

Questions of motive are not amenable to positive proof and Miller's charge against the Duke of Sutherland (whose father, the first Duke, carried out the Clearances) is one of

(1) Sutherland As It Was And Is. Ch.1

(2) " " " " " " Ch.7

motive and general disposition.

The Free Church must have looked, especially in the Highlands, very much like a popular movement possessing more than theological implications. The fear engendered by the French Revolution(1) was still active and kept alive by the Chartists. It is therefore not likely that one of the greatest landowners in the Kingdom could view the Free Church with equanimity. The Free Church was at least a potential champion of popular rights and the large adherence in Sutherland must have given the Duke cause for concern. During the 'Clearances' there is little evidence of the Church having taken up the people's cause, and it is suggested that the self-interest of the ministers under patronage saw to their silence(2). While no doubt their attitude was modified by the situation, which they found themselves, it is significant that(3) 11 out of 16 of the Sutherland ministers joined the Free Church at the Disruption and only four adhered to the Establishment. The majority of the Sutherland ministers do not appear to have been "patron's creatures", but at the Disruption such restraint as did exist was removed. Thus, whether the actions of the clergy had any social motivation or not, at least to the eyes of the proprietor, they signified a weakening of his power.

(1) The first Duke had been ambassador to the First French Revolutionary Government. See Loch's Memorial, P.8

(2) Sage records the passive (at least) resistance of his father. Memorabilia p.249. See Mackenzie Int.P.11 and 12.

(3) One emigrated.

(1)The New Statistical Account, however, gives little indication of positive opposition to the Duke and his policy; there is praise of the family beneficence but also acknowledgment of social distress.

Russel of the Scotsman, considering the matter in 1847, relates the Duke's refusal of sites to the general weakness of the law in respect of the rights of property, - a weakness which is most acute with regard to property and land. He argues that, although landed property is still highly respected, recent legislation concerning

"poor laws, game laws, tenant rights, and railroads, has lowered the high prerogative notions of property."(2)

Therefore landed proprietors like Shylock may be unwise to press their legal rights too far.

"The attempt to turn political franchise into vested rights was one of the provocations which led to reform. The attempt to make the cure of souls a matter of freehold and private patronage ended in Scotland in the Free Church Secession."(3)

The Highland Clearings are a further example of this weakness, and the denial of rights of way yet another, while it is in this context that the refusal of sites must be seen. The conduct of the proprietors in this matter was

"as oppressive as it was rash."(4)

- (1) For detail, see Note P. 78
- (2) Edinburgh Review 1847 lxxxvi P.499
- (3) " " " " P.499
- (4) " " " " P.503

Russel continues -

"The issue had been obscured by partisan feeling and theological conflict, but the attitude of Parliament in inquiring into the matter, coinciding with the passing of numerous Railway Acts - would not give an untheological and neutral observer a high view of the legislature in relation to matters of property."(1)

Good land is disposed of by forced sale and yet the majority of the inhabitants of a district cannot obtain

"a few square yards of barren rock on which to build a place where they may worship."(2)

It shows the evils of monopoly of land, for the same law which may be just in dealing with valuable land where the ownership is dispersed

"may be tyrannical where wide barren districts are in the hands of one proprietor."(3)

Thus far does Russel support Miller but lays the blame on the weakness of the law and its unthinking application, rather than on the proprietor. (4) Rather than direct fear of the Free Church, Russel suggests the motive in refusing sites was the protection of a vested interest. But the two motives are not mutually exclusive. They do indeed coalesce.

(1) Edinburgh Review 1847 lxxxvi P.503

(2) " " " " P.503

(3) " " " " P.503

(4) This is in harmony with Russel's judgment that the Clearances were 'a scandal to the laws'.

Note on Sources of Criticism of  
"Sutherland As It Was And Is"

"Memorabilia Domestica" by Donald Sage.

This work is the memoirs of a noted Highland minister, compiled by his son and published in 1889. The author, Donald Sage, was born in 1789 and died in 1869. His personal observations, therefore, might be taken to extend over the first half of the nineteenth century but in actual fact are foreshortened after the early thirties although some rather sketchy post-Disruption remarks are made. Up to the thirties, however, there is much anecdotal as well as ecclesiastical, social and biographical material. Of particular interest is the account given of the so-called 'First Clearances' which took place in 1813-15 and the 'Second Clearance' which took place in 1819. As a probationer, Sage was tutor to the M'Kid family, M'Kid being the Sheriff-Substitute who was responsible for bringing Patrick Sellar to trial. Sage makes incisive comment on the acquittal of Sellar and of M'Kid's subsequent retraction when faced with a suit for damages. The style, manner and arrangement, all confirm the non-polemical, non-apologetic purpose of the author so that these memoirs might be cited as important evidence concerning the 'Clearances'. Nevertheless, quite apart from the fact that Sage was always an 'evangelical' and as such took his stand before and at the Disruption, there is internal evidence to suggest that the memoirs are not wholly

accurate. Since the memoirs were not published by Sage's son until 1889, the inaccuracies are not noted by James Loch or Patrick Sellar who wrote much earlier. In evaluating the work of Sage, the following considerations must be borne in mind:

- ( i ) He was directly in contact with the 'cleared' areas, his father being minister of Kildonan, and he himself being the minister of Achness.
- ( ii ) His work follows a chronological sequence after the manner of a journal and abounds in pedigrees, anecdote and pedestrian matters. It does not read like an anti-landlord tirade.
- ( iii ) He is patently a man of character, honesty and acute observation.

But contra:

- ( i ) The terminus a quo of the actual writing is 1840, (1) the terminus ad quem is the date of his death 1869, therefore he was liable to be under the influence of the Disruption feeling and the Sutherland antipathy.
- ( ii ) There is the confusion of the Christian name of Sellar whereby Sage calls him 'Peter' instead of 'Patrick'.
- ( iii ) There is also the more serious discrepancy where Sage describes the atrocity of the 1819 Strathnaver Clearance and attributes them to Sellar when in fact Sellar had resigned in 1819.

(1) See Preface Memorabilia Domestica.

"An Account of the Improvements on the Estates  
of the Marquess of Stafford" by James Loch.

James Loch, Member of Parliament and Commissioner for the Sutherland Estates, wrote this account in 1820, just before the completion of the grand plan of 'Clearance' and before the public clamour concerning the trial of Patrick Sellar had fully subsided.

"There are many other protagonists, most of them now long since forgotten. But there is one who, viewed at this distance, is undoubtedly the most able and subtle apologist of them all. He is James Loch....."(1)

The dedication of this Account to the Marquis and Lady Stafford specifically states that it is a defence of both their policy and part in the clearances, and the apologetic purpose is dominant throughout. Nevertheless, he presents a convincing case. The Highlands because of inaccessibility were cut off from the main stream of economic development which had affected the South at an earlier date and the naturally poor soil aggravated the position. Further, the tack system preserved relics of feudalism which added to the misery and poverty of the inhabitants. The policy of the Marquis and Lady Stafford was, therefore, a wise and enlightened one, by which large farming units were formed on a more profitable basis, the tack system abolished, and the people removed to the coasts to obtain the great benefits of the fishing. As a proof of the benevolent intentions of the proprietors, a long list of public

(1) H. Stewart Mackintosh. Glasgow Herald 23/4/1953.

works, including road building, bridge erection and the development of postal services is cited, most of which were paid for in part or entirety by the Marquis and totalling in cost many thousands of pounds. In short, the proprietors carried out an enlightened, benevolent and realistic policy in the face of the natural unwillingness of the people, a romanticised view of the Highlands, and the calumnies of the dispossessed tacksmen. James Loch played a large part in the matter and played it with great ability, but

"in his plans for improvement he seems to have neglected nothing save the human factor."(1)

Loch was an interested party, and he put the case of the most interested party of all. Therefore, his work must be treated with caution in forming a judgment, and since his arguments are cogent, the initial assumptions must be carefully scrutinised.(2).

(1) H. Stewart Mackintosh. Glasgow Herald 24/4/1953.

(2) Loch's Memoir of George Granville, late Duke of Sutherland (1834) contains a good summary of his larger work and biographical detail of the Duke who was formerly Marquis of Stafford.

"The Sutherland Evictions of 1814"  
by Thomas Sellar

This work was published in 1883 and was written by Thomas in vindication of his father, Patrick Sellar of the Inverness Trial fame. As factor, Patrick Sellar had been concerned in the evictions, and being indicted for alleged acts of inhumanity was honourably acquitted at Inverness in 1816. His son's apologia was occasioned by the renewed discussion in the press during 1882-3 when the question of the 'Clearances' was revived, but Thomas Sellar felt urgently compelled to make this defence in view of the publication in 1883 of MacKenzie's 'The Highland Clearances'.

MacKenzie embodies Donald MacLeod's 'Gloomy Memories' which first appeared as letters to an Edinburgh newspaper in 1840 and which were later published in pamphlet form. Using MacLeod's pamphlet, MacKenzie revives the charges of atrocity against the deceased Patrick Sellar while Professor J. Stewart Blackie and A. E. Wallace also regarded MacLeod's testimony as valid.

The main object of Thomas Sellar is, therefore, to clear his father's name by reference to his father's unequivocal acquittal. He presents a detailed examination of the trial, incorporates the printed report of the trial in an appendix, and repudiates entirely the validity of MacLeod's 'Gloomy Memories'. But the appendices which contain extensive correspondence show that Messrs. MacKenzie, Blackie and Wallace were not convinced.

"An Economical History of the Hebrides  
and Highlands of Scotland" by John Walker, D.D. (1812)

This work is the outcome of six journeys which the author made from 1760 to 1786. In 1764 he was commissioned by the General Assembly of the Church of Scotland to inquire into the state of religion in the Highlands, and as well he received a government commission to survey the natural history, economic and social conditions. Dr. Walker was Professor of Natural History at Edinburgh University and his work naturally reflects that interest, but his acute observations on the economic questions and the proposed improvement by 'Clearance' reveal the trained mind. It is a statement made just before the bitter controversy had grown and is made by a disinterested party, therefore this work must have considerable weight as evidence in assessing the true situation.

Dr. Walker does not idealise the Highlands, but fully shows the backwardness of agriculture and the absence of industrial pursuits. On the other hand, he holds that the welfare of the local people in particular and the whole of society in general cannot be ignored in any scheme of improvement. The people are not objects to be moved at the whim of the planners, and land is not to be monopolised in the interest of the few. Balanced judgment and academic detachment are characteristic of this work which contrasts favourably with the partisan pleas of later writers.

"A Tour Throughout the Highlands  
of Scotland and the Hebride Isles in 1786"  
by John Knox

This tour was made by John Knox, a wealthy merchant philanthropist of London, and is the culmination of a life long study and of many journeys all over Scotland. It was made at the request of the Highland Society of London in order to support the proposed 'British Society for Extending the Fisheries and Improving the Sea Coasts of this Kingdom'. Knox records his life-long interest in the subject and his part in bringing the Society into existence. He had suggested that members of the Highland Society in London might do something more for the Highlands than merely meet for conviviality or to preserve old Highland customs. The formation of the Society with a more practical object was the outcome.

The published account of the tour is dedicated to

"The Noblemen and Gentlemen"

members of the Society and the list of officebearers reveals the names of several Scottish landed proprietors:

Governor	His Grace the Duke of Argyll
Deputy "	The Rt.Hon. the Earl of Breadalbane
Directors	The Marquis of Graham The Earl of Moray Earl Gower

and various Members of Parliament including William Wilberforce. In 1786 the Act incorporating the Society was passed and the directors met in 1787. An abstract of the Act of

Incorporation points out that the want of improvements in fisheries, agriculture and industries in the Highlands gives cause for concern, especially in view of the prevalence of unemployment and rapid emigration. The Society was to raise joint stock capital to effect improvements (£150,000) using it to purchase land and establish free towns, villages and fishing stations, - the profits arising from the enterprise to be divided according to the amount subscribed. It was hoped that tenants would cease being a burden, and the inducement to emigration cease.

The published 'Tour' is rather misleadingly so called, since it is a composite work rather than a journal of Knox's itinerary. The actual journal is, however, interspersed between extensive quotation and criticism of the work of others, and among the various addresses written by Knox on the development of fisheries. Knox has very little confidence in Martin's Tour and quotes the biographer of Dr. Johnson as dubbing Martin "a very weak, credulous and superstitious man". Of Pennant, however, Knox records, "his writings are a true picture of the country and its people". He judges Pennant's work to be the best upon the subject, although he left the west and north of Sutherland and the most of Caithness undescribed. Dr. Johnson, on the other hand, is not to be relied upon since he set out with fixed impressions and under national prejudices and literary jealousy.

But John Knox professes to deal impartially with the subject, being most influenced by the utilitarian purpose of establishing fishing stations and improving waste lands. It is difficult to read Knox's Tour without the conviction that the author was a clear-headed man of acute business instincts combined with genuine patriotism and philanthropy devoid of any ulterior motive. Like his illustrious namesake, he was nobody's tool. Such considerations, together with the date of the Tour, make this work valuable evidence. He has something to say of the state of the country and its inhabitants, but more to say of the causes of depopulation, the dilemma of the landlords and the part played by proprietors and factors.

The New Statistical Account.

The New Statistical Account was produced at a time when the 'Clearances' were still fresh in living memory and while the Ten Years Conflict of Moderate and Evangelical was in progress. A priori, both comment on the 'Clearances' and a reflection of the anti-patronage dispute might be expected in the record. Since only four out of the sixteen ministers on the Sutherland estate adhered to the Establishment, comparison of the accounts of the two respective groups in that area might reveal whether the Duke of Sutherland had really anything to fear from the Free Church as Miller suggested.

Of these four, the Rev. Alexander Macpherson of Golspie records:

"As a statesman the Duke of Sutherland is enlightened, liberal, firm, and independent: possessing the well merited character of inflexible integrity and of high honour."

Rapid, widespread and efficient improvements have taken place:

"Farming is brought to the highest degree of excellence that industry, skill and expense could bring to it. Sub-letting is abolished. The small tenants or cottars live in decent cottages built with stone and lime, or clay, with glass windows; and their fare is correspondingly better."

The account for the Parish of Creich written by the adhering minister, the Rev. Murdo Cameron, refers to the 'improvements' with regard to the two sheep-farms in his parish:

"Improvements on these farms are carried to be highest pitch. The farm buildings on large farms are generally complete and comfortable, and the small farmers and cottars follow the example of their superiors."

The minister of Rogart who also remained in the Established Church, the Rev. John Mackenzie, notes without complaint the decrease in population due to emigration and makes favourable comment on the policy of 'improvement':

"The greatest change has taken place in the habits of the people since the last account. They are now very industrious in general, and surpassed by none around them as willing, skilful, and active labourers in all the kinds of work which the extensive and varied improvements carried on in this country have supplied to the population.... In no part of the North Highlands, are there so many well built neat looking cottages as in the county of Sutherland. Whoever sees them must form a favourable idea of the industry of the inhabitants and of the encouragement afforded them by the proprietor of the soil."

The Rev. Donald Ross of Loth did not join the Free Church, but neither did he write the account of his parish. It was drawn up by George Sutherland Taylor, Esq. of Golspie, and praises the new arrangements, particularly the successful herring fishery at Helmsdale. A note is added on the improvements in the whole county, with arguments very much in the manner of James Loch. This account, like the others, staunchly supports the changes and the policy of the proprietors.

Consideration, however, of the accounts of the parishes where the ministers joined the Free Church, presents a less simple picture.

Ross-keen:-

"In many respects this parish has been improved within the last forty years; but the depopulation of the country by large farms is a serious evil, and is likely to bring along with it consequences which the landed proprietors seem not to have contemplated. There is no longer an independent peasantry. The morals of the people are deteriorated by the loss of independence, and their spirit embittered by what they deem oppression. The ties which united master and servant are severed; and when the time comes, to which we look forward with fearful anticipations, it will we fear be found, that an error has been committed, by grasping too much, at the risk sooner or later of losing all."

Edderton:-

There is little reference to the matter.

Edderachillis:-

(1) "The population is domiciled along the coast in townships or hamlets, each family possessing a certain portion of land. Their houses are of a better condition than the ordinary run of Highland houses..... These holdings with their supply of fuel, however limited they may appear, - in a country where fish is abundant, enable the frugal occupants to live moderately well."

Assynt:-

"The great bulk of the population dwell along the coast where they have the benefits of the fishing."

Despite the low rents, the occupants are in straightened circumstances owing to more than one family residing on the assigned plot of land.

"This is the true cause of our poverty, and unless emigration on a large scale takes place, matters must soon come to a painful crisis.... To the late Duchess, the parish of Assynt owed much... We look forward with confidence to the present noble proprietor for a continuation of that kindness which for ages characterised the Sutherland family."

(1) Not drawn up by the minister, but by A. Stewart, Esq.

## Durness:-

"The decrease (in population of the Eriboll or first district) has been owing to the whole district having been divided into two extensive sheep farms.... The increase in Durness (or second district) has been owing to the establishment of the herring fishery, and the sub-division of lots in different hamlets. In 1815 from thirty to forty families emigrated to America."

"Poverty and a high rate of population" are kept up owing to early marriage and the settlement of more than one family on the allotted land.

"Though the expense and labour of building these (cottages) be great to the small tenants...yet they submit to the change, though no leases are given, and have every confidence, that under the liberal and enlightened management of the family of Sutherland, they will be furnished with new sources of industry."

Fishing scarcely yet pays its way, but sheep farming is the more important innovation.

"Though in some respects this may have augmented the revenue of the proprietor and added to the commercial wealth of the nation, yet it is very questionable, if it has added in the meantime, to the moral and religious superiority of the inhabitants."

## Tongue:-

"The general standard is however, wretchedly low. No doubt a few of them are comfortable, but the generality seldom rise above the commonest necessities of life; and it is painful to think how some eke out a subsistence. The consequence is, that poverty is gradually manifesting its baneful effects upon the intellects and morals of a naturally fine and generous people."

The Herring Fishery "at one time promised to be profitable; of late however, (it has) turned out a ruinous speculation."(1)

(1) Figures of decline from 1833 to 1840 are given.

Tongue (contd.):—

The introduction of sheep-farming has been the first and most important change. It has raised the value of the property, but the proprietor may have extended it too far:

"When it was introduced here, several hundreds, many of them of a grade quite superior to mere peasants were driven from their beloved homes, where they and their fathers enjoyed peace and plenty. Some wandered to Caithness, others sought asylum in the woods of America, but most, clinging with a passion to their native soil, located themselves by permission near the shore. In these places the land, already occupied by a few but now divided among many, was totally inadequate to the maintenance of all."

Poverty overtook them and arrears of rent accumulated. The Duke then became sole proprietor and

"This truly patriotic nobleman, fully alive to the evils which beset his people, and the wants of his country, reduced the rents of the tenants by thirty per cent and commenced a series of improvements, by opening up the country with excellent roads at enormous expense."(1)

The tenantry were enjoined to build better houses "though the houses were on a scale beyond their slender means."

Improvements stopped when the Duke died, the fishing failed and arrears of rent piled up, but the new Duke cancelled the whole arrears of £1,582.

"After such conduct every one must feel that his Grace has the interest of his people very much at heart."

But "That their interest may be really secured, it is absolutely necessary, to open up for them, sources of industry, to encourage such as are desirous to improve, and to introduce a different system of agriculture from the present among small tenants."

(1) The first Duke is obviously meant here.

Tongue (contd):-

Unless some measures are taken, there is no alternative but emigration, a poor law assessment or summary and universal eviction, but

"relying on the wealth and patriotic feelings of the noble proprietor and on the skill and intelligence of his agents",

it is expected that these evils will be prevented.

Farr:-

The minister comments on the decrease in population:

"This was owing to the introduction of the sheep-farming system. By its adoption the farmers and tenants who occupied the straths and glens were, in 1818 and 1819, all removed from these possessions. Allotments of land were marked out on the sea-coasts for those thus removed. In these the greater number of the tenants settled; but several families quitted the parish and thus diminished the population."

Concerning the Savings Bank, he records that the Duke of Sutherland was Patron and Treasurer and deeply interested in its prosperity. The absence of tacksmen and their families is noted and deplored since they gave leadership and stability to the community.

Kildonan:-

The account is not drawn up by the minister but by George Sutherland Taylor of Golspie. Accounting for the depopulation due to 'Clearances', he holds that it is more than off-set in the parishes to which the people of the interior were removed.

Dornoch:-

Referring to the death of the first Duke, the minister writes:

"The death of the Duke of Sutherland produced a deep and universal feeling of regret among all ranks in this county; for his Grace was highly respected by all as a nobleman of most honourable principles and having the comfort of his numerous tenantry at heart."

The small holdings are increased by the accession of improved land from the industry of the tenants and although the stated rent of improved land is five shillings an acre,

"it is a well known fact that many of these cottars pay only a rent of one shilling each, some two shillings and so on in a gradual scale,- an increase in rent not being so much the object of the noble proprietors, as the improvement of the soil, and the comfort of the numerous tenantry; in which liberal objects they have succeeded."

This account also records great improvement in the habits, cleanliness and housing of the people.

Lairg:-

The 'Clearances' account for the depopulation of this inland parish.

(1) "The Duchess of Sutherland's tenantry have their land on very moderate terms; and though their pasture is at present confined, this defect (we believe) is to be immediately remedied. The other tenants in the parish are certainly less comfortable,- they not only want pasture, but their rents far exceed the value of their land, the appearance of their houses tells but too plainly the condition of their inhabitants."

(1) There were other proprietors beside the Sutherland family in this parish.

Lairg (contd.):-

Of the changes he writes with particular reference to sheep farming,

"though for the time it subjected the people to very serious inconvenience, is now showing its salutary effects in the increased industry of the population."

Clyne:-

"The inhabitants of this parish do not devote much of their time to popular games and amusements; and the few remnants of the merry olden times are fast passing from them. The bagpipe is never heard except at weddings, and Christmas and New Year Days."

"Their habits are cleanly and their style of dress when prepared for church on Sunday, is not surpassed by that of any assembled congregation of the same class of people in the south country.... a great change this, from the time when they were clad in coarse, homespun, woolen stuff and little regard was paid to appearance and cleanliness."

"It may confidently be said that, on the whole they enjoy, in a reasonable degree, the comforts and advantages of society; and their cheerful industrious habits are the best criterion of their being contented with their situation and circumstances."

Times of famine and distress saw the population in dire straits:

"Their only course was an appeal to the compassion of their natural protector, and this was never done in vain. He required often to import meal equal to in value the rent of two or more years, leaving a large balance never to be recovered. This state of things could not continue while the rest of the world was moving ahead, and making rapid advances in improvement; consequently that deep and important measure was resolved on - to remove the population to the coast-side where they could be placed near the sea - become fishermen or artificers and thus be able to benefit by the many and inexhaustible resources which Providence has placed within their reach. At this time there were but few bred tradesmen in the

Clyne (contd.):-

"country. But let any one with an impartial and unprejudiced eye examine the present position of the inhabitants. Their well-built and neatly kept cottages and enclosed gardens far exceed what many tacksmen in former years, paying from £50-£100 possessed..... Persons who are ignorant of the character of the Highlanders and many who have never seen the country, have ventured to describe them as indolent, idle, and unprofitable members of society. A more gross fallacy has never been uttered."

CHAPTER TWOECONOMICS, INDUSTRY and COMMERCE.

(1)

Words of Warning to the  
People of Scotland  
 on  
Sir Robert Peel's  
Scotch Currency Scheme

The pamphlet of the above title was published by Hugh Miller in 1844 and comprised a collection of articles which had already appeared in the Witness of that year. It is to be noted that the pamphlet is addressed to "the people of Scotland", a fact indicative of Miller's sense of Scottish nationhood and the broad sweep of public questions which he discussed in his editorials. The pamphlet has special interest because the matter which it contains appeared first in the leading Free Church newspaper in the year 1844 which was just one year after the Disruption and when it might be expected that space and interest might have demanded an account of purely ecclesiastical matters. Indeed, the great crisis in Hugh Miller's relation to the Free Church leaders was to come over such a question in the course of a few years. Further the pamphlet has peculiar interest because it was written by a man who had first hand experience of the industry and commerce of Scotland in days of expansion and depression, in the place where such experience was most easily acquired, namely, in the Branch Bank. In addition, the pamphlet points to certain

significant differences between the Scottish and English banking systems and is not without its commentary on the Scottish character.

The occasion of the pamphlet was the threatened legislation of the Prime Minister, Sir Robert Peel, with regard to the one pound bank notes of the Scottish Banks. It was proposed that the Scottish notes should be abolished and replaced by a gold currency, or if the notes were allowed to remain, that they should be backed with gold.

Miller heads his pamphlet with an extract from the Treaty of Union:

"The laws which concern public right, policy and civil government, may be the same throughout the whole United Kingdom; but no alteration must be made in laws which concern private right, except for evident utility of subjects within Scotland."(1)

The last clause is printed in very large type and is the point of law upon which Miller proposes to take his stand, and while Miller cannot be accused of a rabid nationalism, he has a fine awareness of the separate identity of Scotland and of her disadvantage in being the weaker member of a partnership. He points out that numerous public bodies have already passed resolutions of protest at the proposals of Sir Robert, and he demands a common front regardless of party but sees the danger of lack of effective opposition because,

(1) Words of Warning, Ch.1.

"The Scottish people, by reason of their industrious disposition in general and as individuals, have little time to attend public meetings. Further the times are relatively prosperous and thus the Scottish people are a vis inertia in matters of opposition, unlike the Irish who will gather on the slightest pretext to mass meetings because they have little better to do. Just a little of the Irish ability of getting angry at short notice would have been of service to Scotland on many occasions."(1)

The Scottish Banking system is likely to be destroyed by such a proposal as that envisaged by Sir Robert Peel. The paid-up capital of the Scottish Banks is about £12 millions and borrowed capital is to the extent of £30 millions on which the banks pay interest. There is also the small note issue of about £3 millions. This note issue is really in the nature of an interest free loan to the banks and because of it they lend. Miller argues that if the banks are deprived of their small note issue they will not be able to pay interest on deposits and consequently will not have this money to lend. The banks would be left with merely their paid-up capital less the gold required to replace the note issue. The actual working capital would be reduced to about £9 millions with the result that the multitude of branch banks now working on a narrow margin of profit, would have to close.

Miller regards such an event as a blow at the vitals of the national economy, for he holds a very high view of the Scottish Banking system both in regard to its important in the economic life of the nation and in comparison with the English banks.

(1) Words of Warning. Ch.1.

"We have often been struck by the extreme beauty and completeness of the Scottish bank system of book-keeping which may be regarded as a true index of the system. No single mind the world ever saw could have originated such a scheme in its present state....nor is the jealousy of our English neighbours by any means strong enough to prevent them attaining a high admiration for it. There are none of our neighbours who better appreciate its merits than the English."(1)

Although the Bank of England was founded by a Scotsman, Miller remarks that it has shut its doors against Scottish clerks and accountants:

"It shows that, though the English can overpower us with the mass of numbers or the weight of their votes,- as they will doubtless do on this present occasion,-they are particularly chary of encountering us on equal terms hand to hand."(2)

But the English provincial banks welcome Scottish skill and experience

"in maturing the less finished system of England."(3)

Having thus postulated the superiority of Scottish banking, Hugh Miller goes on to show wherein the superiority lies, and instances the Cash Credit Account as an important and peculiar difference between the two systems.

The Cash Credit Account as used in Scotland, Miller asserts, has not been imitated by any other country. It was first mentioned by Hume in 1752 in his essay on the balance of trade where he describes it as

"one of the most ingenious ideas that has ever been executed in commerce."(4)

Miller also instances the view of Sir Walter Scott on the great value of the system and then describes the system in detail. The Cash Credit Account enables a man to get a loan from a bank on the surety of two friends. He only pays interest on the loan to the amount of which he actually uses. There is the further advantage of the interest being calculated on daily balances debit or credit with the obvious advantage to the borrower that he only pays interest on the amount of credit he uses from day to day, and may even gain interest from the bank if he should have a credit balance on any day. Thus men of character and enterprise are supplied with capital, and business and industry are nourished.

"It is doubtless a great matter to the traders of Scotland that they should be able to coin through its means their houses, their furniture, their ships, and the debts owing to them; but it enables them to do much more, - it enables them to coin their characters should they be good ones, even should houses and ships and furniture be wanting."(1)

The Cash Credit System of the Scottish Banks thus becomes a premium on integrity as well as the mainspring of a developing economy.

Miller then proceeds to show the disastrous effects sure to follow from Sir Robert's proposals. First of all, the banks would be unable to lend to any great extent and the first casualty would be the Cash Credit Account. Numerous small business men, working to the very limit of their capital, depend upon this banking service and their liabilities are in

proportion the credit granted by the bank. If that credit were suddenly withdrawn, these small business men would face bankruptcy. The fishing industry would suffer heavily, for capital is locked up in the Autumn in the herring fishery before the stock realises cash and without the Cash Credit of the bank, the cod-fisher would be unable to put to sea. Agriculture would likewise suffer, for a large class of farmers depend on the Cash Credit Account in order to pay their rent at the Martinmas term. This saves the farmers hastily dressing their grain and unloading it on a glutted market at a poor price for as a Mr. Thompson testified before a Committee of the House of Lords in 1826, when a branch bank was withdrawn at Huntly there were a good many failures among the tenants of the Duke of Gordon. The loss was double edged for as a result of the failure, land which was in a high state of cultivation reverted to the landowner and as a consequence the rents fell.

The second result of interference by Sir Robert would be a period of unrestricted investment and consequent boom and slump. The money market would be as great as ever without the experienced judgment of the banker interposed between the borrower and the lenders. Men under pressure would offer high rates of interest, and the more unreliable the men, the higher would be the rates of interest. Inexperienced lenders would be in the hands of irresponsible borrowers, and an unnatural boom

would develop

"the supply in every department of labour would be accumulated far beyond the possible demand, and save to a few, unexpectedly, the paroxysm of reaction would come like the outbursting of a thunderstorm.... Compared with such a catastrophe, the crisis of 1825 with its long list of misadventure and its sad trail of ruin, would be but an ordinary depression of trade, unworthy of being registered in the annals of commercial disaster."(1)

A third effect would be upon life interests. There are many fixed deposits bequeathed by will, with one person having a life interest and another having a reversionary interest. With the extinction of interest, the life renters would be reduced to poverty unless the capital could be re-invested. To this the reversionary legatees could and would object, because of the increased risk and the executors may exert their right and lose their whole capital.

The fourth and possibly the worst effect would be upon working men, the class from which Hugh Miller came and whose interests he always regarded with realism. He recalls his own experience in 1825:

"In one short week two thirds of the working men of Edinburgh and its environs were thrown out of employment....the half-finished building was arrested half-way..... Sir Robert's Scheme in like manner is fraught with the degradation and ruin of the upper and middle classes of Scotland but it bears in its skirts the life blood of the poor. To the rich it comes merely in the guise of a thief; but it approaches the poor in the character of a murderer."(2)

(1) (2) Words of Warning. Ch.1.

Following his rhetorical flourish on behalf of the poor, he indicates that the fifth consequence of the scheme would be a diminution of the national wealth of Scotland. He quotes Dr. Hamilton of Aberdeen with approval

"'Gold and silver', says that Dr. Hamilton of Aberdeen whose single head on the problem of the Sinking Fund was worth all the heads of our statesmen put together, 'are articles of great value, and the amount of them in circulation forms a great part of our national wealth. In countries which contain no mines of these metals, the original quantity required must be acquired by giving other articles in exchange, thus parting with so much of our national wealth; and the annual wear and tear must be supplied in the same manner.'"(1)

The Scheme would require the purchase of at least two millions of gold which would then be the medium of exchange. Subsidiary to the ultimate diminution of the national wealth, there is the possibility of the banks being unable to meet the demand for gold with sufficient speed with resultant panic and collapse. Also Miller notes the tendency of gold purchased at the cost of the national wealth to flow away so that the gold would have to be replaced over and over again. He cites the fact that in 1796 £10,000 worth of gold was dug out of the hills of Wicklow but in less than twelve months it had disappeared to London because the tenants used it to pay their rents and the landlords spent it in London. Miller regards this as ruinous:

"Nor can we imagine a more ruinous state of things than in which a large portion of the national wealth would from time to time be alienated in order to keep up a metallic currency, whose tendency was to glide away like water and disappear like water poured on an inclined plane."(.)

The sixth consequence would be Scotland's inability to redress the balance of trade with England. In various important respects there is an adverse balance of trade for London is the home of the greater part of the aristocracy since it is the seat of Parliament, and possibly half of the entire rental of Scotland is spent in England. In the present condition of Scottish banks, the balance of trade is easily kept because almost all the gold which enters Scotland may be used exclusively for this purpose. This gold forms a kind of reserve to satisfy the exigencies of the home or foreign exchange.

"But it is our paper money alone that enables us to make such a use for our gold without being the worse for it."(2)

The final difficulty which would face the country if the scheme were introduced would relate to fixed liabilities. The national wealth would be diminished by the purchase and use of gold as currency and thus money would become scarce and dear; labour and the proceeds of labour would become cheap in the exact rate at which the value of the unit of money increased. But liabilities, the cost of foreign produce and taxation would not be reduced accordingly. They would be the same only nominally, but in reality would be ruinously heavier. Miller

then seeks to examine the matter in detail on the basis of Hume's argument in his essay on The Balance of Trade. Hume argues that if four-fifths of the money of Great Britain were destroyed overnight, no nation could compete with us in the market and the volume of money would speedily be restored. Or if the nation's money were multiplied five-fold in a night, the contrary effect would follow and labour and commodities rise to such a height that no country could buy from us and soon adjustment would be reached. Miller asserts that this is sound argument within the legitimate scope of its application,

"But beyond the legitimate scope of its application it ceases to be an argument at all and becomes on the contrary, a monstrous sophism."(1)

Since this argument is being used by advocates of the Scheme who seek to add Hume's authority to their case, Hugh Miller attacks this misuse of Hume's words on the subject.

"Hume would be quite right in holding that two and two make four; but Christopher Chrystal would be entirely wrong in supposing that two and two would remain four, if three other sums on which the philosopher did not calculate were added to them, or in arguing that he had the authority of the philosopher for thinking so."(2)

There are three items which Hume did not include nor intend to include in his argument:- (A) The system of credit in which all the existing debts of the country have originated. (B) The lease system which is framed in the existing belief of the stability of currency and may bind for the same annual sum

for a quarter of a century. (Q) The scheme of national taxation which is regulated in proportion to a fixed amount of national debt. These factors alter the conclusion of Hume entirely. If four-fifths of the money of Scotland were annihilated in one night, the result would not be that Scotland would be a cheaper market place, but it would cease to be a market place at all, if all the leases, taxes and debts were left as they were. The manufacturer would find himself insolvent. The farmer would find his rent out of all proportion to what he could pay. In many cases the duty of articles would exceed the price of them. For example, the Witness newspaper on Hume's principle would be reduced to a fifth of its price, to somewhat less than a penny, but the stamp duty on the paper amounts to that sum. The effect would not be that the Witness would be published at one penny, but that it would not be published at all. Borrowers and leaseholders would be bankrupt because they could not pay their debts. Lenders and lease granters would be in poverty for the former could not recover the money owed and the latter could not obtain their rents. Operatives would be cast off in thousands. The remaining money would flow to England and after a time the best people would flow there, too.

"The results described by Hume could not take place in a society in which there existed debts, leases, and taxation."(1)

Miller then goes on to show from an actual case the disastrous results of diminishing the supply of money without

(1) Words of Warning. Ch.4

regard for fixed charges such as rent and incurred debts. First he makes an interesting digression to point out that the politician is not necessarily an economist and that it is a common mistake to imagine that excellence in one department of knowledge implies excellence in another.

"But we know of no mistake of the kind at once more general and more gross than that which, in the face of a thousand experiences to the contrary, sets down the working statesman, - the mere adroit dealer with the exigencies as they arise, - as necessarily adept in the untried abstractions of Political Economy.... The nature and task of the statesman disqualify him from original discovery of the profounder principles of his art. All the great truths of Political Economy have been discovered to his hands by retired and courtly philosophers."(1)

Even the skilful and sagacious Pitt lived and died with a mistaken understanding of the relation of the Sinking Fund to the National Debt, while old Dr. Hamilton, a man notoriously impractical, discovered the fallacy involved for the benefit of statesmen. No one has ever suggested that Peel is more skilful than Pitt was in dealing with events. Nor has anyone suggested that Peel excels Pitt in abstract thinking. His skill as a working politician does not suggest outstanding ability "in the higher architecture of politics"(2).

After this not unimportant digression, Miller points to the disastrous consequences of former monetary legislation introduced by Sir Robert Peel.

Some of Peel's abstractions were made a legislative measure

(1) (2) Words of Warning. Ch.5.

a quarter of a century before and

"it has since established a character for itself as by far the greatest and most ruinous blunder perpetrated by any living statesman."(1)

The reference is to Peel's Currency Bill of 1819. Four years after

"that great revolutionary war which added six hundred millions to the debt of Great Britain,"(2)

the Bank of England could no longer meet its liabilities in consequence of advances made to the Government. The Government freed the Bank of England of its obligation to give gold for its notes until six months after the conclusion of the war. The first effect was to increase the nominal amount of the country's circulation

"and nearly in proportion to the amount increased its value fell.... Gold retained its old value notwithstanding the act of the English Government."(3)

It became possible to purchase for a gold guinea, a pound Bank of England note and seven shillings in silver. The price of goods was high, but money was abundant and wages high so that the purchase of goods was not difficult. But the Government did not enforce the Bank's obligation to give gold for notes until four years later and the details and provisions of the Act left in the hands of Mr. Peel. Men of ordinary discernment could see that depreciation ought to be taken into account, but Mr. Peel did not.

"He simply enacted that the Bank should give gold for its paper."(1)

The consequence was the disruption of commerce, industry and agriculture.

"The farmer who in 1813 had just taken a farm at a rental of forty pounds when the pound meant just fourteen shillings, should in 1819 when it mean twenty shillings, have had its rent lowered to twenty-eight pounds seeing that the twenty-eight pounds in one year was the exact representative of forty pounds in the other."(2)

A similar situation existed with regard to business loans. Great distress followed this monetary measure. Rents, mortgages debts, Cash Credit Accounts were affected. The most disastrous effects were upon the borrowers of the country but it greatly benefitted the lenders. What was borrowed on the short measure now had to be repaid on the long.

"It has done more than perhaps aught else to concentrate the property of the country in the hands of the few and to wrest it out of the hands of the many."(3)

Miller then cautiously repeats the rumour that the Peel family benefitted to the amount of half a million pounds. The Scottish people ought to be warned by the former case.

Sir Robert Peel has the evident aim of controlling the speculation in the country but he holds the false view that over-issue on the part of Scottish banks is the cause, for it is only on the opinion of the uninformed that it is held that the great crisis of 1825 was the result of over-issue. The amount of issue

(1) (2) (3) Words of Warning. Ch.5.

depends on the demand of the public as has been shown:

"The demand exists independently of him (the banker):  
all he can do is to supply it wisely."(1)

Thus Miller argues that what happened in 1819 will happen again in Scotland, if the money in circulation is reduced by the Banks being required to give gold for their small notes, and in the course of his argument, he not only disparages Sir Robert Peel's ability as an economist, but casts reflection also on his integrity. The essence of Miller's argument is that the Banks would be unable to lend as previously, being deprived of their profit on the small notes and this would result in the embarrassment of numerous small business men and also would affect landowners: there would be a serious effect upon life interests: but possibly the worst effect would be upon working men: there would also be a diminution of the national wealth of Scotland: Scotland would be unable to redress her balance of trade with England: money would become scarce and dear in Scotland but fixed liabilities would not fall and there would be serious hardship.

But Miller forecasts that Sir Robert will be sure of certain support because his scheme is in the interests of special classes. The speculators will support the scheme:

"There is one rather formidable class, whose interests with regard to the scheme are diametrically opposed to those of the community. We refer to the speculation jobbers of the time, - men who convert schemes for the

improvement of the country, and the fair remunerative employment of capital, such as our Railway, Canal, Gas and Water Companies are originated to carry out, into mere opportunities for gambling."(1)

Their profits are not fair return but money filched from the pocket of the community without return of any kind. By removing the ability of the Scottish Banks to give interest on deposits, the Currency Scheme will free large amounts of capital and in this situation the speculation jobber thrives. The advocates of consistency, of whom Lord Dunfermline is representative, will argue that because the Bank of England was compelled to give gold in 1819 that the Banks in Scotland ought to be compelled now to do the same.

"We are not of the opinion however that it would be quite prudent to sacrifice the welfare of Scotland to the golden calf of Lord Dunfermline's consistency."(2)

The third class of Sir Robert's potential supports would be those who would disapprove of banking altogether, and the fourth would be the political partizans who would support the Premier and Conservatism under the guise of fair play, regardless of the interest of their country. But the mercantile interests of England will give their support to the scheme since the Scottish Banking System operates very much to the advantage of the Scottish trader. The existence of bank interest enables him to undersell the English trader by the amount of the interest. Further he has the great advantage of Cash

(1) and (2) Words of Warning. Ch.7.

