
FRANCIS WEMYSS-CHARTERIS-DOUGLAS: CHAMPION OF LATE-VICTORIAN INDIVIDUALISM

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EARLY TO MID-VICTORIAN BRITAIN was characterized by widespread belief in the superiority of laissez-faire. By the 1870s however, the tide was beginning to turn against individualism in Britain, as the State began to advance back into those areas of life from which it had retreated in the previous two decades. However, this diminution of liberty and property did not go unchallenged. One of the prominent libertarian voices in Victorian Britain which has been often ignored is that of Francis Wemyss-Charteris-Douglas, 10th Earl of Wemyss (1818-1914).¹ A study of Wemyss' political life sheds revealing light on the relationship between libertarianism and conservatism.² He spent over sixty years in Parliament, first as an MP and then from 1883, in the House of Lords. Throughout this period, he became

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¹ It was only upon his inheritance of the Earldom in 1883 that he held the title Wemyss, having previously been Lord Elcho. For the sake of simplicity he shall be referred to as Wemyss throughout the course of this paper.

² It is perhaps slightly anachronistic to refer to "libertarianism" in a Victorian context, since the term did not then exist in its contemporary capacity. Broadly speaking however, the 'individualism' of Wemyss' period corresponds to the modern term 'libertarianism.'

increasingly libertarian, and by the 1880s he had established himself as a major obstruction to collectivist legislation. In 1882, alarmed at the increasingly interventionist tone of Gladstone's Liberal administrations, Wemyss formed the Liberty and Property Defence League (LPDL), a pressure group intended to champion "self-help versus State-help." The LPDL committed itself to "resisting Overlegislation, maintaining Freedom of Contract, and advocating Individualism as opposed to Socialism, irrespective of Party Politics."³ One of the major concerns motivating the LPDL was the rising threat trade unionism posed to 'free labour' and the influence that groups like the Trades Union Congress (TUC) were having on Parliament.⁴ The LPDL managed to attract anti-socialists from across the political spectrum, including Old Liberals, High Tories and various radical individualists.

The story of the League has been told by Edward Bristow in his 1975 article "The Liberty and Property Defence League and Individualism".⁵ But what of Wemyss the man? In 1900, Wemyss wrote to the Editor of *The Scotsman* to justify his position: "Yes! I glory in being an individualist; and if this means I am 'erratic' I am content. The fewer the men the greater the share of glory."⁶ Wemyss' battle against collectivism was fought both inside and outside Parliament, his zeal for the individualist cause giving him no rest.

Historiographically, scholars have debated the extent to which individualism was a conservative or liberal movement. In his classic exploration of British political philosophy, *The Ideological Heritage*, W.H. Greenleaf contended that by the end of the century a very definite libertarian subset of the conservative tradition had developed, one which mingled a Burkean conception of natural organic order with a classical liberal stress on

³ *Report of the Proceedings at the First Annual Dinner of the Liberty and Property Defence League, held at The Freemasons' Tavern London, on July 12th 1888* (Published at the Central Offices of the Liberty and Property Defence League, 4, Westminster Chambers, London, S.W. *Wemyss Papers*, National Archives of Scotland RH4/40/12).

⁴ Norbert Soldon, "Laissez-faire as dogma: the L.P.D.L." in *Essays on Anti-Labour History* Ed. Kenneth D. Brown (London: Macmillan, 1974) p.213. In fact, Soldon characterizes the LPDL as the laissez-faire counterpart of the TUC and its parliamentary committee.

⁵ Edward Bristow, "The Liberty and Property Defence League and Individualism" in *The Historical Journal* Vol.18, No.4 (Dec., 1975), pp.761-89.

⁶ Wemyss to the Editor of *The Scotsman*, August 7th, 1900 RH4/40/12.

personal liberty and a limited State.⁷ This view has been contested by M.W. Taylor, who posits a definite break between late Victorian individualism and Manchester liberalism.⁸ Taylor believes that late-century individualism was a pessimistic conservative movement which held that social improvement would only develop after many generations had passed.

What follows is a holistic survey of Wemyss' individualism which recognises both his tireless advocacy of laissez-faire philosophy and charts his efforts in Parliament itself. Never one to shy away from political conflict, Wemyss did not pick which battles he chose to fight. Rather, he elected to fight all of them. For the sake of brevity this paper will focus on two different case studies—temperance legislation and rural affairs. These two spheres of activity present the portrait of a figure who strove to synthesise his individualism with his traditionalism, and played a vital part in the crystallisation of the libertarian Right in Britain.

I.

Wemyss' political philosophy is probably best described in his own words: "liberal conservative." By this, he meant that in matters of economic and civil liberties he was a committed classical liberal in the same mid-Victorian spirit which had abolished the protectionist Corn Laws and transformed Britain into the most laissez-faire industrialized country in the world.⁹ In constitutional affairs, however, he remained a staunch

⁷ W.H. Greenleaf, *The Ideological Heritage* (London: Methuen, 1983). The traditional conservative view, often associated with Burke, rested on a belief in the Christian religion and divine order, a pessimistic view of human nature matched by scepticism of rationalism, an organic conception of the nature of society founded upon the family and private property, an acceptance of both political and spiritual authority, and the importance of tradition and slow change.

⁸ M.W. Taylor, *Men Versus the State: Herbert Spencer and Late Victorian Individualism* (Oxford: Oxford University Press, 1992). Manchester Liberalism refers to the movement associated with Richard Cobden and John Bright, which argued in favour of free trade and peaceful relations between peoples, and against imperialism. Manchester was the centre of the world's textile manufacturing industry.

⁹ Between 1815 to 1846, the Corn Laws were trade barriers designed to protect British cereal producers against cheaper foreign imports. In practice, the laws served to benefit the landowners, both economically and politically. The campaign against the Corn Laws was led by Richard Cobden and the Anti-Corn Law League. In 1846, Prime Minister Robert Peel successfully repealed the legislation, marking Britain's transition to free trade.

conservative. He had originally been elected as a protectionist Tory in 1841, but was converted to free trade around the same time as Prime Minister Sir Robert Peel, and promptly resigned his seat. Thereafter, Wemyss remained an uncompromising defender of free trade until the end of his life, long after it had gone out of political fashion in Britain. Standing again for Haddington in Scotland, he maintained his belief that liberal opinions were “consistent with the true spirit of conservatism.”¹⁰ His attitude to classical liberalism did not change in the years to come.¹¹ Rather, it was his affinity for it which caused him to hold the New Liberalism in utter contempt.

The Radicalism of the later nineteenth century was nothing more than “covert Socialism” to Wemyss, who located true liberal principles in “the integrity of the Empire, the security of property, the maintenance of individual liberty, and the steady advancement of the general well-being.”¹² Thus modern Liberalism was not really liberalism at all, and was no successor to the Greys, Althorp, Melbourne, Russell, Palmerston, Macaulay, Cobden, Bright, Mill, and Fawcett.¹³ The great classical liberal jurist and constitutional theorist A.V. Dicey identified the period from 1825 to 1875 as the time of *laissez-faire*, which he equated with individualism.¹⁴ It was in this period that reform had become identifiable, either consciously or unconsciously, with the utilitarian philosophy of Bentham.¹⁵ The fact remained, according to Dicey, that reformers may not have all seen themselves as followers of Bentham, but they had nonetheless been influenced by utilitarianism to varying degrees.

¹⁰ Wemyss, Address to the Electors of Haddington, June 5th 1847 WP RH4/40.

¹¹ The first half of Wemyss’ political life was not without aberration from his professed liberal credentials. For instance, in 1854 he introduced the Medical Practitioners Bill which led to the establishment of the General Medical Council in 1858. In 1869 he called for the inspection of fertilizer and animal food, and in 1872 he supported inspections of mines. It is clear though, that as he grew older and especially after his inheritance of the Earldom, he became more libertarian. See Norbert C. Soldon, “Douglas, Francis Wemyss-Charteris-, eighth earl of Wemyss and sixth earl of March (1818–1914)”, *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online ed. Jan 2010 [http://www.oxforddnb.com/view/article/36833].

¹² Wemyss, Address to the Electors of Haddington on the dissolution of Parliament, March 10th 1880 WP RH4/40/11.

¹³ Wemyss, “The Socialist Spectre,” Speech delivered to the House of Lords September 4th, 1895 WP RH4/40/13. The figures named were all associated with the Whigs and early Liberals.

¹⁴ See A.V. Dicey, *Lectures on the Relation between Law and Public Opinion in England during the Nineteenth Century* (Indianapolis: Liberty Fund, 2008).

¹⁵ Dicey, “Lecture VI: The Period of Benthamism or Individualism I” from *Lectures*.

Thus Dicey was able to state that, “Legislative utilitarianism is nothing else than systematised individualism, and individualism has always found its natural home in England.”¹⁶

The extent to which Wemyss himself reflected the Benthamite aspect of individualism which Dicey described is palpable in his 1885 speech to the Lords on “Socialism at St. Stephen’s.” He was contrasting the philosopher’s view on natural rights with a speech made by Joseph Chamberlain at Birmingham Town Hall on January 5th, 1885, which he equated with “communism.”¹⁷ A self-made businessman who had risen to political prominence through grass-roots Liberal organisations, Chamberlain espoused a collectivist notion of natural rights. He held that at the formation of society, every man had been born into the world with “a right to share in the great inheritance of his community, and with a right to a part of the land of his birth,” but that these communal rights had been replaced by private ownership. This private ownership, he lamented, had become so entwined with habits and custom that it was nearly impossible to reverse it. Chamberlain asked what kind of ransom would be paid for it.¹⁸ In opposition to Chamberlain, Wemyss drew upon Bentham. The particular passage cited was Bentham’s excoriation of the *Declaration of the Rights of Man and the Citizen* (1791). Bentham’s criticism was harsh indeed, castigating even the notion of natural rights as “nonsense upon stilts.” True rights came from law and were the “friends of peace,” while anti-legal rights were “the mortal enemies of law, the subverters of government, and the assassins of security.”¹⁹ Wemyss asked the House whether they preferred the old philosophy of Bentham or the new philosophy of Birmingham.²⁰ That the conservative Wemyss would cite Bentham in support of his opposition to Chamberlain’s collectivism at first glance seems to vindicate Dicey’s pronouncement of individualism as Benthamism. However, it is a mistake to see Wemyss’ quotation of Bentham as proof that his political agenda was built upon the utilitarian philosophy. At various times, Wemyss drew on many of the famous classical liberal philosophers for ammunition— including Smith, Ricardo, Mill, Cobden, and Bastiat, to name a few. Wemyss’ political philosophy moved with the times, even as it maintained certain fundamental principles, deploying different philosophies when needed, in a kind of intellectual bricolage.

¹⁶ Ibid., p.97.

¹⁷ Wemyss, *Socialism at St. Stephen’s, 1869-1885* Bristol Selected Pamphlets (1885) p.32.

¹⁸ Ibid., p.32.

¹⁹ Ibid., pp.33-4.