Credit whereby he only pays interest on borrowed capital actually in use while the English trader has to pay interest on the total sum borrowed whether in use or not. Miller then quotes Adam Smith in support of this statement and asserts that the English traders are not unaware of their disadvantage nor unprepared to remove it.

Miller takes up the argument of Lord Melville who held that Scotland derived peculiar advantages from England in that Scottish standards of value were kept stable by the provision of English metallic currency. This Miller denounces as an unsolid fallacy:

"England is not put to the expense of a single farthing in maintaining the integrity of the Scottish Banks. Their foundation is not English gold but Scottish capital."(1)

Lord Melville advanced the further argument that in time of emergency it is necessary to buy food abroad with gold, and this task Scotland would leave to the people and Bank of England. Miller replied to this with vigour. Gold and silver had to be used to buy food for the poor Highlanders not because their money was paper but because they had no money at all, being ruined by the 'clearances'. In other short harvests Scotsmen bought food as business men and not as paupers and since the introduction of improved farming, Scotland has been exporting, rather than importing food. Much Scottish corn and meat is eaten by the English.

(1) Words of Warning. Ch.7.

Another variation of the argument is that the gold in use in Scotland is English gold. But Miller points out that while gold which is bought in the first instance by English commodity is in fact English gold, when it is bought the second time by Scottish commodity it then becomes Scottish gold. It is gold given in return for Scottish commodity such as that received at the reports for victualling ships and in the north brought by the English gentlemen to the shooting. In fact England receives much more gold in purchase from Scotland than Scotland does from England. With this assertion he gives the figures obtained from Mr. Thompson of the Royal Bank showing the large amounts of gold received in Scotland, particularly by the merchants of Glasgow. All this gold is available to buy abroad, but if Sir Robert's scheme is successful, the result would be a diminution in the reserve of gold so available. In the event of a short harvest, Scotland could not part with the gold which it must keep for circulation and in order to buy food abroad the Securities held in London would have to be converted into Bank of England paper and gold demanded for that paper. Thus the stock of English gold for the purpose would be lessened, but with the present small note circulation Scotland is able to cast more gold into the Bank of England than it takes out of it.

On a nationalistic note Hugh Miller pleads for action:

"The Scotch must bestir themselves. The Treaty of Union still exists for us to take our stand upon.... Scotland is still truly a nation, - not a mere province, her institutions are diverse from those of England, - her interests

distinct, - her character different.... Parliament cannot legislate for her as if she were a mere province of England, without inflicting injury as deep on England as on her."(1)

Just as England was affected recently by a trade depression in America, so would she be affected by a trade depression in Scotland. The Scottish people who have done their best for England should not be irritated for

"the mind of Scotland is considerably larger than her body; and she is not wholly devoid of the power of making herself a formidable enemy as to make it quite imprudent to sacrifice her welfare and forfeit her friendship in gratifying an itching love of financial experiment in a few idle theorists."(2)

He then calls for joint action from every class in the community from the working man to the landowner to make their representations felt in Parliament. Their representatives in Parliament should be told that their conduct in the matter would determine whether they would be re-elected or not.

Hugh Miller was by no means alone in his estimate of the effect of the proposed legislation upon Scottish Banking. He appends to his pamphlet extracts from the statements made by leading Scottish bankers to the Commission of 1823 when a similar measure was proposed. He draws extensively on the arguments then used. But an important point of interest lies in the congruence of those arguments with the work of Adam Smith and the evidence it affords of the influence of the great economist. The peculiar strength of note-issue in Scottish

(1) and (2) Words of Warning. Ch.8.

Banking may be attributed to the fact that after the Union and the removal of the Court to London, there was an acute shortage of currency in Scotland and note-issue met the need. This no doubt was an important factor but the peculiar character of the Scottish people may not be discounted and still less the influence of Adam Smith.

The writer in Chamber's Encyclopaedia in 1883 could say:

"The French Revolution set the mind of this country bigoted against everything that breathed of innovation.... It was not until long after the terrors of that epoch and the nervous vicissitudes of the war had passed over, that Smith's work had an opportunity to revolutionize the public mind."

A comparison with Hugh Miller's pamphlet of 1844 shows that, while post-Revolutionary fears may not have subsided, and Chartists and Radicals gained scant sympathy from men like Miller, the teaching of Adam Smith was already effective. Miller demonstrably finds the principles of his argument in The Wealth of Nations. (1) Adam Smith divides the National Wealth into three parts: the fund for immediate consumption, the fixed capital of the community and the circulating capital of the community. He holds that the circulating capital consists of the money in circulation, stocks held by merchants and producers and partly finished goods in the hands of producers. Further the gross revenue of a society is the whole annual produce of land and labour after deducting the cost of maintaining the fixed and the circulating capital. Their real wealth is in

(1) The Wealth of Nations. Bk.2. Ch.2.

proportion not to gross but to neat revenue. The expense of maintaining fixed capital has of necessity to be borne and deducted from the gross revenue. Likewise with circulating capital with the important exception of the medium of exchange.

"Money, therefore, is the only part of the circulating capital of a society, of which the maintenance can occasion any diminution of the neat revenue."(1)

Money is like machines which require expense in erection and maintenance; they are part of the gross revenue but are deductions from the neat revenue of society. Therefore, every saving which can be effected in the maintenance of money and machines will add to the neat revenue. This can be done by the substitution of paper for gold and silver and a very expensive instrument of commerce replaced so that "circulation is carried on by a new wheel."(2). The precious metal thus saved can be used for foreign trade.

Miller, supported by Sir Walter Scott and others, likewise contends that the substitution of paper for precious metal adds to the real wealth of a country since it facilitates foreign trade by freeing the precious metal which would otherwise lie dormant. In addition, it enables a country to redress the balance of payments when the need arises. Also, like Miller, Adam Smith specifically treats of the matter of promissory notes being the source of the banker's gain.

(1) and (2) The Wealth of Nations. Bk.2 Ch. 2.

On such theoretical principles Miller takes his stand but also on the practical ground of the Cash Credit Account. Miller, who had personal experience of their efficacy, finds corroboration in Adam Smith who speaks of their influence upon Scottish trade in the previous quarter of a century, i.e. from 1750 as operated by the new Banking Companies. Business was carried on almost entirely by means of paper.

"I have heard it asserted, that the trade of the City of Glasgow doubled in about 15 years after the erection of the banks there and that the trade of Scotland has quadrupled since the first erection of the two public banks at Edinburgh."(1)

Adam Smith further affirms that whether the proportions of increase are correct or not, the substantial increase and the part played by the banks cannot be doubted. Miller makes the same assertion with regard to the half-century preceding the 1844 Act.

As influences upon Hugh Miller, Adam Smith and William Cobbett may seem strange bedfellows, yet despite the fact that Cobbett fulminated against the use of a paper currency, his influence on Hugh Miller is plainly discernable, here as elsewhere. Some years before Sir Robert Peel carried his Bill in 1819, resulting in the sudden appreciation of the pound, Cobbett lying in Newgate Gaol had attacked this proposal and opposed it to the end.(2) His argument was that used by

(1) The Wealth of Nations. Bk.2 Ch.2

(2) Cobbett - Pamphlet - Paper Against Gold.

Miller, that debts and fixed charges ought to be reduced at the same time. Although neither Miller nor Cobbett show how such an administrative feat could be achieved, there is a soundness in the argument amply shown by the economic disruption which followed and which necessitated the resumption of a form of inflation in 1822. The lesson has been learned and no government would now ignore the possible consequences of unqualified deflation. While there is much of Adam Smith and a little of William Cobbett to be found in Miller's argument, there is divergence from Dr. Chalmers who deprecated the use of unbacked paper money.(1)

In spite of the protests of the 'Banking School', Sir Robert Peel carried his legislation in 1844-5, the main legislation being contained in the Bank Charter Act(2) of 1844 which affected chiefly the Bank of England and the other English banks. Only in article six was Scotland directly affected in that no new banks of issue were permitted, but the cases of the Scottish and Irish banks were more fully dealt with in the legislation of 1845.

The 1844 Act provided, inter alia, that the fiduciary issue should be fixed at a limit of £14 million: that the Bank of England should be divided into Banking and Issue Departments to facilitate the handling of the notes: and that restrictions

(1) Works. Vol.I. P.175-178

(2) A. 7 & 8. Vict. C.32.

placed on the other English Banks should encourage them to give up their note-issue to the Bank of England. Thus the Bank of England was given a virtual monopoly of note issue, by control of which, since all issue over the fiduciary limit was to be backed with gold, the convertibility of the pound might be maintained. But a series of crises was soon to show the weakness of this arrangement.

"The great English crises of 1847, 1857 and 1866 arose from the limitation of the fiduciary issue of the Bank of England by the Bank Charter Act of 1844."(1)

Such is the verdict of a modern economist, but the columns of the Witness confirm such a view with ample report of commercial affairs and Editorial comment(2). The Merchants, Bankers and Traders of the City of London presented a petition(3) to Parliament on the 13th July 1847. In a lengthy analysis of the situation, they attribute the unprecedented monetary pressure to the Bank Charter Act.

The "Act to regulate the Issue of Bank Notes in Scotland" 1845 was less drastic in its provisions. In Scotland there was a public confidence in the Scottish bank notes and a belief that they had made a useful contribution to the development of Scottish industry and commerce. In view of this popular feeling Sir Robert found it difficult to extirpate the Scottish notes.

(1) R. G. Hawtrey "The Theory of Currency and Credit" P.171.

(2) Witness 5/1/1856; 2/1/1856; 16/12/1856; 7/1/1853; etc.

(3) British Banking Statutes and Reports.  
Ed. J. E. Gregory.

The Act, therefore, permitted a fiduciary issue up to the determined average circulation, with issue beyond that limit to be backed by gold and silver in fixed ratio. The legislation in its main provisions had certain advantages. It prevented the spread of unnecessary new banks and it made the holding of bullion reserve a necessity in the existing banks. In addition it fostered amalgamations which are to public advantage, for small banks are weak banks. These advantages, however, were incidental rather than otherwise.

"But it did not secure although perhaps it strengthened the convertibility of the notes; and over-issues were already impossible under the established system of exchanges subsisting among banks."(1)

Yet the disadvantages were real for a virtual monopoly of banking was given to the existing banks of issue, since a non-issuing bank could not compete with them. Further the inevitable centralization made the contact between banker and enterpriser less direct and more impersonal. The use of precious metal to back the note issue above the fiduciary limit does not appear to have been a serious disadvantage, for while it may be valid theoretically to argue that this means a diminution in the 'neat revenue', this seems to have been offset by the rapid increase in the national wealth of Scotland in the second half of the nineteenth century.

In contrast to the English, the Scottish banks appear to have been fortunate in the legislation as it applied to them although it might be regarded as an unwarranted interference with

(1) A. W. Kerr. The History of Banking in Scotland. P.211.

a note issue so excellently managed in the past.

"If the English Act had been so good, statesmen and economists would have been spared many a qualm."(1)

A criticism of Sir Robert Peel's legislation must take into account the size and nature of the problem with which he had to deal. Nor must it ignore the fact that he had to act both as a politician and an economist. Miller could defend the Scottish system with ardour and attack Sir Robert with personal innuendo, but the statesman's task was fraught with great difficulty. The 'raison d'être' of the legislation lay in England where special legislation in favour of the Bank of England had greatly hampered provincial banking. The Bank of England prevented large banks from effectively operating in the provinces with the result that business was left to small private partnerships of dubious responsibility. Association of more than six persons for banking purposes was prohibited up to 1826 and thus weak bankers were encouraged. Each financial crisis brought bankruptcies and ruin, and while changes were made, the absolute monopoly of the Bank of England remained. The English system was chaotic and in contrast to it, the Scottish system was well-ordered.

It was natural for Sir Robert to assume that private note issue was bad and should be suppressed. But by limiting issue he prevented the banks providing a necessary service to the

(1) A. W. Kerr. The History of Banking in Scotland. P.211

public. As Palmer, the governor of the Bank of England pointed out, the Bank was prevented from increasing note-issue or making advances in time of panic. A further difficulty arose from the separation of Issue and Banking Departments. The Bank, confident that an over-issue of credit was impossible, entered into competition with other banks in the trade boom. Deposits of gold were drawn out from the Bank for export and the reserve of gold dwindled. There was no increase in the note issue since the growth of the use of cheques made this unnecessary. Then recession set in and the Bank raised its rate and limited advances. The other Banks asked for loans but the Bank could not encourage a demand for notes by which the Act of 1844 would be infringed. After much pressure the Government suspended the Act to enable the Bank to meet the need of additional issue. The situation was repeated in 1857 and 1860 when the Act only seemed to work when repealed. But from 1878 the Bank restrained its banking operations and developed the manipulation of the Bank Rate which enabled the cumbersome system to function.(1)

(1) Consulted generally:

- R. G. Hawtrey - "The Theory of Currency and Credit".
- J. E. Gregory (Ed.) - "British Banking Statutes and Reports".
- Mills and Walker - "Money".
- Dacy - "The British Banking Mechanism".
- Kerr - "The History of Banking in Scotland" Standard Work.
- Statutes at large.

Words of Warning - Chp. 6.SPECIMEN CASH CREDIT ACCOUNT

Cash Credit for £100, A.B. Dr. to....Bank of Scotland

C.D. Surety

E.F. Surety

1844	Dr.	Cr.		Days
Nov. 1	To £10	--	Balance Dr. £10	2
" 3	To £20	--	" " £30	2
" 5	To £10	--	" " £40	3
" 8	To £12	--	" " £52	2
" 10	By --	£40	" Cr. £12	2
" 12	By --	£20	" Cr. £ 8	2
" 12	By --	£20	" Cr. £28	2

(ii)

While Hugh Miller did not produce any 'system' of economics, as Editor of the Witness he wrote on a variety of the questions of his day. His approach is that of Dr. Chalmers whom he revered, - Economic Science must be related to the total welfare of men and women and to ethical and Christian principles. Economic systems have ends outside themselves. For Miller as for Chalmers, Economic Man is a reality, but so also is Christian Man upon whom devolves special privileges and responsibilities. Nor must the destructive propensities of Fallen Man be forgotten. Moral and economic principles intertwine. While his technical analyses may not always coincide with those of Chalmers, Miller is dominated by his spirit and approach throughout.

People count above all. In introducing a series of articles on the Herring Fishery, Hugh Miller writes:

"Some of the dullest and most unreadable books we have ever seen have been statistical publications on the herring fishery.....it is one thing to deal with the 'ipsa corpora' - the true body of a matter and quite another to have to deal with the mere abstract and arbitrary signs which represent its quantities."(1)

The facts concerning the Herring Fishery are

"pieces of human history, instinct with hope, terror and imagination."(2)

(1) and (2) Witness 25/7/1854

To ignore this is to court unreality and error. Indeed the cardinal sin of the Sutherlands was to Miller their treatment of the Highlands as an economic experiment, regardless of human values.

The non-material factors of commercial life are to the fore in all Miller's writings on the subject. Land, Labour and Capital may be taken for granted as the factors of production, but Credit is "the life of the commercial world." (1). Miller never tires of asserting that credit depends on character and that character depends on religion and education. In Scotland where religion and education were scarcely separable, character was affected and commercial development readily achieved through the banks. But he also traces the importance of this inter-related triad - religion, character and credit - to the United States, the Huguenotic settlements in Britain and wherever Protestantism and prosperity might be observed side by side.

A further pre-condition of a successful economy is a free spirit which is a non-material factor like credit. Such a spirit grows under Protestantism and wilts under Roman Catholicism.

The moral and spiritual aspects of economic and industrial life are elucidated by Miller repeatedly, not in abstraction but in the field of practical questions. Commenting upon the abnormal incidence of strikes and combinations which took place in 1852, he points to the great harm done to society by them,

(1) Witness 10/6/1854

for strikes are worse than 'acts of God' such as fire and shipwreck, in the losses they inflict. They destroy markets and industries and by the forced necessity of finding substitutes adversely affect the workers themselves. Society suffers economic loss by strike. Nevertheless

"in the labour market, as in every other, it is fair to sell as dear as you can buy and buy as cheap as you can."(1)

Miller's premise seems questionable until he develops his argument to show that fair conditions and fair dispositions are underlying assumptions of it. These conditions, he points out, do not always obtain. Moral Man should enter the picture but it is in fact Immoral Man who appears.

"The laws framed to compel working men to labour at whatever remuneration legislators choose to fix, - and in this country the terms legislators and employers have been in the main synonymous, - are properly regarded as evidence of a barbarous and unscrupulous time."(2)

But the immoral element is not only represented by the employers who are limited by the responsibility of their property, the welfare of their trade and the competition of other masters for labour. The workmen can be unfair

"and from the little stake which they possess in the country individually, and from their conscious power in the mass, they are ever under the temptation of over-reaching their proper liberties....."(3)

(1) (2) and (3) Witness 21/1/1853

(1)(3) So long as there is competition between capital and labour for a share of profits - and Miller sees this as economically necessary, there is the tendency for the employer to exploit the workman and vice versa. Since the moral restraints do not exist, some reconciling plan is urgently required. In the mid-twentieth century elaborate machinery has been developed for the settlement of industrial disputes, but Collective Bargaining between Trade Unions and Employers' Federations present a different situation to that which engaged the attention of Miller. Even this machinery creaks and breaks down and the moral (or immoral) factors have still to be reckoned with. Since the advent of a "Full Employment Policy" which is economics shot through with moral purpose, labour is placed in a peculiarly strong position.

"Jobs rather than men should wait"(2)  
is the sentiment and principle. Beveridge made due warning that

"Bargaining for wages must be responsible, looking not to the snatching of short sectional advantages, but to the permanent good of the community."(1)

This has not always been the case since the inception of the policy. Irresponsibility has been shown from time to time, not always by strike but also by deterioration in standards of workmanship and effort. There is always another job.

(1) Beveridge - Full Employment P.23

(2) " " " " P.21

(3) Witness 13/5/1854.

Thus for Miller, as for Chalmers, while Economic Man has a place in the social scene, Moral Man (or Immoral and Fallen) has also to be reckoned with and no society can be put right by mere manipulation. But Christian Man is never far away from their thought.

".....there is a higher principle which operates in works of charity and art, which aims at the gain of others."(1)

The rationale of Political Economy as expounded by Chalmers and applied by Miller in the contemporary situation is that man is the child of God for whom Christ died. He is never a mere 'hand'. Christian idealism and workaday economic realities cannot be separated. Chalmers writes

"The arts and inventions of machinery have enlarged and will continue to enlarge indefinitely the production of wealth; but it is by a mental and moral regimen alone that we shall secure the right distribution of it....what all economists admit to be of some importance, we pronounce to be of supreme importance."(2)

The desideratum for the people is

"less work and higher wages: and this not only that they may participate more largely in the physical enjoyment of life, but that in exemption from oppressive toil, and with the command of dignified leisure, there might be fuller opportunity and scope for the development of their nobler faculties in the prosecution of all the higher objects of a rational and immortal existence."(3)

(1) Witness 13/5/1854

(2) and (3) Chalmers Political Economy. V.2. P.220-1.

It is not surprising that Hugh Miller should champion such a view and from reasons other than uncritical adulation of Dr. Chalmers. In early manhood he chafed at the strenuous toil which prevented him following his scientific and intellectual bent. Such development of his higher faculties as he obtained was wrested with difficulty from the claims of the stone mason's mallet or the bank clerk's pen and in unemployment he well knew that "misery generates hate(1)". Nor was his attitude purely circumstantial but based on faith in the benevolent purpose of God and the high destiny of man the creature. As he pointed out in defence of Simpson's uses of anaesthetics, God does not demand passive acquiescence in the curse which fell upon man at the Fall.

"It is the proper work of life to struggle against it in all its breadth."(2)

Part of the breadth of the curse is unremitting toil, and Miller has little patience with those who advocate that for economic or theological reasons continual sweat must appear on man's brow.

Such considerations are apparent throughout Miller's writings on social matters. While he recognises that strikes are dangerous and hazardous, he recognises that men should strike for shorter hours, as in his experience as much good work can be done in a short week as in a long one. Let them strike for a Saturday half-day and when they get it, make good use of it.

(1) Beveridge - Full Employment, Frontispiece Motto.  
 (2) Witness 29/12/1847

Writing of the movement to grant half-holidays, Miller says:

"We deem the boon one of the highest importance in both an intellectual and moral bearing."(1)

It would enable men to follow intellectual and moral pursuits without neglect of religious duties on the Sabbath:

"The arrangement would at once add to the enjoyments and subtract from the temptations of the Sabbath."(2)

This defence of the Sabbath occupies much space in the Witness. Sunday trading, Sunday trains and the Sunday Work of the Post Office are opposed with characteristic vigour. While a rigid and possibly unattractive Sabbatarianism is manifest, based on a strict interpretation of the fourth commandment, it must be valued against the social background. (3) Hours of labour were long and arduous, leaving workers so exhausted that many required Sunday to recover strength for the next week. Payment of wages late on Saturday night exposed others to the temptations of the whiskey parlour on Sundays. Thus worship was neglected through either exhaustion or dissipation. The biblical and theological arguments are prominent in the Witness in defence of the Sabbath, but underlying them is the conviction that man is not a machine: he must have his creative rest; and the most creative rest is found in the worship of God. Sabbath observance was a necessity as well as a duty.

The effects of mechanisation on labour were not unnoticed by Hugh Miller who sees in it a human and ethical problem.

(1) Witness 25/6/1853

(2) " "

(3) MacGregor - Towards Scotland's Social Good. P.15.

Here again, he is applying the criterion of Chalmers. (1) Commenting on the Great Exhibition of 1851, the Editor of the Witness records the obvious fear and suspicion manifested by the working men who were present. They marvelled and feared as they examined the new mechanical wonders. A hundred years later the same fears are discernable in the restrictive practices among modern Trade Unionists. Miller remarked that machinery is most to be dreaded when it enters into competition with men in the labour market. A power loom will weave faster and better than a weaver.

"and make no ado about the five points of the Charter." (2) The mechanic can only escape by changing his occupation, but the masses are not prepared by education or intelligence to escape to higher kinds of work which the machine cannot do. The machine age makes education for the masses imperative, and Miller means education of the Scottish type which was begun by the Schoolmaster and carried on by the Minister. Tension is created by the competition of machinery and labour, but

"the more work that is devolved on machinery, the more skilled and intelligent and refined, - the more truly human, in short, - is the necessary work of the human being." (3)

Drudgery should be handed over to machines.

Economics for Miller was not an abstract science in the mastery of which lay the hope of a disturbed society. He was

(1) and (2) Witness 26/11/1851

(3) Witness 8/11/1846

a close disciple of Chalmers in this respect, that he had to relate the economic facts to Christian Idealism and Political Economy itself had

"a place of subserviency or of subordination to the use which is made of it."(1)

(1) Chalmers Political Economy. Vo.1.Pref.P.5

CHAPTER THREE.The Slavery Question.

Long before Hugh Miller sat in his editorial chair, the anti-slavery battle had been won in the British territories. The English Evangelicals, combined with all shades of Dissent, not excluding even Unitarians and Freethinkers, had led the movement with such persistent vigour that in 1807 the Slave Trade was abolished despite the opposition of powerful vested interests.(1)

But slavery was not without its opponents in Scotland where Anti-Slavery Societies and such men as Dr. John Erskine and Dr. <sup>Andrew</sup> Thomson were active early in the struggle. By constant pressure on Government, the systematic cultivation of public opinion and financial support, the anti-slavists finally achieved their aim. In 1833 all the slaves in the British Empire were freed at a cost of £20 million to the British taxpayer.(1)

The main conflict then moved to the United States of America where slavery was not abolished until 1865 under Lincoln. Notwithstanding the sentiment of the Declaration of Independence that

"All men are born free and equal and possess equal and inalienable rights to life, liberty, and the pursuit of happiness".

(1) Trevelyn - English Social History P.500.

slavery was recognised by the United States Constitution as ratified in 1788 and provision was made for the rendition of fugitive slaves under the Federal Law, while slavery was otherwise to be governed by the laws of the states where it existed. The demand for labour on the sugar and cotton plantations naturally led to the demand for slave labour in the Southern States and so slavery developed there. The politicians of the North, except for a small minority, were by no means advocates of total abolition but were merely against its extension. In 1820 slavery was legalised south of Lat. 36 degrees 30 minutes N. but the Fugitive Slave Law was still operative. Indeed the principles of the Fugitive Slave Law were confirmed and the details of its application defined in the Act of 18th September 1850. According to Kent(1), the owner or authorised agent might pursue a fugitive and make the arrest personally. The fugitive was then taken before a Judge or Commissioner and the complaint heard in a summary manner. The testimony of the fugitive was inadmissible; all citizens were compelled to assist the pursuer and obstruction was penal. The law was not abrogated until in the year before the final emancipation of the slaves, Lincoln proclaimed the freedom of all whose masters had left the union.

Thus in 1843 when the Disruption occurred, slavery was still legalised in the Southern States of the Union and the Fugitive

(1) Commentaries on American Law. 10th Ed. Vol.1. P.454  
(1860).

Slave Law was still in operation. Although the spaces of the Atlantic intervened, the slavery question was to cause a bitter and dangerous controversy within the new-born Free Church. In the stress of finding money to consolidate the finances of the Free Church, deputations were sent to the United States. Dr. Cunningham and others were well received by the Presbyterian Churches there, and not least among those in the Southern States where the Presbyterian Churches actually defended the institution of slavery and many of its members were slave-holders.(1)

The Witness was a natural clearing ground and a common instrument of expression in the ensuing controversy, and prints in full the protracted correspondence of the leading parties. At the same time, editorials are addressed to the question.

The issues involved seem to have been, first, whether the Free Church had a right to ask and receive aid from a Church which practised and supported slavery: second, whether the Free Church was right in maintaining communion with such Churches. With regard to the first question, the receipt of generous gifts was a 'fait accompli' on the part of the deputies, and the use of the money had the support of Chalmers. The 'Send back the money' cry, while noisy, was not effective. But the question of communion with the American brethren latterly dominated the debate.

(1) See - Key to Uncle Tom's Cabin - H. B. Stowe.

The question was not unimportant, for it laid before the Free Church an exercise in statesmanship which forced it to decide against a narrow exclusiveness. Nor is the question without interest in the mid-twentieth century, as the problem of communion with Communist approving or Communist accepting Churches arises. Apart from the two main issues of the controversy, the American Churches of the South are driven to defend their position, which they do biblically, theologically and ethically. To their apology the Witness makes powerful reply, not scorning to speak of Natural Law, intelligent application of Scripture, and a Christian charity which not only makes the delivery of the slaves imperative, but also makes it possible for slave-holders and non-slave-holders to have communion in Christ.

The controversy reached its height in the closing weeks of 1844, but in July of that year a contributor from America gave an indication of feeling in the Northern States. The writer sees the main obstacle to general emancipation in the "the property burden(1)" of slavery and in its economic importance. Nevertheless, the cause had gained ground in the North, and the conviction had grown that no other consideration must prevail than that of the great moral evil and consequent danger of the slave system. It is, therefore, important that Christian agents should be on the right side. Separation seems to be the most ready expedient and it would

(1) Witness 20/7/1844.

open the way to a general emancipation. The correspondent refers to the political separation mooted between North and South, but when it is considered that the slavery question in the Free Church was raised largely under the pressure of Northern Abolitionists, there appears to be a relation between the political and ecclesiastical divisions.

The whole question of American slavery having been raised at the General Assembly of the Free Church in 1844, the Commission made its report early in September, declaring it to be an interim report representing a unanimous opinion. At the request of Dr. Candlish, in view of the proceedings of the Glasgow Presbytery, this was published in the Witness. The first article declares that slavery as an institution cannot be continued nor tolerated in a Christian community and that it is the feeling of "all members of this Church.(1)"

"Natural reason, sound polity, a sense of justice between man and man, as well as the whole tenor and spirit of the Divine Word, and especially of the dispensation of the Gospel concur in condemning it: and it is the glory of Christianity, that hitherto, in proportion to its advancing and prevailing influence, slavery has been mitigated, relaxed, discontinued and finally extirpated."(2)

American slavery is one of the worst forms of the evil. In the second place, the report continues, while these sentiments obtain in the Free Church, it must not be forgotten that responsibility accrues to Britain since in the former British Colonies British law and custom gave sanction to the institution

(1) and (2) Witness 11/12/1844.

of slavery. Thirdly, while holding the conviction that the Christian Church in America should oppose the manifold abuses of slavery and aim at its abolition, the Free Church cannot make peremptory demands as to what exactly the American Churches should do. There is too little information available to make a pronouncement on so important a practical question. The application of discipline by British Churches when slavery prevailed in the British Colonies was fraught with great difficulty. The American Churches should be exhorted to prompt action without censoriousness or any attempt to prescribe exact details in the practical problem. Concluding the report, the Committee sees

"no reason for interrupting the friendly intercourse so happily begun and cultivated by reciprocal visits and good offices."(1)

On the contrary, such intercourse ought to be maintained so that in the resulting fellowship, sympathy, encouragement and admonition might be effective.

Dr. Candlish, when he requested publication of the report in the Witness, desired the Church and the country to know the official position of the Church. His covering letter enlarged on some of the points contained in the report. He agrees with the sentiments and resolution of the Glasgow Presbytery and that the Church should not seem to condone slavery. But the Church's position has to be considered. It has been brought

(1) Witness 11/12/1844.

almost fortuitously into fellowship with a Church charged with either a direct interest in slavery or encouragement of slavery by its silence, and that Church has treated the Free Church generously. What could the Free Church have done? To have remained aloof would have assumed the guilt of the American Churches and have offered insult to kindness.

"The substance of the transaction is this... that the Free Church is in the attitude, not indeed of reviling and abusing these Churches and taking all for granted that is said against them, but of calling their serious attention to the subject and to the deep interests Christians here take in it."(1)

The next stage in the dispute was the publication in the Witness of the correspondence between the Joint Secretaries of the Edinburgh Emancipation Society and Dr. Chalmers.(2) By this expedient, Dr. Chalmers' previous action was called in question by the Society. The cause of the Society's concern was a letter alleged to have been written by Dr. Chalmers to Dr. Smith of South Carolina. Having sent Chalmers a copy of the letter attributed to him, they sought his denial of authorship since printed copies under his name were circulating in the United States

"with prejudicial effect on the anti-slavery cause.(3)".

Dr. Chalmers replied that he believed the letter to be correct in every detail.

(1) Witness 11/12/1844

(2) Witness 18/12/1844 First Group  
Witness 20/12/1844 Second Group

(3) Witness 18/12/1844

The letter itself differs little from the views already expressed as the official position of the Free Church.

Chalmers in it professed no sympathy with

"those, who because slavery happens to prevail in the Southern States of America, would unchristianize the whole region"(1),

and virtually terminate all communion with it. Wholesale excommunication was not the way to further the cause of liberty. Chalmers evidently does not think of 'sudden' emancipation as desirable but rather a 'process' of emancipation such as he had admired a quarter of a century earlier in the account of Spanish emancipation in South America as recorded in Humboldt's Travels. So convinced was he of its efficiency that he had outlined the scheme in his works(2). Such was the sentiment to which the Edinburgh Emancipation Society took exception.

In reply to Dr. Chalmers' acceptance of authorship, one of the Secretaries again writes requesting some explanation or comment which will lessen the harm likely to be done to the anti-slavery cause by the circulation of the letter in the United States. He regrets that Dr. Chalmers should hope that the deliverance of the Free Church would prove 'satisfactory' to the American Churches. The Secretary sees it as 'satisfactory' only to the slave-holders and castigates it as

"a partial and palliating deliverance."(3)

(1) Witness 18/12/1844

(2) Chalmers' Works. V.12. P.395 etc.

(3) Witness 18/12/1844.

He encloses extracts from a document received from

"the well-known Lewis Tappan of New York." (1)

Within two days the other Secretary had also sent Dr. Chalmers literature (2) on the slavery question and requested the Doctor's reconsideration of the matter. In a brief acknowledgment Dr. Chalmers promised to do so

"as soon as I am disencumbered from the load of my present engagements." (3)

Being waited upon by the Secretaries subsequently, he reiterated his intention but pointed out that the pressure of his other duties made it difficult. At the same time Dr. Chalmers proclaimed his own strong anti-slavery feelings. He does not seem, however, to have returned to the matter again.

Lewis Tappan's letter, extracts of which were forwarded to both Dr. Chalmers and the Witness, expresses the position of the Northern Abolitionists in a passionate manner which contrasts with the more restrained style of the correspondence. Mr. Tappan was, however, in the place where the real struggle was taking place. He holds that the letter of Dr. Chalmers will do an immense amount of mischief, coming as it does from such a distinguished British minister. It will pull down the work of the past ten years. Pro-slavery ministers and others who had shown signs of a change of heart were now presented with an oplate.

- (1) (3) Witness 18/12/1844 { American Slavery As It Is.  
 (2) " " " { The American Churches. The  
 Bulwark of American Slavery.

"Dr. Chalmers ought to know better than to speak of American Slavery or American Abolitionists as he has done, and he should be made to feel the injury he has done to the cause of truth and humanity."(1)

Lewis Tappan then examines some of the expressions used by Dr. Chalmers in his letter. Such a phrase as 'Because slavery happens to prevail in the Southern States of America' is unworthy of Dr. Chalmers, as a man and as a theologian. Slavery prevails because a quarter of a million slave-holders 'will' that it should prevail.

"Happens indeed!".(1)

Dr. Chalmers' charge that the American Abolitionists would 'unchristianize' the South is not true to the facts but the Abolitionists of the North do say

"that no intercourse should prevail between the Northern Christians and slave-holding preachers or laymen that implies approbation of their conduct or recognition of their Christian character."(2)

But refusing fellowship to a man as a Christian does not necessarily imply pronouncement that he is not a Christian. Dr. Chalmers should notice the distinction! Mr. Tappan then challenges Dr. Chalmers' preference for gradualism instead of immediate emancipation and wonders what theological ground there is for such a view and what is the possibility of its public support in Britain.

Dr. Henry Grey, as Moderator of the General Assembly of the Free Church in 1844, felt it incumbent upon himself to make some pronouncement in the dispute, and his letter duly appears

in the extensive correspondence printed in the Witness of the 18th December 1844. He seems to be in the dilemma of having to reconcile his own very strong convictions on the slavery questions with the official attitude of the Free Church as represented by the report of the Commission of Assembly. He makes his difficulty plain in his opening sentence. His letter adds very little to what had been already said and he appears to have been on the side of Abolitionists of America.

"It may have been right...."(1)

for the deputation to make friendly overtures to the Southern Churches.

"It may have been well....."(1)

to persuade by intercourse the Southern brethren to better things.

"It may be well also, that we should have acknowledge the force of their temptations and the difficulties their circumstances threw in the way of their doing right in respect of the great moral duty in question."(1)

The Moderator does not seem sure. He maintains that the Abolitionists are fighting against very great odds and that it cannot be right for the Free Church to join the strong against the weak in this matter, still less is it right for the Free Church to seek support

"among the most disreputable and reproveable classes of the Christian community."(1)

In these classes he reckons the slave-holding Churches.

Dr. Grey does not resolve the dilemma in which he is placed.

(1)Witness 18/12/1844.

Nor does he have respect for the generosity of these Churches. He finds

"their gold is cankered; the rust of it shall eat like fire"(1)

The slave-holders have no right to point to Britain as having taught them the advantages of slavery

"For why being partners in our sin, have they not been sharers also in our instruction and in our repentance?"(1)

Dr. Grey recounts his own active part in the slavery struggle. He had fought the matter for over forty years, during which he preached against slavery and lost some of the 'wealthy and worldly' of his congregation. In addition to this sacrifice, he and his family had for many years abstained from the use of colonial sugar. Dr. Grey's letter is more successful as a personal apologia addressed to the Abolitionists than an official pronouncement. Its confusion comes from the sincerity of a man of strong convictions attempting to speak officially. The man and not the Moderator is heard.

In the same issue in which this correspondence appears, the Witness editorial discusses the controversy. Hugh Miller defines the point at issue between the Secretaries and Dr. Chalmers as involving the Free Church accepting money from slave-holding Churches and the matter of Christian communion with those Churches. Dr. Chalmers and the Secretaries take opposite sides. But the onus of proof is on the Secretaries,

(1) Witness 18/12/1844.

for Dr. Chalmers' view

"has been that of all our abler anti-slavery men in Scotland during the last half-century; whereas the view of the Secretaries seems to have been introduced among us from the Transatlantic Abolitionists during the last six months."(1)

Let them show by argument and Scripture why this new departure is necessary. The Free Church is Emancipationist to a man and had produced some of the ablest champions of the cause. Dr. John Erskine was one of the earliest members of the Emancipation Society. Dr. Andrew Thomson was the man

"who broke the last surviving links of slavery in Britain and forced immediate emancipation on a reluctant government."(2)

Members of the Free Church can see the distinction between the 'just' slavery by which criminals are punished and the 'unjust slavery' which obtains as an institution in the United States.

"Slavery was not forbidden in the Old Testament but the Old Testament has its most explicit law against man-stealing."(3)

Slavery had no doubt existed in 'an intermediate condition' unassociated with the plain justice of the one case or the criminality of the other. While St. Paul strongly castigates man-stealers he does hold communion with slave-owners and regards them as brethren in the Lord.

"The injustice of stealing a man and retaining him in hand as a slave was very early seen; the justice of making a criminal a slave and retaining him in hand as such, continues to be seen as clearly in the present day; but slavery of the

(1) (2) (3) Witness L.A. 18/12/1844.

intermediate kind seems to have had no early associations of injustice attached to it. It seems to have been regarded as a matter of course and of right that the war captive, and his offspring should be slaves."(1)

Neither the Old Testament or the New do anything to contradict this view. St. Paul even sends a slave back to his master.

But Miller goes on to argue

"that there was a latent principle in Christianity subversive of slavery of this intermediate kind, though nearly eighteen hundred years elapsed ere the principle began vigorously to develop itself."(2)

and

"the emancipation principle in its beginnings at least sprang out of the Christianity of the land."(3)

The present question is neither indigenous to Britain nor had it been shown to have any religious basis. It is entirely an American exportation; a question never raised by the great British emancipationists.

"Cowper never raised it, - Wilberforce never thought of it, and Doctors John Erskine and Andrew Thomson practically at least, settled it the other way."(4)

The Established Church did not refuse the money of its slave-owning members nor was any complaint made when Mr. Gladstone offered

"his Leith Church to the Establishment, on the grounds that it was built with West Indian money."(5)

The Disruption made no difference to this principle and the deputations to the United States had, therefore, no difficulty

(1) (2) (3) (4) (5) Witness L.A. 18/12/1844.

in accepting the gifts of the Southern Churches. Lewis Tappan and his followers are not qualified to decide ecclesiastical questions of communion, for among such men are

"American Unitarians, Nothingarians, and Quakers turned infidel,"(1)

with whom the Free Church cannot have Christian communion.

In forming a judgment the element of time must be added to the principles involved.

"The anti-slavery principle, depending on a certain development of Christianity, and not on any express injunction of Christianity as first revealed, has been of slow and unequal growth."(2)

The degree of maturity is the principle by which individuals and Churches must be tried. Old Testament saints could have claimed a Divine warrant for slavery and a Philemon or a Dionysius could have argued for it from the absence of its condemnation in the New Testament. But only in recent times has the latent principle become effective. Therefore, Churches must be tried according to their development, and communion with them ought to be maintained if they are sincere and evangelical

"that we may quicken them in this important matter and provoke them, regarding it, to good works."(3)

Communion is the only common ground for exhortation, and ex-communication should be applied only if they proved obdurate. Viewing the slow growth of the anti-slavery principle, it

(1) (2) (3) Witness L.A. 18/12/1844.

cannot be argued that such a time has come.

With regard to the receipt of gifts from such Churches, difficulties are raised, the end of which cannot be seen by even an American Abolitionist. What a Church ought not to receive, its members ought not to receive either. Church members of all Communions receive at least indirect benefits from slavery.

"It is dangerous to trace the genealogy of money."(1). One of the Secretaries is a pacifist and while he must regret that Bruce fought at Bannockburn, it does not offend his conscience in the least that he now reaps the results of his ancestor's prowess and is not in the condition of an Irish serf. And while this gentleman would not on any account raise slave cotton, he is not above making a fair profit in the way of business by the sale of cotton stockings.

Having buttressed the Commission's report and defended Dr. Chalmers, Miller castigates both American parties. Good causes may be hampered by the intended aid of injudicious men.

"They set by their extremeness, a fool's cap on a good cause..... The cause of the slave in that country has two enemies, the selfish cupidity of the men by whom the slave is held and the violence and absurdity of the men by whom his rights are advocated."(2)

But the Secretaries write again to the Witness as they took exception to the editorial which accompanied the previous

(1) and (2) Witness L.A. 18/12/1844.

correspondence and held that

"it was calculated to mislead the public."(1)

Returning to Dr. Chalmers' offending letter, they express the opinion of their Committee.

"That letter, whether through inadvertence or not, was unworthy of the character and office of a Christian minister."(2)

The attack on Chalmers becomes more positive.