²⁰ Ibid., pp.33-4.

The dissatisfaction with the turn of the Liberal Party to a more interventionist line was felt strongly by the philosophical radicals. In 1884, Herbert Spencer wrote gloomily of “the New Toryism” whereby the Liberals had begun to emulate the paternalist instincts of old Tories and “taken to coercive legislation... greatly increasing the compulsions and restraints exercised over citizens.”²¹ Spencer noted that it was a peculiar development that the majority of those who had taken up the fight against collectivism in Wemyss’ LPDL were Conservatives. Furthermore, it would be the Tory Party which would become the defender of liberties which the Liberals had abandoned in the pursuit of what they mistakenly thought was the common welfare.²² The changing tone in Victorian liberalism is marked by what Isaiah Berlin referred to in his famous essay, “Two Concepts of Liberty.” The negative concept to which we can assign Wemyss and the late Victorian individualists was committed to a notion of the absence of coercion upon an individual. Thus, an individual is not free (in the political sense) when he is “prevented from attaining a goal by human beings.”²³

The notion of liberty as a negative concept lies at the heart of much of the classical liberal tradition from which Wemyss sought inspiration. Nowhere is the practical application of this principle found more famously than in John Stuart Mill’s *On Liberty* (1859). The right of the State to exercise power over the individual against his will existed only to prevent harm to others.²⁴ Any claim to coerce an individual for his moral or physical good was illegitimate.²⁵ This attitude to State paternalism is readily present in the literature of the LPDL and in Wemyss’ own statements against “grandmotherly” legislation. This is held in contrast to the direction of the New Liberalism, which the individualists loathed. The change in direction of the Liberal Party toward a platform of greater intervention was one of the reasons for the exodus of more classically liberal-minded members to the Conservative Party.²⁶ The changing emphasis of liberalism was effected under

²¹ Herbert Spencer, “The New Toryism” from *The Man versus the State* in *Spencer: Political Writings* Ed. John Offer (Cambridge: Cambridge University Press, 2001) p.79.

²² *Ibid.*, p.79.

²³ Isaiah Berlin, “Two Concepts of Liberty” from *Four Essays on Liberty* (Oxford: Oxford University Press, 1969). This essay was originally delivered as a lecture before the University of Oxford on 31st October, 1958.

²⁴ John Stuart Mill, *On Liberty* (John W. Parker and son, 1859) p.22.

²⁵ *Ibid.*, p.22.

²⁶ Another major factor was Gladstone’s support of Irish Home Rule. In 1886, a faction of the Liberal Party, known as the Liberal Unionists and led by Lord Hartington and Joseph Chamberlain, formed an alliance with the Conservatives against Home Rule.

the influence of the Idealists who held the concept of the “ethical state.” In this view, the State’s function was not merely as a guard against disorder, but as an agent for moral and social progress.²⁷ The philosophical position of the New Liberal thinking is manifest in the writings of Thomas Hill Green. As an eminent proponent of what would later become known as social liberalism, Green advanced the concept of the State’s as the fosterer of conditions favourable to man’s moral well-being. His argument against laissez-faire was that it was built upon a misconception of morality and thus opposed all positive reform aimed at promoting conditions “favourable to moral life.”²⁸ The acceptance of the doctrines of positive freedom gleaned from idealism became increasingly present in British Liberal politics as the century wore on. Old Liberals and individualists charged the New Liberals with using the cover of ‘liberal’ as a rhetorical smokescreen to mask their true intentions of increasing the role of the State. In a letter to Wemyss in 1890, Herbert Spencer considered that every step away from individualism was a step toward socialism, and that socialists were intent upon abolishing the existing social order.²⁹ This social order had been subjected to intense criticism from the individualists of the Diceyan variety a mere two decades earlier. Now its conservation was seen as an absolute priority by those who still dreamed of a virtually stateless future society.

It is of course important to stress that while Wemyss had an important role to play within late Victorian individualism, he did not bring any new or innovative ideas to the smorgasbord of individualist philosophy. The case he made for limited government rested upon established ‘truths’ and principles of government which had long been accepted as classical liberal norms and had also made their way into conservative thinking. It was entirely natural for Wemyss to claim that he had been taught from his “earliest youth” that the purpose for the existence of government was to protect life, liberty, and property.³⁰ This made it entirely possible for both liberals and conservatives to support ‘individualism’ as a defence of their interests even when approaching the issue from different perspectives. The LPDL was able to attract a multiplicity of interests including High Tories, old Liberals,

²⁷ H.S. Jones, *Victorian Political Thought* (London: Macmillan, 2000) p.88.

²⁸ Thomas Hill Green, “Lectures on the Principles of Political Obligation” from *Lectures on the Principles of Political Obligation and other writings* Ed. Paul Harris and John Morrow (Cambridge: Cambridge University Press, 1986) pp.21-2.

²⁹ Letter from Herbert Spencer to the Earl of Wemyss, November 9th, 1890 WP RH4/40/12.

³⁰ *Report of the Proceedings at the First Annual Dinner of the Liberty and Property Defence League* (1888) WP.

individualist anarchists, landlords, employers, and anti-State members of the working class. The Liberals who aligned with Wemyss were surely arguing their case in light of what made sound practical, economic, and social sense.