"The letter was written to a member of one of most infamous and notorious slave-holding Presbyteries of South Carolina, which have signalized themselves by resolutions in sanction and eulogy of slavery and in bitter hostility to the anti-slavery principle."(3)

They receive a soothing epistle and the exertions of those who labour for the abolition of slavery which Dr. Chalmers professes to desire, are only disparaged and dubbed 'extravagance' by him. He has taken no steps to undo the harm which he has done and which his letter will continue to do.

The Secretaries then revert to Miller's contention that the principle of denying communion to slave-holders was an innovation, and point out that it was deliberately affirmed by the great international Anti-Slavery Convention of 1840 which represented all parties and all lands, and that the decision was re-affirmed in 1843. But the weight of the Secretaries' reply lay not in their own words, but in the copies of resolutions of slave-holding Presbyteries, which they appended

(1) (2) (3) Witness 20/12/1844

to their letter.

"Whereas, sundry persons in Scotland and England, and others in the north, east, and west, of our country have denounced slavery as obnoxious to the laws of God, some of whom have presented before the General Assembly of our Church and the Congress of the nation, memorials and petitions, with the avowed object of bringing into disgrace slave-holders and abolishing the relation of master and slave; and whereas, from the said proceedings and statements, reasonings and circumstances connected therewith, it is most manifest that those persons 'know not what they say, nor whereof they affirm' and with this spirit discover a spirit of selfrighteousness and exclusive sanctity."(1)

"Therefore resolved, that as the Kingdom of our Lord is not of this world, His Church as such, has no right to abolish, alter or effect any institution or ordinance of men, political or civil."(1)

"Resolved, that slavery has existed from the days of those good old slave-holders and patriarchs, Abraham, Isaac, and Jacob (who are now in the Kingdom of Heaven) to the time when the Apostle Paul sent a runaway slave home to his master and wrote a Christian and fraternal letter to this slave-holder which we find still stands in the canon of the Scriptures, - and that slavery has existed ever since the day of the Apostles and does now exist."(1)

"Resolved, that as the relative duties of master and slave are taught in the Scriptures, in the same manner as those of parent and child, husband and wife, the existence of slavery itself is not opposed to the will of God: and whosoever has a conscience too tender to recognise this relation as lawful, 'is righteous overmuch', is 'wise above what is written' and has submitted his neck to the yoke of men, sacrificed his Christian liberty of conscience and leaves the infallible Word of God for the fancies and doctrines of men." (2)

(Harmony Presbytery of South Carolina).

(1) Witness 20/12/1844 . See also Key to Uncle Tom's Cabin - H. B. Stowe, where many documents relative to the slavery question are quoted.

(2) Witness 20/12/1844.

"It is a principle which meets the views of this body, slavery as it exists among us, is a political institution, with which ecclesiastical judications have not the smallest right to interfere, and in relation to which, any such interference, especially at this momentous crisis would be MORALLY wrong and fraught with the most dangerous and pernicious consequences. The sentiments which we maintain, in common with Christians of the South, of every denomination, are sentiments which so fully approve themselves to our consciences, are so identified with our solemn convictions of duty, that we should maintain them under any circumstances."(1)

"Resolved, that in the opinion of this Presbytery, the holding of slaves, so far from being a sin in the sight of God, is nowhere condemned in his Holy Word, - that it is in accordance with the example or consistent with the precepts of patriarchs, apostles and prophets, and is compatible with the most fraternal regard to the best good of those servants whom God may have committed to our charge."(1)

(Charleston Union Presbytery).

The Editor of the Witness considers this new correspondence from the Secretaries. He first deals with their assertion that no new principle is involved in excommunicating slave-holders, by pointing out that while it may have been adopted by the Convention of 1840, it was certainly a novelty in Scotland.

He returns to the 'wrong-headedness' of the American Abolitionists who have

"so much heresy and nonsense mixed up with them"(2) that it is difficult for Christians to join them in common cause. Among their nonsense is the advocacy of the emancipation of women as well as slaves, and the attempted revision of the normally accepted view of the marriage contract. But

"the arch anti-woman emancipationist called St. Paul"(3)

(1) Witness 20/12/1844

(2) (3) Witness L.A. 25/12/1844.

had so perverted an English audience some years ago that they refused to give a hearing to American women Abolitionists. This mixing of female with slave emancipation is but one example of the foolishness of American Abolitionists whose energy, sincerity and self-sacrifice, however, cannot be called in question. They are also politically obtuse. Mr. Polk, a slave-holder and a supporter of the slavery principle, was recently elected to the Presidency, representing the war party and supporting the annexation of Texas. The Abolitionists ought to have supported Mr. Clay who had the backing of "the solid religious classes(1)" desirous of settled government and who was opposed to the annexation of Texas. But Mr. Clay was not an Abolitionist, so the Abolitionists recorded no votes at all and allowed the pro-slavists to gain power and slavery to gain a firmer grip. The Abolitionists must learn to consider the problem in all its aspects and not simply in relation to the slave. They must regard the slave-holder also, as the British Emancipationists did:

"But in the wild eccentricities of the American Abolitionists there is included neither the manumission of the slave nor the security of the slave's master. There are evident signs of coming judgment in a country whose very reformers God strikes with madness."(2)

The Editor perused 'with much pain' the submitted resolutions of the South Carolina Charleston Union Presbyteries. They embody

(1) (2) Witness L.A. 25/12/1844.

grave error in offensive form,

"and yet they are not so framed as to shut the entrance of that trial of duty which in the present day all Churches are called to enter - American Churches among the rest."(1)

It may be possible for a Christian man to believe slave-holding to be morally right, but it is not possible for a Christian man to believe

"that the Book of Life ought not to be given to the slave."(2)

Yet the teaching of slaves is stringently forbidden in more than one slave-holding province. Ministers of the Gospel must break this unjust law.

In so far as the Free Church was concerned(3), the Slavery Question was dead when, in the Assembly of 1846, a motion seeking the reversal of the previous policy failed to find a seconder. The so-called 'Free Church Anti-Slavery Society' which in 1847 sought to re-open the matter is shown by the Witness to be supported by persons almost entirely outwith the Free Church. In a reported meeting(4) which was poorly attended, the proportion of Free Church ministers to those of other denominations represented on the platform party was in the region of two to nine.

Desultory correspondence continued between the Free Church, associated with the Presbyterian Church in Ireland, and the

(1) (2) Witness L.A. 25/12/1844

(3) Walker - Chapters in the History of the Free Church.  
P.72.

(4) Witness 15/5/1847.

American Churches. On the 26th May 1847, a short letter was sent to the General Assembly of the Free Church from the American Churches and a short statement previously sent to the Presbyterian Church in Ireland was enclosed. They deprecated further correspondence

"as we do not deem further communications on this subject necessary."(1)

Nevertheless the Free Church did reply, simply affirming the former view with emphasis upon the need for informed Christian action which would lead to the abolition of slavery. It was pointed out that one of the first acts of the French Revolutionary Government was the emancipation of slaves within its territories, and that less cannot be expected when Christianity progresses in America, as is fervently prayed.

But the statement enclosed with the terminating letter from America is of importance since it represents the considered view of the Presbyterian Church in America, while the former statements in the form of resolutions merely represented Southern Presbyteries. The statement is sharp and almost truculent in its opening. The people of the United States and especially Presbyterians need no vindication "regarding the general subject of human liberty(2)" as their annals show. Nor is it a fit subject of correspondence between Christian Churches

(1) Witness 7/6/1847

(2) Witness 7/6/1848

"since it is their practical mission to give the blessed Gospel and not free institutions to the human race.....slavery is an institution purely civil, depending absolutely on the civil power, in the states respectively in which it exists."(1)

The states permit certain interference in moral aspects of slavery, but the General Assembly has no power to abolish the institution any more than a British Assembly has power over the institution of a hereditary monarchy - a cause which American Republicans do not press upon British Christians. They hold now, as their fathers did, that slavery

"cannot scripturally be made a term of Christian communion and that, on the other hand, this Church never did and does not set itself to defend it."(2)

The Slavery Question is not taken up again in the Witness until the Autumn of 1856 when leading articles were occasioned by the policy and later the election of the pro-slavist Buchanan to the Presidency of the United States, while at the same time the publication and general interest excited by Harriet Beecher Stowe's novel 'Dred' or 'A Tale of a Dismal Swamp' also called forth editorial comment.

Surveying the American scene in the noisy months before the Presidential election, Miller sees that

"slavery is indisputably not only the signal blot, but it constitutes also the imminent peril of the United States."(3)

There is in these words a foreboding of the internecine strife which was soon to arise and an indication of what was axiomatic

(1) (2) Witness 7/6/1848

(3) 9/8/ 1856 Witness.

to Miller in the consideration of all social questions, namely, that bad ethics are bad business and in this particular case, bad politics.

He asserts that much false optimism had been shown on both sides of the Atlantic. Paley falsely interpreted the doctrine of Providence when he held that the new American Colonies had become free, that the Slave Trade might be abolished and that their loss was a punishment on Britain. In actual fact

"the independent standing of the American States has but served to bind their slaves in a ten-fold chain, compared with which, those which held fast the slaves of Britain were but as flax and tow."(1)

The Presidential candidate Buchanan is also unduly optimistic when he considers the question to be settled almost finally by

"the recent legislation of Congress....derived as it has been from the original and pure fountain of political power - the will of the majority."(2)

The people of each state will decide for themselves whether slavery will exist or not.

Mr. Buchanan is mistaken if he imagines this to be a final settlement. The Editor of the Witness then illustrates the power of minorities who strive against the law-making or law-administering powers and so often succeed in their aims. That

"every distinctive privilege that Britain enjoys has been won from majorities"(3)

is illustrated by the Reform Bills and the Slave Emancipation Act and there are abundant examples in European history also.

(1) Witness 9/8/1856

(2) " " Quoting Buchanan

(3) " "

the Reformation itself being the triumph of a minority. On the majority principle, the Jews were politically right in crucifying Christ. But Mr. Buchanan must know that his resort to the popular majority will not make an end of the Slavery Question because

"it has been carried out only politically and by the will of the majority which is simply POWER and not RIGHT."(1)

The leading British Abolitionists were men "of great moral influence in the community(2)", and by sheer force of character they brought religious people on the Emancipation side. But America is not so fortunate. In Britain, when the slavery principle was seen to be unjust, the offence was nationally expiated. The law had created the property and legalised it, but seeing the wrong of it

"purchased it back with two millions of public money,"(3)

But the leading Abolitionists of the United States

"are greatly less sober minded than the Wilberforces or the Erskines."(4)

and more divided in their attitude to slavery. The independence of the slave-holding states would also make the purchase of slaves more difficult and because of the greater number of slaves in America would demand tremendous sacrifices of the owners.

Miller appears to be arguing, first, that slavery is a national responsibility and that throwing the onus on separate

(1) (2) (3) (4) Witness 9/8/1856.

states makes the problem insoluble. The British nation as a whole had to accept responsibility, and in America, if the policy of Buchanan is accepted, the slavery question is only being settled by being perpetuated. Secondly, the law, having created the property of the slave, cannot justly make that property null and void. Justice must be done to the property owner as well as to the slave. The Statute Law being the creation of the people as represented by the State, the people must expiate the evil in all its bearings with regard to both the owner and the owned.

He then deplores the American practice of adducing Scriptural defence of slavery, by which means it is sought to secure religious sanction of a moral wrong. It is a practice no less harmful to religion than to the cause of the slave. Slavery

"has been felt by the clearest-minded men on both sides of the Atlantic, - by the Franklins, and Paleys, the Channings and Thomsons - to be morally an enormity."(1)

Slavery is not condemned in the New Testament any more than polygamy in the Old, but what ethical argument can be founded on either fact? Then pertinently Miller asks why the American fathers rebelled against constituted authority

"in the direct face of the New Testament.....  
George the Third was at least as legitimate a monarch as Tiberius - why refuse him his tribute money?"(2)

This reference to Romans 13.1. is something of 'tour de force' and lifts the whole question of slavery away from Scriptural

(1) and (2) Witness 9/8/1856.

Authority and Statute Law to that of Natural Right, a principle fundamental to the American Constitution and one accepted against positive Scriptural injunction, while the arguments adduced in support of slave-holding from the Old Testament are purely analogical, and in the New Testament are merely arguments from silence.

But the Editor of the Witness has no doubt as to the ground of the American Fathers' action. They acted as they did

"simply because it was just and proper to assert their rights as men, - because their sacred rights do not rest on precedents derived from the time of Nero, Caligula, or Pontius Pilate, or from any age of the world whatever, but are absolute and inherent.... And it is the true place and legitimate influence of Christianity to make the measure of our rights and privileges in this matter, the rule of our duties."(1)

James Buchanan was duly elected on the 5th of November and was in full accord with his party's policy which, according to an American correspondent, included the proposal that Kansas should be a slave state and that slavery should be extended to California and elsewhere in the Union. In addition, an organisation was to be formed to protect slavery as a whole, with the possible aim of reviving the Slave Trade. The Witness deplores this great advance of the pro-slavists and asserts that the men who began with such fine theories will be mocked at as the mere scribes of showy constitutions.

"The Democracy of America keeps more slaves than the Despotisms of Europe." (2)

(1) Witness 9/8/1856  
 (2) " 26/11/1856

With slavery thus more widely spread and strengthened by political power, the prospect of internal peace seemed remote. Nevertheless, while the immediate effects are disastrous, the ultimate effect may be the resurgence of the principles of the American nation

"as deposited in the foundation of their state by the sacred hands of the Pilgrim Fathers."(1)

During the election proceedings of 1856 the Witness published a leading article entitled "The Ethics of Slave-holding". It begins with a discussion of the merits of the novel of Harriet Beecher Stowe entitled 'Dred' as an account of the attitude of the South to slavery, and finds external evidence to confirm the facts presented by Mrs. Stowe. Making due allowance for exaggeration in a work of fiction and disregarding literary merit, this work

"must be recognised as a mighty power both in Europe and America."(2)

In the novel Mr. Jekyl is the protagonist of religious instruction of slaves, but only on the doctrine of divine right.

"It is an instruction just grounded on this, that the master stands in God's place to the slave."(3)

To this Claymore replies:

"That is all a lie; for my part, I base my religious instruction to my people on the ground that every man and every woman must give an account of themselves to God alone; and that God alone is to be obeyed first before me."(4)

- (1) Witness 22/11/1856
- (2) Witness 18/10/56
- (3) Witness 18/10/56 'Dred'
- (4) Witness 18/10/56

Miller comments:

"Now here we have exactly the antagonistic principles of the 17th century in our own country. The prelatical party put the king in God's place to the subject. Jekyl of Mrs. Stowe puts the master in God's place to the slave!"(1)

But the editorial finds a more monstrous principle than even that attributed to some at least of the slave-holding ministers by Mrs. Stowe, namely the heresy of William of Ockham. That such a principle is no mere fiction is proved by reports in recent papers from the South. The editorial then proceeds to explain the doctrine before approaching the relevant question of its application to slavery. Such a doctrine, says Miller on the authority of Sir James Macintosh who discusses it in his 'Dissertation on the Progress of Ethical Philosophy'

"is that most pernicious of all moral heresies, which represents morality to be founded on will."(2)

It is the doctrine concerning which William of Ockham affirmed that if God commanded his creatures to hate Himself, the hatred of God would be the duty of men.

"What might not be regarded as possible of a being whose mere will was competent to create right but was not regulated or directed by it."(3)

Mrs. Stowe represents that this "Devil's Gospel" is held by at least some pro-slavery ministers. In 'Dred', Mr. Titmarsh says

".....it having pleased Divine Providence to establish the institution of slavery, I humbly presume it is not competent for human reason to judge of it."(4)

(1) (2) (3) Witness 18/10/1856

(4) Witness 18/10/1856 quoting 'Dred'.

To this Frank Russell replies:

"And if it had pleased Divine Providence to establish the institution of piracy, you'd say the same thing I suppose?"

"Certainly, my young friend", replied Mr. Titmarsh.  
"Whatever is divinely ordered becomes right by that fact."

"I should think", said Frank Russell, "that things are divinely ordered because they are right".

"No, my friend", said Titmarsh modestly, "they are right because they are ordered, however contrary they may appear to our poor notions of justice and humanity." "(1)

Here is the old doctrine of William of Ockham revived in the words of Mrs. Stowe's fictitious character. The fiction is not a stroke of genius, but a representation of the doctrine held by at least some of the pro-slavery men.

Miller then supports this contention from a speech made by Dr. Ross to the General Assembly of the American Presbyterian Church New School, a speech which was received "with laughter and applause.(2)"

Dr. Ross congratulates himself that the recognition of slavery as a divine institution has furthered the spread of religion in the South,

"the seen result of slavery was found to be in absolute harmony with the word of God."(3)

The men who had turned in scorn from Northern notions were reading their Bibles as never before. Right and wrong are eternal facts and exist per se in the nature of things, and to deny this leads

(1) Witness 18/10/1856 Quoting 'Dred'

(2) " " "

(3) " " Quoting Dr. Ross.

to the denial of the existence of God. In expounding Ockham's view, the Doctor says

"In His benevolent wisdom, He willed law to control this natural good and evil. And He thereby made conforming to that law to be right and non-conformity to be wrong. Why? Simply because He saw it to be good and willed it to be right; not because He saw it to be right but because He made it to be right."(1)

Then the Doctor argues that there is nothing inherently right in the Decalogue and that these laws exist as moral laws simply because God willed it so. He then presents a detailed argument from Scripture to show that God willed the institution of slavery:

"He sanctioned it under the Old Testament and the New and ordains it now while He sees it best to continue it....."(1)

Dr. Ross continues

"As there is no right or wrong in the nature of things, what was not wrong then is not wrong now, unless indeed the Deity has since forbidden it. Now although the Deity has forbidden man-stealing, and so made it wrong or a sin, He has not forbidden the buying of men from man-stealers."(1)

Thus according to the Reverend Doctor, God sanctioned the buying of slaves however obtained:

"Though He condemned the Jack Shepherds of the slave trade, He did not condemn the Jonathan Wilds..... it is a broad principle that of the Reverend Doctor."(2)

Miller meets the Doctor's argument with this reductio ad absurdum and comments that such views and principles

"sported uncensured in the General Assembly of the New School Presbyterian Church of America,"(3)

- (1) Witness 18/10/1856 Quoting Dr. Ross.
- (2) " "
- (3) " "

are more extreme than found in the fictions of Mrs. Stowe.

The principles involved in the controversy are clearly defined. The Free Church and the American Abolitionists are at one on the issue that slavery is wrong and ought to be abolished on the ground of natural right; they differ merely in the application of the principle, the Free Church being disposed to a gradualism as expounded by Dr. Chalmers and, according to the Witness, the other leading British Abolitionists. Since the principle must be applied in a given economic and social context, the Free Church view seems more practically sound. If the natural right of all men to liberty is not recognised in the given context, it seems foolish to cut off one of the principle sources by which such recognition might be achieved, namely Christian Communion. Miller sees an inherent moral dynamic in Christianity which must be given time to permeate the society in which the moral problem of slavery is not clearly seen. Also the practical question of what is to be done with the great masses of slaves, must be solved, as in economic chaos and social bitterness their last state must be worse than their first. In addition, justice must be done to the slaveholders as well as to the enslaved. The latter economic disruption of the South when emancipation finally came is commentary enough on the wisdom of the Free Church.

On the other hand, compromise has its obvious dangers. It could lead to an ethical relativism just as certainly as the insistence of the extreme Abolitionists upon an absolute and

immediate right to freedom could lead to economic and social disaster for the community involved.

But the respective attitudes of the Free Church and the reactionary pro-slavists as represented by the Presbyteries of the South are totally at variance. The latter hold that slavery is a civil ordinance with which the Church as such has no right to interfere, and that the Old Testament explicitly establishes and the New Testament implicitly approves the institution of slavery. Here is a fundamental cleavage, the Free Church holding quite a different view of the relation of Church and State and of Biblical authority in the field of social relationships.

The Southern view is by no means representative of the whole of the Presbyterian Church in the United States but the one common factor is the doctrine that the Church has a purely spiritual mission and is not concerned with bestowing free institutions, while the point of divergence is the professed neutrality of the Church as a whole and the appeal to Scriptural authority by the Southern Presbyteries. Some, at least, of the New School ministers re-inforced the typical Southern view with theological voluntarism and thus strengthened the argument against natural law.

CHAPTER FOUREducation

In Scotland an acute interest in education is very early manifested. In 1560, when the Book of Discipline was issued by the General Assembly of the Church, largely under the influence of John Knox, relatively wide provisions were envisaged. Latin schools were proposed for every town to be provided 'in every several kirk'. In the country parishes, schools where the rudiments would be taught were proposed, while larger towns were to have colleges for more advanced study. The distribution of the revenues of the Church, however, rendered the implementation of such a comprehensive scheme impossible. But interest in a broad national scheme of education did not die -

"The earliest recorded endeavour to establish a parochial system of schools in the country seems to be an act of the Scottish Privy Council of James VI, dated at Edinburgh on the 10th December 1616, and expressing the King's anxiety that the true religion should be advanced and established in all parts of the kingdom."(1)

This act was ratified in 1633 under the restored Episcopacy, the bishop having power to enforce it, and also to levy assessment that schools might be established in every parish, but little appears to have been done. Again in 1646, the Act for Founding of Schools provided that a schoolmaster and school-

(1) H. M. Knox. Two Hundred and Fifty Years of Scottish Education. Page 3.

house were to be established in every parish by means of assessment and teind. Despite the fact that this act was to be implemented by Presbytery, it proved abortive, but it must be noted that the measure was passed by a Parliament at variance with its monarch. The rescission of this act along with other legislation in 1661 left the educational provisions as in 1633.

The Act for Settling Schools passed in 1696 marked both the culmination of the previous efforts to establish a parochial system of Scottish education which were rendered abortive by seventeenth century political unrest, and the beginning of a new era. It has been frequently called the 'Magna Charta' of Scottish Education. Every parish was to have a school and a master appointed by the minister and heiritors; the heiritors were to be assessed for the purpose, but could pass on half the cost to their tenants. (Knox suggests that this is the precedent for dividing owners and occupiers rates for local government purposes in Scotland. P.6 ). A weakness of the Act was that in the event of a dispute, the Presbytery could appeal to the Commissioners of Supply for the county and these gentlemen were probably heiritors themselves. In many cases nothing was done to carry the legislation into effect. When Parliament was removed to London only eleven years after the Act was passed, the position was made worse. Nevertheless, the Act was on the statute book and could not be altered, in terms of Act 18 of the Treaty of Union 'Except for the evident utility of the subjects within Scotland' and it marked an

advance of the Scottish system upon the English.

Apart from the 'official' parish school, other agencies were at work, among them the S.S.P.C.K. which received a royal charter in 1709 with a mandate to increase virtue and piety, especially in the Highlands and Islands where parishes were large and schools remote. The Society is credited with having established over eighty schools in twenty years. Under George the Second a supplementary charter was issued giving the Society wider powers, - to instruct beyond the Three R's, in such subjects as husbandry, housewifery, trades and manufactures. But the all round deficiency was still extensive. As late as 1758 there were 175 Highland parishes without a school or schoolmaster despite the work of the S.S.P.C.K. In the Lowlands the position was little better, for in 1715 only one in three of the male, and one in twelve of the females in the County of Fife could sign their names, and twelve parishes in the Presbytery of Ayr had no school.(1) In the Lowlands, however, the teaching of the Church was more effective and there was greater incidence of private and 'unofficial schools' as well as a good degree of Biblical and theological knowledge. The overall situation reflects the poor remuneration offered to schoolmasters, which was inadequate, even when supplemented by the customary fees, the schoolmaster being forced to seek other offices such as that of Session Clerk or Registrar. There was also the tendency for the teacher to concentrate on the 'lad

(1) See Knox - Two Hundred and Fifty Years of Scottish Education. P.8-9.

o' psirts' to the neglect of his other pupils.

"But in spite of these adverse conditions, the parish schools of Scotland had a remarkable effect in promoting knowledge and instruction among the people."(1)

The Parochial Schoolmasters (Scotland) Act of 1803 was an attempt to meet the limitations of the existing parochial system caused by the effects of the Industrial Revolution and the poor conditions offered to schoolmasters. The Act provided for the increase of the minimum salary of schoolmasters to 300 merks (£16-3-4d) and the maximum was raised to 400 merks (£22-4-5d), the scale to be revised every twenty-five years. In addition, a house was to be provided. An important advance was the introduction of the principle of dividing large and densely populated parishes between two or more teachers and the conducting of 'side schools'. Under this Act the minister and heirdors appointed the teacher with the approval of the Presbytery, and those appointed were required to sign the Confession of Faith of the Church of Scotland. Thus the relationship of the Established Church to the statutory parish system of education was perpetuated.

Despite the provisions of the 1803 Act, the parish system was only partially successful. The large parishes, the inaccessibility of the Highland and Island areas, and the density of population in the larger towns, made only moderate success inevitable. The statutory system was supplemented in many towns where Kirk Sessions took the initiative and ran

(1) See Knox - Two Hundred and Fifty Years of Scottish Education. P.10.

'Sessional Schools' of which over a hundred existed at one time, but the general school provision was still inadequate. An Act of Parliament of 1824 dealt with the problem of the large parishes and 'quod sacra' parishes were created. The General Assembly of the Church then addressed itself to the problem of education in these areas and a permanent Education Committee was set up. Two hundred 'Assembly Schools' were erected and financed by the General Assembly on an undenominational basis which reached its widest limit when they were thrown open to Roman Catholics in 1829. Yet another class of schools emerged, when in 1838 an Act was passed extending the parochial system to the quod sacra parishes, and providing that the heritors supplied the school and schoolhouse while the Treasury was responsible for the schoolmaster's salary. Such schools were known as 'Parliamentary Schools'.

In England various unsuccessful attempts were made to introduce legislation <sup>BASED</sup> on the Scottish parochial system of education. In 1833 Parliament voted a grant for public education, the amount to be revised annually. In 1834, 1836, 1837 and 1838 £10,000 was assigned to Scotland, but in 1839 a Committee of the Privy Council was set up to oversee the use of the grant, and in that year it was announced that H.M. Inspectors would be appointed, and acceptance of the grant would carry the right of inspection. This caused some difficulty in England where education was in the main voluntary and denominational but agreement was reached, and

inspection arranged on a denominational basis. Over the succeeding years the amount of grant rose steadily and the Scottish schools had the choice of accepting the grant with its conditions or not.

"The great majority did not, in fact take advantage of them."(1)

Such was the situation when the Disruption took place. But according to Knox, <sup>THE</sup> Disruption

"caused an unexpected extension of the educational facilities throughout the country."(2)

Provision had to be made for the eighty parochial schoolmasters, some 280 teachers in Assembly Schools, and those employed by the S.S.P.C.K. who joined the Free Church which set up over 500 elementary schools. The position was helped by the only H.M. Inspector joining the Free Church and the consequent enlargement of the Inspectorate in the new situation. While it may be true that considerable educational expansion was occasioned by the emergence of the Free Church, it is also true that it brought to a head the problem of national education in Scotland, for the Free Church was seriously embarrassed by its new-found responsibility in the educational field. Within this context and the ensuing controversy Hugh Miller lived and wrote.

Since the Disruption great changes have taken place in the concept, method and provision of education. Principles advocated by the Witness have been recognised and many of them

(1) (2) H. M. Knox - Two Hundred and Fifty Years of Scottish Education, p.28.

have been carried into effect. The 1861 Parochial and Burgh Schoolmaster's Act which was passed to meet difficulties which had arisen, excused schoolmasters from signing the Confession of Faith and transferred the power of examining them to the Universities on a regional basis. The Burgh schoolmasters were relieved entirely of Presbyterial supervision, and Parochial schoolmasters had to undertake to teach nothing opposed to Scripture and the Shorter Catechism. The statutory control of the Established Church was largely superseded and the way cleared for larger state action.(1) This was largely in accord with Miller's call for a national system years before, on the principles outlined by Chalmers. Likewise his demand for a regional authority to examine and license schoolmasters was met by the Act, while the 'conscience clause' regarding the teaching of religion was also in harmony with his view of the rights of parents.(2)

The Education (Scotland) Act of 1872 set up elective School Boards, vesting in them the existing parish and burgh schools. A provision was made for exemption from religious instruction in the case of conscience, but more important was the distinction of secondary schools, the distinction of primary and secondary departments not having previously existed in Scottish schools. Much of the innovation of this Act had also been advocated by Miller in 1847.(3)

(1) See Two Hundred and Fifty Years of Scottish Education,  
p.28

(2) (3) See pages 177-188. Note on Miller's "Thoughts"

Administrative changes also took place later. The Local Government (Scotland) Act of 1889 created burgh councils and county councils and the parish began to be replaced as the unit of administration. But although in England the School Boards were replaced by county and borough councils in 1902, no change was effected in Scotland until some years later. The 1908 (Scotland) Act retained the School Boards and indeed extended their powers to engage in welfare work and pay certain expenses. In addition, the detail of secondary education was more specifically defined. But the Act of 1918 abolished the Parochial School Boards and placed the schools under the control of the local <sup>LEA's</sup> burgh and county authorities. This was indeed in accord with Miller's (and Chalmers') postulate that education must be on a national basis, and with Miller's contention for a properly divided system of elementary education. The one provision of this Act of which they would not have given approval was the right given to Roman Catholics to have separate schools maintained at the public expense.(1)

This provision, of course, gave all denominations the right to hand over their schools to the local authority, the existing staffs to be placed on the appropriate salary scale. New appointments were to be in accordance with the regulations of the Department as to academic qualifications, but the denominations had the right to approve the religion of the teachers, and appoint unpaid supervision to see that the

(1) See Chalmers' Posthumous Paper. Witness 23/6/1847.  
Also note on pamphlet p. 177

religious conditions were carried out. The denomination might start a school and hand it over to the local authority with the consent of the Department, and the local authority might even start a denominational school upon need being shown. While this looks a uniformly fair and reasonable settlement, it does in fact lead to a public subsidy for Roman Catholic teaching. For practical purposes the chief denominational schools functioning are Roman Catholic, and the 'public' schools which Protestant children attend provide varied, desultory, and not very systematic religious instruction. Sometimes the religious instruction is non-existent. While individual headmasters and teachers strive to cultivate the religious side of their work and are aided by chaplains who are very much part-time, neither the religious instruction given, nor the atmosphere of religion is as all-pervasive as in the Roman Catholic schools. Neither Miller nor Chalmers would have approved of this situation. It is one thing to tolerate error and another to subsidise it.

The present position (1954) is governed by the Education (Scotland) Acts of 1945 and 1946, the later Act being definitive and designed to simplify administration by including all previous unrepealed enactments together with the provisions of the Act of 1945. In September 1942, the Government urged authorities to set up Youth Councils, and local Youth Panels with an Advisory Committee were set up in Scotland following the similar movement in England in 1939. In March 1943 the Scottish Youth Advisory Committee was set up. Following the

'green book' issued by the President of the Board of Education in 1941, asking for comments on the whole system of education and suggestions for improvement, the famous 'white paper' on educational reconstruction was issued in 1943, to be followed by the new Education Act for England and Wales in 1944. After delays and difficulties the Act applicable to Scotland became law in 1945 and was designed to apply to Scotland the principles of the English Act, but was clarified by the Act of 1946. The main provisions of the Scottish legislation follow those of the English Act. The statutory system of education is divided into three progressive stages, namely, primary, secondary and further education. The authority is to provide adequately for each. The emphasis on further education is noteworthy, including as it does voluntary courses and leisure time cultural and recreational interests for those over the leaving age as well as part time compulsory courses for those under it. As well as the principle being admitted that education should go on almost literally to the grave, provision is made for it to begin almost at the cradle for the primary division includes nursery school education from the age of two. The Youth Service was given statutory recognition and powers provided for the authority to establish child guidance service. In general, fees were abolished in public schools and junior colleges but a proviso was made allowing a limited number of fee-paying primary and secondary schools under the control of the Department, in direct contrast to the

policy in England. Provision was also made for the raising of the school-leaving age to fifteen and this took effect on 1st August 1947 but the Secretary of State was given authority to raise the age to sixteen as soon as practicable. In addition all authorities were to provide free milk in schools, meals and medical inspection.

Commenting on the 1945 Education (Scotland) Act, H. M. Knox points out that compulsory primary education was accepted in Scotland in 1872, but not fully in England until 1880; free primary education obtained in Scotland from 1889 and in England from 1891, and free secondary education was available in Scotland from 1918 and generally in England only from 1944. In 1901 the leaving age in Scotland was fourteen but this age was not made universally compulsory in England until 1918.

Also "Some advances, such as the compulsory training of teachers, which was effected in Scotland as long ago as 1906.....have not yet been squarely faced in England."(1)

It would appear, therefore, that in education Scotland has in the past been ahead of England, except in this very latest legislation, for the 1945 (Scotland) Act contains no advance on the English Act of 1944.

The new Education Acts in Great Britain were quite remarkable in their scope and vision, but not least in the optimism and faith which they reveal in a nation virtually bankrupt as a result of war. Their widespread provisions could not, of

(1) H. M. Knox. Two Hundred and Fifty Years of Scottish Education. P.241.

course, be carried into effect at once. Economic difficulty, shortage of teachers, movement of population, lack of buildings and the tremendous post-war increase in the young population itself, present those responsible with great problems. Nevertheless, many of the provisions of the legislation are being carried out.

It is over a hundred years since Miller entered into the educational conflict, but in that time most of what he advocated has become accomplished fact. There is a national system of education and to all intents, education is free. The division is plain between primary and secondary departments and abundant opportunity is open to all beyond the school-leaving age to follow intellectual and cultural pursuits. Further, the lot of the schoolmaster, while even now by no means ideal, is substantially improved. While it cannot be maintained that Miller's views were wholly original or that others had no part to play, the editor of the Witness was certainly in the van of progress.

It is only to be expected that Hugh Miller with his voracious intellectual appetite would be deeply concerned with education. This is apparent in all his writings and particularly in the columns of the Witness. In his time three factors were operative in producing an educational crisis; the rapidly expanding population; the industrial expansion involving both longer hours, and the increased drudgery of mechanical tasks; and the Disruption of which a side-effect was a disrupted parish system of education.

To this latter situation as it affected the Free Church and the nation at large, Miller devoted a series of articles later published as a pamphlet entitled "Thoughts on The Educational Question"\*. This work, however, while in parts reflecting Miller's views on the essential content of education, is addressed to the practical problem of the relations of Church and State in the matter, and the duties and rights of the civil magistrates and people. Elsewhere, and almost incidentally, his views on education emerge.

In 1840, writing of the proposal to erect a statue in honour of James Watt, Miller maintains that no statue, however fine, can be regarded as valuable as one of George Heriot's schools. An educational establishment would do Watt more honour than a statue, for it is important that men should not be allowed to live on a lower level than the intrinsic nature of the human mind suggests was the purpose of the Creator. Miller's first conception of education, therefore, was its supreme importance. He firmly repudiates the critics opposed to such institutions as the School of Art. To those who saw in such institutions the danger of working men possessed of some knowledge becoming infidel or socially disruptive, Miller replies:

"All knowledge is good in itself" - (1)

let the working man have all the knowledge he wants, for there is nothing immoral about any of the sciences -

\* See Note on this pamphlet, Page 177

(1) Witness 9/12/1840

"They are filled, on the contrary with great and solid truths, that have dwelt on the mind of God for all eternity."(1)

There is no necessary connection between knowledge and infidelity -

"Nowhere do we find such sturdy free-thinkers as among the men who have not learned to think at all."(2)

To Miller education is not only supremely important, but it has important social consequences. In discussing 'The Schoolmasters of Scotland', he writes:

"No class of men have done such good service to their country as schoolmasters and no class have the public treated so shabbily."(3)

Before 1803 the highest statutory salary was 200 merks or £11-2-2d stg. per annum, in 1803 the 'Schoolmasters Act' laid down a minimum of £22-4-5d. There was a slight increase in 1828, but this remuneration to men of the necessary ability and qualifications was most miserable. Added to this was the advantage taken by the heritors of a badly framed clause in the Act which gave them leave to condemn the schoolmaster to reside in a 'but and ben'. Such treatment of schoolmasters is bad business -

"If our rulers would but try, they would find that it is much cheaper and better in every way to pay Christian teachers than to pay police."(4)

- (1) Witness 9/12/1840  
 (2) " 9/12/1840  
 (3) " 30/ 7/1842 )  
 (4) " 30/ 7/1842 ) See also Witness 21/10/1852

(1) Miller is warm in his approbation of Heriot's Free Schools, seeing in them the partial implementation of the broad policy of John Knox which was frustrated by the rapacious Scottish nobles in the immediate post-Reformation period. It is cruelty to allow men to grow up in ignorance and then to punish them for crimes, the impropriety of which may not be known to them. The optimum state of society cannot be reached without education becoming as free as air. Further, in a democracy governed by written laws, Miller argues, it is surely essential that the citizens can read them. Education was for Miller supremely important, first, because knowledge is good in itself; second, it does not have subversive effect, but on the contrary is a stabilising influence in society and an uplifting effect upon character; third, justice demands it, for men must understand and read the laws under which they live.

It would be totally wrong, however, if Hugh Miller were taken as holding a narrow pedagogical view of education. His classic work 'My Schools and Schoolmasters' indicates that he did not conceive education as the work of the local dominie alone. The whole of nature was the schoolhouse and every variety of experience the schoolmaster. Home, quarry, bothy and church were his text-books and mentors.

Of the essential of Miller's thought on education is the clear distinction which must be drawn between moral and

(1) Witness 21/10/1852.

intellectual education:

"It is a mighty mistake to confound moral and intellectual culture, but he offends against the broadest principles of right feeling who speaks disparagingly of either. It is not enough to cultivate the intellect. Men who see the right road very clearly have yet quitted it. But if they do not see it and their propensities lead them equally away from it, their chance of quitting it must be greater still."(1)

It is a profound mistake to confuse moral and intellectual culture among men of any class. Intellectual education alone takes account of "a mere moiety of mind(2)" and leaves the other portion unprovided for. Miller points out how men can clearly distinguish different forms of intellectual activity such as memory, reasoning and imagination, yet they can confound the cultivation of the intellect with the cultivation of the moral sense. It is true, however, that generally a man of cultivated intelligence will steer clear of minor offences and petty crime, but there are immoralities against which mere intelligence is insufficient. Of this Burns is a clear example.

Writing as he does, in support of the Working Man's College, Miller demands a balanced judgment of the issue:

"The cause of popular education is best advanced by stating it fairly. The importance of intellectual education is no degree lowered by assigning to the moral its proper place."(3)

The broad intellectual and moral base of education - the latter for Miller being always inclusive of religion - is illustrated in his essay 'Annie McDonald and the Fifeshire

(1) Witness 9/12/1840  
(2) " "  
(3) " "

Forrester'. As an opening, Miller declares -

"It was the religion of Scotland that first developed the intellect of the country."(1)

But when religious belief is transmuted in 'its reflex influences' and becomes mere intellectual activity, the true origin is sometimes forgotten. A reminder of the essential connection is healthy and the history of Annie McDonald is such a reminder of

"how the Christianity of the country has operated upon the popular intellect."(2)

"Her long life was a protracted warfare....a scene of privation, sorrow, and sore trial; but she struggled bravely through, ever trusting God, dependent on Him, and on Him only."(3)

The sketch of her life written by her poet grandson, John Bethune, strikingly shows the strong moral and religious character of Annie McDonald and how it influences her descendant, enabling him to obtain a high degree of culture and manly vigour in his thinking:

"The intellectual history of Bethune is an epitome of that of his country..... The thoughtful piety of his grandmother prepared an atmosphere of high toned thought in which the genius of the grandson flourished."(4)

Thus Miller, while distinguishing intellectual and moral elements, evaluates the former highly but rates the latter to be primary and creative of intellectual quality. He more than once offers negative illustration of this relation from practical affairs. On the conclusion of the Afghanistan War, he quotes with approval Duff's criticism of Lord Auckland's educational

scheme for Hindustan as

"remarkable chiefly for its omissions and commissions, for its concessions and compromises, for its education without religion, its plans without a Providence, and its ethics without a God."(1)

This dangerous liberalism shown by Lord Auckland and his associates did not necessarily bring the vengeance of Providence upon them,

"But it may not be unsafe to infer, from the palpable folly of the Afghan expedition that the liberalism in which Lord Auckland and some one or two of his friends indulged, is a liberalism which weak and incompetent men are best fitted to entertain."(2)

Miller is struck by the remark of Prince Eugene of Savoy concerning two generals who, although clever men, had failed miserably:

"I always thought it would turn out so", said the Prince, "both these men made open profession of infidelity; and I formed so low an opinion of their taste and judgment in consequence, that I made myself sure that they would sooner or later run their heads into some egregious folly."(3)

The religion of Annie McDonald was creative of keen intelligence, but the irreligion of Lord Auckland and his colleagues produced the folly of the Afghan war.

Miller elicits the same point even more subtly in his estimate of the character of Lord Brougham. He pays tribute to the statesman's zeal for reform, his courage, and above all, his brilliant brain, but Brougham is unlike other great men with whom he has been compared, for

"They could feel as well as see the right."(4)

(1) (2) (3) Witness 3/12/1842

(4) Witness 8/7/1840.