Dacey's equivalence of individualism with Benthamism indicates this perspective but does not shed adequate light on the motives of the conservative block which comprised the majority of those who, like Wemyss, claimed to be individualists. For them, defending established classical liberal norms was conservative, since it represented a defence of the status quo and an instinctive distrust for interventionist utopianism. This defence of the status quo, characterized by Taylor as the defining feature of individualism as it existed in political thought represents a strange development in Victorian politics which would probably have astounded Cobden as surely as it did Spencer when he wrote "The New Toryism." Taylor explains that the existing social order had been "a tissue of privilege and injustice" to the Radicals of the 1860s, yet now it was being defended by the individualists against the perceived greater threat of collectivism.³¹ Cobden had been renowned for his stinging criticism of the power of the landed aristocracy and the property and constitutional position of the House of Lords. Now, while individualists were lending their effort to the support of such an order, a landed aristocrat in the House of Lords called Wemyss was claiming Cobden as an intellectual forbearer!

Wemyss' position as a conservative defender of classical liberalism provides a point of departure from Taylor's thesis. Much of the sociological theory underlying the work of the philosophical radicals like Spencer and Wordsworth Donisthorpe acknowledged the role played by evolution in human society. Taylor states that the explicit acceptance and promotion of evolutionary thought allowed the individualists to "make possible the reconciliation of two conflicting theoretical commitments." The first of these was the old liberal belief in a kind of limitless human progress made possible by the emancipation of the individual. The other was the defence of the social status quo.³² While this fusion of liberal and conservative ideas was present in Wemyss (although the former was present in a more cautious and less idealistic form), evolutionary thought is entirely absent from his letters and speeches. In this, Taylor and other scholars of individualism have perhaps placed too much emphasis on evolutionary change and failed to recognise the depth and diversity of opinion that existed within a British individualism which extended far beyond the written output of philosophers

³¹ Taylor, p.34.

³² Ibid., p.71.

and writers. It is undeniably true that many within the individualist movement, including those who had a capacity to influence Wemyss, were believers in the idea which Arthur Taylor has described as “the progress of the race depended on freedom of competition in which success would go to those most fitted for survival and prosperity.”³³ We have no evidence that Wemyss himself actually held these ideas.

Furthermore, it is important to be aware of the many and varied applications of evolutionary theory to political thought during the nineteenth century. While many of the philosophical individualists did advocate the limitation and gradual disappearance of the State as the means whereby human evolution would ensue, they were not the only political theorists to argue on these grounds. Many on the Left argued that the evolution of higher forms sometimes required less individualism and the development of social groups functioning on the basis of cooperation and altruism. This is particularly noticeable in the writings of Alfred Russel Wallace, who positively identified socialism as naturalistic and Darwinian. Thus, socialism was not just an end but a means to an end. The course of evolution was toward socialism, and socialism allowed further evolution.³⁴

Individualist influence upon Wemyss came mainly in his capacity as an organizer of anti-statist pressure such as the formation of the LPDL. Some of the important connections Wemyss made in the philosophical world had already been active in individualist politics since the early 1870s. They included Wordsworth Donisthorpe, J.H. Levy, Auberon Herbert, the conservative novelist William Hurrell Mallock and most prominent of all, Herbert Spencer. Most of their contributions to Wemyss’ cause came in the vast literary output that the LPDL produced. Most notable of all was the volume of individualist essays *A Plea for Liberty*, edited by free-market writer and wine merchant Thomas Mackay, which included a contribution from Spencer himself. Pouring over this vast wealth of individualist literature, it is evident that Wemyss did not couch his defence of English liberty in quite the same terms as the philosophical individualists, even if by the end of the century they had acquired a conservative flavour. An overview of Wemyss’ career suggests a man who was a Peelite conservative in his younger days in the middle of the century, and who remained so into the twentieth, long after

³³ Arthur J. Taylor, *Laissez-Faire and State Interventionism in Nineteenth Century Britain* (London: Macmillan, 1972) p.53.

³⁴ David Stack, *The First Darwinian Left: Socialism and Darwinism 1859-1914* (Cheltenham: New Clarion Press, 2003) p.29.

it was fashionable to be so and the modes of conventional thinking had moved on.

The sense of foreboding for the future of the nation and imperial hubris might suggest a parallel with the fin de siècle Conservative Prime Minister Lord Salisbury. In many senses, there is a great deal of overlap between the two figures. Both were members of the aristocracy, both could be said to have indulged a paternalistic attitude toward the working classes (privately in Wemyss' case), and both were unshakeable in their reverence for the British constitution. As far as domestic policy went, in theory there was considerable appeal to the same principles of conservative liberty in both men. In his biography of Salisbury, Andrew Roberts characterizes the three-time Prime Minister as a libertarian whose attitude to freedom of contract was "fundamentalist," who believed that Whitehall officials were generally wrong about knowing what was best for somebody, and also that too much centralisation of power was "inimical to liberty."³⁵ His acceptance of free-market truths on the grounds that it was no more possible to act against them than against the laws of the weather, his opposition to all but the most necessary safety regulations and temperance laws, and his denial of the right of the State to intervene in a person's personal matters for their own good all indicate a man who, while remaining a fervent High Tory, had much in common with the liberal-conservative Wemyss.³⁶

That did not prevent Wemyss from coming out against Salisbury's actions as Prime Minister when the latter appeared to betray those laissez-faire principles, even in relatively minor ways. Wemyss decried those in government who were using the State to make inroads into the lives of citizens, even when they included sanitary housing for the poor. Roberts notes that the area of working-class housing was the one exception to Salisbury's generally laissez-faire principles.³⁷ Salisbury's plan to provide a limited amount of financing for the purposes of slum clearance and the construction of new accommodation met with a furious reaction from Wemyss. He warned that it was not the government which had made Britain, yet it was in real danger of unmaking it by "strangling the spirit of

³⁵ Andrew Roberts, *Salisbury: Victorian Titan* (London: Weidenfeld and Nicolson, 1999) p.279.

³⁶ *Ibid.*, p.279.

³⁷ *Ibid.*, p.282.

independence, and the self-reliance of the people, and by destroying the moral fibre of our race in the anaconda coils of State socialism.”³⁸

Wemyss’ advocacy of minimal State interference was not merely the product of a philosophical predilection for liberty, but born of a practical belief that non-intervention actually worked. This is not to say that he saw no legitimate grounds for State involvement. The legitimate bounds for State activity were slightly less restricted than the doctrinaire individualists of the mould of Spencer, Donisthorpe and Herbert. He saw the protection of women and children as covered by the Factory, Mines Regulation, and Merchant Shipping Acts as reasonable.³⁹ Furthermore, Wemyss saw a legitimate role for the State in the regulation of beer houses for the purposes of protecting the sober majority against the drunken few, and of penalising those in the latter category who behaved in a disorderly fashion in the streets.⁴⁰ In addition to these allowances, he believed that the State had a legitimate practical role to play in punishing traders who used fraudulent weights and measures, and in forbidding the letting of unsanitary houses.⁴¹ These were all cases of basic law and order and protection of individuals against direct harm from others: the classical liberal ideal in person-to-person relations. Thus Wemyss could accept that while these spheres of protection were not out of bounds for the State, the vast majority of areas of activity were, since practical experience had demonstrated that nearly all State interference had produced unintended negative outcomes.⁴² The kind of language used here seems to hark back to one of Wemyss’ own inspirations, the French economist Frédéric Bastiat (1801-1850). Bastiat argued that protectionist and regulatory economic policies concentrated only on the visible effects and neglected important unseen consequences.⁴³

It seems clear therefore that while Wemyss dallied with some philosophical individualists, his core beliefs were liberal conservative. While

³⁸ Wemyss, “Socialism at St. Stephen’s 1869-1885” Speech to the House of Lords, July 31st, 1885 Bristol Pamphlets.

³⁹ *Ibid.*, Preface to speech, p.5.

⁴⁰ *Ibid.*, p.5.

⁴¹ *Ibid.*, p.5.

⁴² *Ibid.*, p.6.

⁴³ For example, see Bastiat’s famous parables such “The Broken Window Fallacy” and “The Candlemaker’s Petition.” Bastiat’s strictly minarchist emphasis on the protection of life, liberty, and property were the basis for his economic views, and were profoundly influential on later generations of free-market advocates, such as the strongly anti-statist Austrian school.

conservative, his individualism was not of the same variety as the likes of Spencer, Herbert, and Donisthorpe. It belonged instead to an older variety which fits more into Dicey's description pertaining to the period 1825-1870. E.H.H. Green has stated that while individualists (like Wemyss) looked back to Smith, Burke, and early nineteenth century liberal Toryism, none of these were clear libertarians.⁴⁴ Green believes that the first time clear anti-collectivist libertarian arguments were utilised by the Right was in the late nineteenth and early twentieth centuries. Thus, the apparent conservatism of people like Wemyss was only born out of disgust for the Liberals' departure from laissez-faire, and not of any particular love of conservatism.⁴⁵ This may have been true for some of those who associated with the Conservative Party such as Dicey and Spencer but it is a misrepresentation to detach Wemyss from conservatism. After all, while the economics of individualism was clearly an inheritance from old liberal ideas, there had long been an association with liberty common to both Whigs and Tories.

The existence of an old Tory belief in liberty seems to concur with Greenleaf's thesis of a deep-rooted libertarian/collectivist tension within conservatism.⁴⁶ Matthew Fforde outlines some of the old libertarian-esque principles of Toryism: freedom of speech and publication, rights of association and assembly, a legal system committed to the liberty of the subject, the right to a jury and habeas corpus, an intense distrust for Continental-style policing, a deep reverence for law and privacy, religious toleration, and property rights.⁴⁷ All of these are in full accord with the positions Wemyss had held ever since his election to Parliament for East Gloucestershire in 1841. What seems to have changed over the course of his political life is his increasingly classical liberal views on economics, which profoundly influenced his later 'individualism,' and which are consistent with his self-identification as 'liberal-conservative'. This characterisation of Wemyss as a representation of late Victorian libertarian Conservatism is also the prognosis offered by Greenleaf.⁴⁸ It is important to keep this intellectual heritage in mind when discussing the practical application of individualism.

⁴⁴ E.H.H. Green, *The Crisis of Conservatism: The Politics, Economics and Ideology of the British Conservative Party, 1880-1914* (London: Routledge, 1997) p.316.

⁴⁵ *Ibid.* p.316.

⁴⁶ Greenleaf, *The British Political Tradition: The Ideological Heritage*.

⁴⁷ Matthew Fforde, *Conservatism and Collectivism 1886-1914* (Edinburgh: Edinburgh University Press, 1990) pp.24-5.

⁴⁸ Greenleaf, *The British Political Tradition: The Ideological Heritage* pp.271-2.

II.

While Wemyss was clearly in command of the language of political thought and fairly proficient at wielding the various weapons in the individualist armoury, it was in the realm of practical politics that he came into his own. Since much of the polemical effort against collectivism and the fallacies of socialistic thinking was better left to the gifted writers who produced the vast quantity of LPDL literature, Wemyss' attention was primarily fixed on his role as a parliamentarian. He had already established something of a name for himself as one of the architects of the Cave of Adullam, the group of mainly Liberal members who, in 1867, opposed voting reform intended to expand the franchise. As a result of reform, the House of Commons shifted from being aristocratic and commercial to include a larger contingent of the middle and lower classes. Collectivist legislation could be resisted only by persuading the masses of the truths of laissez-faire policy.