"His large intellect seemed based on an inferior nature - it was a brilliant set in lead."(1)

Despite the fact that the brilliant was real, Miller asserts

"His lack of higher sentiments, the more generous feelings, the nobler aims, neutralizes even his intellect."(2)

Prominent in Miller's thoughts is also the frustration of unremitting toil, and no doubt this is as much the result of his own experience as of his observation. Supporting the Edinburgh movement for Early Shop Shutting, he writes

"Need we say that relaxation is scarce less necessary to the human mind than food to the human frame; or a life of incessant toil scarce less productive of moral and physical evil than a life of privation and hunger."(3)

Hopeless toil has produced bitterness and discontent and led to crime and recklessness just because there was not time for proper development. The man who works from seven to ten, Monday to Saturday, should at least have one evening in the week

"to look on the face of nature and improve his mind."(4)

Much may be done on a summer evening or on the long nights of winter, and even manual workers can find scope for intellectual pursuits, as the example of The Ayrshire Ploughman, Bunyan, Bloomfield and others shows. But the man is to be pitied who possesses intellectual aspirations and

"has to toil from early morning to late at night in some of the many occupations which without wholesomely exercising his faculties, keeps them thoroughly engaged, and who is painfully sensible, that of the heavy price which he pays to society for independence, one of the items is a portion, not of his thinking but of the mind itself."(5)

(1) Witness 8/7/1840

(2) " "

(3)(4)(5) Witness 29/6/1842

The Edinburgh shopmen are not asking very much.

In his advocacy of 'The Working Man's College', Miller returns to the same theme. No class merits greater sympathy than

"working men condemned to waste those years of activity in forcing their unassisted way, amid privation and hardship, from the lower to the higher levels of intelligence."(1)

"At the close of a long day's labour, when the joints are stiffened with fatigue, and a general languor spread over the frame, the mind also shares in the temporary debility, and it requires no slight effort of will to arouse it."(2)

Therefore, working men seeking knowledge should receive every possible assistance from those in a position to help them, so that additional frustration may not attend their efforts, and their meagre time shall be used to full advantage.

In the matter of education also Miller echoes the view of Chalmers - the ordinary laws of demand and supply do not apply in this sphere. The price of teachers' services ought not to be fixed by the recipient's ability to pay, but should be regulated at least in proportion to the real importance of the work. Both Church and School should be freely available to all the people(3). Writing of the Edinburgh School of Arts, Miller asserts that while the school has been described as flourishing between 1824-5 and in decay between 1839-40, the comparison only refers to the balance sheet. A comparison of the real value of the institution in those periods would give the opposite result:

(1) (2) Witness 9/12/1840

(3) Witness 21/10/1852

"It was comparatively useless as an institution when it prospered and it is now of great benefit in its decline."(1)

This shows two important principles:

"The absolute necessity of endowments in such cases, and the inadequacy of the Adam Smith plan of leaving the supply of moral and intellectual wants to be regulated by the demand."(2)

N O T E

on

"Thoughts On The Educational Question (1850)

Miller's work with the above title first appeared in a series of articles published in the Witness when the post-Disruption embarrassment of the Free Church in the matter of education was reflected in its courts(1). Later the articles were published in pamphlet form with an introductory note which records in full the posthumous paper of Chalmers on the subject. This paper is regarded by Miller as 'the last word' on the subject and was published in the Witness. (2)Both the introduction and the pamphlet may be read in convenient form in the "Leading Articles" of Hugh Miller, edited by John Davidson, and published in 1870.

Since the work was originally leading articles in the Witness, addressed to particular aspects of the problem as they arose, there is considerable diffusion, recapitulation and repetition - a fact recognised by Miller in his introduction. One of the immediate causes of the controversy was the Government offer in 1847, the year of Chalmers' death, proposing to give grants to schools of proven efficiency upon the production of a certificate that religion was taught. (3)Miller opposed "the sort of vicious Cameronianism" which would not accept aid from the civil power at any price. His work is addressed to

(1) and (3) See Norman Walker - Chapters from the History of The Free Church (Ch.8 P.118)  
 (2) Witness 23/6/1847

the several questions which arose namely, the duty of the Free Church in the educational field, the type of education to be provided, and whether on a sectarian, denominational or national basis, the place of religious teaching, the nature of the office of schoolmaster, and the respective rights and duties of parents and civil magistrate.

Of particular interest is Miller's account of his relations with Chalmers in this matter. Returning to his editorial tasks early in 1847 with a 'fresh eye', Miller was alarmed at the division within the Free Church on the educational issue. There was division in particular on the nature of the office of schoolmaster. On the strictly ecclesiastical offices, members and leadership within the Free Church were at one, but Miller held that in the view of the people, the schoolmaster was simply a layman, while the Free Church leaders were ignoring this fact and chose to make the Free Church Educational Scheme co-extensive with the Free Church itself. But the scheme was dependant upon popular support to make it work and to make it solvent.

Chalmers, having called upon him, Miller discussed his fears with him, and Chalmers

"was evidently struck by the view we had communicated to him..... In the discrepancy we had pointed out he recognised a fact of a practical kind." (1)

Consequently Chalmers asked Miller to 'probe the matter to the bottom in the columns of the Witness', and the desired opportunity came when the question of Free Church acceptance of Government grants arose. Meeting Chalmers again, Miller records that

(1) Thoughts on the Educational Question, P.18.

they both agreed that the time for action had come, although Chalmers professed not to have his mind fully made up on the subject except on the duty of the governed to instruct and of the governed to accept such instruction if good. Miller professed no doubt on the question at all. So the series of articles began which led to

"juster views of the place and status of the schoolmaster in the Free Church,"(1)

and which helped to avert disaster to the Free Church Educational Scheme. Some heat was occasioned by the articles, but Miller's annoyance at being charged with infidelity was assuaged by a congratulatory note from Chalmers on 13th March 1847.

"Thomas Chalmers, by his sympathy and his connivance, has become as great an infidel as ourselves(2)"

Miller concluded the first series of educational articles, but apart from receiving assurance from those close to Chalmers that his treatment was fully approved, he did not discuss the matter with Chalmers again. After Chalmers' death, the paper prepared by him was sent to Miller and published in the columns of the Witness. Miller records his gratification

"that our cause had the effect of setting his eminently practical mind aworking on the subject, and led to the production of the inestimably valuable document, long and carefully pondered, which will do more to settle the question of national education in Scotland than all the many volumes which have been written."(3)

- (1) Thoughts on the Educational Question, P.21  
 (2) " " " " " " P.22  
 (3) " " " " " " P.23

Miller's later articles on the subject, published in his pamphlet are at once a defence and exposition of the views outlined in the posthumous paper of Chalmers. (1) It will be convenient to set down the leading ideas which it contains:-

- (a) In the absence of a Parliament with sufficient theological insight to discriminate in the endowment of schools, Government should abstain from religious considerations and relate their grants to the secular education given, leaving the religious instruction to those who erected and managed the schools assisted.
- (b) Such limitation of Government action is an imputation on the divided Christian world, but there is no reason why such a beneficial measure as education should be delayed on that account.
- (c) While the Legislature does not provide religious education it is open to the bodies assisted to do so. Greater conflict between truth and error would be stimulated and the prevalence of truth would not be lessened any more than by the state assisting health or comfort or the economic condition of the subjects. Religion would be assisted but not impeded by the Legislature.
- (d) Parents should be permitted to select whatever subjects they chose for their children, whether secular or sacred.

Miller admits that Chalmers had gone far beyond him, for while he "had considered in the abstract the right and duty of the civil magistrate to educate his people," (2)

and been concerned to avert the inevitable bankruptcy of the Free Church Educational Scheme:

"Chalmers had looked beyond the difficulties of a scheme to the emergencies of a nation." (3)

- (1) Thoughts on the Educational Question. P.10 of introduction for full text.
- (2)(3) " " " " " " P.23

The solution offered was practical and statesmanlike. The Government has an absolute right to educate, independent of theological reasons for education is on a par with public health or economic well-being, as a duty of Government. Miller asserts that Chalmers was unambiguously speaking of general and national education and appends letters from Dr. Guthrie and the Hon. Fox Maule to show that it was so.

The duty of the civil magistrate in education is developed further by Miller:

"We hold with Chalmers that it is unquestionably the right and duty of the civil magistrate to educate his people altogether independently of the religion which he himself holds or the religious differences which may unhappily obtain among them."(1)

In such circumstances religion cannot form part of a Government scheme, but neither can it serve as a pretext for excluding secular learning.

The right and duty of the magistrate rests on two principles namely, the economic and the judicial. Education greatly adds to the economic value of the subjects of the state. Taxes are provided in the main by the educated classes, but the uneducated do not pay direct taxes and few of the indirect, except the tax on drink, and a large proportion of the uneducated are a positive burden on the community. On the judicial principle the state has a right to educate its subjects for the civil magistrate promulgates written laws, therefore the subjects ought

(1) Thoughts on the Educational Question. P.29.

to be able to read them. Laws of which the people are ignorant are in Jeremy Bentham's phrase 'dog-law'. While it is not expected that men will peruse the mass of legislation,

"education is the only direct means through which written law as a regulator of conduct can be known."(1)

Quite apart from these theoretical considerations, the Free Church has given practical acknowledgment to the magistrate's duty in having accepted an educational grant from him.

Miller then considers the right and duty of the parent:

"It is, we assert, the right and duty of every parent in Scotland and elsewhere to educate his children."(2)

He supports the teacher jointly with the Government, paying fees in respect of religious teaching while the Government pays salary in respect of the secular subject taught.

"The rights of the parent in the matter of education are not ecclesiastical but natural rights."(3)

Ministers and parishioners stand exactly on the same level in the choosing of a teacher for their children. Only where the parents neglect the implementation of their baptismal vows are they subject to ecclesiastical censure. The parent would have a perfect right to reject a teacher who is plainly unregenerate or even a regenerate man possessed of an unfitting harshness of temper.

Certain political rights are involved in the educational question. Parish schoolmasters are chosen by the parish

(1) (2) Thoughts on the Educational Question. P.30.  
 (3) " " " " " " P.31.

ministers and heritors, but the parish minister represents a state of things which may be swept away. The heiritor possesses in the matter a real right "just in kind but exorbitant in degree(1)". The money of the state is the money of the people and the people have a right to determine its application. This raises the question of the educational franchise in which Miller finds two great elements; the natural right of the parent and the political right of the ratepayer converge in 'the householder':

"The householders of Scotland include all the ratepayers of Scotland. The householders of Scotland include also all the parents of Scotland."(2)

The householders, therefore, should have the power of appointing the schoolmaster, but Miller would not give this power to all householders but would inhibit certain of lower standing from voting. He writes:

"We are not prepared to be Chartists in either department, the educational or the political."(3)

Certain householders should be excluded from the political franchise

"simply because as classes, they are uninformed or dangerous, and might employ power if they possessed it, to the public prejudice."(4)

For similar reasons Miller would limit the educational franchise, but would not follow the provisions of the Reform Act. All who owned their own houses, however humble or low in valuation, should have the vote. But property owning alone would

(1)(2)(3) Thoughts on the Educational Question. P.37  
 (4) " " " " " " P.39

not be a qualification but must be linked to bona fide residence for a reasonable time. Tenants of properties with not less than £5 per annum rental, who settled with their landlords not oftener than twice a year, and who were not less than a year entered upon possession should also have the right to vote. By this arrangement, Miller hoped to keep power from 'the dangerous classes',

"the agricultural labourers who wander from parish to parish.... the ignorant Irish immigrants who tenant the poorer hovels of so many of our western parishes, and last but not least, all the migratory populations of our large towns."(1)

Miller regrets that he can find no principle whereby ploughmen and the like might be included in the educational franchise and 'their more dangerous neighbours kept out'. He would, however, give the vote to all tenant farmers whether they possessed leases or not, since they were in the main 'a safe class'. The extension of the educational franchise would take the schools from the hands of a 'mere sect' (the Established Church) and put them in the hands of the people where they belong.

Such a scheme would make it necessary to have recognised qualifications for teachers and to this end a 'Teaching Faculty' should be set up to license schoolmasters on the analogy of other professions, and only those so licensed should be allowed to teach in a state aided school. Of the body to

(1) Thoughts on the Educational Question. P.41.

be responsible Miller writes:

"Let the college-bred teachers of Scotland, associated with its University professors, select for themselves out of their own number, a dean or chairman, and a court or committee to try all teachers who may present themselves before them, in order to be rendered eligible for a national school, and to grant them licences or diplomas, legally representative of professional qualifications."(1)

Miller is powerful in his advocacy of endowments on a territorial basis as against denominational endowment or grants for educational purposes. Three years earlier he had supported the denominational grants, but on the practical grounds that it was proposed to reject them on a wrong principle, and also that he was then concerned with the bankruptcy of the Free Church Educational Scheme. But the existing provision makes it possible for almost any sect upon fulfilling certain conditions as to efficiency, to receive a Government grant for education. If, however, a territorial grant were given, even on the basis of parishes, only 'the more solid people would come forward.'

"Denominationally there is much unsoundness in Scotland, territorially there is very little."(2)

But even if the Free Church succeeds in getting rid of 'the anomalous religious certificate' and still clings to denominationalism in education, the result might be that the lower orders of denominations including the Combites and 'the thinly disguised Socialists' might step in to teach error at the public expense.

(1) Thoughts on the Educational Question. P.43.

(2) " " " " " P.53.

A further argument against Government grants is that their acceptance had failed wholly to save the Free Church Educational Scheme from embarrassment. Teachers' salaries were set at absurdly low rates, and even those low rates had not been paid.

"According to the present arrangement a school-master must realise from salary and fees united, the sum of forty-five annual pounds, and be, besides, furnished with a free house, ere he can receive from the Government a grant on its lowest scale - fifteen pounds."(1)

Many teachers had lacked both monetary and literary qualification for grants, and the array of teachers in the Free Church is no matter of congratulation when they are so grossly underpaid. Quite apart from the Free Church membership, the rest of Scotland had to be considered. Only a broad national scheme could meet the need.

Miller develops a plea for the better remuneration of schoolmasters. He contends that they are paid less than skilled farm labourers or the better class of workmen or even than navvies. Such is their poverty that many of them are in debt. Apart from the justice to the teachers themselves, this has the important practical effect that only mediocre men will remain in the position and only the inferior men withhold their resignations.

He makes a comparison between the 'English' and 'Grammar' schools - 'English' referring to the nature of the instruction and not to geographical location -

(1) Thoughts on the Educational Question. P.55

"in which what are deemed branches suitable for mechanics and their children, such as reading, writing and arithmetic, were energetically taught."(1)

He had observed such a school in juxtaposition with a 'Grammar' school

"in which a university-bred schoolmaster laboured, with really not much energy, especially in the lower departments in which his rival excelled, but who was fitted to prepare his pupils for college, and not devoid of classical enthusiasm."(2)

It was significant to Miller that the 'English' school could turn out good readers and arithmeticians, but failed to elevate 'from the lower to the middle or higher walks of life', in contrast to the 'Grammar' school which was successful in this respect.

"The teaching of one school was a narrow lane, trim 'tis true, and well kept but leading only to workshops, brick kilns and quarries; whereas that of the other was a broad partially neglected avenue which opened into the great professional highways that lead everywhere."(3)

The teacher in the 'English' school was energetic and well-paid, but how could the difficulty be overcome by ill-paid Free Church teachers? The Free Church should ponder whether it is her duty to oppose the national scheme and so degrade her poorer membership into 'hewers of wood and drawers of water'. Only a national scheme will suffice, with well-paid teachers and at least one university-bred teacher in every parish. The education question, arising as it does out of the great social

(1) and (2) Thoughts on the Educational Question. P.64

(3) Thoughts on the Educational Question. P.64 (see also P.83)

problem, may be protracted but the votes of Church Courts will not settle it. As a first step, an overall investigation should be made by a Government Commission of Inquiry and not a mere partial inquiry as the Edinburgh Presbytery of the Free Church suggests. The Government inquiry should be comprehensive, considering the nature of what is taught and the plight of teachers as well as scholars, and all in relation to the great mass of the untaught.

Certain persons are crying for the resurrection of John Knox who if he appeared

"a Knox of the exact fashion of the 16th century raised up in the 19th would be but a slim hoary bearded effigy of a Knox."(1)

But they have had their true 19th century Knox in Thomas Chalmers and it would be well to follow his judgment on the question of education.

Chapters six and seven of the pamphlet recapitulate the previous arguments in favour of a national system, better training and remuneration of schoolmasters, a division between secondary and elementary education in the schools and the place of religion. Various practical and administrative details are suggested, but a final warning is given:

"Scotland will have ultimately her Educational Scheme adequate to the demand of the age; but if the Free Church stand aloof, and suffer the battle to be fought by others, her part or lot in it may be very small indeed."(2)

(1) Thoughts on the Educational Question. P.73

(2) " " " " " " P.102

CHAPTER FIVECrime and Punishment

"The advance in humanity, far more than the boasted advance in machinery, was the thing of which the Nineteenth Century had been reason to be proud."

(Trevelyan - English Social History, P.512)

Throughout the 18th century a multiplication of the legal offences punished by death took place, until two hundred such crimes were on the statute book. There was little sense of gradations of crimes, so that capital offences ranged from murder down to petty theft. Public executions were attended by mobs delighting in morbid spectacle, an exercise which appeared to have little effect on the frequency of offences. Following the death of Jeremiah Bentham in 1832, his work as 'the father of English law reform' began to take effect and changes commenced both in the public attitude to criminals as well as in the law itself.(1)

Crime and punishment receive due notice in the Witness where comment is noteworthy realistic while principles are enunciated on a theological basis, although at times the Scriptural exegesis may be questionable. Commenting on the Parliamentary debate on Capital Punishment (1842), Miller notices the disinclination to relate the matter to Scripture

(1) Trevelyan, P.355

principles remarking:

"There is a conformity between these and the unsophisticated feelings and unbiassed understandings of the species, alike beyond the reach of laws or the men who enact them."(1)

One of the first commands of God is found to be in agreement with the sentiment and common sense of mankind. The law demanding the death of a murderer is not as Mr. O'Connell suggests - 'one of the abrogated severities of the Jewish code'. It was promulgated further back than Noah or Abraham,

"to Noah the second father of the human family,"(2) but the proper place of the law as applicable to murder has not been maintained:

"Thirty years have hardly passed since the laws of England, like the laws of Draco, might be said to be written in blood."(3)

The multiplication of capital offences created a criminal disproportion between the offence and the punishment in all cases except murder. The law of God was opposed to such excessive punishments for lesser crimes. The disproportion having been rectified, the tendency is to swing to the other extreme, towards the complete abolition of capital punishment.

Miller denies what was claimed in this debate - that men like Burke, Wilberforce and Johnson, supported the complete abolition of capital punishment and points out that they were in fact opposed to the abuses of capital punishment under 'the bloody statutes' of earlier times. He quotes Johnson

in the 114th number of The Rambler:

"Death is, as one of the ancients observes, of the dreadful things, the most dreadful; an evil beyond which nothing can be threatened by sublunary power. This terror should therefore be reserved, as the last resort of authority, as the strongest and most operative of prohibitory sanctions, and be placed before the treasure of life to guard from invasion what cannot be restored. To equal robbery with murder is to reduce murder to robbery, to confound in common minds the gradations of iniquity and incite to the commission of a greater crime to prevent detection for the less."(1)

Johnson was no total abolitionist and could continue:

"It may be observed that all but murderers have at their last hour, the commiseration of mankind pleading in their favour."

The abolition of capital punishment, Miller asserts, would put a premium on murder which always must be regarded as a case 'sui generis'.

In 1844 the notorious case of Bryce, the murderer, brought the question of capital punishment again into prominence. A correspondent writes to the Witness in favour of total abolition, on the following grounds:- capital punishments tend to harden the criminal and do not prevent crime; the offender is cut off from the possibility of repentance and reformation; capital punishment, even for murder, has no ground in Divine law, for as Lord Brougham has pointed out, the Old Testament Law is superseded in the New Testament. Against this, the Witness editorial maintains quite the contrary:

(1) See also Witness 6/5/1844 where the similar view of Paley and Goldsmith is quoted.

"We hold that blood for blood is as certainly the Divine Law now as it was in the day of Noah, - that it was unrepealed in the code of Revelation, uneffaced from the human conscience, and of which neither jot nor tittle has passed away.... The conscience of the first homicide passed sentence on him at once...."(1)

The law still operates in consciences, for recent cases show that when the death penalty applied to petty offences, petty offenders did not give themselves up to punishment, but murderers did in fact do so.

"It is a sentence written on the conscience of the murderer alone."(2)

The Witness regarded the case of the murderer, Bryce, as presenting the question of capital punishment in a peculiarly abstract form, since the nature of the crime alienated ordinary human sympathy from the perpetrator\*. The question is then posed as to whether the law has done well or ill in depriving Bryce of his life. Miller answers with an emphatic affirmative

(1) Witness 20/3/1844

(2) " "

Miller also claims that St. Paul recognised the validity of capital punishment on his appeal to Caesar "If I have committed anything worthy of death, I refuse not to die".  
Witness 6/5/1844

\* James Bryce was convicted of the brutal murder of John Geddes of West Calder and executed on 3rd April 1844. The victim was a poor man, and Bryce having fractured his skull, broken his jaw and strangled him, stole his possessions - £5 in silver, a pair of shoes, a waist belt and a bolster slip. The verdict was unanimous.

on the ground that to have done otherwise would have been to abandon the political and judicial principles on which society rests. To adduce New Testament authority for abolishing capital punishment would necessitate applying it to all punishment, and

"the abolition of punishment is incompatible with the existence of society."(1)

Therefore punishment must continue "so long as man continues to be what he is.(2)". Or to suppose that punishment is not annihilated by the authority of the New Testament, but merely thrust outside the Church to become not a matter of 'religious obligation' but of 'secular expediency' - is to unchristianise the magistrate:

"His vocation, though very mysteriously an ordinance of God, is not merely not Christian, it is anti-Christian."(3)

But a further anomaly arises. The office of magistrate being unchristianised, the man who fills it still remains possessed of a soul. He has to embody within himself 'the man' and 'the judge' as in the New Orleans case where, serving expediency, the magistrate sentenced Brown to death for aiding a fugitive slave, and yet as a man urged Brown to prepare to meet his Maker. The incident incited wonder and disgust, but such absurdity and blasphemy arose, because

"in America the civil magistrate is not recognised as Christian."(4)

(1)(2)(3)(4) Witness 3/4/1844.

For further discussion of the magistrate, see Witness 5/8/1854 and also Witness 4/8/1842.

Considering the view that the good of the criminal being the primary object in punishment makes it Christian, Miller points out that in relation to Bryce, it would mean

"the fact of the murder would be admitted simply as a fact, which in the first place qualified the murderer for receiving the advantage of punishment...."(1)

He denies that reformation and the advantage of the criminal were the object of the Divine Code, and doubts the possibility of such moral reformation except through the very medium of the capital punishment it is proposed to abolish. The opinions against 'all' capital punishment are "as inexpedient in policy as false in principle(2)".

Following a graphic eye-witness account of the public execution of Bryce, Miller discusses again, the ethics of capital punishment. If only man-devised on the basis of expediency with the object of protecting society, capital punishment would be very terrible to advocate and a Christian magistrate might well hesitate to pronounce judgment. But God has spoken on the subject. Acceptance of the New Testament implies belief in the Old Testament in which capital punishment has a definite place:

"True, it occurs under the Mosaic Code but it is as well to remember that under that Code the soul was not less immortal than it is now, nor God less just."(3)

(1) and (2) Witness 3/4/1844

(3) Witness 6/5/1844.

Nor was the command addressed to an individual or even to the Israelites, but to man through Noah. The law was written on the human conscience long before even that, for Cain's spontaneous dread arose out of anticipation of the law later given. The existence of a 'universal' and 'internal' law in the conscience argues

"that the external law, its counterpart, -  
the law delivered by God to the patriarch  
still remains unrepealed."(1)

Further, the responsibility is taken by God, the magistrate using the sword

"not as an avenger of man but as an assertor  
of the rights of God."(2)

Examining the origin of the doctrine of complete abolition of capital punishment, Miller finds that it did not originate in the New Testament nor even among theologians, but rather among 'sceptical philosophers'. Beccaria, one of the first of them, drew his conclusions from the 'unsolid fiction' of 'the social contract' and was supported by his commentator Voltaire. There is nothing Scriptural about either of these authors or their conceptions. To unchristianise the magistrate and to make expediency the governing principle leads to laxity in times of tranquility and excesses of severity in times of danger, the latter being the case at the time of the French Convention. The Convention had

(1) and (2) Witness 6/5/1844.

discussed on the principles of Beccaria and Voltaire, the total abolition of capital punishment and the name of the man who had preached the most eloquent and humane sermon on the subject was Robespierre! A few months later the guillotine operated incessantly.

The Witness, then, was opposed to capital punishment for all offences except murder, but held in that particular case which is 'sui generis', there is Divine warrant in Scripture for depriving a murderer of his life. This Scriptural authority is universally re-inforced in the human conscience just as surely as repugnance to capital punishment for minor offences exists in public sentiment. 'The law of non-retaliation' in the New Testament does not abrogate 'the law of blood' in the Old, and if it did, it would tell equally against all punishment which is necessary for the preservation of society so long as men are wicked. The civil magistrate is divinely ordained and with religious sanction for his judgments, acts for God and not man. If capital punishment were to become a mere matter of secular expediency, the religious sanction being removed and the magistrate 'unchristianised', he is placed in a position where he cannot be a Christian and fulfil his function as a magistrate. This anomaly would be intolerable.



men at home. He suggests that the Falkland Islands would be suitable for the purpose, because the conditions and fertility of the area would relieve the government of the costs of maintenance.

The policy of transportation had consistent support in the Witness. In 'Our Convicts' (1) Miller supports the colonists' objection, however, to the steady influx of convicts from Britain. He regards it as hard for the colonies to be converted "into the jaw-hole of a great and populous empire." (2) But the question of what to do with the convicts remains and it is quite impracticable to place hope in their reformation, instead hope lies rather in the prevention of crime by cutting off the contaminating influence of criminals. The evil is as great to the convict himself as to society, for even if he does choose to work, the opportunity does not exist at home where able men of character fill the available positions. The ex-convict is forced back to crime again. If special work is found for convicts on public works or on food production, the situation is not relieved, for such activity would lower the wages of honest workers who might even become convicts themselves. In any case, the question remains - after release, what? Possibly the establishment of a new convict settlement is the only answer. Writing in 1854, a year after transporta-

(1) Witness 1/10/1851

(2) Witness 5/ 8/1844 - 'jaw-hole' = sink - outlet for waste.

tion had been abandoned in favour of 'ticket of leave' and penal servitude at home, Miller notices the evil results of these changes in the marked increase of crime, and forecasts a crisis in which the government will have again to consider the transportation of convicts. Transportation, he holds, has a double advantage; it relieves society at home of its enemies and it gives the convicts an opportunity to labour which they could not find at home. It at least opens the way to reformation. The Witness, therefore, consistently advocated the transportation of adult convicts as necessary to the well-being of society and of the convicts themselves.

But Miller sees the young as quite a different case. At least two thirds of the adult criminals are such

"because they have been reared in ignorance and squalor, exposed to temptation, solicited in crime, unfurnished in many instances with an honest means of livelihood."(1)

There is, therefore, a hope of reducing the criminal population by attacking it at source through such means as Ragged and Reformatory Schools. Such a view is in complete harmony with Miller's support of the Ragged School Movement(2) which attempted to deal with the hordes of beggar children as well as the homeless and ill-cared for. In 1854, he cordially welcomes the publication of a government blue book dealing with the treatment of criminal and destitute children, upon a comprehensive study of the facts:

(1) Witness 5/ 8/1854

(2) " 16/11/1853.

"It was previously forgotten that in order to an intelligent and moral obedience to law, man must be educated and trained; and experience - dear bought experience has proved that prison discipline enhances and does not cancel primary neglect.... the assumed remedy for juvenile delinquency becomes an efficient cause of crime."(1)

Miller applauds the opinion that the solution lies in the Ragged School or in an analogous institution, but such measures must be a national responsibility and not left to private enterprise. Apart from considerations of morality and humanity, it would be good business, resulting in a substantial saving to the ratepayers. He gives figures supplied by the late stipendary magistrate for Liverpool, showing the history of fourteen juvenile offenders:

1	aged	18	committed	to	prison	16	times
2	"	16	"	"	"	12	"
3	"	12	"	"	"	10	"
4	"	12	"	"	"	9	"

etc.(1)

They had cost the public £889-1-0d, an average of £62 each. Seven were subsequently imprisoned on an average of seven times each, and ten were eventually transported, and this expense must be added. In contrast, the cost of maintaining, educating, and industrially training a child in a Ragged School is about £5 per annum. In the Ragged School, most of those who have not started on a career of crime are saved, and many who have started, are reclaimed.

(2) In 1856, the Witness gave ample space to Lord Stanley's address to 'The Friends of the National Reformatory

(1) Witness 16/11/1853  
(2) " 27/ 8/1856

School at Bristol'. Lord Stanley pointed to the world-wide activity of the British people and suggested that their charity should begin at home. The large body of crime in the country is reproductive and the ordinary criminal institutions cannot erradicate the evil. He therefore proposes the multiplication of reformatories which dealing with the young will cut off the supply of criminals. He illustrates with statistics founded on the 19th Report of H.M. Prison Inspectors for England and Wales (supplying returns for 1853). Of a criminal population of 100,000 (for trial or tried in the year), juvenile offenders (under 17) numbered 11,453 or 11½% of the total, and a quarter of those convicted were between the ages of 17 and 21 years.

Miller comments:

"This is the crime producing period of life - the most dangerous age in the individual, when he ought to be most careful what company he keeps, what motives he permits to enter his heart and what proposals he listens to."(1)

The fact is all the more startling, he continues, when it is considered that persons between 15 and 20 are in the proportion of one in ten of the population and the crime committed by them in the proportion of one in four of the total crime, leaving undetected crime out of account. He supports the plea for reformatories, but suggests that they have most chance of success when directed to the very young. Lord Stanley points out that the cost of maintenance per person in a reformatory

(1) Witness 27/8/1856.

would work out at about £13 per head per annum, making a total cost to the state of about £130,000 - a great burden, but not disproportionate to the object. It is cheaper to cure crime than to punish it, and Miller on an analysis of Lord Stanley's figures, declares:

"It is nearly five times cheaper to reclaim than to punish." (1)

Looking at the problem of crime more broadly, Miller, while he will not allow any diminution of the personal responsibility of the individual criminal, does not accept an over-simplified view of culpability. In a leading article with the significant title 'Crime - Who is to Blame for It?' (2) he recognises the part played by members of society in the series of events which culminates in an offence of which the law must take cognizance. He arraigns public bodies which have failed in their duty as moral agencies, and not least culpable is the Church of England within which only a minority are effective in this respect, the majority of clergy being engaged in other pursuits. The Church of England should forget the Apostolic Succession for a while, and the sin of shooting the squire's game. Likewise, citizens cannot be exonerated who set a bad example in their inordinate love and pursuit of money, by which process much that is fine is destroyed. The same condemnation is also to be laid upon

(1) Witness 27/8/1856

(2) " 1/9/1853

those who tolerate the vast accumulations of wealth in the hands of a relatively small class to the impoverishment and starvation of a large part of the population(1)

Again, against a background of benevolent contemporary speculation on the origin and spread of crime, Miller is not among those who would attribute it entirely to environment. At the same time he would not relate it entirely to the depravity of the individual and still less will he admit that criminality is a 'disease' with a jail as a kind of infirmary:

"It is dangerous to tamper in this way with our moral ideas of crime."(2)

He seems in fact to hold two concepts together, namely, that man is a fallen creature with innate propensity to sin and this finds expression in crime; but environment is also effective in producing criminals and increasing the general body of crime. He writes:

"Does not experience attest the truth of that book which stands no nonsense, as one of the sound doctrines of all sound mental and moral philosophy - 'the heart is deceitful above all things and desperately wicked'"(3)

This is so much so, that familiarity with crimes of the worst description does not have the effect on the public of suppressing crime, rather it blunts the moral sense and creates a

(1) Witness 29/ 8/1849. Writing of the rapid increase in crime, Miller suggests that money is the motive in most cases and asks "What do men believe money to be - a god?"

(2) Witness 4/10/1842

)3( Witness 29/8/1849

morbid interest. There is that in the heart of man which leads him to sin.

But such a theological doctrine of man is surrounded in the Witness by numerous examples of the power of environment in fashioning character and influencing conduct. The effect of prisons where all kinds of prisoners mix so that contamination is spread, is noted. (1) But repeatedly the physical, mental and economic environment of the masses is blamed by Miller for deterioration in character and prevalence of crime (2)

"At least two-thirds of our convicts are such, not because nature has given them worse dispositions than the average of their country folk, but simply because they have been reared in ignorance and squalor, exposed to temptation, solicited to crime, in many cases without an honest means of livelihood and gradually hardened to iniquity." (3)

Society itself is sinful - so much so that the power of punishment may not be taken from the civil magistrate (4). The volume of crime and the nature of the crimes committed bear a relation to the general level of society.

"Before such great criminals could have arisen, the general level of society must have been prodigiously lowered." (5)

(1) Witness 4/10/1842

(2) See The Bothy System, P. 271  
 " The Highland Clearances, P. 25  
 " Housing, P. 273  
 " Poverty and Poor Law, P. 235

(3) Witness 5/8/1854

(4) " 3/4/1844

(5) " 24/8/1849

Miller's serious view, not only of the crime of the individual criminal, but of the sinful state of society itself, is seen in his account of the object of punishment:

"The reformation of the criminal is not the primary object of imprisonment or any other punishment. But it is an object which any government can legitimately keep in view and which a Christian Government cannot lose sight of."(1)

It is, however, a fallacy to regard the criminal merely as 'a sick man' who is to be cured. The extreme view defended by Mr. George Coombe(2) is equally untenable, namely that society has no right to punish simply as a deterrent. To this Miller retorts:

"There is an answer, the germ of which may be found in a book which stands no nonsense, and which virtually asserts that the power of the civil magistrate must always be adequate to the right fulfillment of his duties."(3)

The 'raison d'être' of punishment is to be found in the protection of society, and Scripture takes account of both the state of society and propensity to evil in the individual wrongdoer.

Apart from the young, the very possibility of the general reformation of criminals is seriously doubted by Hugh Miller. Therefore, he supports penal transportation for the adult criminal and preventive measure such as Ragged Schools for the young. He has no faith whatever in the existing system of

(1) Witness 4/10/1842

(2) In Westminster Review

(3) Presumably a reference to Romans 13.1.5  
Witness 4/10/1842

prisons and regards their reforming effect as negligible:

"Man has no ability of converting prisons, or bridewells, or convict hulks into a sort of moral paper mills..... In nineteen cases out of twenty what goes in as rags comes out as rags."(1)

A system of prevention must take precedence over the hope of dealing with crime by reforming the criminals. In the case of released prisoners, the pressure of temptation, the upbraiding of friends, and loss of character all intensify the moral weakness and make recover difficult. (2)Mr. Hill's report on the Glasgow prison shows that nearly forty persons elected to return to it as voluntary prisoners, because of the difficulties they encountered outside. That such a thing could happen is an indication of the prevailing misery in society outside, of the inadequacy of imprisonment even as a deterrent, but it also points to the feeble prospects of reforming criminals on any large scale. Further, a wholesale cure cannot be expected by use of

"the vitalities of evangelical religion, for even outside of prison only the few 'enter in at the strait gate.'"(3)

While these are "the conserving salt of society(4)", they would be ineffective in the narrower society of criminals:

- (1) Witness 1/10/1851
- (2) " 4/10/1842
- (3) " 5/ 8/1854
- (4) " 5/ 8/1854

"Theologically there is a cure for the lapsed individual, however desperate his case; but all experience shows that the lapsed criminal masses will remain such, despite of all moral influences brought to bear upon them in chapel or ward."(1)

Miller's views on crime are tinged with a deep pessimism which is related to the evil within the individual and within society itself. On account of this the arm of the magistrate must be upheld and punishment inflicted for the protection of society, this aim being primary, and the reformation of the criminal a legitimate but secondary purpose. In the nature of the case there was much more hope of dealing with crime by prevention rather than cure.

(1) Witness 1/10/1851.

CHAPTER SIXPolitical TheoryChartism, Socialism and Communism.

Chartism became a matter of moment within the Ten Years Conflict and the years immediately after the Disruption. Disappointment at the results of the Reform Bill of 1832 led to the formation by Lovett of The London Workingmen's Association and the tabulation of the famous six points which were in some respects at least, common to all radical agitation. First collected in 1837 by the London Workingmen's Association in the form of a petition, the six points were known as "The Charter" when drafted into a bill and published on 8th May 1838. In August of that year, the Charter was approved at a general meeting on Newhall Hill and Chartism was formally established. But while the name "Chartism" was not given until 1838, the movement itself had its beginning much earlier in social and economic theorising and anti-capitalist feeling in a context of real misery and distress.

"The years 1825 to 1830 were the period of its incubation; from 1831 to the end of 1834 it developed its theories and exhibited great intellectual vigour; from 1837 to 1842 it received, as far as the Corresponding Act permitted, its practical and organised form; and from 1849 onwards its vitality was ebbing away and it died in 1855, leaving here and there scattered stragglers who obstinately refused to believe that Chartism was extinct."(1)

(1) Beer. History of British Socialism V.I. P.280

The 'practical' period of Chartism (1837-1849) is, therefore, well within the purview of Hugh Miller and the Witness. Of the movement and the Charter itself, Max Beer writes:

"The parliamentary and democratic idea dominated the movement so completely as to give it its name. The movement received the name "Chartism" from its democratic programme.... The People's Charter was nothing more than a plain and clearly written Bill, containing the following six points in the form of sections and paragraphs: (a) Universal Suffrage, (b) Equal Electoral Districts, (c) Abolition of Property Qualifications for Parliamentary Candidates, (d) Annual Parliaments, (e) Payment of Members of Parliament."(1)

Ivor Brown in 'English Political Theory' (Page 112) says:

"The idea animating Chartism was in reality the idea that had animated the peasant revolts in the Middle Ages, the faith in the lost but blessed state of nature, and the wrath against those who had destroyed it.... The Chartists clung to the belief that if the world was left to work upon its own natural laws all would be well. But the world had not been left alone; positive law had been grafted on to natural law; and the result was tyranny, chaos and corruption. The obvious remedy was the seizure of political power in order to make positive law not the contradiction of natural law, but its interpreter and complement."

From the beginning of the 'practical period', the movement was rent with dissensions, there being no unanimous practical policy among the leaders. They were divided into Moral Force Men and Physical Force Men, and Feargus O'Connor, a powerful orator and an advocate of physical violence became the most popular leader. At the same time, missionaries travelled from London to the north and found a ready response to Chartist teaching. Thomas Attwood, Member of Parliament

(1) Beer. History of British Socialism. V.I. P.282.

for Birmingham, in an attempt to use moral force proposed a Chartist Convention of the disenfranchised, to sit as a rival Parliament to compel acceptance of the Charter, failing which a general strike was to be called. Both plans proved abortive. Likewise, a rising organised by the Physical Force Men failed at Newport (Mon.) and also in Lancashire and Yorkshire. The leaders were transported. In 1842 the movement received some consolidation from the formation of a National Charter Association, and a Second Charter received over three-and-a-half million signatures on the petition. This was really the climax of the movement, for on the rejection of this second Charter and the failure of the general strike which was called, the movement declined. The revolutions of 1848 on the Continent tended to revive the movement but by 1856 the end of Chartism was in sight.

The internal dissension within the Chartist movement led to several lines of development. O'Brien's suggestion that secret societies and conspiracies could only be avoided by the diffusion of political knowledge, and that political action was likely to be the most effective, was adopted by the 1839 London Convention. M'Douall advocated the infusion of Chartism into trade unions, and the use of the trade union as the unit of agitation. To some extent this took place.

Lovett and Collins proposed to work through educational associations since these were not limited by the Corresponding Act

*Societies*

1844

and would make a national organisation possible.