Wemyss' specific role in the House of Lords was as an obstructionist, intent on arousing opposition to objectionable bills and defeating interventionist legislation. The LPDL served as a link between private business associations and individualist parliamentarians. In 1883, the League's council included the Liberal Lord Bramwell and the Conservatives H.C. Stevens and the Earl of Pembroke. Three years later, the LPDL had over 270 members and a membership of 83 trade associations representing over half a million subscribers. By 1893, the number of trade associations had risen to 150 and represented a wide range of interests including shipbuilders, mining associations, victuallers, homeowners, and landlords.

No interventionist measure escaped Wemyss' eagle eye. Of particular interest was his ongoing struggle against temperance legislation, which came thick and fast in the 1880s and 90s. The issue of alcohol divided along party lines. Generally speaking, support for using the law to regulate alcohol production and consumption came from Liberal quarters. The increasing number of attempts to regulate the alcohol trade may have been a mirror of the changing face of Liberalism. Under the influence of the New Radicals, social liberalism came to believe in the moral imperative of the State to promote morality in all its forms. While the older school of liberalism contained those who were aware of the damaging impact of alcohol on certain sections of society, they would have opposed intervention as an obvious infringement on the negative liberty which they promoted. As Brian Harrison has noted, these older liberals would have rejected the idea that

people could be “civilized through sumptuary laws” but that “abstinence must proceed from the free choice of the citizen.”⁴⁹

The drink trade felt a significant threat from Gladstone’s administration, and many of its societies and associations (such as the Licensed Victuallers National Defence League) were federated within the LPDL. The first major clash between the temperance legislators and the LPDL occurred in 1882 with the proposed Sale of Intoxicating Liquors on Sunday (Cornwall) Bill. While he conceded that he too deplored drunkenness, Wemyss’ opposition was grounded in the belief that the law was damaging to liberty, injuring the sober majority in the name of protection against the drunken few.⁵⁰ His argument also featured the leitmotif of his political career: opposition to untrammelled democracy. He considered the spirit of such legislation a clear example of the tyrannical exercise of power by the majority over the minority. For a considerable part of his political career, Wemyss was keen to display himself as a friend of the working classes. As a friend of the Scottish miner and trade union leader Alexander MacDonald he had worked towards the partial repeal of the Master and Servant Act of 1867, which reportedly saved 10,000 workers a year from imprisonment for failing to give notice before striking.⁵¹ In his speech to Parliament concerning the Cornwall Sunday Closing Bill, he attacked claims by temperance legislators that the majority of the working classes were drunk as “libels.”⁵²

His attack on the spirit of the legislation expressed his furious contempt for the Liberal Party’s abandonment of classical liberalism:

What is this legislation? Call it by its right name; it is not paternal, it is worse than paternal, it is grandmotherly legislation. Now, for my part, I am in favour of the people managing their own affairs, and I am opposed to this kind of legislation. I am not a Liberal, and why? I am in favour of liberty; and the whole tendency of this spurious thing which is called Liberalism at the present day is to encourage persons, who can put on the screw, to come here and ask for legislation— now for Ireland, now for Wales, now for Cornwall— and to put the screw on to obtain it.⁵³

⁴⁹ Brian Harrison, *Drink and the Victorians* (London: Faber and Faber, 1971) p.288.

⁵⁰ *Parliamentary Debates (Hansard)* HC Deb 12 August 1882 vol. 273 cc1650-6.

⁵¹ Harold Perkin, *The Rise of Professional Society: England Since 1880* (London: Routledge, 1990) p.145.

⁵² *Ibid.*, p.145.

⁵³ *Parliamentary Debates (Hansard)* HC Deb 12 August 1882 vol. 273 cc1650-6.

The opposition to the legislation which Wemyss and the LPDL were able to stoke in Parliament paid off in 1883 when the third reading of the Bill was defeated. As leader of the Conservatives, Salisbury had fulfilled his Tory duties in opposing the bill but the *Licensed Victuallers' Guardian* credited Wemyss and Lord Bramwell as the key players, as ten members of the LPDL balanced the ten members of the government who supported it.⁵⁴

Tories were generally supportive of the alcohol trade while Liberals increasingly had a tendency to support measures which aimed to curb the many social problems associated with habitual drunkenness. The issue also divided along denominational lines. Generally speaking, the Anglican Church continued the older Protestant tradition of moderation while Nonconformity provided much of the support for the temperance movement. However, that is not to say that all Anglicans were opposed to the legislative measures of temperance supporters. Wemyss, himself an Anglican, took issue with the pro-temperance sentiments expressed by the Bishops of Durham and London in 1896. Wemyss claimed that their readiness to resort to legislation on the issue demonstrated their own failure as bishops. They had proven themselves “impotent by moral suasion” to influence the personal and social habits of their congregations.⁵⁵ Following the attempt to regulate the sale of alcohol on Sundays in Cornwall, there was a similar attempt in Durham to which Wemyss was responding in the above quote. Speaking during the third reading of the Durham bill, Wemyss demonstrated the typical *modus operandi* of the LPDL when he presented three petitions against the bill, one of which was from the Labourers' Association in London who opposed it on the grounds that such an infringement of liberty would lead to the establishment of bogus clubs to circumvent it.⁵⁶

This kind of working-class anti-statism was exactly the sort of opposition that Wemyss and his fellow individualists sought to court in the age of democracy, especially given the long standing association between libertarianism and the rich. The LPDL pamphlets had leapt upon the perceived bias against the working man in such legislation and sought to capitalize upon it in their publications. “Do not vote for a candidate who would allow a rich man to drink his fill in his club, but would rob a poor man of his beer” ran one LPDL pamphlet.⁵⁷ Wemyss' stated opposition to the Bill gives us an important insight into the practical workings of individualism on a

⁵⁴ Bristow, “The Liberty and Property Defence League and Individualism” p.781.