"At the same time that these plans were published, the temperance or total abstinence movement made headway among the Chartists. Henry Vincent was its most zealous apostle and the English Chartist Circular bore the sub-title Temperance Record. Finally Christians came forward in Scotland and Birmingham, carrying Chartism into the Churches and instilling Chartist ideas into the Sunday sermons."(1)

Beer points out that when Chartism ceased to exist as an effective force, after thirty years of bitter struggle, sacrifice and erratic leadership, it seemed like an utter rout, but

"The advance which Great Britain had made in those thirty years in social reform and democracy was enormous. The Chartist period witnessed the first Factory Acts (1833), the first mining law for the protection of child and female labour (1842), the ten hours day (1847), the abolition of the Corn Laws (1846), and the repeal of the Corresponding Act (1846). It bequeathed to the working classes, the co-operative stores and co-operative production, more successful trade unions and international sentiments. It forced the thinking men of the nation to regard the labour problem as a serious subject for investigation and discussion. Finally, it imbued the thinking portion of the working class with the conviction that Liberalism must first do its work before Labour could come into its own, both in the Legislature and in the Factory. In short, in the catastrophes of 1832, 1834, 1839, 1842 and 1848, the lesson emerged that the revolutionary policy of 'all or nothing', of a sweeping triumph by one gigantic effort, of contempt for reform and of the supreme value of a total and radical subversion of the old order, were foredoomed to failure. The generation which succeeded Chartism went into Gladstone's camp and refused to leave it either for the social Toryism of Benjamin Disraeli or for the social revolution of Karl Marx."(2)

(1) Beer. A History of British Socialism V.II. P.111  
 (2) " " " " " " V.II. P.190

Gamage who was himself a Chartist professed to write the first history of the movement and records something of the situation in Scotland:

"In Scotland the utmost activity began to be manifested. The Birmingham Political Union deputed Collins to sound the opinions of the radical party, and he made an extensive tour for that purpose. He proclaimed the political gospel in not less than twenty churches during his perambulations, and found matters according to his desire."(1)

"Glasgow was the first place of any considerable note to make a grand and effective display of the attachment of its citizens to the rising movement, such a display as will not be forgotten by those who witnessed the proceedings."(1)

Referring to the demonstration of 28th May 1838 on Glasgow Green which was supplied with speakers from the Birmingham Union, he records how the band from Strathaven carried a banner which had been used by the Covenanters at the Battle of Drumclog, and how the procession which he estimated to be composed of 200,000 persons took an hour-and-a-half to pass(2).

Beer judges that

"The movement in Scotland exhibited the mental characteristics similar to those of London. The Moral Force Men prevailed over the adherents of O'Connor. The Scottish movement has not produced any great leader who could bear comparison with Lovett or O'Connor or Attwood, but it possessed a relatively great number of able writers and serious propagandists."(3)

When John Collins was sent on a tour of agitation in Scotland,

"The meetings which he held were thickly attended, to a far greater extent than those of Daniel

(1) Gamage. History of Chartism (1854) P.22

(2) That such a procession could pass at the rate of over 2000 a minute seems incredible.

(3) Beer. History of British Socialism. V.II.P.4

O'Connell or O'Connor. 'In Scotland alone', Collins reported to Birmingham, 'there is misery enough, intelligence enough, and zeal enough to realise our aims!'"(1)

On this occasion the trade unions everywhere took the most active part in the agitation and worked hand in hand with the intellectual classes. The Scottish reformers then expressed the desire to hold a great meeting in Glasgow in order to gain the support of the Scottish people for the National Petition. In 1838 when the conflict between the Physical Force Men and the Moral Force Men became acute, at several centres of the movement protests were made against the policy of violence advocated by O'Connor, Stephens, Taylor and others. The policy of moral suasion as it existed in the movement in Scotland is shown by the adoption of the following resolution at a meeting of Scottish delegates, held in Edinburgh:

"This meeting deems it quite unnecessary to express any opinion on the question whether it is constitutional or not for the people to have arms and to use them in their own defence, because they have a full conviction that in the present struggle for liberty, the exercise of moral power is completely adequate to obtain it in spite of all opposition."(2)

Contempt and scorn seem to be characteristic of the treatment afforded Chartism in the Witness, particularly in regard to its meetings, pretensions, and excesses. More profound criticism, however, is not lacking when the principles of the movement are examined and the implications

(1) Beer. History of British Socialism. V.II. P.39

(2) " " " " " V.II. P.43

of its claims are scrutinised editorially. Nor is there any lack of sympathy with the very real misery from which the movement derived its energy.

A meeting held in the Assembly Rooms, Edinburgh, in May 1841 is described as one of the noisiest meetings ever witnessed in the city and a most instructive example of the true nature of Chartism:

"That the liberty which it struggles to attain is a mere irresponsible ability of controlling the fairly acquired and properly exercised liberty of others."(1)

The Chartist movement at the same time is an indication of the flagging energy and effectiveness of Whiggism which in order to gain the support of the masses must devise new methods. The noisy and ill-conducted meeting is described with little sympathy and among the sentiments quoted to show the puerility of the proceedings are the remarks of the Chartist tailor who asserted that Prince Albert ought to support his own wife as he (the Chartist) had to support his, and further, if the Queen could not pay for the Queen's army, she should just be sent to jail.

The great demonstration in September 1840 was likewise noted by the Witness as 'unworthy of notice' and is then made the subject of almost facetious description. Cheaply hired musicians paraded the streets from early morning, followed by many children and a few men in moleskins. The flags and

(1) Witness 12/5/1841.

inscriptions about freedom were all badly inscribed and among them the Red Lion of Scotland resembled a boiled lobster while a monkey with horns resembled Satan. The procession itself was broken, dirty and depressed, but there were a few members of associated trades among them, strangely out of place:

"They were much too respectable looking and much too Scotch-like for bearing a share in such fooleries."(1)

Of the assembled crowd of twenty or thirty thousand, four-fifths were women and children. In the noise and gabble, the orators ranted about universal suffrage, equal rights, Lovett, Collins and the Charter, but only a few could possibly hear. Finally rain cooled the ardent spirits and only a remnant of the crowd persisted.

The same attitude is manifested in the Witness concerning the Complete Suffrage Conference at Birmingham at the end of 1842:

"Before the Conference separated, there were a number of complaints as to several hats, greatcoats, handkerchiefs, etc. having been carried off by mistake, but no one undertook to bring them back."(2)

It has been noted that one of the developments of Chartism was on a so-called Christian basis and that such a development took place in Glasgow at the very height of the non-intrusion struggle. Prima facie there seems to have been at least some common ground between such Chartists and the Churchmen whose demand was for democratic rights in spiritual affairs, but if

(1) Witness 26/9/1840

(2) " 4/1/1843

such common ground existed, it is by no means evident in the Witness. The editor writes:

"Chartism in Glasgow, like Jacobinism in Paris, has become wearied of the unnatural blank which scepticism invariably creates and has set itself to fill up the vacuity with religion. The English outlaws of the days of Robin Hood had their hedge priests; the banditi of Italy in our own day, their vagrant monks and confessors. Infidelity in France, in the times of the first Revolution, possessed its temple and its goddess; - true to its own national character, it metamorphosed a pretty actress of somewhat worse than equivocal fame, into a personification of Reason.... The religion of Chartism is equally characteristic."(1)

Miller then records how the Chartists have hired a chapel in Glasgow and hold services and administer sacraments. The various duties are performed by members in turn, on the ground that all men are equal in every respect as was asserted by

"a Parisian of the Second National Convention.... but Napoleon lent it a practical refutation and set it aside for the time."(2)

Chartism has revived the fallacy and each assumes he is fully qualified to instruct the other:

"The minister at once passes into the beadle, and a week after begins to ascend, and in course of time again becomes minister."(3)

Miller roundly denies the suggestion thrown out by the contemporary newspaper 'The Sun' that the well-filled Chartist chapel is a direct consequence of 'intrusion', the people having decided to be their own ministers. He writes:

- (1) Witness 26/9/1840
- (2) " 26/9/1840
- (3) " 26/9/1840

"An honest Voluntary whom we lately met thought otherwise. He remembered that the Chartists, as enemies to every one's liberty but their own, had opposed themselves all along to the Kirk's claims, and had broken in upon her meetings to be outrageous on the side of the factor and the patron. He had marked beside, that while not a single Non-Intrusionist of the Kirk had joined with the Chartists, one at least of their most popular preachers had lately become a member of a Voluntary congregation."(1)

Thus Hugh Miller repudiates the suggestion that there is a direct connection between Chartism and Non-Intrusion. He does, however, appreciate the joke in the Chartist proposal to exchange their small overcrowded chapel for the High Church where Principal Macfarlane preached to a small congregation.

"The chapel they assert would be quite roomy enough for the Principal, whereas they, on the other hand, could continue to fill the cathedral from end to end."(2)

But an even greater joke was made and in all seriousness was going the rounds counter to this proposal. The Argus had called the former 'Easing the Kirk', but the Witness asserts that the latter and greater joke might be called 'Easing the Voluntaries', for the Chartists were prepared to supply the Voluntary pulpits free of charge and thus obviate the necessity of a salaried ministry altogether. Miller's honest Voluntary had informed him that such an offer had been made but there had been no response from the Churches. The editor of the Witness then digresses to ask the defenders of Voluntarism why not:

(1) Witness 26/9/1840  
 (2) " "

"If religion may continue to spread, as our contemporaries assert, without State endowments, and to increase in purity, why not also without an order of salaried, of college bred clergymen? Money is unquestionably a mere secularity, from whatever source derived, and science, literature, and the dead languages are mere secularities too."(1)

Miller's underlying irony in this passage seems to suggest that pushing the Voluntary principle to its logical conclusion the Chartist offer of unpaid preachers could not be refused with consistency.

More detached arguments are then levelled by Miller against Chartism. First, it presses its claims to excess:

"It will invariably be found that the worst friends of the people are the men who drive their claims too far."(2)

The history of every European country can testify to the dangers of excessive revolutionary zeal when opposed to the god-implanted sense of right in the conscience:

"Chartism in its triumph would ring the death knell of liberty. It bears about with it the heart of a slave and it must cease to be what it is ere it can be free."(3)

Second, as direct consequence of its excessive claims which are made in the face of conscience, its moral strength is sapped:

"The lingering perception of right which survives in Chartism, and the remaining modicum of good sense which all its vagaries fail entirely to overlay, strips it both of its restive and aggressive powers in time of need. It lacks confidence in the goodness of its cause and proves a coward in consequence."(4)

(1) Witness 26/9/1840

(2) " "

(3) " "

(4) " "

Third, its belief in a purely political remedy is unrealistic. The condition of the working classes will not be improved by political action, although the working men themselves may become politicians. The possibilities open to statesmen are limited, even when they are willing to pursue them. In the last resort the people must help themselves as individuals. Universal suffrage would ruin the country as the masses are not fit, morally or intellectually for it and they would suffer most in the disaster. There would be anarchy and then despotism.

Fourth, Chartism detracts men's minds from individual economic and intellectual improvement. Miller refers to one of the northern burghs where almost half the voters had risen from the ranks of the humbler people, and to the state of flux within the Empire which gave opportunity to any man, however humble, to acquire a voice in the government of his country:

"Hence the superficiality of Chartism - it keeps men ignorant and it keeps them in indigence; and it leads them to slavery, whether it succeeds or fails in its proposed objects."(1)

Lastly, and most important of all, it attempts to deny or debase religion. In wild recklessness the distinction which exists between the smallness of man and the greatness which belongs to God alone, is destroyed, and eternal interests are ignored. Miller hopes that the reaction point is reached in Scotland and that the native good sense of the Scottish people

(1) Witness 26/9/1840

will register the end of Chartism:

"Would a dying Chartist call one of his brother preachers to his bedside to comfort him in his death?"(1)

The basis of Chartism is again examined by Hugh Miller on the occasion of the presentation and rejection of the 'Great Chartist Petition' in 1842. First of all, Miller comments on the size of the petition which was signed by three-and-a-half million people, and true to his consistent individualism, he points out that such a mass cannot be fully grasped by the mind but it represents

"the unemployed, overtoiled, starving and unhappy - the pauperism, discontent, the misery of the country."(2)

At the same time, it inspires regret for the past and fears for the future and truly speaks of much distress. But the proposed panacea of universal franchise, the abolition of all monopolies, is a futile one for the misery is not alone the product of class legislation.

"It has revived after the lapse of more than three centuries exactly the political economy of Jack Cade, and based upon it hopes of exactly the same complexion."(3)

Miller returns to his earlier assertion:

"The Parliament elected by universal suffrage could do little more than the present Parliament. Very little can be done by the mere tricks of statesmanship, for the expedients of statesmen are limited."(4)

(1) (2) (3) (4) Witness 7/5/1842.

For Britain the elements of unprecedented catastrophe are at hand:

"The recklessness, the ignorance - the sufferings of the people, the selfish indifference of the aristocracy, the general hostility evinced to the conservative influence of evangelical religion, the stagnation of trade - the monumental national debt,- all these are formidable elements."(1)

The culpable neglect of the past has produced the Charter. Lack of intellectual education has rendered the people a prey to the demagogue and the neglect of moral and religious education has enabled them to

"come before the British Parliament charged with complaints against the great natural law of property,- one of those institutions of God which no man or nation ever set aside with impunity. The Church has failed in her duty towards them and, regarding her as their enemy, they demand relief from their distresses through confiscating her property."(2)

The only hope for Britain lies in moral regeneration through Christian influence.

In a second leading article on the Petition, Miller points out the importance of the Charter as a condensed statement of the principles and causes of Chartism. It is of value as a historical document in which the progress of the movement and its relationship to the other great parties is suggested. Whiggism is vitiated, and

"It is not improbable that the great problem of the British Government in the future will be summed up in the brief question - How are the masses to be governed?"(3)

(1) (2) Witness 7/5/1842  
 (3) " 11/5/1842

The principles of Chartism are then examined:

"The doctrine of what is termed natural right is first stated. Delegation from the people is laid down as the only authority on which laws can be made or society governed, and then follows the inference, that as Government is designed for the benefit and protection of all, - all therefore should be equally represented."(1)

The Charter points out the situation in Great Britain and Ireland where 'thousands of poor support their families on 2d a day and Prince Albert enjoys every day £104-2-0d'. The interest on the National Debt has to be paid by men who never consented to it. All this is to be put right by the Chartist proposals. Miller finds this a curious argument but supports the premise that delegation is the only source of government. It is just that people should possess this right since government bears upon all. But it is a right which gives very great power and according to the Chartist programme it issues in

"the power of dividing property, setting aside the public creditor, destroying machinery - disestablishing churches and seizing on the railroads."(2)

The right of delegation sets out as justice and becomes power by the way. Miller is in effect laying the natural law of property alongside the natural law of delegation in government. He then develops an historical cum theological argument:

"Man is not free by nature....but must certainly work out freedom for himself, as he must work a covering for himself."(3)

He is a fallen creature, and

"The God who created him far otherwise, has enacted a law regarding him as inevitable as the law which regulates the descent of showers....so long as he remains ignorant and vicious, he must also remain a slave"  
(4)

In this fallen state, might rules and not right, until with ingenuity it is discovered that communities should not be ruled by the law of the stronger but by laws made by themselves.

Thus the natural right of delegation in each individual is seen to exist since all cannot take part in the framing of laws. If the delegating individuals are virtuous and intelligent, all turns out fairly well, but if 'ignorant and vicious', the case is different:

"The exertion of natural rights throws them into anarchy and they begin to tyrannise and oppress de novo."(1)

At different times the natural right of delegation has been held to belong to man and not to woman, to white and not to black, to men of property and not to the poor. And at times the delegates of the poor have destroyed the rich and shared their property. The world is fallen and society moves in a vicious circle. From the very delegates of the poor who seized power and made division of property, there arises a tyrant who denies the natural right of delegation and seizes power himself.

"The game is repeated again and again, and thus the cycle of revolution, violence, despotism, ever revolves, and must revolve, until men shall be fitted for freedom by the spread of the knowledge of wisdom, the beginning of which is the fear of the Lord."(2)

Thus Miller holds that there is a natural right possessed by the people to delegate government but there is also a

(1) and (2) Witness 11/5/1842.

natural right of property which cannot be ignored with impunity. But the main element in his thinking is the conception of a fallen world in which natural rights cannot be obtained with full justice all round. The apparent success of one claim of right leads to power and to its abuse with consequent corruption. He sees no dialectical movement and synthesis, only a vicious circle in which men move from oppression to revolution and back again to despotism. There is no political remedy although the cultivation of virtue and intelligence may alleviate. In the last analysis, however, the solution is theological - spiritual regeneration and a return to the fear of the Lord.

Despite his scorn of Chartist excesses and his attack on Chartist principles in the abstract, Miller has a profound compassion for the working classes, which is only equalled by his hatred of class legislation. In an article on William Thom, the Aberdeenshire weaver, he carries into effect his own dictum that to show the miseries of oppression you must individualise it. William Thom and his experience show what is really meant by the semi-abstract expression 'depression of trade'. Thom was left a cripple for life after being run over as a boy by a nobleman's carriage. His mother was compensated with the sum of ten shillings. At the age of ten he started work in a factory and learned his trade in four years. In spite of this he learned reading and writing and being possessed of a turn for music he became an expert in Scottish songs and

later became recognised as a genuine poet. Having removed to Forfar in 1837 at the age of forty-five, he was involved in a depression of trade and had to support his family on about five shillings weekly. There was no fuel and very little food. Curtains were drawn during the day and the children lulled to sleep to allay hunger:

"How weak a word is sorrow to apply to the feelings of my wife and myself."(1)

To which Miller replies:

"Such sorrows are inwrought in our country into the very staple life of our industrious poor."(2)

This was but the beginning of misery for Thom. After many desperate expedients had failed, he set out with his family in quest for bread, but the various farmers encountered, refused them even a shed for shelter and during the harrowing hardships one of his children died and they were forced to learn the cunning of regular vagrants. Commenting on this account, Miller writes:

"We have often said that Chartism in the abstract - Chartism existing as a mere political party - is one of the least formidable forces in the Kingdom. It has no moral substratum on which to rest - no fulcrum in men's consciences on which to poise its lever; the element of earnestness is wanting and so its votaries accomplish nothing. But Chartism in the abstract as spouted by amateur orators and republic builders is altogether a different sort of thing from Chartism existing as the political code of starving men. We have never said that the country could afford to despise it - we have often asserted the contrary."(3)

Thom's account of his sufferings expose the anatomy of the danger and Chartism of such men has dreadful power. The statesmen should take heed of this when they contemplate closing factories in the national interest:

"Human sufferings are involved in them, and in proportion to the amount and extent of the suffering, danger to the country at large."(1)

The editor of the Witness was also sensitive to the evils of class legislation. His attitude to the Highland Clearances has been noted, but the subject of class interest occupied his pen again and again. In 1844 when the Horse Racing Penalties Bill reached the House of Lords, Hugh Miller unequivocally denounced it as a piece of class legislation:

"Lord George Bentick, Colonel Peel, and the Earl of Eglinton, with a few other honourable gentlemen, have been shamefully guilty of a breach of the previously existing law, yet they shall be relieved from all consequences of the breach and escape any legal penalty."(2)

Miller holds that the profits of horse-racing are great yet the enterprise is completely unproductive to society. Colonel Peel and the Earl of Eglinton have shown a profit of £12,000 annually, and as the law stands are liable to forfeit triple that amount, but a new law is proposed for their protection. He solemnly warns of the dangers of such legislation:

"We have heard of a just law suspended in one case to meet the exigencies of an opera dancer, the profligate mistress of a licentious prince, - and of a Royal declaration issued in another to protect from her creditors the favourite of a degraded nobility. The opera dancer was Mademoiselle Guimond - the actress Mademoiselle Raucoux."(3)

(1) (2) Witness 23/12/1843

(2) (3) " 6/3/1844

Soon after this interference there was no aristocracy left to interfere.

Miller also instances duelling as another example of class legislation. At sea, a seaman who kills another is charged with murder, but an officer killing another officer in a duel has the advantage of the so-called 'law of honour'. A similar state of affairs exists on land:

"Class privileges may be excellent things,  
but they may be carried too far."(1)

It is true the 'benefit of gentlemen' was abolished but there is little hope in Britain for both judges and legislators are involved in the practice. \*He cites the recent case of the Irish Attorney General who challenged an Irish rebel to a duel. He is neither removed from office nor prosecuted and Miller regards this as not surprising for both Sir Robert Peel and the Duke of Wellington are well-known duellists, one-third of the Members of Parliament have 'been out' and three-quarters are prepared to go. Thus a duellist government, duellist judges, duellist juries, favour the 'gentleman duellist'.

The Game Laws are another example of privileged legislation and while Miller is more concerned with the economic and social effects of such laws, and judges them bad laws since they are not enforced with popular moral sanction, he also condemns them as class legislation:

(1) Witness IO/2/1844

\* Attorney General Smith and Counsellor Fitzgibbon.

"It must be a miserable policy that balances against the lives of human creatures and the morals of thousands of our humbler people, the mere idle amusement of a privileged class."(1)

Hugh Miller did not attack Chartism as a mere reactionary. He castigated its absurdities, refuted its theoretical principles, deplored its debasement of religion and denial of the reality of human sin. Throughout, however, he reveals an acute awareness of the evils of class legislation and of the potential legislation of any class. At the same time he has a profound sympathy with the working classes in their misery. What can be done must be done, but franchise is not enough.

Early in 1840, the Bishop of Exeter introduced a Bill into the House of Lords, proposing measures against the Society of Socialists in the interests of religion and the morals of the country. The editor of the Witness regarded the Bill as salutary whether introduced by Tory or Whig, and is in full agreement with the Bishop on the evils of Socialism which through the medium of even a female lecturer can perpetuate blasphemies. The prime fault, however, lies in the doctrine of conduct being necessitated, to which Miller vigorously replies with the doctrine of divinely implanted conscience and sense of personal responsibility:

"He takes as narrow a view and knows as little of the matter as Owen himself, who believes that any truth essential to man's salvation can turn on a mere metaphysical point, or that distinctions of right and wrong are cognisable to the intellect only."(2)

(1) Witness 13/2/1847

(2) " 8/2/1840

Miller notes with approval that the Duke of Wellington, unlike Lord Brougham, has taken the trouble to discover what the principles of Socialism are and concurs in the view that the law should use what power it can against blasphemy and profane publications:

"Socialism would be in persecution what Chartism is in the field;-it has by its own showing nothing to contend for."(1)

Lord Brougham did not share this view and while professing that the Bishop's account of Socialism was new to him, presented an argumentum ad hominem in the form of a eulogy of Owen who had used his fortune and given away generously to implement Socialist doctrine. Upon this Miller comments:

"The teacher of Achilles was quite an amiable old man, according to Voltaire. But what did the infant become? - a blood-thirsty and merciless warrior."(2)

It is the fault of Brougham's head and not his heart that he can eulogise Owen and denounce such men as Chalmers and Gordon as rebels to the law. He can defend Owen and deny Presbyterian ministers their rights.

Considering the movement itself, Miller declares that Socialism is not to be despised. It has sixty-one chartered branches and a strong staff of lecturers and although Socialists may be laughed at, they are still formidable. Their pamphlets, however blasphemous, show literary quality and demonstrate how cultivated intellects retain their full vigour

(1) Witness 8/2/1840

(2) " 1/2/1840

even when the moral nature is sunk in ruin. Schemes of education are worse than useless when devised in false philosophy and addressed to the intellect alone. The principles of Socialism can only lead to disaster:

"There does not exist in the calendar of crime, one atrocity of which the Socialists may not be guilty, consistently and in strict accordance with their principles."(1)

Owen himself declares:

"that man must be held wholly irresponsible to his Maker because there is no life beyond the grave - to his fellow men because his conduct is conditioned entirely."(2)

It is held that there is no virtue and no vice, no right and no wrong, that marriage is irrational and private property is subversive of the public good. Such doctrines are a danger to the country and it is not sufficient to hope that public opinion will destroy Socialism. It has not destroyed Chartism of which Socialism may be regarded as the legitimate religion and philosophy.

The 1848 revolutions on the Continent, and particularly that of France, gave a fillip to Chartism and more extreme Radicalism in Britain. Of that event, Miller essays a theological interpretation. He holds that since nations do not exist corporately in the hereafter, it is axiomatic that if they are to be punished at all, they must be punished on earth. France is a striking example of the divine punish-

(1) Witness 1/2/1840

(2) " "

ment:

"The justice of heaven is calm, slow, yet awfully impartial and infallibly certain."(1)

There is a relation of cause and effect between the Massacre of St. Bartholomew in August 1572 and the June Revolution of 1848. France suffers now for the righteous blood she then shed. Having participated in the awakening mind of Europe and having forcibly suppressed Protestantism, infidelity was inevitable, and her theories have been shown to be delusions:

"The liberty she has found is anarchy; the religion she has is atheism."(2)

But the suppression of the Reformation in France had another outcome:

"It told with fatal effect upon the finances, trade, and wealth of the kingdom. The skill, the steadiness, and industry of the Protestants had taught them to excel in manufactures. The trade of the country was in their hands; and by it they enriched themselves and would speedily have enriched France."(3)

By driving such a large number of such citizens into exile, an irrecoverable blow was struck in France:

"The Great Ruler is punishing France, as he is accustomed to punish guilty nations.... He leaves her simply to reap the fruit of her own doings."(4)

Writing of the protracted discussion in the French National Assembly concerning the Constitution to be adopted, Hugh Miller comments on the controversial Eighth Article for which the

(1) (2) (3) and (4) Witness 12/12/1848.

Communists contended, namely that the worker has the right to have work found for him by the state. In the Assembly this was opposed on the grounds that it would lead to the abolition of property. But it was held

"their right to have the means of subsistence is in accordance with their natural rights."(1)

But the Communists persisted with their amendment that the rights of labour be inserted in the Constitution. While Miller doubted that the amendment would be passed, he believed the force with which it was advocated pointed to a principle likely to lead to vast changes in Europe.

A year later Miller dismisses the idea that the revolutions were caused by a few adventurers. The events are too tremendous to make it credible that a few ambitious men are

"overturning dynasties, destroying commerce, convulsing Europe, and rending in pieces the foundations of society."(2)

These men did not create the revolution, rather the revolution created them and the revolution is neither French nor European, but the world-wide beginning of a new era. Temporarily arrested, it begins again the mission of Providence and bears the relation of harvest to seed time:

"It is the purpose of Providence evidently to indoctrinate the world in the knowledge of the one grand truth by all these sufferings....The Government of the Great Ruler..."(3)

Every convulsion is a judgment of God:

"When Europe shall have learned this lesson, then, and not until then, shall its woes come to an end."(4)

(1) Witness 16/9/1848

(2) (3) and (4) Witness 7/6/1849

Discussing the Communist document emanating from Jersey and drawn up by Ryat, Rouge and Jourdain, Miller remarks that such doctrine is no novelty. He examines their three leading expedients for the abolition of all evils, the extinction of property, the destruction of all government, and the suppression of religion. From time immemorial, Miller argues, mankind has accepted the axiom that what a man creates by his own labour is his own and he is entitled to enjoy it as he pleases provided he regards the rights of others. But let property be abolished and it appears that the produce of a man's labour must be equally divided among all members of society, some of whom may have been asleep as he laboured. The first consequence would be that a man would cease to labour for himself and labour for the state. The problem of apportionment of wages for different skills and energies would immediately arise. Further, the natural desire to provide for children could only be suppressed by abolishing the family. The abolition of property drives to community in all things and such a scheme would destroy all motive to labour. The other two expedients need not be discussed:

"For certainly with the abolition of property will come the abolition of labour, and with the abolition of labour the destruction of the species, when both government and religion as a matter of course will take end."(1)

Three postulates, apart from the other practical judgments, are apparent in all Miller's criticism of the social and

(1) Witness 24/10/1855.

political unrest of his time. The first is theological, the world is fallen and society fallen with it. The only hope of social justice lies in moral and spiritual regeneration. The second is a theological interpretation of history; God punishes nations for their sins and visits judgments upon them in time, as nations. Their sins are always pregnant with future disaster. The third postulate of a great natural law of property is held by Miller on both philosophical and theological grounds, and it may not safely be violated. But the dominating element in Miller's thought is the conception of a sinful world in which men may strive to alleviate their suffering but in which there is no substitute for the fear of the Lord and the grace of God in Christ.

CHAPTER SEVENPoverty and PauperismCauses and Remedies

The first half of the nineteenth century witnessed a tremendous increase in population which coupled with political difficulties, and the recurring depressions inherent in an industrial economy, greatly aggravated the problem of pauperism and poverty in both England and Scotland. It was no new problem in either country, but it now assumed forbidding proportions which led to a series of investigations by both private individuals and government commissions. Despite legislative action made in the face of repeated crises, the matter was not satisfactorily dealt with until the emergence of the welfare state more than a century later.

The debate on the Scottish system of poor relief cannot be considered in a purely local context for although the Scottish system had its own characteristics, the controversy was greatly influenced by what was happening in England. There, the Old Poor Law came into being after the Reformation when the Church was no longer capable of acting as the relieving agent. Such measures as were devised are codified in the famous Statute of the forty-third year of Elizabeth. In each parish, overseers had the duty to levy rates for the support of the poor, and the various classes of assistance were defined. Work was to

be provided for the able-bodied unemployed and those who were unable to work through sickness, age or infirmity were to receive assistance. Likewise, children whose parents could not maintain them were to be cared for. Such a system was fairly adequate to meet the needs of the time, but after the Civil War it began to fail, and the failure was aggravated by the Law of Settlement of 1662 by which a person who might become a charge on the rates could be turned out to the parish of his birth.

In the eighteenth century efforts were made to deal with the problem of pauperism. Workhouses were provided; sometimes unconditional doles were given, and in anticipation of Speenhamland, paupers were hired out to farmers at nominal wages which were supplemented from the rates. But the numbers of the paupers grew and the accompanying misery increased. Then in 1795 what is known as the 'Speenhamland System' emerged and spread extensively over the southern counties of England. The Berkshire magistrates, having met at Speenhamland, ruled that allowances of money should be given on a sliding scale regulated by the price of bread. This was really a subsidy given to wages and had the effect of keeping wages low and keeping the poor rates high so that an almost intolerable burden fell on the ratepayers of certain areas.

By the beginning of the nineteenth century, pauperism was an even more serious burden socially and economically. It was apparent and urgent that reform was necessary, and in 1832 a

Royal Commission was appointed to examine the whole situation. Upon the recommendations of this Commission, the Poor Law Amendment Act of 1834 was passed. The New Poor Law abolished the old practice of unrestricted out-door relief and changed the unit of administration from the 'parish' to the 'Union', each 'Union' being a group of parishes. Under a central authority, each Union was governed by an elected 'Board of Guardians' operating on the basic principle that relief should be given to the able-bodied and their families only in a workhouse under conditions inferior to those of the labourers outside. The first result of 'the workhouse deterrent' was popular feeling which the Chartists fully exploited. But in operation, the Act did substantially reduce the cost of pauperism.

Thus the system remained throughout the remainder of the century with different degrees of rigour existing in the different Unions both in workhouse conditions and the granting of other forms of relief. Nevertheless the Guardians had an impossible task from the point of view of administration as well as the size of the problem. In 1905 a Royal Commission was again appointed and after four years produced a critical report on the whole system, pointing out that well-regulated workhouses were exceptional; tests of the able-bodied were often inhumane and expensive; often no real work was provided in workhouses; the sick, idiots, imbeciles and children were often treated scandalously. There was conclusive evidence

that despite the strenuous efforts of many of the Guardians, the system had failed.

The majority report of the Commission recommended that the system of Guardians be replaced by 'a public assistance authority' and that indoor relief should be given in properly specialised institutions which could cope with the different classes of paupers. The minority report, however, went further, and proposed the complete abolition of the poor law and the stigma attached to it. Prevention and not merely the palliation of pauperism was the duty of the community, and the able-bodied should be cared for by a national unemployment authority. Therefore, the abolition of the Guardians and the Parish Councils was recommended. While this view received much support, half a century was to elapse before such sentiments received full legislative sanction. The Government did not implement the recommendations but effected some improvements before the beginning of the 1914 war made it impossible and indeed unnecessary to deal with the matter.

The Great War, however, did not entirely overshadow the question of poor law reform. In 1917 the report of the McLean Committee appeared. Its members were representative of both the majority and the minority of the former Commission and their report was this time unanimous. They recommended that the Boards of Guardians be abolished and that their functions should be transferred to county councils, borough and

county borough councils; the sick and infirm, maternity cases, and others requiring institutional care were to be cared for under the Public Health Acts. At the same time, a majority report of a Scottish Consultative Council on public health administration, favoured a similar proposal for Scotland. No government initiative was taken, however, until 1925 when the post-war depression had gathered momentum and created unprecedented unemployment with which the Unemployment Insurance Act and relief works could not deal(1). The poor rate became a heavy burden which fell worst on the most depressed areas setting up a vicious circle of depressive influence. It became increasingly clear that the New Poor Law of 1834 had completely broken down and neither in design nor principle could cope with the modern situation. The Unions were forced to disregard the prohibition of our door relief to the able-bodied and in certain areas the Boards of Guardians were placed in an extremely awkward position, so much so that they came into conflict with the central authority. Notable cases were those of Poplar, West Ham and Chester-le-Street in which the minister had to invoke the Guardians Default Act to remove Guardians from office.

(1) The 1911 Unemployment Insurance Act was but a beginning and only covered the heavy industries and others where unemployment was common. Expansions of its provisions were enacted in the next two decades but insurance principles alone could not meet the needs arising from such extensive unemployment.

The situation in the 1920's showed clearly the anachronism of the existing Poor Law which had the object of deterring the work-shy and the idle, and to take care of the sick and the infirm. The offer of 'the house' was impracticable as the mass of unemployment grew, leaving the Guardians to attempt to fill in the gaps left by the Insurance Acts and to assist those whose benefits had expired or who were outside the provisions of the Act. The misery was great, the difficulties attending administration enormous, and feeling was high. The demand for a new method grew, but more significantly - the demand for a new conception increased.

In 1929, under the Local Government Act, the Boards of Guardians were replaced by Public Assistance Committees which operated under the Minister of Health, and the Poor Law Act of 1930 incorporated this Law with previous unrepealed legislation. This was but the prelude to a much greater and more profound change in principle. The Beveridge Report of 1942, issued while Britain was still at war, heralded the new conception of 'the welfare state'. Largely based on this report the Ministry of National Insurance was set up in 1944 to administer a comprehensive scheme of national insurance. It embraced the former functions of the Minister of Health, the Secretary of State for Scotland, the Ministry of Labour and National Service, and took over the responsibility for pensions and workmen's compensation. The new scheme replaced all existing insurance schemes and the Poor Law, and is based on the Family Allowances Act of 1945 and the National Insurance

Act of 1946, together with the National Assistance Act of 1948. Such legislation is a long way from the Statute of Elizabeth and possibly further still from the spirit of nineteenth century state action. It does in fact represent a social revolution which is scarcely yet comprehended.

The Scottish Poor Law system had its origin also in the period immediately succeeding the Reformation. While various acts of repressive nature had been passed previously, the Act of 1579 became the basis of Scottish Poor Law and generally approximated to the Elizabethan Law on the subject.(1) This Act was much wider in its provisions than previous legislation:

"It directs inquiry to be made into the number and circumstances of the poor, both in town and rural parishes, and it empowers the magistrates to 'tax and stent the inhabitants for their support'. It fixes seven years as the term of residence for establishing parochial or burgh chargeability. It provides for the appointment of overseers and collectors, and for punishing poor persons who, being able, refuse to work, thereby implying that they are to be set to work. It also imposes a penalty on persons relieving unlicensed beggars, and it provides for the putting out of pauper children to service. These are all important provisions, going far towards the formation of a practical system of relief."(2)

The important distinction between the Scottish and the English legislation is to be noted. The Elizabethan Act clearly enunciates the principle that relief should always be accompanied by employment in regard to both the partially infirm and the able-bodied. They were 'to get their livings

(1) The History of Scotch Poor Law, Nicholls. P.24  
(2) " " " " " " " " P.25

and to be sustained only upon their labour and travail'. The principle itself is unexceptionable but Nicholls points out the danger that the actual work provided might not be sufficiently repulsive to counteract the attractiveness of the subsistence, particularly with regard to the able-bodied, and that the actual results in England have proved the danger to be real. Unless there is an actual test of necessity, the evil is only increased and not remedied.

"Against this danger, the Scottish legislators appear always to have been sufficiently on their guard."(1)

But clearer divergence between the English and Scottish systems came with the Scottish Act of 1597 when the Scottish Parliament, in contrast to the detailed and precise English statute, handed over the administration of the existing Poor Law to the kirk sessions, leaving them wide discretionary powers:

"There can hardly have been a greater contrast than was exhibited on this occasion, and henceforward the proceedings of the two countries in reference to the relief of the poor, assumed a character distinct and divergent - in one sternly repelling the indigent, and in the other ministering to poverty with perhaps an unwise profusion."(2)

Laurence J. Saunders finds:

"The Scots Poor Law was essentially connected with the Presbyterian Establishment and its social views."(3)

- (1) The History of Scotch Poor Law - Nicholls. P.26  
 (2) " " " " " " " " " " P.33  
 (3) Scottish Democracy - Saunders. P.193

At the beginning of the seventeenth century after the 1579 Act had been in operation for three years, the kirk sessions had apparently failed in their responsibilities to the beggars and poor. (1) A second Act (1600) provided that the kirk sessions were to be assisted by presbyters if necessary, with penalties for negligence. Thus kirk sessions were charged along with presbyteries with the entire execution of the law. In 1617 yet another Act was passed which indicates further the failure of the kirk sessions in suppressing mendicancy and vagabondage. This 'Act anent the Justices for keeping the King's peace, and their Constables' reflects the English organisation in which these officers took a prominent part. (James had been on the English throne for thirteen years). Inter alia, special powers were given to justices and constables in suppressing vagabonds and beggars. Another Act followed which dealt with the problem of poor and beggar children; by it they could be bound by magistrates or kirk sessions in servitude until the age of thirty(2).

Not until half a century later when the Restoration had taken place, was there any further legislation concerning the poor in Scotland. In 1661 an Act was passed for the establishment of manufacturing companies in Scotland that employment might be given to the idle. (3) Also in that year

- (1) The History of the Scotch Poor Law - Nicholls. P.34f  
 (2) " " " " " " " " " " P.36f  
 (3) " " " " " " " " " " P.53f

legislation on the lines of the Act of James the Sixth came into force(1), but with the difference that justices and constables were instructed to draw up lists of the poor in their parishes and to appoint overseers of the poor in each parish, with supervisory and alimentary powers.

"Neither the presbytery nor the kirk session are noticed in this Act, whence it would seem that the powers conferred on these bodies in regard to the poor by the Acts of James the Fourth in 1597 and 1600 had in the period of civil strife fallen into disuse."(2)

Dunlop points out that although it is questionable whether the justices ever exercised their powers in this respect, the Act is important in

"defining the classes of persons who, under the Statute of 1597, were entitled to parochial relief."(3)

Relief was to be given only to those unable in any way to support themselves and the distinction was drawn between 'regular' and 'occasional' poor:

"This distinction has been upheld in courts of law and maintained in practice throughout the country."(4)

The former were entitled to relief and the latter were not, irrespective of their necessity.

"The laws enacted by the Scottish legislature did not conform to this principle. (i.e. the benefit of relief to the poor and the protection it afforded the rich.) They were chiefly directed against vagrancy, the relief of the necessitous

(1) Concerning Justices and Constables.

(2) The History of the Scotch Poor Law - Nicholls. P.60

(3) Law of Scotland regarding the Poor. P.16

(4) The History of the Scotch Poor Law - Nicholls. P.61

poor being an incidental rather than a primary object; and in this consists the difference between them and the laws of England."(1)

In 1663 yet another Act appeared on the statute book, designed to amplify the provisions of the 1661 Act concerning the establishment of undertakings for the employment of the poor. Powers had been given to compel vagabonds and beggars to work. Such labour was unpaid and, in addition, the companies were to be paid for three years by the parishes for the employing of these persons. Exempt from all duties, protected from all competition, these companies were placed in a highly favourable position. By the new Act, in addition to beggars and vagabonds, all unemployed could be seized for work and the companies were to be paid by the parishes. They themselves were to pay nothing in wages, apart from supplying food and clothing. As well as establishing what was less than cheap labour, such an arrangement was scarcely less than the legalising of slavery. Two other noteworthy provisions of this Act were the reduction of the period of residence or 'most resort' from seven to three years, and the alteration in the basis of assessment. The 1579 Act based the assessment on all the inhabitants of a parish according to their means, but the Act of 1663 placed it upon heiritors and tenants. While the other provisions proved abortive, these two remained in force.

In 1672 the tenor of the Act then passed suggested the failure of the previous legislation to deal with the idle,

(1) The History of the Scotch Poor Law - Nicholls. P.63

and correction houses were ordained as the remedy, to be provided by the leading burghs and paid for by the parishes thus relieved of their poor. Lists of those eligible for admission were to be kept by the minister in each parish assisted by his elders. Powers were also given for the incapacitated to be issued with a badge and licence to beg within their own parishes, but the able-bodied were first to be offered to the heiritors as apprentices or servitors, to serve until the age of thirty years. The rest of the poor were to enter 'houses of correction'. Also vagabonds and beggars could be seized by coalmasters and others and set to work on the same terms as in the 'correction houses'. In spite of this legislation and the penalties attached to its non-implementation, Dunlop could write in 1854:

"There does not exist in Scotland a single 'correction house' applied to the principles set forth in this Act."(1)

Between the Act of 1672 and the Union of the Scottish and English Parliaments in 1707, various enactments were made both by direct legislation and by proclamation of the Privy Council, the last Act of importance being that of 1698 which settled Poor Law legislation for a long time:

"It will appear that the operative portions of the law were mainly derived from the Acts of 1579, 1597, 1672, and the first proclamation in 1692 and the Act of 1698."(2)

The 1698 Act which embodied the previous proclamations by the Privy Council made no major change in the law but merely

(1) Nicholls. P.72 quoting The Poor Law of Scotland, p.20

(2) " P.86

clarified its detail and sought to expedite its application. The provisions of the poor law in Scotland may, therefore, be summarised as follows:- the relief of the poor in each parish was the responsibility of the heritors and kirk sessions who by assessment of the inhabitants, church collections, and other incomes were to discharge their duty. Relief was to be granted to the infirm or aged poor, but the able-bodied or the idle or vagrant were only to receive relief with employment as a condition, and 'correction houses' were to be erected to this end.

The eighteenth century witnessed no change in the Poor Law which had become settled:

"Poor Law administration had gradually become an affair of parish and burghal use and wont, checked only by appeals to the law courts, on points of disputed definition and practice."(1)

But during the eighteenth century the Scottish economy began to expand with increasing tempo as the century passed. The emphasis in training by home, religion, and school was upon individual responsibility and initiative. Economic success or failure was regarded as having a moral basis in the character of the individual and sanction was given to the distinction between the 'deserving' and the 'undeserving' poor. (2) The poor were 'an exceptional residue' but very early in the nineteenth century

"these inherited attitudes became less and less related to the facts of poverty. However,

(1) and (2) Saunders - Scottish Democracy. P.193.

it might be with economic rewards, economic punishment, seemed increasingly unrelated to the character and industry."(1)

Drastic changes in the rural economy wrought by the growth of large farms left the 'righteous' often helpless. The Highland Clearances deprived thousands of a relatively sure, if frugal subsistence, and offered only the alternatives of emigration, migration to the large towns, or for some an existence on diminutive plots where they were deprived of the natural advantages of the old way of life. In the cities and towns, the masses attracted there by industry were subjected to the fluctuations of trade. They were involved in a system - or rather 'an economic free-for-all' in which the purest virtue, or the highest integrity, combined with the most energetic disposition could be quite helpless. Poverty grew from causes unrecognised by the assumptions of the Poor Law, the basic tenets of which were not so much false as irrelevant in the nineteenth century situation.

Out of this state of the masses, conditions grew which did, however, suggest the validity of the assumptions underlying the existing Poor Law and thus tended to confuse the issue. The frustrated and helpless sought refuge in strong drink and contracted other demoralising vices, giving plausibility to the view that poverty is the result of weakness of character(2). Others of the depressed classes sought refuge

(1) Saunders - Scottish Democracy. P.194

(2) See Note on Chalmers and Alison, P.300

in crime which focussed attention upon moral weakness as the root cause. Such a view was an over-simplification, and while there is no doubt that these vices did contribute substantially to the misery of the masses, the economic situation was a primary cause. A series of intersecting vicious circles was created within and across the wider vicious circle of unrestricted free enterprise. Economic despair led to drink, crime and depravity; parents became irresponsible; children multiplied and homes did not. All led to poverty and misery - and back again to economic loss and confusion.

Such was the situation in the nineteenth century in both England and Scotland but while the English Poor Law Amendment Act was passed in 1834, the comparable Scottish Act was not passed until 1845, following the report of the Poor Law Commission Inquiry for Scotland (1844). Under this Act, regular parochial boards of management, and a general board of supervision were constituted to deal with the existing uncertainties under the old Scottish law. Powers were given to levy assessments and to combine parishes to provide poorhouses; but no provision was made for the able-bodied poor.

The dissent of Mr. Twistleton, one of the seven commissioners, from the report upon which the Act was based, is of particular interest. He regarded the new provisions as inadequate. In his view the inadequacy of the allowances to the

poor in the unassessed parishes arose

"not so much from ignorance of facts as from want of funds."(1)

He holds that this is because of the peculiar Scottish theories regarding provision for the poor, the usual view being that moral, religious and education~~na~~ction is more desirable than material relief and

"a provision for the poor creates much of the misery which it relieves."(2)

He further objected that under the proposals made, assessment could not be compelled in unassessed parishes; that it was not compulsory to provide medical attention for paupers; that no provision was to be made in workhouses for able-bodied persons; that the erection of poor houses was to be left entirely to local authorities; that no provision was made for those destitute due to fluctuations of trade. Finally, Mr. Twistleton objected that there was no proposal in the report which was based on a kind of income tax principle without having due efficiency and safeguard. The rating system should be made more efficient or abandoned in favour of the English system.

Various modifications of the 1845 legislation took place however. In 1894 popularly elected parish councils took the place of the parochial boards. These councils existed until 1929, but in the interval there was much legislation affecting pensions, insurance and workmen's compensation so that many

(1) and (2) Nicholls, P.165, quoting Twistleton's recorded dissent.

burdens were now borne nationally. In 1929 public assistance committees were set up and obtained until the welfare legislation of post-war Britain came into force in 1945-6-8.

After the close of the Napoleonic Wars and up to the Poor Law Amendment (Scotland) Act of 1845, the problem of the poor was the cause of much controversy and varied solutions were offered. Within this half century, two men with profound concern emerged and addressed themselves to the matter. Common as their objective was, the methods of Chalmers and Alison could not have been more opposed. (1) The earlier was Thomas Chalmers whose teaching on the matter was an attempt to restore the traditional emphasis on the prevention of poverty rather than its relief. This was to be achieved under the agency of family, church and school, in a pattern of 'moral economy' such as had existed in earlier times in rural Scotland. His teaching makes explicit the assumption of the earlier Scottish legislation concerning the poor - that destitution and demoralisation are the result of 'a dereliction of personal duty'. He taught, therefore, the cultivation of the sense of family obligation and the powerful effects of religion and education. Christian sentiment would then be sufficient to meet real need. This was to be carried out by applying to urban areas the parish system which had proved effective in rural communities. This in turn involved dividing the urban areas into convenient parishes and extending the activities of the church.

(1) See Note, P.300

To prove his contention, Dr. Chalmers began his experiment in the parish of St. John's, Glasgow, in 1819. He was given a free hand by the magistrates to deal with the poor of the parish and they were no longer to be relieved from the city funds. The experiment lasted for four years during which schools were established, where for relatively small fees children were instructed; Sabbath Schools, Bible Classes and other agencies were organised and a popular savings bank was included. By this time Chalmers sought to lead the population to the condition of an unassessed country parish where pauperism could be met from the church collections. He did in fact reduce the cost of pauperism in his parish from £1,400 to £280 a year. The parish was divided into twenty five districts each under the supervision of elder and deacon for spiritual and temporal needs respectively. The roll of permanent poor was reduced and the occasional poor were relieved from the church funds. Superficially at least, the parish appeared to be uplifted both morally and economically (1).

Very powerful challenges to the validity of his arguments and the efficiency of his system were soon forthcoming but as late as 1910 J. Wilson Harper could write in eulogistic terms of the experiment:

(1) See The Social Ideal - Harper, P.18  
 Church and Reform - Mathieson, P.250  
 Chalmers - Works XVI. P.221ff.

"How successfully Chalmers carried out his social experiment is well known. He reduced the annual cost of the support of the poor in a parish of 10,000 people from £1,400 to £280. And it is generally recognised that the charity which he administered was not only more discriminately, but also more effectively distributed than the doles handed out under the old and ill-regulated system. He applied method to charity and that was the secret of his success."(1)

Harper claims that Chalmers was among the first to apply system to poverty and this system was the original of the Elberfeld method in Germany. (2) That this was not so, seems apparent from the Report on the Elberfeld System which was submitted to Parliament in 1888. (3) J. S. Davy points out in that Report that the system had opened in Hamburg as early as 1788. In spite of his claim for the success of the experiment, Harper does ~~not~~ admit that it only mitigated the evils and was not a complete solution. The strength of Chalmers' work lay in his taking both morals and economics into his reckoning and applying method to the problem of the poor. It is questionable whether Harper's judgment is valid when the actual experiment is considered, for within Chalmers' system there was no place for the victim of the industrial slump.

Mathieson writing in 1916 attaches little importance to the experiment of Chalmers and much less gives credit for success. He argues that the reduction in the cost of the poor

(1) The Social Ideal, P.18

(2) " " " P.45

(3) See Note on the Elberfeld System, P.295

in St. John's was achieved because Chalmers wished to abolish relief altogether rather than extend it.

"The blind or deaf or lunatic which no man is wilfully,"(1)

alone could be safely relieved according to Chalmers. Not even illegitimate or deserted children were suitable subjects of relief since it was right according to Chalmers that they should suffer for the sins of their parents.(2)

"The rigour of this Spartan regime was enveloped by its author in a cloud of rhetoric testifying to the virtues - the neighbourly kindness, the filial piety, the sense of honour and independence - which it was fostering among the poor, and we look in vain for any recognition of the fact that the great mass of the poor throughout Scotland were indeed living at the expense of their less indigent neighbours, but only through the solicitation - one might almost say in some cases, the extortion of alms."(3)

Drawing extensively on Alison's work, Mathieson asserts that by sheer harshness and rigour, pauperism was not cured but was driven underground by Dr. Chalmers(4)

In 1840 the other man with a plan to deal with the problem of pauperism became effective. (5) Dr. W. P. Alison published in that year his Observations on the Management of the Poor in Scotland. His aim was poor law reform, an increased expenditure in relief of the poor and the provision

- (1) Chalmers Works V.XV. P.129
- (2) " " " V.XV. P.123ff.
- (3) Mathieson - Church and Reform, P.251f
- (4) " " " " " " "
- (5) See Note, Page 304

of 'poor houses'. His method of argument was essentially that of a medical man, as empirical as Chalmers was 'a priori' and his 'Observations', 'Illustrations' and 'Further Illustrations' had great influence in bringing about the reform of 1845 and are the best commentary on Chalmers' views and activities concerning the poor.

(ii)

It is in the foregoing context and conflict of ideas that Hugh Miller's teaching on the poor, poverty and pauperism must be considered. A working man himself, Miller experienced the effects of depression and unemployment. In close contact with working men, he was well aware of their virtues and vices, and possessed of a strong scientific bent, his mind was not averse to an empirical approach to their problems. But at the same time, his thinking was strongly dominated by the evangelical theology and the traditional emphasis on education, religion and home as the root and support of the economic virtues. The Witness came into being as the 'poor question' was reaching its height and it was inevitable that Hugh Miller, by background, experience, disposition and office, should have much to say.

In many aspects of the problem Miller was at one with Chalmers for whom he always had a very high regard.

Commenting on the Edinburgh Savings Bank which had been founded in 1836, Miller rejoices in its success and sees the £200,000 deposits as "worth any other half-million of money in Edinburgh(1)". Miller sees more than the productive commercial purposes to which this money may be put and in fact shows a shrewd insight into the importance of the small investors. He recognises also the further advantage that savers do not become paupers.

"A humble working man rarely saves money without doing something better - without attaining the command of himself, and heightening his self-respect by increasing the feeling of honest independence."(2)

This characteristic attitude of Miller is pure Chalmers. Miller develops the theme by pointing to the religious workmen and cottars of the previous century as always being able to save a little money and he maintains that the Scottish people are living on the character credit of a former generation. Like Chalmers, Miller seems to be confounding two quite different types of society.

In an article on "The Industrious Poor", Miller reveals that he is indeed aware of the essential social differences between an agrarian and urban community. In the towns misery appears in the abstract, in contrast to the country where individuals are known to one another; there, character can commend itself more readily than in the town, and benevolence can operate on a sure basis. Rural dwellers also have certain natural sources of food and fuel which are not

available to townsmen. Therefore he supports the scheme to supply cheap coal to the city poor, especially since it is to be supplied to 'the industrious poor'.

"It has the advantage over other schemes of charity that it does more by not doing too much."(1)

Charity must work for industry and not against it. Charity should not be indiscriminate but should act as a bounty to industry.

In the critical years immediately preceding the Scottish Poor Law Amendment Act (1845) Miller gives it grudging support but criticises its protagonists:

"It is still too evident that the country must have its poor law; nor do we deem it less necessary that it will be a law, not of mercy to the poor but of judgment upon all."(2)

But he maintains that there is no foundation in Paley's assertion that the poor have a 'right' to a share of their neighbour's property.

"Right cannot be created by law where right did not exist before."(3)

There is equally no validity in the notion that the law can give society the right to imprison a man who is guilty of no crime save poverty. Miller is here attacking both the principle of general assessment and 'the workhouse test' as it existed in contemporary England. Such a 'right' as Paley

(2) and (3) Witness 15/2/1843  
(1) " 25/11/1840

finds is a fiction and had meaning only in reference to the 'Divine Law'. Miller argues that the assumption that the poor can claim relief as a "right" and that the imposition of workhouse conditions as a "right" can only have the effect of setting the two classes concerned at variance. For this he has support in the tremendous impetus which the 'workhouse test' gave to Chartism. Such claim as does exist on the part of the poor is a claim not of right but upon compassion. He illustrates this from his experience as a workman in Edinburgh in 1825 of one Jack Laidlie who frequently went on a debauch for several days, only returning when all his money was spent. He made no effort to prepare for winter when work was scarce while Miller at this time saved up £12 for winter provision. Miller asks whether this improvident workman or his aged mother had any 'right' to a share of his £12 and replies in the negative. There was a claim upon compassion, but not upon 'right'. Paley's argument of a primitive social compact whereby property was divided and the arrangement ratified by the Creator on the basis of the needy still having a right to their share as necessity arose, is dismissed by Miller as a fiction.

The claim of the poor is upon compassion concerning which man is instructed on behalf of the poor by God in his Word.

"Under his wise management, a genial charity that softened and improved the heart, and clarified the whole atmosphere of society, did not develop into an odious tax, redolent of bitterness and ill-will...."(1)

In the mercy of God no rights were conferred on the poor. When such a right is assumed, those who are forced to regard it, claim the right to impose disagreeable conditions. The workhouse check is found necessary from

"the invariable tendency of a poor law to perpetuate itself and add to the weight of poverty and destitution."(1)

The new Poor Law will have the effect of transforming more questions into tangible figures which will bring home to proprietors by assessment the evils of the bothy system and the Highland Clearances.

Although Miller rejects Paley's 'right of the poor', he holds that the state has a duty to legislate on their behalf that they may not starve, just as it is the plain duty of the state to protect them in time of war(2). Where compassion fails, the state must act. Likewise the state has a duty to impose sanitary measures and prevent the occurrence of disease which is contributory to the misery of the poor. The condition of the Scottish people calls for action along both lines. Dr. Chalmers has withdrawn from the controversy and Dr. Alison holds his ground. But of Chalmers, Miller writes:

"Truly it is enough to make one's heart swell, to think how the gigantic exertions of this great and good man on behalf of his country have been met in this cause."(3)

He then argues that Dr. Chalmers was 'disarmed' in the conflict with pauperism because the two hundred churches which

(1) and (3) Witness 15/2/1843

(2) Apparently distinguishing between 'natural' and 'statute' law.

had been erected under Chalmers' direction in the preceding ten years as instruments of reform and charity, had been ill-used by both Law Courts and aristocracy:

"The moral force is in the field no longer -  
Dr. Alison stands alone." (1)

When the new Poor Law finally became effective in Scotland Miller directed his attention to the anomalies it contained.

He asks:

"Why should parish ministers be exempted from poor rates and yet be allowed to sit ex officio on all Parish Boards?"

"Why should Irishmen be allowed to settle in this country and consume a large portion of the rates and yet pay none?"

"Why should farmers who pay an equal amount to the landlords be excluded from Boards, while holders of property of twenty pounds and upwards have such a right?"

"Why should feu-duties and woodlands be exempt from assessment?" (2)

By this time Miller had accepted the principle of assessment as a necessary evil and the law embodying it as anomalous.

Apart from the specific issue of the Poor Law, all Miller's work is shot through with comment and observation on the subject of the poor, pauperism and poverty. He attempted no large systematic treatment of the subject as in the case of the Highland Clearances or Education, but his diverse writings in the face of compelling situations is revealing. He had very clear views on the cause of poverty. The primary cause of poverty and all social evil was sin:

"It is man himself that is wrong...."

"First make the tree good and the fruit will be good." (3)

- (1) Witness 15/ 3/1843  
(2) " 6/11/1852  
(3) " 26/ 9/1849

This is axiomatic to Miller and so he is able to criticise the numerous schemes which came to his attention claiming the efficacy of better housing, better sanitation, and increased relief. He roundly denies that a change of law can fully meet the situation and replies to Buckingham's assertion

"that society is vicious because it is poverty stricken and enslaved"(1)

with the converse

"society is poverty stricken and enslaved because it is vicious. What is needed is a new infusion of moral power into society."(2)

"We repeat that the whole philosophy of social evils and social reforms centres in this, that man is a fallen creature."(3)

And again

"'Give me', said Archimedes, 'a fixed point and I will lift the world'. But he knew that a fixed point must be outside the world. We must have a point outside of society itself to lift man....that is Christianity."(4)

Although Miller held such a concept of the depravity of man and society, he is by no means an advocate of quietism:

"Christian men are beginning to discover that if the souls of the people are to be effectively reached, their bodies must not be altogether neglected. Whence the opposite notion sprung it is difficult to discover. It was certainly not learnt from Him who went about continually doing good....."(5)

While he regards the root of all social ills as lying in sin, and the thorough cure as being in the reforming grace of God,

- (1) Witness 26/9/1849 ( Comment on pamphlet by  
 (2) " " ( James Buckingham: National Evils  
 (3) " " ( and Practical Remedies.  
 (4) " 13/10/1849  
 (5) " 28/ 9/1850

Miller does not exclude practical action:

"Nor would we be understood as undervaluing attempts directed to the material improvement of society, we believe that the necessity for these is great and urgent, and that a material and moral reformation ought to go hand in hand."(1)

Miller is very sensitive to what he conceived to be the secondary causes of poverty. His attitude to the Highland Clearances has been noted, but such matters as intemperance, housing and sanitation are frequently discussed in the columns of the Witness. Discussing the tract of Mr. Lewis of Dundee, Miller dilates on the evils of strong drink and its effect on the character of the Scottish people in the previous half century. Mr. Lewis at once convinces the reader

"that of all the losses Scotland has ever sustained, the greatest by far has been the loss of the character of her people."(1)

One of the most obvious causes of this loss of character is the growth of the artificial appetite for strong drink and Miller commends the work of Mr. Lewis to statesmen and historians. (3) Lewis records that in his own parish there were eleven baker shops and one hundred and eight places with licences to sell intoxicating liquors and he calculates that a quarter of the earnings of the population was spent on whiskey which was only productive of misery and degradation, so much so that even the publicans themselves became debauched.

(1) Witness 29/9/1849

(2) " 13/1/1840

(3) For Alison's view that the drinking habit is the result of misery rather than the cause, see P.304 note.

Miller's attitude to the drink question is best defined in the early days of the Witness. In reply to a contemporary, he points to a police report in the previous issue in which attention is drawn to the increase of Sunday drinking. The report records the fact that extra police were needed for duty on Sundays and on those days twice the average number were committed for crime. The Commissioners want the number of public houses reduced since the amount of crime does correspond to the amount of intoxicating drink consumed. To the assertion that men cannot be made religious by act of Parliament, Miller replies that it is so, and further, no acts of men can make their fellows religious. But while legislation cannot make men religious, it can prepare men for being religious. Drink is the most potent of the set of causes which have shut men off from religion and limitation of this cause will at least help to remove their indisposition. The economic talismans of the period have been invoked in defence of the sale of strong drink. Does not demand regulate the supply? In this connection Miller replies that <sup>it</sup> is just as true that supply increases the demand. Licences are given too freely and additional circles of customers are created and they grow in number and influence. Therefore, Miller regards the recommendations of the Commissioners of Police as simply good sense and he supports the view that the Saturday pay-day ~~ought~~ to be changed. He has lived among workmen and knows the misery and degradation caused by strong drink. Means of lessening it should not be

opposed but warmly supported.

In 1841 Miller again relates the drink question to the poverty of the people in an article entitled "The Means of Doing Good and What Becomes of Them". The occasion is the publication of the Report of the Session of Brechin Old Parish Church upon an investigation carried out in that parish. The parish had a population of 7,555 persons, 1,829 families in all. At least £8,000 per annum was spent on drink, an average of 15/- to £1 per person, or £3 to £4 per family. When it was proposed to raise the £740 for the poor by assessment, considerable excitement was caused, yet the population spent eight times that amount on drink. Less than a tenth of the sum spent on drink is spent on education in the parish and the total missionary contribution per annum is less than a fortieth of what is spent on drink.

"The case at Brechin is at once an answer and an illustration as valuable as any we have ever seen.....simply this - and it is no new truth, that the true direction of all enterprise intended even for the temporal good of our fellow creatures is to stimulate the process of morally reclaiming the population."(1)

Miller was fully appreciative of the practical remedies which could be applied to prevent or alleviate the condition of the poor. This is seen in his constant support of all means which had that end in view. He had little patience with those who were content merely to survey misery and add discontent to the existing distress, and just as little

Witness 7/7/1841.

patience with those who held the various schemes advocated as useless because they happened to address one aspect of the problem or represented the 'hobby' of an individual. Each proposal should be considered on its merits. While not deviating from the primary place to be given to religion as an agent of social reform, Miller will not admit that there is a necessary antithesis between moral and religious instruction on the one hand, and practical action on the other. He therefore supports the suggestion of Mr. Chadwick in his "Report on the Sanatory Condition of the Poor" which held very much on the lines of Allison that much of the disease in Great Britain was preventible, being occasioned by damp, filth and the want of ventilation. In Glasgow the mass of fever cases occurred in the low wynds where dung heaps, dark alleys and dens of houses facilitated the spread of disease. Mr. Chadwick claimed that adequate drainage would go far to relieve the misery of the poor, and his view was open to ridicule. Miller replies to critics of Chadwick who say that an act of Parliament anent drains will purify neither hearts nor homes; and others who argued that because insanitary conditions were not the monopoly of the poor, a more adequate supply of money would not meet the need, and yet others who doubted the power of religion to remove 'the noxious dungheap' were answered by the Witness. Miller held that although Chadwick's remedy may be inadequate, it is by no means "an improper or useless one.(1)"

(1) Witness 5/10/1842.

In a letter to Miller, William Chambers speaks of a certain section of society:

"Were you to plant a clergyman in every alley and scatter the most elevating products of literature gratuitously into every dwelling, the benefits would I believe be imperceptible."(1)

Miller agrees that such a thing is possible if the clergyman "were only planted to vegetate there,"(2) but he sees not incongruity between the Gospel and a proper system of drains having a place in the clergyman's interest.

"Still why should not his exertions be combined with drainage, and the poor rate too, if you please, that when the sources of the pollution are removed, and the urgent wants of the poor supplied, the truths by which the mind alone can be raised and purified may be affectionately instilled into the opening heart."(3)

The Presbyterian minister like his predecessor of the sixteenth century should interest himself in

"secular questions that are shown by experience to be as clearly allied to spiritual ones as the body to the soul."(4)

All such measures as do not contradict each other will be required to reclaim and restore the degraded population. Thus Miller lifts the whole question from the narrowly defined question of pauperism as formulated by Chalmers.(5)

A further example of Miller's practical cast of mind is one which could be paralleled by many social workers acquainted with the evils of hire-purchase. Miller discusses

(1) (2) and (3) Witness 12/10/1842

(4) Witness 2/11/1850

(5) See Note on Chalmers, p.300

"Credit and the Working Classes" and relates his conclusions to their poverty. While "credit is the blood of the commercial world(1)", too often it is the ruin of the working man. Miller asks why this should be so, and in answer denounces the truck system as "an unmitigated evil(2)" which has justification only in remote places where shops are inaccessible and which in most cases is only a method of making more money for a proprietor who acts through agents and has no personal interest in his people. Under this system the provident and the improvident are placed on the same footing and in the nature of the case, the truck shop has no proper competition. Thus the workman is driven to it and to the ruinous system of credit which he might have avoided if he had been able to spend his money in a free market. Independence is sapped and the workman tends to live by consuming prospective wages. But worse than the truck system is the provision made by law for the arrestment of wages, by which 'certain rogues' are given facility to exploit human nature. They are

"sharp enough to understand that the working man does not appreciate the moral value of money."(3), thus they sell their goods on the most unfair terms, secured against future wages. Miller points to "the moral fraud in the whole business.(4)" A pound to be paid in the future is worth less than a pound when it is paid at once. Banks and business men calculate the loss of value by subtracting the cost of interest

but to the working classes

"the value of future payments diminish in a much more rapid proportion than would be caused by the subtraction of the rate of interest.... Workmen, like children, value money according to the nearness of possession and consequently part too lightly with their claim for future wages."(1)

The law should be amended so that the provident man has choice and that good character alone should be the basis of credit.

Miller was active from the beginning of his editorship in support of the growing band of Christian reformers who saw bad housing as a potent cause of mass degradation. The attitude of those who directed their attention to housing was based on the simple belief that the family is a divine institution upon which the welfare of society depends. House and home enable the family to exist in its fullness but lack of these conditions leads to the deterioration of individuals and of the masses into pauperism or near pauperism. Neither Miller nor the practical exponents of a housing policy, however, saw it as a complete remedy, but only as one method of approaching the degradation of the masses, to be used in conjunction with others.

The matter is considered by Miller over the period of his editorship in two broad aspects, namely the state of rural housing and home life consequent upon the development of the large farm system and the accompanying bothy system; and the inadequacy in numbers and quality of urban housing. In

(1) Witness 10/6/1854.

1841 four essays which had won prizes under the auspices of the Highland Society were published in the Quarterly Journal. They were warmly commended in the Witness on account of their authorship by practical men actually involved in the changes taking place, and afford Miller the opportunity of developing the subject which he regards as of the utmost importance. Of the change taking place he writes

"It affects fundamentally the well-being of thousands - it is of interest besides, as an unequivocal illustration of how much the formation of character, moral and intellectual, may depend on the circumstances in which men are placed."(1)

Under the bothy system many farmers consider their animals far more than their labourers in the matter of housing and on many steadings no adequate accommodation for labourers is provided at all. They are housed

"in a wretched outhouse....furnished with a few stools, a few deal bedsteads, a few bowls of tin or earthenware, a water pail and a pot, miserably to accommodate some eight or ten labourers, all of them single men. Here they kindle their own fire, cook their own victuals, make their own beds.... They return at night to it often wet and fatigued, especially in the briefer and stormier months of the year, just as the evening has fallen, and find it all dark and chill; - the fire has to be lighted - in some districts the very fuel to be procured - the water to be brought from the well, - the hasty and unsavoury meal to be prepared."(2)

In most cases the farmer is indifferent to the welfare of his labourers. They represent just so much power which is plentiful, and cheap, unlike his farm animals or his steam engine.(3)

(1) Witness 8/9/1841. Also see Witness 19/11/1851

(2) " "

(3) See also Witness 26/1/1853

Deplorable consequences follow. Men who accept these conditions resent the attitude of their employers and only work under duress and even at times vent their feeling upon the helpless animals. The lack of privacy in the bothy precludes any form of self-improvement and the tendency to wander out at night fosters immoral behaviour. The constant changing of place of work destroys a sense of responsibility. The bothy enables opportunity and immorality to meet.

"It used to be a common remark of Burns, no inadequate judge surely, that the more highly cultivated he found an agricultural district, the more degraded he found the people."(1)

The obvious reason for this is to be found in the introduction of the large farm system which the circumstances of Scotland made inevitable. The rural population was divided into two distinct classes, gentlemen farmers and labourers, and the class of small tenants disappeared. The position of these small tenants previously demanded all round activity from them. They were not merely ploughing machines, but each had to be merchant, agriculturalist and manager of his own household. Such circumstances were congenial to moral and even intellectual development. When this class was displaced by farm servants, these servants tended to sink to the level of machines, but at least they had homes to mitigate their adverse circumstances:

(1) Witness 8/9/1841

"There is much in having a home; nor was he placed beyond the influences of religion which are scarcely less necessary for enabling man rightly to perform his part in the world than to prepare him for another.... When men cease to be religious, they cease to be moral also."(1)

The both system which was introduced from motives of economy so that the farmer might save the expense of providing cottages and that he might employ single men in place of married, must be regarded as a disastrous experiment. Its failure should be noted for the system does not represent true self interest:

"And such will be the inevitable result of every such experiment - men will never discover their true interests until they learn to pursue them, by forwarding the welfare and exciting the gratitude of the classes on whose exertions and goodwill they depend and whom Providence has made dependent on their exertion and good will in turn."(2)

Miller turns frequently to the bothy system. Writing in 1849 he again takes the observation of Burns as his text:

"It was a remark of Burns that the more highly he found a district cultivated, the grosser and more ignorant was he sure to find its rural population."(3)

But Burns saw <sup>THE BEGINNING</sup> only of the evil which now compels attention. Under the old system the labourer sat at the farmer's table and no distinction of moral character existed between farmer and labourer as a class. If the labourer were married, he had a cottage nearby and thus he was either of the family of the farmer or he was his neighbour. The bothy system had

(1) (2) Witness 8/9/1841  
(3) " 28/7/1849

destroyed this relationship. A relatively small class of gentlemen farmers emerged and the greater class of labourers was depressed. Not only was the bothy destructive in the most obvious fashion, but in its long term effects also, for overall the activities of the workers were narrowed, and says Miller:

"The more the sphere of a man's responsibility is narrowed, the more he approaches in character to the irresponsible animals."(1)

What Burns saw beginning has now rapidly developed and the fact cannot be hidden

"that in extensive districts, moral, intelligent Scotland has got the finest fields and the most brutalised peasantry in Europe."(2)

An unfortunate result of the system is the increase in illegitimate births and owing to men being constantly on the move they are enabled to escape their obligations.(3).

"There can be no doubt whatever that the farm servants of Scotland are just what circumstances have made them. They come from the hand of nature exactly as their predecessors, the moral, and intelligent peasantry of Scotland in the Scotland in the bygone ages, came from it....."(4)

Miller then demands that

"the bothies should be pulled down, the feeing markets abolished, and the farm servant treated not as a brute but as a man."(5)

(1) Witness 28/7/1849

(2) " 28/7/1849

(3) Miller freely uses the work of Sheriff Watson of Aberdeen who was actively interested in this matter.

(4) Witness 28/7/1849

Those who decline to erect proper farm cottages should be compelled by the government to pay for the numerous illegitimate children which the system produces.

As well as the both system, a certain amount of accommodation was provided in the rural areas for the 'hinds'. This housing was of the meanest and poorest order and occasioned demand for improvement. The matter received the attention of the Highland and Agricultural Society at their half-yearly meeting in 1842, and Miller comments on the remarks made by the Earl of Roxburgh who was supported by the Duke of Buccleuch on the occasion. First of all, Miller pays tribute to them as "two of the most benevolent noblemen in the country.(1)" Nevertheless, he proceeds to subject their expressed views to stringent criticism. The noblemen's argument was that improvement in rural housing could be effected without having the houses rebuilt since it was not practicable for the proprietors to rebuild them. They, therefore, suggested that the occupants of the houses should improve them themselves and divide existing single apartments into two, and that the premiums of the Society should be directed to this end.

Miller points out that a room sixteen by twelve feet was a pretty problem and that the ingenuity by which a family of ten or twelve could contrive to live decently in such a space was certainly worthy of a prize from the Society. He

(1) Witness 22/1/1842

recalls his visit to the remote Highlands in 1823 and the primitive conditions he experienced. Highland women toiled at the turf and their men at agriculture with the most crude implements. The houses were low and dark resembling mole-hills. Life in every aspect was hard, the agriculture being of the 'first ages'. Of a typical house, Miller writes:

"But what we chiefly remarked, that the place, rude as it was, had what the greater number of the dwellings of our country lands have not - the luxury of an inner apartment - the thick turf roof was at least water tight."(1)

He witnessed an appalling contrast six months later in one of the richest counties of the Lowlands,

"one of those centres of civilisation from which the art of the agriculturalist has expressed itself over all the more accessible parts of the kingdom."(2)

In comparison to the Highlands, husbandry seemed to have advanced a thousand years, but only what belonged to the upper classes had any appearance of beauty. He described a typical labourer's house in this district:

"It was one of a line on a wayside inhabited by common labourers and farm servants - a cold uncomfortable hovel, consisting of only one single apartment, by many degrees less a dwelling to our mind, and certainly less warm and snug, than the cottage of the West coast Highlander."(3)

The tenant was an old farm servant who had been discharged because of declining health,

"being permitted to retain his dwelling on the express understanding that the proprietor was not to be burdened with repairs; and the thatch

which had given way in several places, he had painfully laboured to repair against the weather with mud and turf gathered from the wayside."(1)

Every shower of rain came through. The curtains of his bed were damp-stained and the veneer on his furniture was started. His wife was wracked with rheumatism and in this situation she had to keep two lodgers, a practice which the Duke of Buccleuch calls 'a great evil'. Miller agrees with His Grace, but reminds him that greater evils press upon the poor and that he might be the better of having some closer acquaintance with them. This was all that was done in the midst of well nigh perfect agriculture - the dwellings of the poor had sunk below the level of semi-civilisation.

Miller goes on to multiply instances. He quotes from Dr. W. S. Gilly of Norham concerning 'the hovels on the Border'. Dr. Gilly describes a group of huts all of which have changed inhabitants in eighteen months, on a property tenanted by one of the ablest farmers in England. There are chinks and gaps in the walls, chimneys lean, the rafters are rotten and displaced, the earthen floor has years aggregate of filth and there is no window, oven, copper or shelf of any kind. In such a place the hind's family has to live, the physical horror only being exceeded by the moral. Some eight or ten people have to sleep in a single room, but on occasion as the family is bound to do so, a strange young women has to be lodged for field work. Then says Miller,

(1) Witness 22/1/1842

"We may truly remark with the poet, in this case without metaphor, that misery makes strange bed-fellows."(1)

He supports his account of the moral dangers of inadequate rural housing from the report of the Synod of Perth and Stirling published in October 1841:

"Of the public scandals chargeable to farm servants the proportion varies considerably in different parishes (39 sent in Returns) but in all of them with three exceptions the number chargeable on that class of the parishioners is larger - in some of them much larger - than on all the others put together.... It requires to be particularly noticed that in one parish the scandals which have of late occurred among farm servants are reported to be nine-tenths of the whole."(2)

The houses must be pulled down and rebuilt:

"Pecuniary sacrifice must be made by the proprietary of the country, even should they have to part, in consequence, with one or two superfluous horses or a few supernumerary dogs."(3)

The urban housing situation also received the attention of the Witness. In 1849 'The Leith Experiment' was inaugurated by the Rev. Mackenzie of North Leith, and at its inception Miller gave strong support. The want of better houses for the working class

"is a clamant evil to which we have often referred, yet it is one that could be easily redressed."(4)

He commends Mr. Mackenzie for taking the matter in hand and proposing to erect with help from a few friends, eight workmen's houses with ample space around them. The rents are to

(1) (2) and (3) Witness, 22/1/1842

(4) Witness 15/9/1849

be moderate and yet yield a fair return. Miller points out the possibilities of such a scheme; much of the ground around Edinburgh could be used for an extension of it and the return would be much greater than the 2% given on capital by the banks. It would be an advantage, too, if such a scheme could make provision for 'careful tradesmen' to own their own houses. Miller strongly approves of the observation of a correspondent that the shortage of good houses at reasonable rents has a bad effect on workers and their families. Unable to pay dear rents, they move to districts where vice prevails and they become affected by it.

Miller's sympathy with the reform of urban housing is shown even earlier than 'The Leith Experiment'. In February 1849, he inserted a letter prominently in the Witness from a Free Church minister who appealed for support of Dr. Begg, particularly with regard to housing.(1) The writer regards

- (1) Dr. Begg's position is warmly commended by Miller. It is clearly stated in the Report given in the Witness of a lecture given by the doctor (Witness 18th December 1850). Dr. Begg advocated three main schemes - (a) Better houses for workmen, with facilities provided for them to buy their own houses at a rate of 7% interest on borrowed capital. To aid this object he pleaded for a simpler system of conveyancing. (b) The law of entail by which the soil of Scotland was placed in the possession of about 3,000 individuals should be amended and the notion that the land was over populated should be abandoned. Land should be made as free as any other merchandise and be brought to meet capital to provide employment. (c) Criminal labour should be used to improve land as at Sheffield and Perth.

the question as of the utmost importance and quotes Mr. Chadwick, the Poor Law Commissioner:

"The most wretched of the stationary population of which I have been able to obtain any account, or that I have ever seen was that which I saw in company with Dr. Arnot in the wynds of Edinburgh and Glasgow."(1)

The minister, who very probably was Mackenzie of North Leith, insists that the working classes must be drawn off to new houses and given the sense of having a home of their own. To this end tenements are to be avoided. If nothing is done in the matter, calamity can scarcely be avoided. The point that such a project presented a good investment to those prepared to subscribe capital is also made. All this is borne in mind in 'The Leith Experiment'. Early in 1850 yet another letter appeared, this time from 'A Friend of the Working Man'(2) again appealing for support of Dr. Begg and for the provision of working men's houses generally. It appears to be an apologia for the taking of profits from such enterprises as 'The Leith Experiment'. The writer argues that as many influences as possible should be brought to bear to dissipate the public inertia and in this instance Christian motives are added to the motive of self-preservation and to the motive of profit, the latter being of particular importance since capital is abundant and the opportunities for safe speculation are scarce. Simple, sound and solid houses should be built with not less than two commodious apartments each. Out of this combination of philanthropy and self-

(1) Witness 3/2/1849

(2) " 2/1/1850

interest, the writer sees a reduction of vice, misery and poverty as the outcome.

Late in 1850 when 'The Leith Experiment' had been in being for a year, Miller comments on the success of Mr. Mackenzie's scheme. It was in fact a very modest scheme for in all only eight houses were built. (1) Each house was in half an acre of ground and met the conditions earlier specified. Miller declares that "'Industry Lane' should swell into a village and multiply itself manifold.(2)". His reasons are both economic and moral:

"That the regeneration of society requires efforts in this direction is becoming a settled conviction in the public mind."(3)

At the same time the scheme illustrates how financial gain may be coupled with truly benevolent enterprise and how capital may be used for both the benefit of the person possessing it and the person without it.

Among the many remedies of poverty and pauperism which were suggested towards the middle of the century was that of putting the poor to work on and improve the land. Called by the somewhat quaint title of 'Rustication of the Poor', this expedient had many supporters and indeed it represented the opposite camp to those who saw emigration as a ready solution. The view consistently maintained by Miller is in complete accord with the traditional Scottish attitude to the poor.

(1) (2) and (3) Witness 27/7/1850.

It assumed that it may be necessary to support 'the heaven ordained poor' but in other cases no relief should be given except the recipients were prepared to work. Any other method only results in the demoralisation of those concerned.

(1) Apart from this very practical view, Miller could write:

"Of all the non-theological things, labour is the most sacred; of all non-ethical things, labour is the most moral."(2)

The problem is to find work for the idle masses and to this end the workhouse is quite impracticable for as well as the numbers who would require such aid, the name 'workhouse' is really a misnomer. Very often no work of value is done at all or else the workhouse competes with the unskilled labourers on the fringe of pauperism until they give up the struggle and enter the workhouse themselves. The workhouse was both uneconomic within itself and within the wider system. The remedy lay in self-support from the land both for the inmates of the workhouse and the great mass of near-paupers outside it. The country as a whole would benefit, for

"the welfare of a country has two foundations: right principle is one, and scarce less important is industrial habit combined with useful skill."(3)

- (1) Witness 8/ 9/1849 and 2/11/1850  
 (2) " 2/11/1850  
 (3) " 8/ 9/1849

At the beginning of 1849, in reply to a correspondent(1) who quoted the case of a successful application of the principle of putting the poor to work on the land in Holland, Miller expresses his belief in the practicality of such a scheme as well as its great advantages. He appends an extract from the Coleraine Chronicle showing how it had been tried out successfully in Ireland over two years. During 1849 the Witness gave much space to the subject and the contributions of Dr. James Begg, its leading exponent, appeared frequently. Dr. Begg argued that it is ruinous to have men supported in idleness, but it will not do merely to multiply ordinary craftsmen for there are enough of them already; the two possible outlets relate to the ordinary necessities of life, namely food and fuel. In Scotland apart from the potential expansion of fisheries, there were vast tracts of waste land which corresponded to the vast pool of waste labour. By putting paupers to work this land, they could maintain themselves and add much to national wealth. Much of the land is admittedly poor, but manure from the cities could be used to enrich it. Similarly, many paupers might be employed in producing fuel; peat could be dug as a substitute for expensive coal and this would not only add to the fuel supply but clear the land for agriculture. Such

(1) Witness 20/1/1849. The correspondent recommends:  
 Observations on the Cultivation of Poor Soils in the Colonies for the Indigent and Orphans of Holland - William Jacob, London 1828: An Account of the Poor Colonies in Holland by a member of the Highland Society, Edinburgh 1828.

work would not be beyond the capacity of children or old men. If this were done, the whole of society would benefit because of increased trade and increased consumption(1).