⁵⁵ Wemyss, from Mallock p.23.

⁵⁶ *Hansard* HL Deb 25 May 1886 vol. 306 cc5-24.

⁵⁷ LPDL pamphlet cited in Bristow, p.781.

particular issue. He objected to it on principle as well as because all previous attempts at similar legislation had failed. It created new offences where none had previously existed, thus leading to a contempt of the law and most fundamentally of all, was a violation of individual rights. In addition to this, he thought the effects would be “intolerable” to neighbouring counties.⁵⁸

While pre-eminently concerned with Britain, Wemyss was aware of legislative trends worldwide. Not only was his vocal opposition in the House of Lords grounded in personal philosophical objections to any State intrusion into individual liberty, there was a practical basis as well. Wemyss was fully aware of the more advanced temperance measures which were in effect in much of the United States and Canada. No doubt this interest had been aroused by correspondence with League affiliates in these countries. In an address to the House of Lords in 1889, Wemyss noted the abject failure of temperance legislation on the other side of the Atlantic” “Crime, madness, pauperism, and... other evils” were just as prevalent in prohibition areas as non-prohibition ones, Wemyss announced to the Lords.⁵⁹ In addition to the practical failure of such measures, Wemyss demonstrated his absolute opposition to the very nature of the movement. He did not regard it as promoting temperate behaviour, in the normal sense of the word, but intent on abstinence through coercion.⁶⁰ Thus, theoretical and practical opposition were conjoined.

The LPDL’s opposition to overlegislation in the area of alcohol demonstrates the functional relationship between the individuals in places of political power and the various trade associations and organisations. Thus the organisational power of Wemyss through the LPDL was fully realised. The Liberal Lord Bramwell of the LPDL had proposed an amendment to the Licensing Acts which would have secured uniformity in the way licenses for the sale of alcohol were granted, a measure which attracted considerable support from the sections of business which were being harmed by current legislation. A petition was brought to Parliament containing signatures of the leaders of no less than 289 trade defence associations.⁶¹

On occasions where commercial interests or classes were in question, libertarians could count on the organisational muscle of the LPDL and the numerous trade associations federated within it to muster serious political obstruction. In other areas though, the individualists had to take the form of

⁵⁸ *Ibid.*, p.781.

⁵⁹ *Hansard* HL Deb 12 July 1889 vol. 338 cc245-56.

⁶⁰ *Ibid.*

⁶¹ *Hansard* HL Deb 28 February 1896 vol. 37 cc1361-2.

persuasion in an attempt to curb overlegislation. The Habitual Inebriates Act of 1898 provided one such case. Wemyss' individualist opposition to the bill was raised at the third reading when he objected to the compulsory incarceration of habitual drunkards which "ran counter to the love of liberty innate in us all."⁶² While the law already existed to allow offenders to shut themselves up in reformatory asylums for three years, there was a fear that as time progressed the State's involvement would become harsher and more pronounced. Wemyss predicted that "A Bill which is one year voluntary, the next year becomes compulsory, and so we go on, and shall go on, until we all become slaves under the shackles of the State, or of some municipal authority, deprived of all liberty."⁶³ The Habitual Inebriates Act was a legislative development along the same lines as the Habitual Criminals Act (1869). In both cases, contemporary notions of the application of principles gleaned from the social sciences to actual law placed control of criminals, defined as such before they had committed a crime, of higher importance than the maintenance of public liberty.⁶⁴ It also presented the tensions within utilitarian theory and practice. If law and government could be enacted scientifically, then there were distinct possibilities that it could be used in a way that was objectionable to libertarians like Wemyss, even if its application had previously helped benefit the cause of individualism. This problem came into play with legislation like the Prevention of Crimes Acts (1880).⁶⁵ Against the backdrop of increasing statistical accuracy and positivist scientific theories, and the debate about inherited characteristics associated Darwin and his cohorts, there certainly existed the potential for unprecedented state interference with individual liberty in the name of protecting society. Thus, as was stated earlier, Wemyss' usage of Bentham formed part of his larger philosophy of liberty, and was a tool to be used for this end. It was not used because of any conviction of the overall truth of Benthamism in all its applications.

The battle over Sunday opening reflects the deeper conflict between laissez-faire and collectivism. Brian Harrison has demonstrated that by the end of the century, much of the impulse behind sabbatarian restrictions came from labour organisations. Labour leaders George Potter and Henry Broadhurst were among those who supported sabbatarian measures out of a

⁶² *Hansard* HL Deb 04 August 1898 vol. 64 cc9-17.

⁶³ *Ibid.*

⁶⁴ Lawrence Goldman, *Science, Reform, and Politics in Victorian Britain: The Social Science Association 1857-1886* (Cambridge: Cambridge University Press, 2003) p.168.

⁶⁵ There have been numerous "Prevention of Crime Acts". The 1880 legislation specifically dealt with habitual criminality.

belief in the right of the worker to have a day's rest, not because of any personal religious belief.⁶⁶ Likewise, much of the support for temperance measures late in the century came from labour quarters. Given such facts, the LPDL's action against temperance measures throughout the 1880s and 1890s must be seen as multi-dimensional. On the basic level, it was ideologically opposed to any State interference with either the alcohol trade or the individual's right to drink as a matter of libertarian principle. However, beyond this there is a definite sense that it believed temperance measures were a direct result of meddling from the trade unions, which were seizing upon the moral issues to benefit their own interests.