Such were the arguments advanced by Dr. Begg and elaborated by him with letter and article in succeeding issues of the Witness. Combined with his 'back to the land' plea, Begg urged the necessity of housing reform which has been noticed earlier. Like Miller, he asserts that

"there is a most intimate connection between the spiritual and temporal condition of men."(2)

He quotes a letter received:

"If the distressed poor saw the clergy take a little more interest in a public way in their cause, there would not be such a difficulty in getting many of them to attend to the ordinances of religion."(3)

Miller was consistent in his support of Dr. Begg and from time to time summarised and underlined his arguments. In the Witness of 13th June 1849 a whole column is given to the matter under the caption 'An Effectual Way to Strike at the Root of Pauperism'. Miller on this occasion has received a letter from Dr. Begg which encloses another from a Glasgow merchant called Alexander McEwan who has purchased a Highland estate where he is attempting to improve the land. Miller writes:

"Let the clamourers for emigration, the abusers of the Celtic race as incapable

(1) Witness 24/1/1849  
(2) and (3) Witness 27/2/1849

of elevation - the advocates of pauper palaces as the only cure for pauperism on one hand, and all who are interested in the national welfare on the other, read this letter."(1)

McEwan gives an account of his purchase of 5,000 acres in Islay, on which lived a population of about 700 people.

First he farmed about 2,000 acres in the year the potato crop failed, being aroused by the dire straits of the people. He gave no help to anyone unless in exchange for labour, save to the aged and infirm. By drainage and cultivation the land was made productive and the physical welfare of the people enhanced and their standard of living raised. His experience in the Highlands shows

"that the Highlands and Islands of Scotland are capable of supporting and giving profitable employment to a much larger population than at present."(2)

McEwan in fact holds the doctrine of Malthus in reverse:

"I look on population, if properly employed, as the right arm of wealth; the more populous a country, the greater the value of land and all its production."(3)

Expatriation and depopulation will render the land valueless and diminish the national wealth. Dr. Begg supplies Miller with information from a member of the Highland Destitution Committee to the effect

"that whilst the idle crowds in the old feudal estates were swallowing up the public money wholesale, Mr. McEwan's people gave them no trouble."(4)

(1) (2) (3) (4) Witness 13/6/1847

The foundation and development of 'Industrial' or 'Ragged' schools in Scotland began in 'the hungry forties' and they combined the principles of education, independence and religious training characteristic of the Scottish attitude. (1) They were directed to the hordes of beggar children, the off-spring of beggars and paupers and the potential criminals of the future. The aim was to attack pauperism at the source by training the children in habits of industry by moulding character and providing the rudiments of education. Dr. Guthrie was the indefatigable pioneer of Ragged Schools in Edinburgh and the Witness was a ready and consistent champion of all his endeavours.

As early as 1842 we find Hugh Miller draws attention to the importance of Industrial Schools which in the country's situation with regard to the poor merit every consideration as an effective measure(2). He refers to the Industrial School

- (1) The first 'ragged school' was started by John Pounds, a crippled cobbler of Portsmouth who died in 1839. His example was widely copied and the Ragged School Union was formed in London in 1844 - by 1870 there were over 200 such schools in London alone. See Cubberley - History of Education, P.619; also the Philosophy of Ragged Schools (1851) published anonymously but by Caroline Frances Cornwallis according to Halkett and Laing Dict. of Anon. and Pseud. Lit.
- (2) Witness 23/7/1842. See also Witness 21/8/1850 for account of an Industrial School at Perth where land and labour were used. At this school, the first of its kind in Scotland, a Free Church divinity student was appointed as teacher.

recently opened at Aberdeen as an illustration of their usefulness. There the superintendent (the Rev. Mr. Reid) stated that only one boy attending the school had been convicted and that his attendance had been irregular and of short duration. Miller declares that such schools ought to be spread throughout the country.

Early in 1843 the Industrial School at Aberdeen again claims notice in the Witness and Miller comments on the direct results now visible but also rejoices that a school for girls has been founded. (1) Again he reiterates that there should be such schools in every parish in the country - for the sake of the inestimable moral results as well as the practical mitigation of the poor law. An abstract of the report shows that the children admitted came from the poorest classes and were chiefly beggars and delinquents. They were educated and fed by the school, given a few hours daily labour in exchange, and returned to their parents at night. Systematic religious instruction was also given at suitable times. Some four years later, Miller again praises 'Sheriff Watson's School' at Aberdeen, which had now been open for over five years and which was described by Dr. Guthrie as 'a model institution'. The Sheriff, writing to the Inspector of Prisons, says:

"We have now no beggar children, either in town or country. I was rather surprised at the effects produced in the country districts. During the three months preceding the 6th July

(1) Witness 4/3/1843 See also Edinburgh Review July 1842 for account of mendicity in England.

1843, upwards of 100 children were found wandering in the country and reported by the rural police. During the corresponding period of 1844, fifty were found. In the corresponding period of 1845, only eight; and from the 8th of June to the 5th of July, none were found."(1)

At the same time, with the Aberdeen experiment before him, Guthrie brought forward his proposal for similar action in Edinburgh and he received the full support of the Witness. Miller is careful to point out that Guthrie's proposal to operate among this extreme kind of destitution does not make his scheme antagonistic to that of Chalmers who has been concerned with classes in quite different circumstances(2). The line which must be drawn, however, must prove a matter of difficulty for it would overwhelm Guthrie's scheme if this larger class upon whom Dr. Chalmers and his helpers worked, were included. (3)Chalmers' principles, however, which he developed early in life of church extension, education and territorial supervision, are still valid and are being pressed by Chalmers with unabated vigour(4).

"It is no part of the system of Dr. Chalmers to draw permanently from the funds of the wealthy, for either their physical support or the education, intellectual or religious, of the poor."(5)

(1) Witness 24/2/1847

(2) Chalmers laid emphasis on home and church in the administration of charity - Guthrie was concerned with 'beggar children' virtually homeless.

(3) Witness 24/2/1847 and 20/2/1847

(4) Witness 24/2/1847

(5) Witness 24/2/1847

Guthrie began his Ragged Schools in Edinburgh in 1847, and after two years the Witness printed a commentary on the annual report, contributed by 'T.M.' which shows something of the progress and difficulties. The writer considers that a more suitable name should have been given to the schools but possibly the existing name has greater influence on the hearts and pockets of contributors. Dr. Guthrie he regards as an example "of the unsurpassing usefulness of individual exertion" in contrast to the growing notion

"that nothing largely beneficial can be effected but by unions, clubs and confederations; and that philanthropy cannot thrive until joint-stock compassionate companies are organised.....we hold that the pure projects of wise benevolence generally originate with individuals whose spirits are finely touched. 'Woddly bustlers' cannot understand these men."(1)

'T.M' regards the outlying classes on the skirts of society as the product of a sinful civilisation; the term 'poor' or 'destitute' is a misnomer applied to this class which would be more appropriately called 'disowned'. The argument that such people are a government responsibility and that taxation should be increased for their support would result

"in effect, to transform a Chancellor of the Exchequer into a sort of Robin Hood, popular enough in communist ballads but finding very little favour with fundholders and assessed taxpayers."(2)

The appeal must be made to the compassion and charity of the people and for this there is no government substitute. 'T.M' then described the work of the schools. They are well managed

(1) and (2) Witness 17/2/1849

and the children are efficiently taught:

"They might be backed against any boy-students  
in Christendom." (1)

One difficulty, however, which the managers face is that of finding a practical scheme whereby the trained children could be absorbed, but none has been suggested so far.

The foundation of Guthrie's Ragged Schools was preceded by his pamphlet 'A Plea for Ragged Schools' which had the significant sub-title 'Prevention is Better than Cure' (2). This exceedingly able work traces the history of the beggar problem in Scotland and points out the inefficacy of the previous legislation intended to meet it. The legal provision whereby any subject of sufficient means could take a child 'and educate him to his service' did not prove profitable even when the terms were improved to make such children bond-servants for life. Fletcher of Saltoun held that nothing less than a system of hereditary slavery was the answer to Scotland's beggar problem in his time. But nothing was done. In 1783, an anonymous volume which was probably by 'the sagacious Duncan Forbes', suggested that the evil could be cured in a generation by regarding the adults as incurable and concentrating on the children. He pointed to the two causes of begging among children; orphans or the children of indigent parents had no other source of livelihood; sickness and infirmity drives others to begging and when they recover

(1) Witness 17/2/1849

(2) " 20/2/1847

health and strength, they are not disposed to hard work. He therefore proposes that the law should put down begging, and infirmaries should be provided at public expense to meet the needs of those set aside by sickness. But children should be taken to institutions, taught to read and be given easy work. They should be instructed in trades and not released until the age of twenty five or twenty six. Guthrie points out that nothing was done despite the fact that the leading idea of this scheme was far superior to all previous suggestions. Now when the problem is more acute the idea of instructing the young is growing as is shown by Sabbath Schools, Infant Schools and is

"more decidedly embodied in the ragged schools of England." (1)

Miller points out that Guthrie's scheme is even more developed. He suggests industrial schools in every district so that each teacher has a relatively small number of children with which to deal. Food is to be of the plainest but the institutions are to become homes to the children. Charitable persons are to be encouraged to 'adopt' a child to the extent of maintaining and generally taking an interest in him. Such persons were to be known to the child and thus arouse a sense of gratitude and the feeling that someone cared.

(1) Witness 20/2/1847.

At the beginning of 1849, Dr. Guthrie issued another pamphlet 'On a Second Plea for Ragged Schools'(1) which presented the financial difficulties of the schools. Commenting on this work, Miller stresses the importance of its continuance on the ground that those who had been helped would speedily 'revert to type' if the good influence were removed, such being the downward bias of human nature. That the work of Dr. Guthrie was practical and not Utopian had been demonstrated by facts and figures. Miller asserted that while the Edinburgh public had done much, there was still much to do. He commends the efforts of Sunday Schools which have sent money and says it is the duty of those possessing means to support one or more of the children in the schools. Groups should band together for this object; Young Men's Societies and Sunday School Unions could be of great assistance both as a moral force and as a source of revenue for the schools.

The distinctive name Original Ragged Schools was applied to those founded by Dr. Guthrie to distinguish them from those formed soon after by Roman Catholics whose schools in Edinburgh were called United Industrial Schools. The pages of the Witness reflect the high feeling caused by Roman

(1) Other contemporary literature reviewed in the Witness:  
 The Spiritual Destitution of the Masses in Glasgow - Dr. Robert Nuchanan. See Witness 21/1/1851.  
 The Schoolmaster in the Wynds - Dr. Robert Buchanan. See Witness 2/2/1850.  
 Blackfriars Wynd - Dr. George Bell  
 Day and Night in the Wynds of Edinburgh - Dr. George Bell. Witness 3/7/1850.

Catholic children being taken into Dr. Guthrie's schools, and also the general anti-Roman Catholic sentiment of the time. Controversy raged between the parties chiefly on the question of religious instruction in the schools. (1) Miller, reporting the preliminary meeting held on 22nd June 1847 remarked on the sparse attendance and the poor representation of even Roman Catholics, as showing the poor interest in the Roman Catholic School. At that meeting Bishop Carruthers said that Catholics were virtually excluded from the privileges of industrial schools and did not receive the benefits intended by the contributors. They, therefore, proposed to open two other schools in which provision would be made for the religious instruction of Protestants as well as Catholics. The Witness regards this as the revival of an ancient quarrel since Dr. Guthrie had made it plain that a 'scriptural training' was to be given in his schools and it is really a question of "The Bible versus the Church of Rome(2)". At a public meeting the charge had been made that the Ragged Schools were sectarian and partial because the committee had no Roman Catholic member and because its scheme of instruction embraced the Bible. The resolution at that meeting fully supported the committee.

The Roman Catholic School was at length established and Miller expresses his best wishes to both denominations(3).

- (1) Witness 26/6/1847
- (2) " 30/6/1847
- (3) " 21/7/1847

But he proceeds to expand on the social effects of Roman Catholicism and rejoices that 'Lord Murray's School' by absorbing some of the Roman Catholics

"will prove....an excellent breakwater to the Ragged School of Dr. Guthrie."(1)

Although, continues Miller, the Roman Catholic population of Edinburgh only represent a sixth part of the total population they had supplied half the candidates for admission into Dr. Guthrie's school:

"Popery is peculiarly a religion of dependence and indigence and it is its direct tendency to militate against the self-relying spirit."(2)

But "The reformed religions wherever it exists as a vitality, is a developing principle, intellectual and industrial, and operates with beneficial effect on the worldly circumstances of its professors."(3)

A comparison of the Witness reports and comments on the annual reports of the Original(4) and the United Industrial Schools at the beginning of 1850 underlines Miller's earlier contentions. Of the Roman Catholic meeting it is reported that the platform was too large for those present and that the audience

"resembled in its motley array....either the meeting of a masonic lodge or a bevy of the Latter Day Saints."(5)

(1) Witness 21/7/1847

(2) and (3) 21/7/1847 - A typical attitude of the Witness:

See 9/1/1851 The Case of Glasgow

30/5/1851 The Immigrant Irish

(4) Witness 16/1/1850 and 2/1/1850

(5) Witness 2/1/1850

Not a single Protestant clergyman was present, which lack of interest the Scotsman deplures. Miller replies that the Scotsman ought not to cover up the practical tendency of the institution and the real object of the priests in supporting it, which is that the children of Roman Catholics should be brought up at the public expense. He, therefore, warns against "this abortion of liberalism and Popery(1)".

Turning to the meeting of the Original Ragged School, which was attended by a thousand people, Miller rejoices that Scripture continues to be taught in spite of opposition, while the public teaching of Scripture has been abandoned in the Roman Catholic counterpart. Dr. Guthrie reported that as in former years, the great bulk of applications had been from Irish beggars and that objections to their being taught Scripture was not parental but priestly. Quoting from Macaulay's English History, the Witness asks:

"What is to be gained by teaching those who, for the good of society are to be reclaimed from vice and inured to honest industry, a form of religion so utterly corrupt that it no longer serves any moral or industrial purpose."(2)

Miller's arguments in favour of Industrial Schools are characteristic of his attitude to social reform as a whole. He held that prevention is better than cure and that it is much more rational and benevolent to prevent misery than to attempt to relieve it when it occurs. The mere relief of want

(1) Witness 2/1/1850  
 (2) " 16/1/1850

is insufficient and may even foster poverty and leave unfulfilled the Scriptural injunction of consideration of the poor. 'Consideration' in this context means something broader and deeper than the indiscriminate giving of alms. It means in fact, 'considering' the whole man and the whole series of causes and effects together with the remedies and their effects, all of which play upon a brother man in his situation. He asserts what is really a corollary of this - that the method of relief is important and should involve friendship, visitation, rescue and training, quite apart from relief of immediate need. Mere sentimentality is not enough, nor is all the efficient training in the world any use, unless bound by religion and moral discipline (1).

(1) Witness 23/7/1842 and 14/7/1847

The Elberfeld Poor Law System - Note.

A very full and detailed account of the Elberfeld system is given in the Reports submitted to Parliament in 1888, the principal report being by J. S. Davy, one of the Inspectors of the Local Government Board, but being supplemented by those of Mr. C. S. Loch of the London Charity Organisation Society and Mr. A. Hanewinkel of the Liverpool Central Relief and Charity Organisation.

The Elberfeld system refers to the method of poor relief adopted at Elberfeld in Germany, and which in a great measure engaged the attention of administrators abroad as well as influencing the whole of the German poor law administration.

The political changes in Germany had brought closer relations between the various states and in consequence of the need of common agreement in matters pertaining to the poor, the Convention of Gotha was signed in 1851 and the Agreement of Eisenach in 1853, laying down general principles and regulations concerning territorial responsibilities. But in 1867

"the Reichstag of the North German Confederation passed the law of free residence from which the development of modern German poor law springs." (1)

But the individual states had the right to determine for themselves the conditions under which the law was to be applied, and unfair and inconvenient variations took place

(1) Reports on the Elberfeld Poor Law System, P. 5

from state to state. This was, however, rectified by the legislation of 1870 which provided that every German should be treated alike in the matter of poor relief and that certain general principles as to settlement and chargeability should be observed by all states. But within the federal law the individual states still had great liberty of administration. Various types of organisation developed and the most promising and the most elaborate was that which obtained in the town of Elberfeld.

J. S. Davy points out that the system was not new in Germany, having operated in Hamburg as early as 1788(1), but it was in many respects similar to the system advocated by Chalmers for Glasgow in his 'Christian and Civil Economy in Large Towns'. In Elberfeld the system was introduced in 1852 by Von der Heydt, Liske, Peters and others. It was recognised

"that something more than mere goodwill and kindly feeling were necessary in order to deal with a social question, on the right solution of which depends to no small degree the moral well-being of the whole wage-earning classes." (2)

"The essential point of this organisation was the enlisting of a large number of unpaid workers whose duty it is to investigate the circumstances of applicants for relief, and to help them, not only with money supplied from the public funds, but with friendly advice and sympathy." (2)

(1) Die Entwicklung des öffentlichen Armenwesens in Hamburg by Dr. W. von Melle - referred to in the Report, P.10.

(2) Report on the Elberfeld System, P.11.

The social and financial success of the system led to its adoption in various forms in other German towns.

In Elberfeld a 'deputation' administered poor relief under the control of the town council. Paid officers also were appointed by the council. The president of 'the deputation' was the mayor or a member of the council appointed by it. J. S. Davy writes:

"The office of president is one of great importance in the working of the Elberfeld system. He is the permanent head of the organisation, the link between the central town authority and the various deputations, and the principle guarantee of uniformity of relief, and for the proper guidance and direction of the immense staff of subordinate workers."(1)

There were ordinary members of the 'deputation', four from the town council and four from the citizens, all nominated by the town council. The town was divided into 364 sections comprising twenty six districts for the purpose of administration. An almoner was appointed in charge of each section and an overseer to preside over each district. In each case the appointments were made by the 'deputation' and confirmed by the town council. The offices were honorary, but there was a legal compulsion to serve which it was not found necessary to invoke, and these vital offices of almoner and overseer were filled by men of ability and public spirit who had sufficient leisure for the work. Application for relief was made through the almoner of the applicant's district and

(1) Report on the Elberfeld System, P.12

he had to make full inquiry and visit each home. In cases of urgent necessity he could make an immediate grant of a small sum but this was not encouraged. Ordinary cases were dealt with at the fortnightly meeting of the district and no relief was given for a longer period than fourteen days. This was considered a very strong point in the system but the principle of sub-dividing the labour so that each almoner had a relatively few cases to look after - the number being fixed at four - was also regarded as of the utmost importance.

Speculating on whether such a system would work in England,

C. S. Loch remarks:

"What is good in the administration of Germany especially in its system of poor relief, is due to good citizenship. Upon this depends whatever power it possesses of withstanding pauperism. The administration of poor relief in a German town is still one of the civic duties of the Common Council of the city, or rather a committee appointed by it and reporting to it..... A Londoner would hardly consider that to serve as a guardian was one of several duties that he should undertake as a matter of course."(1)

In his report, Mr. C. S. Loch marks the interesting contrast which the German system shows to the English system of poor law administration:

"At first sight the German system strikes one as a charitable rather than a poor law system, but the State laws in regard to the poor relief give the contrary impression. They suggest as motives, considerations rather of statecraft than of civic benevolence; they appear - and in a measure they are - alien to the plan of local administration. Instead of being part

(1) Report on the Elberfeld System, P.87.

of its strength and stuff, they seem rather to overcloud and hide it. The local administration had till the last few years, developed hardly at all since Reformation times; and it still bears the traces of its origin. The funds administered at one time by the Church are now administered by the commune or parish, or partly by the Protestant churches and partly by the communes; the authority is different but a similar charitable element remains. The rules for relief are not precise like our poor law rules, though they have been strengthened and elaborated by ideas borrowed from Elberfeld."(1)

Continuing the report shows congruence of the Elberfeld method with the proposals of Dr. Chalmers:

"Almost everything depends on the individual almoner, and in the control and training to which the poor authority in the commune may subject him. And thus a kind of expanding district visiting system, supported by the communal authorities, and aided with funds partly drawn from taxation, and partly from endowments has grown up. These are elements which may suggest an Elberfeld system and out of which it may be perfected. The work of relief is thus one of the duties of the citizen; but it also receives another sanction from the view that 'active charity of the first Christian century bore a communal character'(2). It is as if Chalmers had made his experiment at St. John's, Glasgow, partly with grants from the city funds, and for almoners had the assistance of Glasgow citizens, not in their capacity as members of his congregation, or in consequence of any persuasions which he had used towards them, but merely because they were Glasgow citizens and were fulfilling a citizen's duty in a partly religious spirit."(1)

(1) Report on the Elberfeld System, P.52.

(2) Mr. Loch refers to Ulhorn, quoted by Dr. V. Bohmert in "Das Armenwesen in 77 deutschen Städten" Dresden 1881.

Chalmers and Alison - Note.

Opinion was sharply divided on the subject of the poor law when Alison put forward his views so ably in 1840. The natural representative of the opposition was Dr. Chalmers who had written much on the subject and since his experiment in St. John's, Glasgow, had contended for the traditional parish system and the voluntary principle in poor relief. In his 'Christian and Civil Economy of Large Towns' Chalmers makes his principles quite clear.(1)

He considers that it is salutary for the government not to interfere with matters of trade and commerce, for left to the free play of the natural interests and instincts of men, the very highest good will be the outcome within the economic system. But just as government ought not to interfere with trade, so it ought not to interfere with pauperism:

"And it were also well that government withdrew from the concern of ordinary pauperism altogether, which stands so nearly associated with the question of population."(2)

This withdrawal would resurrect providential habits and tend to restrain the number of the population and restore the benevolence which the poor law (in England) had superseded. But government non-interference cannot be expected to do all, for while it may be true that the 'unfettered

(1) Issued in quarterly parts 1821-23.

(2) Christian and Civil Economy, V.I.P.7

principles of nature' may be sufficient in the interests of a country's commerce, it is not sufficient to realise the optimum social good of the people. Compulsory provision for the poor aggravates poverty and if abolished would certainly lead to a reduction in the amount of pauperism, but irresponsibility and moral weakness will continue to cause population to press upon the means of subsistence. Moral transformation is the only hope for this residue and of this the most potent agency is Christianity, and the Christian the most acceptable agent. He can enter homes qua Christian which would be closed to him qua moralist or economist. The effects of the Christian faith itself on character and material well-being are demonstrable:

"There is not a more familiar exhibition in humble life, than that alliance in virtue of which a Christian family is almost sure to be a well-conditioned family."(1)

The deficiency of moral and religious instruction in town parishes has a practical bearing upon the state of the masses in their material conditions, and says Chalmers:

"We hold the possibility, and we cannot doubt the advantage of assimilating a town to a country parish."(2)

Chalmers would achieve this by a more adequate establishment of churches in large towns and by the multiplication of agencies within each parish itself. By this means the minister

(1) Christian and Civil Economy, V. I. P.18

(2) " " " " " V. I. P.25

would be enabled to accomplish in a town parish what is done in the country by way of religious and moral instruction.

Chalmers returns to this point more than once:

"We hold it a practicable thing, to conduct any parish, either in the city or in the country, to the old economy of a Scottish parish."(1)

Considering the poor, Chalmers accepts 'that the poor shall be with us always' and asserts the practicability and desirability of removing pauperism, but proceeds to distinguish between poverty and pauperism. For Chalmers, 'poverty' is relative to the average style of comfort of the class to which an individual belongs and the term may be applicable to the earl as much as to the labourer. The earl may be poor and yet have many times the income of the labourer. Pauperism exists when the deficiency is made up out of public funds. Here is probably the fundamental weakness in all of Chalmers' teaching on the subject for, while his definitions of 'poverty' and 'pauperism' may be theoretically impeccable, they set the limits of the problem too narrowly. The masses in their poverty were not concerned with a mere relative state of living, but most often with the bare essentials of existence. The 'poor' earl was in no such plight.

Opposing anything in the nature of compulsory provision for the poor, Chalmers held:

(1) Christian and Civil Economy. W.II. P.23-24

"It is impossible but that an established system of pauperism must induce a great relaxation on the frugality and providential habits of our labouring classes."(1)

It destroys the kindness of relatives:

"It has poisoned the strongest affections of nature and turned inwardly towards the indulgence of an abstract selfishness, that stream which else would have flowed out on the needy of our own blood and kindred."(2)

Also it destroys the sympathy of the rich for the poor "by turning a matter of love into a matter of litigation.(3)".

But of even greater importance is that it destroys the sympathy of the poor for one another:

"The most important benefactors of the poor are the poor themselves."(4)

On such premises Chalmers wrote and argued for the old system as against any legal provision of the poor by assessment, but in the end the suggestions of Alison prevailed.\*

<sup>P. W. Kenney</sup>  
William Putney Allison whose work played a large part in bringing about a change in the Scottish Poor Law, was a distinguished Professor of Medicine at Edinburgh University. His first major works on the subject appeared in 1840 under the title of 'Observations on the Management of the Poor in Scotland' and 'Illustrations of the Practical Operation of the Scottish System of the Management of the Poor'. The latter

- (1) Christian and Civil Economy, V.II. P.56
- (2) " " " " V.II. P.57
- (3) " " " " V.II. P.58
- (4) " " " " V.II. P.60

\* See also - Alison's Reply to Dr. Chalmers, 1841.  
Pitmilley's Proposed Alteration of The  
Scottish Poor Laws, 1840.

was first read in the form of a paper before the Statistical Section of the British Association on 18th September 1840. All formed part of a campaign to alter the voluntary system of poor relief as it existed in Scotland and to controvert the contentions of Dr. Chalmers and others.

In the preface to his 'Observations' Alison disclaims any presumption in venturing to discuss the subject since the higher than average incidence of mortality in Edinburgh and Glasgow where poverty abounds, brings the matter well within the province of a doctor. He denies that intoxicating drink is the most powerful cause of the high incidence of mortality and holds that it is but secondary. The high rate of mortality applies among young children; a much lower rate is found in some towns among classes who drink heavily, yet in other towns where drinking is not so great, the high rate is again found. Therefore, Alison argues, drink is not the primary cause, the drinking habit being the inevitable result of depression, and the real cause of the high incidence of mortality being lack of sufficient food and clothing.

Alison then proceeds to show how poverty has increased in the previous quarter of a century and from documentary evidence reaches the conclusion that the poor of Edinburgh are little better than those of Dublin\*.

\* Alison makes extensive use of contemporary reports - medical, institutional and government. His work is fully documented.

From the Report of the Handloom Inquiry, Glasgow is held to be worse than anywhere at home or abroad, and its mortality rate probably the worst in the country. He then considers the fever epidemics which raged in the poorer parts of the great cities and while he does not consider destitution to be the sole cause, Alison holds, supported by abundant medical statistics, that it is the cause of the rapid diffusion of contagious fever. With this empirical approach, Alison enters into a stormy controversy in which a priori assumptions and hard facts are not always clearly distinguished. He cannot dismiss the problem as part of the plan of Providence nor can he believe in the efficacy of religious and moral instruction alone, directed towards the destitute. But Alison does admit the validity of the word 'the poor shall never cease out of the land', nevertheless,

"the same Scripture which tells us of the continual existence of poverty, tells us of the duty of charity....."(1)

If it can be shown that poverty and suffering and social evil are increasing and that methods of alleviation are short of what is being done elsewhere, then the Scriptural injunction to charity is not being carried out. Proper remedies must be applied and this can be done only through increased legal provision for the poor. Alison then considers the arguments against his proposal.

(1) Observations, P.33

He regards the view of the Malthusians as the most weighty, namely that misery and vice are an effective check on population which tends to outrun the means of subsistence. Up to a point, Alison would accept the principles of Malthus as genuine inference from observed facts but he regards as mere speculation the view that an improved poor law would be such a bounty on population as to destroy the preventive check of poverty and that it would generate more misery than it would relieve. Until Malthus and his followers can show observed and statistical evidence such a contention cannot be held valid. Indeed, if Malthus is to be consistent he must not only denounce the poor laws but private charity also along with every endeavour to preserve life.

Appealing to experience Alison points out that for the previous two hundred and fifty years there has been a general enforcement of the poor rate in England and admits that for nearly a half century it had "in some respects been carried to an injudicious height.(1)". A comparison of England and Ireland where there had been no such general enforcement provides the 'experimentum crucis'. It is found that

"the population of England has kept strictly within her proper limits, while that of Ireland has so completely out-run them, that 'famines' in Ireland are of nearly 'periodical' recurrence."(2)

(1) Observations, P.74

(2) " P.75

The surplus population of Ireland is a constant embarrassment in both England and Scotland(1). Alison, therefore, argues that so far from being a bounty on population, the English Poor Law by maintaining a relatively higher standard of living among the poor, was in effect a restraint upon population. It is demonstrable from the lowest classes in both Scotland and Ireland that the greater the misery and the lower the standard of living, the greater the irresponsible increase in population.(2).

Alison turns again to the case of Ireland to show the positive advantages which have accrued to England from her poor law system, advantages before which the recent maladministration seems of little account. He commends also the writings of Duc de la Rochefoucauld published at the time of the French Revolution as "perfectly sound and consonant to all experience(3)", and approves heartily of the views expressed in Rapport du Comité de Mendicité (1792) - that relief of misery prevents it in others and dries up the springs of further misfortune, and that relief given by private means is insufficient so that a national and legalised system is necessary.

Facing the objection that poor law assessment interferes with private charity, Alison answers that private charity is

(1) A constant complaint in reports and contemporary literature.

(2) Observations, P.95.

(3) " P.101

indeed preferable if it could be made "equally uniform and efficacious(1)", but these conditions are not possible in "an advanced and complex state of society(2)". In many of the smaller Scottish parishes where society is simple but civilised and the duty of each man to his neighbour is clear and accepted, private charity can meet the case. But it is absurd to argue that this will obtain in the complexities of urban areas where individual relationships are diffused and where landlords are not in residence. The amount of relief required is so vast that the private almoner tends to give up the struggle as hopeless and so the poor are neglected.

On the argument that the poor law breaks down the spirit of independence, Alison points out that in highly civilised and industrial societies there is an unavoidable residue of poor for whom provision must be made. The majority of them are unknown to those of 'the higher ranks', and since those 'higher ranks' reap the advantage of the more complex society, they must be prepared to support the poor. Alison has no doubt that it is less harmful to the independence of the poor to claim sustenance as a right provided by law, than it is for them to claim it as a boon by various degrading methods of supplication from unknown superiors. He disposes of Pitmilley's argument that the relatively low costs of maintaining the poor in Scotland as compared with the higher costs per capita in England, attest the superiority of the Scottish

(1) Observations, P.100  
 (2) " P.101

system. He denies Pitmilley's assertion that the English poor rates are increasing or that the English poor are idle compared with the Scottish. Admitting that a certain amount of idleness did result in England from the system, now abandoned, of paying wages out of rates, Alison denies that it has any relevance to the proposed Scottish poor law or that there is any appreciable difference in the character of the poor in each country. The industrial prosperity of England gives the lie to such an argument.

Others oppose the proposed poor law on the ground that it would destroy family ties and filial affection. Alison replies that 'vicissitudes and suffering' do not appear to be necessary to the 'higher ranks' that they may develop domestic virtues and he has observed that the effect of extreme destitution is brutalising and not productive of any sort of virtue. Even if it were otherwise the possible effect on domestic virtue would scarcely justify leaving the poor in their misery.

Answering the economists who affirm that the poor laws interfere with the profitable application of capital, Alison reverts to the population principle and his previous argument that unrelieved misery destroys the preventive check on the growth of population. Therefore it follows that the unproductive destitute of the population will increase with a consequent growth of a crippling burden of indigence and misery

within a country. This would have a disastrous effect on capital and credit, "the most timid of all created things"(1).

Finally, Alison discusses the objections of those

"who distrust the efficacy of any measures for the benefit of the poor, which go merely to the relief of physical suffering; and trust to 'religious and moral education' as the only effective remedy for this and all other evils of the social condition of the species."(2)

He holds that religious instruction to be effective must fall on prepared soil and that while it may be possible to excite religious feelings in the very lowest members of society, it is the verdict of experience that such religion cannot be expected to change their characters while they have to struggle for their existence:

"A certain degree of physical comfort is essential to the permanent development and habitual influence over human conduct, of any feelings higher than our sensual appetites."(3)

Of the efficacy of education among the poor, Alison writes:

"When a man's whole faculties are strained to the utmost from sunrise to sunset, to procure subsistence, he has neither leisure, aptitude, nor desire for information."(4)

There is no panacea for human poverty and suffering and what may not be prevented must be relieved and

"we sin against reason as well as religion, if we suppose that any instruction which man can give to man can ever absolve him from the simple and practical duty of 'clothing the naked and feeding the hungry'."(5)

- (1) Observations, P.120
- (2) " P.125
- (3) " P.126
- (4) " P.126 (quoting Symons' Arts and Artisans).
- (5) " P.129

Alison then sets down the practical advantages of a legally assessed system of relief. (1) Much of the argument has, however, been seen as he answered the opponents of the system. His theses are as follows: (a) It is the only system of relief adequate to deal with the great numbers of poor in a complex society where they live remote from the rich. (b) It is the only system which can be expected to act uniformly and with adaptation to the wants and characters of those relieved. (c) It is the only system that is just to the 'higher orders' for under a voluntary system of relief the burden tends to fall upon a relatively few who are charitably disposed and the others bear no burden at all. It is just that they should pay and the only means whereby they can be reached is by assessment. (d) It is the only system whereby all ranks of the people in a community are given a direct interest in the poor. Without legal provision the poor are often disregarded until the evils of their condition threaten to move upward. Then action is taken by the 'higher orders' to provide some relief but as soon as the danger is past, they leave the poor again to their fate. A legal provision for the poor keeps their claims before all.

Having furthered his professed aim to dispel the fear that the relief of poverty only leads to its perpetuation and increase, Alison suggests how the management of the poor may

(1) Observations, P.172-3. (Concise summary of Alison's arguments).

be improved in Scotland. He holds that the enforcement of the law should be given to some public body but not to one elected by the ratepayers. Particular regard should be given to the compelling of husbands to support wives and children, a matter on which there is weakness in Scotland. Further, assessments for poor relief should be imposed upon all and that no parish or any other body should be exempt. The effect of some parishes being unassessed is to drive beggars and paupers to other towns where assessment exists with consequent increase of the burden there. Also, the assessments should be substantially raised and the payments to the necessitous substantially increased. In addition, he advocated workhouses to be established in every large town in Scotland for the reception of those judged unsuitable for outdoor relief. Pointing out that the able-bodied are not excluded from relief in the other countries where a more efficient system exists, Alison suggests that the able-bodied should be included in the legally assessed system of relief in Scotland. Such measures would improve the health and morals of the people.

CHAPTER EIGHTConclusionThe Formative Social Influences.

(i)

Ethics, Theology, Scripture and Religion.

The concept of 'natural law' has an important place in Miller's contests for social justice. He rejects the slave owners appeal to Scripture in support of slavery and appeals himself to 'sacred rights' which are 'timeless, absolute and inherent'. Those 'rights' having been invoked by the Pilgrim Fathers, they equally pertain to the unfortunate victims of slavery and are not nullified by Scriptural precedents. In attacking the 'Clearances', Miller supports Sismondi's argument that they were made possible by the abrogation of the Celtic system of land tenure which had an unwritten code recognising the 'right' of each member of the clan to subsist on the land of his fathers.

Throughout his strictures on the Game Laws and the Land Laws, Miller constantly affirms that the land was made for man and not man for the land. At the same time he regards the holding of property as a 'natural right' divinely instituted and while he would impose limitation upon property owners so that they might not use their property to the

extermination of their fellows. Miller's grand complaint against Chartists and Communists is that they would abolish property altogether. He will not admit the validity of 'the natural law' on which their argument rested.

Miller's appeal to natural law is not that of a reckless radical but always contains the elements of both conservatism and change. His vehement charge against Chartism was that it was

"against the great natural law of property - one of those institutions of God which no man or no nation ever set aside with impunity."(1)

Miller maintains that this idea has existed from time immemorial and with the progress of civilisation has received the sanction of law and religion and to destroy the institution of property would lead to anarchy. In his comment on the Chartist Petition, Miller's conservatism is apparent. In that document the Chartists claimed universal franchise as a 'natural right' consequent upon the people's delegation of their interests to government. Miller regards this as abstract theorising which might have some good result if the delegating individuals were virtuous and intelligent, but

"if ignorant and vicious, the exertion of natural rights throws them back into anarchy and they begin to terrorise and oppress de novo."(2)

(1) Witness 7/5/1842

(2) " 11/5/1842. See also 'Judicial Murder' 7/3/1844.

The Chartists by their designs upon property show that 'natural right' claimed in the name of justice becomes the abuse of power by the way. The claim for a share in government based on natural right, due to delegation cannot be maintained since it is so capable of various interpretations by individuals and classes. Further, the possession of power as a result of claiming this 'right' leads in the end to the repudiation of the 'right' itself.

In the particular context of Chartism Miller appears to set no value on their arguments based on natural right, an attitude which stands in curious contrast, if not contradiction, to his appeal to natural law in the interests of slaves. Of the Chartist's claim to a natural 'right' of delegation and ipso facto of representation in government, Miller writes:

"Man is not free by nature.....but must certainly work out freedom for himself."(1)

Further -

"The God who created him far otherwise, has enacted a law concerning him as inevitable as the law which regulates the descent of the showers.....which determines that so long as he remains vicious and ignorant, he must also remain a slave."(2)

Appealing to history, Miller argues that the strong lord it over the weak and there is no escaping this 'true natural law' by framing abstract theories. Thus he demands that the corrupt nature of society be taken seriously and what he terms

(1) and (2) Witness 11/5/1842.

'true natural law' is really the theological doctrine of the Fall.

The Witness returns frequently to the subject of law and justice, noting the disparity between them. A high place must be given to the welfare of the people - *salus populi suprema lex* - but in actual fact such a principle is not always embodied in legislation. Writing of the depopulation of rural areas, Miller comments that the scheme of which it is a consequence may be quite legal yet quite unjust,

"Justice and mercy may equally protest against it, but the law is on its side."(1)

Laws are only good when they have the weight of the popular conscience behind them, failing which

"they become invariably in all such cases, a sort of machinery for converting useful subjects and honest men into rogues and public pests."(2)

He exemplifies the 'crime making' propensity of bad law from the incidence of murders arising out of poaching, the rapid increase of murdered gamekeepers being due to the exigencies braved by men naturally disposed to hunt, and created by a law for which there was no moral sanction. The converse is equally true. Miller points out that Wilberforce succeeded in having his anti-slavery legislation passed and made effective precisely because such moral sanction did exist.

It would be difficult to ascribe to Hugh Miller a

(1) Witness 25/4/1855

(2) " 13/2/1848

complete philosophy of natural law and possibly futile to expect perfect consistency in the application of his principles at all times. He does, however, tenaciously hold to the natural right to property, although he would not allow such a right to be exercised absolutely to the detriment of the community. Nor does he entirely repudiate the great natural law of freedom, but in the slavery debate uses it as his authority together with the 'developing principle of Christianity'. Nevertheless, when Miller opposes Chartism, 'natural freedom' is displaced in his thinking by the law of cause and effect illustrated by sin and its consequences in society.

More characteristic than the appeal to natural law is Miller's theological basis of judgment in matters of social concern. In all he has a distinct theological doctrine of Man, Judgment, Providence and the Civil Magistrate, and above all, of Redemption through Christ. The conception of individual sin and the consequent corruption of society is axiomatic to Miller. Although man was created 'far otherwise' human nature is depraved and

"nothing illustrates more impressively the depravity of human nature than the monstrous evils and abuses that spring up in all departments of human affairs, and the almost impossibility of getting rid of them."(1)

(1) Witness 22/3/1851

Writing of the 'poisoning mania' Miller illustrates the contagious nature of human depravity:

"So long as human nature remains as it is, we despair of seeing this mania cured till it has been supplanted by another. Man is a mimetic as well as a gregarious animal - the creature of imitation or habit."(1)

The crowd which gathers, the fashion in dress which obtains, all indicate this fact, but there are 'fashions' in evil. Suicides find copyists, the exposure of Burke provoked similar murders, and the discoveries of chemistry have made possible the new fashion of murder by poisoning(2).

Miller vigorously opposes any superficial view of society or easy optimism that external reform is enough:

"Under the varnish of modern society there lurks a fearful corruption."(1)

(1) Witness 23/7/1856

(2) See The Poisoning Mania and Life Insurance, Witness 23/7/1856. Miller comments on the poisoning cases of Palmer and Dove, the latter having plagiarised the former's methods. Poisoning is the latest fashion in evil made possible by the new achievements and encouraged by the ease with which murderers can insure their prospective victims. Miller asserts that certain companies are quite unscrupulous in the matter. He calls for a Parliamentary inquiry into the abuse of life assurance which is a good thing if properly used. Legislation was later passed and is still operative, by which 'life of another' policies are only issued when the policy holder stands in a certain relationship to the assured.

Social evils cannot be dealt with by amended legislation, improved economic conditions, education or free trade alone. Neither will well-planned towns or new houses succeed. Although such measures are important they are mere meliorations which will only improve 'the face of things' for a time.

"The true philosophy on this head is the philosophy of the Bible.... It is man himself that is wrong. The system which has not this for its fundamental maxim cannot be sound."(1)

The evils of society in every department arise from the passions of the individual human heart. To ignore this is to disbelieve

"the great fundamental truth of revelation, namely, that man is morally deranged."(2)

The Editor of the Witness was the advocate of every practical proposal in the interest of social justice but always he recognised the limitation of such measures, being terribly aware of the reality of evil:

"We repeat that the whole philosophy of social evils and social reforms centres in this, that man is a fallen creature."(3)

In the doctrines of Providence and Judgment, Miller follows the classical theology of the Institutes and the Westminster Confession. He conceives of God being truly active in history, governing His world. One nation may be used in the hand of God to punish another; wars together with civil

(1) (2) (3) Witness 26/9/1849. Comment on National Evils and Practical Remedies - James S. Buckingham.

revolutions, although evil in themselves, may be agents of the divine wrath. Even 'natural' afflictions such as an epidemic of cholera is to be regarded as a punishment for sin, but such punishments have a 'direct' and an 'indirect' aspect in Miller's thought for he conceives of a cause and effect relation in sin itself.

Miller is sure that

"the justice of heaven is calm, slow, yet awfully certain."(1)

It is necessary that nations should be punished on earth, for otherwise they could sin with impunity, having no corporate existence in the hereafter. He regards Communism as bearing

"a strongly retributive character. It is the messenger of vengeance to guilty thrones, guilty churches and guilty nations."(2)

To Communism might be applied the word of Jeremiah to Israel:

"Thou are my battle axe and weapons of war, for with thee will I break in pieces the nations."(3)

Considering the 'Past and Present of France' in an article written on the outburst of revolution in 1848, Miller illustrates the fact of divine judgment. The miseries and carnage suffered in France are the result of her past crimes for in such matters there is a relation of cause and effect:

"The convulsions in which she now is involved and the unprecedented calamities she is now enduring, are at once the consequence of the righteous blood shed by her in former ages."(4)

- (1) Witness 12/7/1848
- (2) " 6/9/1848
- (3) " 6/9/1848. Jeremiah 51.20
- (4) " 12/7/1848

Her great crime was the forcible suppression of Protestantism and this was followed by a reversion to infidelity in which she found not liberty but anarchy. The present disorder in France is a divine judgment upon her, but

"the suppression of the Reformation in France operated judicially in another respect. It told with fatal effect upon the finances, trade and wealth of the kingdom."(1)

Writing in 1849 Miller disagrees with the view expressed by 'The Times' that the revolution is created by a few adventurers with 'ill-regulated ambition' and that it has no other significance and replies

"they did not create the Revolution, the Revolution created them."(2)

He denies that it is merely a 'French' revolution but asserts that it belongs to the whole human race

"and has addressed itself anew to the terrible mission which Providence has assigned to it. .... It bears the same relation to the past that the harvest bears to seed-time."(3)

That God pronounces judgment upon nations and uses men and nations to execute them is clearly held by Hugh Miller, but at the same time he regards sin as carrying its own punishment within itself:

"Thus the Great Ruler is punishing France, as He is accustomed to punish guilty nations.... He leaves her simply to reap the fruit of her own doings."(4)

- (1) Witness 12/7/1848
- (2) " 7/6/1849
- (3) " 7/6/1849
- (4) " 12/7/1848

The other side of the Divine activity in human affairs is considered in Miller's 'favoured nation theory'. He writes:

"It is a fact written upon the face of history that there are elected nations in the world."(1)

Certain chosen nations are specially endowed and under the Divine ordering of circumstances are led to fulfil their appointed destiny. This, however, is not because of any intrinsic merit possessed by the nation any more than the merit of the individual elect earns them election. Such a fact, Miller affirms, is plainly taught in Scripture.

In an article significantly entitled 'America's Place in the Earth', Miller assigns to that country the role of an elect nation. The land so recently primitive now supports a powerful people:

"The prodigious advances in art, in wealth, and in political influence which the American people have lately made, render it indubitable that the nation is destined to play a most important part in the history of the world. The sceptre of power is fast passing away from Europe, Britain excepted; Europe has lost the power of originating or heading any great movement."(2)

The old Celtic and Latin races have been replaced in the sphere of influence by the Anglo-Saxon, in which family America will not be content with second place, but will challenge Britain for the leadership of the world. America being possessed of great wealth and relatively free from taxation

(1) Witness 17/8/1853

(2) " "

burdens is conscious of great ends. Britain must neither regard America as a rival nor disdain to learn from her, rather she should seek to be her co-adjutor. Such sentiments expressed in the Witness of 17th August 1853 could scarcely have been popular, but Miller's remarkable prescience was fully demonstrated almost exactly a century later during the Second World War and afterwards when American ascendancy was complete.

Miller's judgment of America's place in the world does not rest on her possession of material wealth alone. She has got over the 'evil virus' of infidelity which wrought such havoc in the Old World, and despite certain excesses and extravagances of religion,

"the predominating influence in the State is undoubtedly a Christian one."(1)

The land being wide open to a diversity of immigrants of different colours, classes and creeds, all are assimilated and add to her strength in a way which

"argues an organic action of marvellous force, a constitution thoroughly sound and vigorous."(2)

Miller does not find it necessary to show by 'supernatural sign' that the Anglo-Saxon race is a chosen one but regards the evidence of history as enough. The Anglo-Saxon race has conferred

"the blessings of art and freedom and what is more valuable - Christianity - the sole conservator of Liberty."(3)

(1) and (2) Witness 17/8/1853  
(3) " "

From the very first, he argues, the influence of the Anglo-Saxon race began to be felt,

"and all the great changes of medieval and modern history have been brought about by its agency."(1)

Having played its part in subduing the Roman Empire, the Anglo-Saxon race moved to Britain to make a nation, but there after the wonderful career of this people continued. It was men of the same race who crossed the Atlantic to prosper under the hand of God.

To Miller, Scripture was nothing less than "The Word": the Bible essentially 'the Book that stands no nonsense'. He could give full support to Dr. Guthrie's insistence that Scripture should be taught in his Ragged Schools. To the slave owners who denied religious ordinances to slaves, Miller retorted that even if their claims as to the justice of slavery were valid, they were not justified in withholding 'The Book of Life' from slaves or from any man. The Bible was nothing less than the word of God.

But Miller shows a remarkable freedom from crude literalism and its consequent limitations. His period saw the beginning of the challenge which the new sciences were to bring to Scriptural authority and the literal accuracy of the Genesis account of Creation was already being challenged when Miller from his own independent studies in geology could

(1) witness 17/8/1853.

decide

"The six thousand years of human history form but a portion of the geologic day that is passing over us: they do not extend into the yesterday of the globe, far less touch the myriads of ages spread out beyond."(1)

"As certainly as the sun is the centre of our system, must our earth have revolved around it for millions of years."(2)

Replying to an American theologian who suggested that Miller could not have reached such a conclusion if he had first studied his Bible, Miller asserts that on the contrary he had done so but that his mind had to yield "an involuntary consent to the force of evidence.(3)" Thus Miller accepts the geological time scale in the face of opposition from

"respectable theologians such as Mr. Granville Penn, Professor Moses Stuart and Mr. Eleasar Lord(4)".

He can no more refuse to do so than he can refuse to believe that the earth has antipodes and moves around the sun

"in opposition to still more respectable theologians such as St. Augustine, Lactantius and Turretine(5)".

Further, Miller goes so far as to prophesy that his view will be held by even the weakest theologians within fifty years. Thus Miller did not hold the Bible to be authoritative in matters of scientific truth.

(1) (2) My Schools and Schoolmasters, P.380

Dr. Chalmers had taught more than a quarter of a century previous to this that the Scriptures do not fix the antiquity of the earth.

(3) (4) (5) My Schools and Schoolmasters, P.381

There is always room for reason in Miller's attitude to Scripture as is well illustrated in his review of Dr. Simpson's pamphlet defending the use of anaesthetics. (1) Dr. Simpson is warmly commended by Miller as not only a distinguished man of science but a student of the Scriptures in the original tongues. Miller deplores that such a blessing as Simpson proposed to confer on Mankind should be opposed on theological grounds:

"Alas that a misdirected theology should still occasionally contrive, long after the executive have ceased to burn witches, to send forth over the face of society, darkening and bewildering rays from sources whence only heat and light should emanate. Infidelity never yet did the cause of religion a tithe of the mischief which has been dealt it by wounds given it in the house of its friends." (2)

The objections to the use of anaesthetics were based on the curse upon mankind recorded in Genesis 3.14.f., particularly with regard to the pain of childbirth. By a very narrow interpretation of the Scripture it was held to be blasphemous to interfere with the divine punishment thus manifested. Following Simpson's very able argument, Miller declares that

"the grand business, the really only important work of man in the lower world, is simply to escape from that curse, in all its terrible breadth, which ever since the Fall, rest upon the species." (3)

(1) Witness 29/12/1847 - "Answer to Religious Objections Advanced Against the Employment of Anaesthetic Agents" - Simpson.

(2) and (3) Witness 29/12/1847.

The revelation of how this may be done "forms the entire burden of Scripture(1)". If it is an offence to alleviate pain, then it must also be an offence to mitigate other aspects of the curse by lessening "the sweat of the brow"(2). In this matter Miller is on the side of common sense, consistency and a broad overall view of Scripture. He will not condemn women to pain on a text.

Miller's treatment of the slavery question reveals that in this particular problem of social ethics he did not consider Scripture to be authoritative. The American slaveholders defended their position with Scriptural arguments. They claimed that the Old Testament specifically sanctioned slavery and the New Testament did not condemn it; St. Paul sent Onesimus back to his master, gave injunctions to masters and slaves, had communion with both and thereby implicitly sanctioned in the New what was explicit in the Old Testament. They also considered that it was their sole business to preach the Gospel and not to give free institution to men\*. Miller rejects categorically this appeal to Scripture as a harmful attempt to give religious sanction to moral wrong. No ethical argument can be founded on such Scriptural evidence but slavery is seen to be wrong not because of Scriptural

(1) Witness 29/12/1847.

(2) The introduction of agricultural machinery had been opposed on these grounds in the 18th century as was Jenner's smallpox vaccine. See Witness 29/12/1847 or Simpson's pamphlet.

\* A similar argument is used by the Dutch Reformed Church in South Africa at the present time.

condemnation but because of a 'latent principle of Christianity'. This 'principle' having been of slow and unequal growth, judgment should always take into account the maturity of the Churches concerned and if they are judged defective, communion should be maintained with them in order that the ethical principle might further develop. There are certain sacred rights which do not rest on the precedents of any time, but which are absolute and inherent:

"It is the true place and legitimate influence of Christianity to make the measure of our rights and privileges in this matter, the rule of our duties."(1)

In the debate on capital punishment more than a decade before the height of the slavery question, Miller's view of the authority of Scripture in social ethics is less negative, if less consistent. He regrets that legislators are disinclined to refer the matter to Scripture. Defending capital punishment for murder and opposing it for lesser offences, Miller argues the validity of the Mosaic Code but points out that it was preceded in time by God's command given to Noah(2). He holds that the Old Testament is not superseded by the New in this matter, human life being as valuable in the one as in the other.

Miller's appeal to Scripture is not unqualified, however, for underlying it is the contention that the divine law of

(1) Witness 9/8/1856.

(2) Genesis 9.6. "Whoso sheddeth man's blood, by man shall his blood be shed; for in the image of God made he man".

blood for blood commends itself to the common sense and sentiment of mankind and is nowhere written more clearly than in the conscience of the murderer. Those who argued for the total abolition of capital punishment on the ground of the New Testament law of non-retaliation would have to abandon all punishments and such a step would be incompatible with the existence of society. Therefore, Miller argues, the law of blood must stand. It would appear that despite this Scriptural reference, Miller's argument for capital punishment in the case of murder really rests on 'natural law' rather than on Biblical authority, and his rejection of the New Testament Law of non-retaliation as applied to society, is pragmatic.

Similarly, in upholding the civil magistrate as divinely ordained and not the mere product of expediency, Miller does not argue from the letter of Scripture. He does in fact speak with approbation of the American Fathers who flouted constituted authority in the face of Romans 13 although he can make a somewhat oblique reference to the same Scripture

"which virtually asserts that the power of the civil magistrate must always be adequate to his duties."(1)

The weight of his argument, however, rests on rational and practical considerations: man is sinful and society depraved so that without punishments it would destroy itself; to

(1) Witness 4/10/1842.

execute punishment there must be a civil magistrate; if the magistrate is unchristianised, punishments being regarded as wrong, his actions are without moral or religious significance and are founded on mere expediency; this being so the magistrate cannot be a Christian and bear the sword of punishment. Only when the magistracy is conceived as divinely ordained and the magistrate to be acting

"not as the avenger of man but as an assertor  
of the rights of God."(1)

has he moral significance within society and freedom from a dichotomy within himself.

Miller set limits to Scriptural authority in the fields of science and social ethics. To the former he regarded Scripture as irrelevant, to the latter Scripture did not furnish particular precedents but within the Christian Church nourished the developing principle of Christianity so that men might comprehend social justice. Supremely, however, the Bible was authoritative in revealing the nature of man, sin and the redeeming grace of God.

The Witness reflects the religious antagonisms of the period, notably the Anti-Romanism of Protestant Scotland. Roman Catholicism is opposed as theological error with nothing at all to be said in its defence and much to be said of its evil social consequences. Operating against the development of character, crushing the spirit of independence and freedom,

(1) Witness 6/5/1844.

it was held to be adverse to commerce and industry and a potent cause of poverty.

The influx of Catholic Irish to Scotland made the problem more than academic. Attracted to the growing industrial centres and compelled by famine at home, they came in greater numbers than could be absorbed, adding to the burden of pauperism and crime. Their presence was felt early, being noted both by Chalmers and Alison in their works on the poor law question. The Witness, throughout the editorship of Hugh Miller, gave consistent attention to the unwelcome immigrants and when questions of poor law, mendicancy or crime arose, the Catholic Irish were advanced as a factor to be reckoned with. In addition they were used to illustrate the weakness engendered by Romanism in society by inhibiting economic progress, and the converse effect of Protestantism was constantly affirmed.

Opinion of the Irish character and way of life is very definite. Being used to a much lower standard of living "as the consumers of a single root(1)", Irishmen undercut the wages of the Scottish labourer. Commenting on the appearance of ten Irish Catholic witnesses at a public trial, Miller finds it inconceivable that ten Protestant witnesses ever appeared together in such ragged squalor. Comparing

(1) Witness 9/1/1850.

'John Bull', 'Margaret' and 'Pat' in an article entitled 'No Place like Home'(1), Miller writes:

"As for cousin Pat, he actually howls forth his discontent. He lives in a pig-stye - gets a family of twenty children, divides his miserable plot of land among them, giving an apron breadth to each, - works one day out of four, - hands over half his earnings to the priest, - finds the residue insufficient to provide him with a threadbare coat full of holes, or to get him potatoes enough for winter, - and then roars out in desperation against the misgovernment of brutal and bloody Saxons."(2)

The Irish are

"generally darkened and grossly prejudiced, but not of obtuse minds - the Celtic mind is naturally acute."(3)

The Witness does not regard the demoralisation of the Irish Catholic as in any degree due to race, but wholly due to their religion. There is

"an intimate and inevitable connection between the moral habits and qualities which Romanism fosters, and the personal degradation and social ruin of those who profess that faith."(4)

Answering Bright's denial that religion had anything to do with the state of Ireland, Miller replies that it is difficult for a man to submit his intellect to fetters and throw away his independence in one department of life and then compete succes-

(1) Witness 9/1/1850

(2) " 2/1/1846

(3) " 22/1/1851

(4) " 19/1/1850

"Presbyterian Highlanders and Irish Papists" - a discussion of the subject in all its bearings.

fully with men of intellectual freedom in another department. Freedom and independence are as systematically crushed in the Roman Catholic as they are trained and exercised in the Protestant. Further, when truth is destroyed in a country the foundations of law and order are swept away and excesses are to be expected. In Ireland they are not wanting. The Witness buttresses such a view of Romanism with lengthy quotation from Macaulay's remarks on the Jesuits. The Jesuit was all things to all men using rigor only in such measure as would not offend the recipients and adapting his methods to particular classes of men. Those whom he could not reclaim from guilt he sought to save from remorse with consolatory doctrines culled from his books of casuistry.

"The bankrupt was taught how he might without sin secrete his goods from his creditors; the servant was taught how he might without sin run off with his master's plate; the pander was assured that a Christian man might innocently earn his living by carrying letters between married women and their gallants; the high spirited and punctilious gentlemen of France were justified by a decision given in favour of duelling..... To deceit was given a licence sufficient to destroy the whole value of human contracts and of human testimony. In truth, if society continued to hold together, - if life and property enjoyed any security, - it was because common sense and a common humanity restrained men from doing what the Society of Jesus assured them they might with a safe conscience do."(1)

In the view of Hugh Miller religion had very much to do with the state of society in general and with the condition

(1) Witness 9/1/1850. Macaulay - History of England, Vol.II, P.311 (1858 ed.)

of Ireland in particular. When the proposition was denied by Bright and when it was suggested that the Presbyterian Highlands of Scotland and Catholic Ireland were in precisely the same condition, Miller welcomed the comparison as providing the best possible illustration of the demoralising effect of Romanism. The two countries have much in common. The Celtic race is common to both and each is abjectly poor, but in other respects they are strikingly different:

"In the one case we have a land of exuberant riches; in the other we have an infertile and penurious soil. In the one case we have a climate whose genial warmth - did man but perform his part - would suffice to bring to maturity crops which might compete with those of the first corn lands of Europe; in the other we find a land of mosses and bogs, of untilled and undrained valleys, lying beneath a sky which permits only intervals of genial sunshine and which more frequently chills with its frosts, or deluges with its rains. \*In the one case we have an abundance of mineral wealth laid up in the soils affording the materials of art and commerce; in the other we have no such treasures. In the one case we have fine natural harbours and bays; in the other we have waves breaking on an exposed and shelterless beach."(1)

All the advantages of land, climate, mineral wealth, natural harbours and accessible markets are with Ireland and

"It seems almost as necessary a result that the Highlands should be poor, as that Ireland should be rich and wealthy."(2)

The picture in both countries is dark but, argues Miller, it is darker in Ireland:

"Where do we read of the Highlands, as we do of Ireland, of men dying of famine by scores of

(1) and (2) Witness 19/1/1850

\* This statement is rather curious since Ireland has no economic mineral wealth.

hundreds; of roads and ditches strewn with the sick and with corpses; of the population of entire villages being swept away by disease, and their untenanted dwellings left to moulder in the wind and the rain....."(1)

Turning to morals, Miller charges the Irish with being criminals as well as paupers. The Highlanders are but paupers and yet the same weight of misery presses upon both. In Ireland flagrant violation of the law stands in contract to the virtuous and peaceable disposition of the Highlanders. The problem of moral and social disorganisation does not exist in the Highlands while it throws the economic mischiefs of Ireland in the shade. Seeking the cause of this distinctive difference Miller attributes it to the predominant religions of their respective countries,

"to the Presbyterianism of the people which has preserved their social and moral character intact in the midst of great privations; while the Irish, wanting this preserving salt, and having its place supplied by a disorganising and debasing principle, have sunk under pressure of evils comparatively light, into complete and utter corruption."(2).

The Max Weber theory of the relative effects of Romanism and Protestantism upon industrial and commercial development(3) in society has its forerunner in the thought expressed in the Witness on the subject. The unfitness of Roman Catholics for either the sustained labour or the peculiar

- (1) Witness 19/1/1850
- (2) " "
- (3) Protestant Ethic 1900.

skills of industry is often referred to by Hugh Miller but the subject in its wider aspects is more specifically treated in two leading articles - 'The Huguenotic Exodus'(1) and 'Presbyterian Highlands and Irish Papisrs'(2).

Just as Miller pointed to the industrial ineptitude of the Irish who lived in poverty despite every natural advantage, and ascribed it to their religion, so he argues 'per contra' the effects of Protestantism. He asks:

"To what land has Protestantism gone whither the arts and sciences have not followed her?.... Wherever Protestantism has set up her sancturies, there the arts and sciences have laid the foundations of their empire..... They have gone round the world hand in hand...."(3)

The relationship between Protestantism and the arts and sciences is clearly shown in the story of the Pilgrim Fathers and that of the Protestant Refugees. Unlike the former, the French Protestants did not lay the foundations of a nation:

"They mainly contributed, by the fresh blood infused into those kingdoms which opened their gates to them, to produce that manifest superiority in arts, in literature, in liberty, and in moral power which distinguishes the Protestant nations of Europe and especially Britain."(4)

(1) Witness 3/5/1854 - A review of "The History of the French Protestant Refugees by Charles Weiss, Professor of History at the Lycée Buonaparte. (Published in London)

(2) Witness 19/1/1850

(3) and (4) Witness 3/5/1854.

Quoting Weiss it is affirmed that the Revocation of the Edict of Nantes drove about 70,000 skilled manufacturers to Britain, bringing with them many new industries. Many settled in London in the districts of Soho and St.Giles. Spittalfields was peopled by them and they showed

"how to produce silks, brocades, satins, velvets, light tissues of linen, wools, clocks and watches, glass ware, cutlery, hardware, French clocks and surgical instruments."(1)

Miller then poses the Roman divines a question. If the social and economic inferiority of Ireland is due to English oppression, why did centuries of oppression not have the same effect on French Protestants?

"Protestant England never employed the galleys against her Romanist subjects, as Popish France did against her Protestant citizens; and yet in skill, in industry, and in virtue, the Huguenot is as far above, as the Irish Papist is below, the average of his countrymen."(2)

This phenomena is no mystery to Hugh Miller, for even in 1848 he could write:

"Thus, when France drove Protestantism beyond her limits, she expelled at the same time her arts and manufactures."(3)

When John Bright disclaimed that there was any relation between religion and the social and economic condition of a society, he pointed to the commercial strength of Lombardy and

(1) Witness 3/5/1854  
(2) " 3/5/1854  
(3) " 12/7/1848

the industrial prosperity of Belgium to prove his contention. (1) The Witness challenges the argument that Belgian prosperity is co-existent with Roman Catholicism. The fact that Belgium enjoys one of the most liberal constitutions in Europe must be taken into account, being free of the feudalism which afflicts the Highlands of Scotland. It is also a country strongly pervaded by Protestantism having benefitted from the arts and industries carried to her by Protestant refugees in other days. The general prosperity of Belgium is the result of this Protestant skill and industry. In the west of Belgium, however, where the population is mainly Roman Catholic, the social condition is very similar to that of Ireland.

"The land is wretchedly cultivated; all the implements and modes of husbandry, as well as of art are in a backward state; and the name commonly given to that part of the country is 'The Ireland of Belgium'".(2)

(1) Witness 19/1/1850 quoting Dr. Begg and making reference to the comparison between Ireland and Belgium published in the Times two years earlier.

(2) Witness 19/1/1850.

(ii)

Science, Art and Literature.

Hugh Miller was well aware of the importance of the arts and sciences in their direct and reflex actions upon the social structure. As a pioneer geologist he was not without insight into scientific method while as a lover of literature and a master of English style, he had a strongly developed aesthetic sense. Such qualifications added to a broad humanity led him to consider the social effects of the applied sciences, as well as the influences of art and literature.

The Great Exhibition of 1851 brought the achievements of science together and placed them in bold relief so that "the tremendous problems propounded in morals and politics(1)" might be clearly seen. First hand accounts of the Great Exhibition published in the Witness are made up of peculiarly vivid description interspersed with pungent comment on the lessons to be learned. It is significant that Miller conceived of the Exhibition as an object lesson rather than a mere spectacle to be viewed.

Miller was deeply impressed by the varied display of the latest machinery, but not on account of the mechanical wonders so much as the potential effect of such machines on human

(1) Witness 3/12/1851.

lives. He records how this department was crowded with workmen and labourers from town and country, all of whom must have attended at considerable trouble and sacrifice. These men viewed the machines with fear and suspicion and Miller did not hold their fears to be groundless. He remarks that machinery might well be dreaded when it enters into competition with men in the labour market. A power loom will weave faster and better than a hand weaver and "make no ado about the five points of the Charter.(1)" Miller asserts that the problem of competition between labour and machinery cannot be solved by speeches about human rights and dignity. The workman must be prepared to change his occupation. There is no suggestion in Miller that the machine age could, or should be arrested. There is no putting back the clock of applied science, rather the clock must be put forward in the education of the masses so that they can move to higher kinds of work as machinery becomes more effective.

To Miller the Medieval Court at the Exhibition was an incongruity. Thronged on 'half-crown' days by middle and upper class women, it seemed to represent the dominant principle of the Established Church - "a miserable and inefficient principle.(2)" Miller is no doubt influenced

(1) Witness 26/11/1857

(2) " 3/12/1851

by his hatred of Puseyism, but he cannot see how 'devout ritualism' even when supported by the finest treasures of art, can meet the needs of the age. He does not disparage the arts themselves, but acknowledges "the noblest painting, the finest sculptures, the most exquisite music(1)" to be present and to be worthy of the highest regard. At best, however, these examples of the fine arts are the mere productions of the human intellect while science, on the other hand

"in its higher walks is simply a revelation of truth as it dwells in the mind of God. A true religion has no necessary connection with art."(2)

Applied science can be detrimental to social well-being but when action is taken to enable men to make adjustment through education, leading to the mobility of labour, applied science can lead to a fuller life with freedom from drudgery.

Science in the abstract simply reveals the truth in the mind of God, while the fine arts at their best cannot be said to do so. Thus Miller follows the Reformation emphasis on scientific freedom and the complementary suspicion of 'art'. To him, science is not inimical to true religion, but 'art' as represented by the Medievalism of the Church of England, typified at the Exhibition, is destructive of the true faith. Such appurtenances of religion are merely human. Miller's ultra-progressive attitude to science, however, still leaves

(1) Witness 3/12/1851  
 (2) " "

room for an ultra-conservative theological position which is set much further back than the Middle Ages. The Churches must hold fast to

"the simple unartistic Christianity of the times of the Divine Founder of the religion.... Nothing but the Divine origin of religion fits it for all times."(1)

Such a statement as the foregoing sufficiently indicates that Hugh Miller did not regard pure science as a substitute for revealed theology. He was aware also that applied science was not a panacea for individual and social ills. Writing two years before the Great Exhibition, he remarks on the increase of crime which was taking place alongside scientific advance and the diffusion of knowledge:

"Could anything more completely demonstrate the profound inability of all such agencies to regenerate society, ameliorate the dispositions of man, and banish crime and evil from the earth?"(2)

Hope in the new 'scientific detection' being used by the police is misplaced, for it mistakes

"the strength of human passion and the weakness of poor human nature."(3)

The thought of following vengeance may be salutary,

"but the said effect is that if science is applied to the detection of crime, it is yet more extensively applied to its perpetration."(4).

Similarly, the spate of poisoning murders in 1856, due in part to the ease with which victims could be insured and benefits

- (1) Witness 3/12/1851
- (2) " 29/ 8/1849
- (3) " 1/ 9/1853
- (4) " 1/ 9/1853

collected, was made practicable by the new discovery of the science of chemistry. The Witness editorial comment reveals a consistent attitude:

"But how little essential connection there is between science and morality!"(1)

As well as science, literature took a large place in Miller's interest, and within his lifetime, a profound change took place in the reading habits of the public in regard to both the diffusion of reading material and the nature of the material read. In 1856, the Editor of the Witness complains that the most influential writings are no longer "the graver or more elaborate productions of the press(2)" such as the four great works of the 17th and 18th centuries which "revolutionized on their respective subjects the thinking of all Europe(3)". 'The Laws of Peace and War', 'the Essay on Human Understanding', 'the Spirit of Laws', and 'the Wealth of Nations' are no longer read. Earlier works of substance such as Calvin's Institutes are likewise neglected, all having given place to the newspaper and the novel.

Surveying the history of the novel from Robinson Crusoe, through Swift, Richardson, Fielding, Smollett, Johnson, Voltaire and Goldsmith, Miller indicates the growing popularity of this form of literature. In view of the popular taste and the evidence at home and abroad of the power of the

(1) Witness 23/7/1856

(2) (3) Witness 12/1/1856

novel it cannot be dismissed as "a light though not always laudable toy(1)". Rather it is a very potent instrument with marked social effect. But Miller has not unqualified approval for novelists themselves:

"Most of the novelists have been hostile to virtue of a high or severe kind in general; and there were few of eminence produced in our own country that did not leave on record their dislike of evangelism in particular."(2)

Cervantes laughed away the chivalry of Spain. Le Sage did not create a single honest character and Goethe is an unsafe guide. In Britain the character of the novelist has been more mixed. Defoe was at least a well-meaning, if a not very profound theologian. Swift was different, "in proportion as he knew more, he revered less(3)". Later in Scotland, religious characters were introduced into the novel by such as Scott, Lockheart, Wilson, Galt and Ferrier - "some with great power - some with considerable truth(4)". It is impracticable to taboo the novel and foolish to attempt to do so. Discriminating people should receive the novel every time it is made a vehicle of truth but whether they like it or not, the novel will exercise a prodigious influence.

Many examples are cited in the Witness of the influence of literature upon individuals and society. It is held that among the many causes operative in the French Revolution,

(1) Witness 12/1/1856  
(2) " "  
(3) " "  
(4) " "

a place must be given to the work of the Encyclopaedists and journalists such as Marat by whose influence "it was so darkened by atheism and so deluged by blood.(1)" In the contemporary case of the murderer, Courvosier, who confessed that he had got the idea of murdering his master after seeing 'Jack Shepherd' performed, there is clear proof of the evil effects of such entertainment. Here, argues Miller, the connection between an immoral work and a fearful crime is plain, not resting on mere circumstantial evidence.

Following out the connection between the literature and morals of a country, Miller finds the dramas of Charles the Second were scarcely less detestable than the persecutions under that monarch and the massacres of the French Revolution were scarcely less horrible than the literature which preceded them. 'The Beggar's Opera' is a striking instance of cause and effect. One of the most popular dramas ever produced in Britain, it has a highwayman for a hero and not an honest character in a minor role. At the height of its popularity it was found that highwaymen multiplied and robberies and murders became more common. Gay, the author, had conferred respectability on crime.

Seeking to account for the revival of duelling, Miller suggests that much of the cause is found in the effects of

(1) Witness 1/7/1840.

literature:

"The classic essayists of the age of Queen Anne delighted in drawing their gentlemen as anti-duellists.... Addison, Swift, Arbuthnot, all the polite writers were anti-duellistic in their influence.... There was a broad common sense in the philosophy of the period that repudiated the old Gothic trial by combat."(1)

But all that is changed, for literature now apologises for the practice of duelling and some of the most eminent literary men take part in it. The revival of the old Gothic literature with its chivalry and romance helps to keep the practice alive in an age

"more superficial and unphilosophic than that of Johnson, Hume and Adam Smith."(2)

The novels of Sir Walter Scott are themselves quite sufficient to nourish the popular sanction of duelling.

(1) Witness 10/ 2/1844  
 (2) " 10/12/1844

(iii)

Material Influences.

Hugh Miller, while holding firmly to belief in the efficacy of moral power, and in particular the regenerative power of evangelical religion, recognises the importance of material influences upon society. Considering the state of Jamaica(1) and the collapse of its economy after the emancipation of the slaves, Miller notes the general decline of morale and religion among both colonists and negroes. Economic desolation and moral collapse are correlative:

"We are afraid that the Church would do well to study the fact - that religion never yet prospered in a sinking country."(2)

Distress brings an utter heartlessness over society. While such a statement on the part of Miller is doubtless hyperbolic, it reveals his consistent emphasis on the importance of economic factors in the life of society. The abuse of the 'rights' of property manifested in the Highland Clearances in the name of economic progress destroyed valuable elements in the life of the people. The displacement of the hind and his cottage by the exigencies of the large farm system may have been 'economically' necessary, but it was

(1) Review of 'The State and Prospects of Jamaica' -  
Rev. David King, L.L.D., Glasgow. Witness 8/6/1850

(2) Witness 8/6/1850

socially disastrous. Miller regards the principle of free competition as good, but regards the merely doctrinaire application of the principle as thoroughly bad. He insists that it should be applied in relation to the whole of society's interests with due regard for social consequences.

Money, for Miller, had a 'moral value'; the individual possessing it was affected by, and in its use. Independence fostered and strengthened was an ally of virtue. Likewise with property, the working man who achieved the ownership of his house achieved much more besides, but the working man caught up in the meshes of an unscrupulous credit system was kept poor, immobile and hopeless. Society gained from thrift in the individual because of the character and virtue accompanying it. But society lost from the misuse of money because of the adverse effects on character and habits of industry.

Unlike Owen and his school, Miller held fast to moral and theological postulates and would not give an exclusive place to economic and physical environment in determining conduct and shaping society. Nevertheless, Miller recognised the part which environment did play and no one was more aware than he that man does not live in a vacuum. Added to the native propensity of the human heart to do evil was an environment often opposed to doing good, yet an environment which was malleable in the interests of virtue. On such a view Miller could campaign for better housing that respect-

able men might not be contaminated through having to live in corrupt districts. The bothy system came under his censure as destructive of the family,

"the foundation of everything - the root out of which the social world grows."(1)

He advocated the transportation of criminals because the environment at home gave them no opportunity to reform and their presence at home aggravated the surroundings of evil. Young criminals and beggars were to be removed to the Industrial or Ragged School where influences of positive goods would be brought to bear. The doctrine of economic determinism would have been anathema to Miller, yet the positive evil of the circumstances of the masses frequently occupied his pen.

(1) Witness 17/6/1854.

(iv)

The Church in Society.

There is little evidence of official ecclesiastical concern in the social problems of the first half of the nineteenth century in Scotland. The Highlands were 'cleared' without serious challenge; the festering sores of slumdom increased; poverty, disease and crime grew in proportion to the tempo of industrial expansion, but no effective action was taken by either court of the Presbyterian Church in Scotland.

It would be unfair, however, to say that nothing at all was done. The truth is that much incipient interest did exist, and this interest which in some cases led to activity, came from individual perception and compassion rather than from conciliar decisions. The Church which is so often charged with utter neglect of the social interest did in fact breed and nourish men who did much. It is difficult to see how it could have been otherwise in a period of fear, unprecedented change and uneasy confusion. The Church had its reactionaries and men of self-interest as well as its undiscerning and other-worldly pietists, but men did emerge who possessed large hearts, clear heads and a sense of the Church's social responsibility.

A quickening of social interest was tardy in the first half of the century. Duncan of Ruthwell had established his

Penny Saving Bank in 1810 and Chalmers had begun his St. John's experiment in 1819, but it was not until 'the hungry forties' in the social sphere and the 'Disruption' in the ecclesiastical, that Christian reformers emerged in number and effect. Dr. Guthrie began his Ragged School in 1847, but as early as 1842 Sheriff Watson of Aberdeen had with clerical support opened an Industrial School in that city. In addition, this Christian layman continued to attack 'the bothy system' in the succeeding years. In Dundee, the Rev. Mr. Lewis had begun his campaign against social evils by 1840, placing the problem of intemperance to the fore.

In 1849 Dr. James Begg pleaded vigorously for a programme of social reform including the better utilisation of land the provision of better housing for working men and he produced plans to enable them to become owners of their own houses. This was soon followed by "the Leith Experiment" undertaken by the Rev. Mr. McKenzie of North Leith, by which capital was advanced and houses built for workmen who on fair terms could buy them.

In the same year, Mr. Mackil<sup>gill</sup> Crichton, a distinguished Free Church layman, actively opposed the Game Laws on the grounds of their evil effect, economic waste and social injustice. The Rev. Dr. King of Glasgow published the results of his Jamaican investigation in 1850, arguing for the necessary concern of the Church in social and economic affairs.

Distinct from private philanthropy and apart from official action by either the Free or Established Church in Scotland, it is clear that Christian men were arising to face the social challenge as the century passed into the 'fifties'. Not least among them was Hugh Miller with the power of his newspaper to publicise, criticise and relate what was being done to both theological values and the contemporary situation.

It would be vain to seek a neat and comprehensive theory of the Church's social responsibility in the writings of Hugh Miller. As a newspaper editor his thought and attention was taken by diverse practical issues and his teaching is essentially pragmatic although always possessing a definite theological basis. Yet certain principles do appear which indicate his view of the social function of the Church.

In the field of education Miller does not place responsibility for the so called 'secular' education upon the Church, but upon the nation. In this he follows Chalmers who advocated endowment of education as of religion because in these two matters the supply should be regulated only by the need and not the demand. Miller stoutly contested the view held by some that the office of 'teacher' was an ecclesiastical office outwith the control of the state. In this he would appear to interpret Calvin more correctly than his opponents for in the Institutes it is made clear that the ecclesiastical office of

'teacher' is concerned "only with the interpretation of Scripture(1)". The Church, Miller argued, should therefore pass the burden of secular education to the state but accept responsibility for religious education. Such a view was no doubt influenced by the inadequacy of both Established and Free Church resources in the face of the rapidly increasing population of the period.

The Church, however, is not free of the burden of education except in the narrower sense of the word. To Miller 'education' has to do with the whole of life and in this context 'intellectual' education was not to be confounded with 'moral' and 'spiritual' education. The two latter are the peculiar responsibility of the Church. Education begun by the schoolmaster must be continued by the parish minister.

The function of religion as a conservator of morals and a creative moral force in society takes high priority in Miller's view. Repeatedly he points to the French Revolution to illustrate the connection between atheism and social demoralisation. He can go so far as to blame the ritualism and class interest of the Church of England for a rapid increase in crime. The Church of England, he claims, by neglect of true religion had weakened the moral fibre of society. Miller's early support of Chalmers on the Poor Law question was grounded on the moral impact which ecclesias-

(1) Institutes -Book. 4 Ch.IV.

tical, in contrast to state administration could make, and was only abandoned by Miller with great reluctance.

Throughout his writings, Miller elaborates in detail the high moral character of the religious Highlanders; in Sutherland before the 'clearances', doors had neither bars nor locks and the conduct of Highland soldiers abroad was exemplary. For Miller the 'good' engendered by Christianity was not simply the 'mystical good' of salvation, but also a practical discernable good within society itself.

The place of the Church in politics is clearly enunciated by Miller. He does not conceive of the Church playing a mere negative role but still less does he propose that the Church be aligned with any particular party. The cause of God is not to be identified with the avowed objects of Tory or Radical and the Church should beware of becoming the tool of politicians. As little politics as possible, in the ordinary sense of the word, are the best politics for the Free Church which Miller holds to be part of the National Church of Scotland. In the British Constitution there is much to be conserved, but in the actual conditions of society where class privilege plays such a part, there is much to be changed. The Church should not remain aloof from politics but remain free to act as the occasion demands.

In the interests of religion the Church must have regard to a wide variety of matters affecting the life of society. It is not enough to be purely 'religious' for there is a

distinct relation between the material state of society and the opportunity of effectively communicating the Gospel. Whether it was the collapsed economy of Jamaica after the emancipation of slaves, or the masses of hopeless paupers in the cities, or the workmen fearful before the latest machines, Miller never tired of pointing them out as the concern of the Church. His plea is most clearly made when he writes of Dr. Duncan of Ruthwell, the founder of Penny Savings Banks. The time peculiarly demands

"breadth of acquirement in ministers of the church..... The circumstances of society in Scotland force upon the ministers of the Gospel who have really the best interests of their people at heart, a number of questions for grappling with which a mere acquaintance with theology in no way qualifies a man and with which some of their predecessors of some sixty or eighty years ago were not called upon to deal."(1)

Preaching is no longer the proper and only work of a minister for purely physical matters have become matters of life and death. He must go beyond the pale of theology for often economic conditions prevent his doing his 'proper' work. Guthrie's problem in re-claiming the lost children of Edinburgh was in the first instance economic when he had to ask the earthy question 'How are these children to be fed?'.

While Miller's social teaching may have been embryonic in some particulars, it revealed as much far sightedness as it

(1) Witness 9/8/1848

did warm humanity and it was real and practical. Miller was not alone in the ideas and sentiments for which his pen contended, for a newspaper editor even in the nineteenth century could not be a lone voice in a wilderness for too long. It is also very probable that the term 'social gospel' would have been anathema if at all intelligible to him, for all his concern with the Church in society. There certainly did not exist in his mind any antithesis between the 'social' and 'personal' aspects of religion, for Miller recognised only "The Gospel" in the simple terms of individual salvation through faith in Jesus Christ. The social duties of Christians were a corollary of individual faith and not a substitute for that faith itself. He could, therefore, with perfect consistency rebuke those who sought to relieve the lot of 'climbing boys', for sneering at Christians who merely preached to these unfortunates. Yet at the same time Miller could demand practical action from the Christians.

The place of the Church in society was first and above all to keep alive the evangelical faith expressed in the primitive Church of the New Testament and recovered in the Reformation. But Miller's detestation of 'voluntarism' indicates his typical attitude. The Church may not gather in closed communities and seek to ignore the problems of the rest of society. From the very faith that is in them, the

larger charity possessing them, and the seal of worth and dignity which God in Christ set upon men, there arises the necessity of the Christian being his brother's keeper. That there is little of social ethics in the New Testament Miller did not deny. He finds, however, a developing principle of justice within Christianity which must be applied over the whole area of life.

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