Wemyss often presented himself as the working man's friend, as had been evident during his alliance with Alexander Macdonald, and his stance on temperance legislation should be seen in the same light. The Free Labour Protection Association (FLPA) was created in the closing years of the century to protect the right of the working man to his own labour free from any interference from either the State or the trade unions. Wemyss' opposition to temperance legislation was rooted in a kind of private paternalism which saw it as his noble duty to side with the working man against any external coercion. Thus, Wemyss sought to tap into the long standing anti-statism which had existed amongst sections of the working class. What limits would the State set itself as regards paternalist legislation? This was the central moral question which inspired Wemyss in much of his opposition to new legislation in a number of areas. In Wemyss' mind, this was the fruit of too much democracy in action: "If the right of a bare majority to regulate the habits of the population in the matter of drink is admitted, there is, logically, nothing to be said against the conduct of citizens being placed under State control in every area of life."⁶⁷

III.

The scholarly attention which has been paid to the LPDL has concentrated on its role in fighting the regulation of trade and the rise of the labour movement in the 1890s. One area which has been overlooked, but provides invaluable insight into the landed conservative element of individualism into which we can place Wemyss, is legislation regarding the countryside. As already noted, the political sea change toward mass

⁶⁶ Brian Harrison, "Religion and Recreation in Nineteenth Century England", *Past and Present*, No.38, (Dec. 1967) pp.98-125 (105).

⁶⁷ Wemyss, *Socialism at St. Stephen's* in 1883 (1884) p.45.

democracy drastically altered the make-up of the political classes, and reduced the previously concentrated power of the landowning aristocracy and commercial interests. By the time of Gladstone's 1880 administration, both old Liberals and Conservatives were acutely aware of the danger to their interests posed by increasing volumes of legislation. Furthermore, the political changes being felt were so worrying for many of these High Victorians that they now found they had more in common than divided them. As Wemyss repeatedly stated, the political battles of the age were no longer about Whigs versus Tories or Liberals versus Conservatives but collectivists versus individualists. There is an interesting juxtaposition between the new found alliance between landowners and commercial interests within Wemyss' LPDL and the conflict forty years previously over the Corn Laws. Then, Tory landowners had fought free-market reform tooth and nail, and lost. Now, their conservatism had led them to defend the status quo, even though that status quo was built upon an acceptance of the classical liberal economic principles of Cobden and Bright which they had resisted so vehemently.

It was of course the passage of the Irish Land Acts in 1881 which spurred Wemyss on to create an organisation explicitly concerned with the protection of liberty and property. Rural legislation which concerned Wemyss was intrinsically linked with questions of property and contract which individualists cherished so dearly. Opposition to overlegislation in areas which affected the countryside was not formed as part of an overarching campaign in the same way as the measures which dealt with the question of free labour at the end of the 1890s, but was rather conducted on a case-by-case basis as such issues arose. Rather than focus on a specific piece of legislation, it seems better to survey rural affairs which Wemyss opposed, as a country aristocrat and as an individualist. In the early 1880s, he expectedly opposed the Rabbits and Hares Bill on the grounds that its sole principle was interference with freedom of contract.⁶⁸ Ostensibly to protect occupiers from damage to their crops, the bill allowed tenants to shoot ground game even if contractual arrangements with their landlords stipulated otherwise.

Although countryside issues did not form a major part of the LPDL's campaign, they do provide important insights into the attitudes of the individualists and especially Wemyss. Speaking to the House of Lords on the latest examples of the advent of State socialism, he outlined his opposition to a measure known as the Access to Mountains Bill.⁶⁹ Although it had not

⁶⁸ Elcho to Sir Stafford Northcote, June 8th, 1880 WP RH4/40/11.

⁶⁹ Wemyss, *Socialism in England 1888 and 1889* Bristol Selected Pamphlets (1890) p.3.

reached the Lords by the time of Wemyss' address, his warning is indicative of much of the underlying aristocratic attitude to land and liberty. The intention of the proposed legislation was to allow people to access any land which was not part of an enclosure or plantation for scientific or artistic purposes. Wemyss' opposition was a simple matter of property. Not only would the legislation have permitted members of the public to access land, such access was a potential threat to the grouse and deer which resided in the mountains and were among their most important economic assets. Although the measure did not actually get through Parliament for a considerable time and did not actually become enshrined in law until long after Wemyss' death, the inclusion of it in his speech demonstrates the natural alignment for some in the landed aristocracy within individualism.

While his defence of the right of existing land owners to protection against State interference was in agreement with many contemporary individualists who saw encroaching collectivism as a greater priority than the removal of ancient hereditary privileges, it did open itself up for attack by many on the Left who believed that old-fashioned Toryism was merely using the label 'individualism' as a cloak to maintain its own position. The Canadian writer Grant Allen, who dubbed the LPDL "the Confiscation and Aristocracy Defence League," found fault with the League's views on property, arguing that real individualism was only possible when all individuals started on a level playing field.⁷⁰ He held that the defenders of laissez-faire were representative of "fine old crusted Toryism, tricked out as individualism, in the borrowed feathers of the Liberty and Property Defence Leagues."⁷¹ At the same time of his jeremiad against the Access to Mountains Bill, Wemyss warned about legislative attempts to make all fishing common.⁷² Charging that it would take property from the owners and "give it to the public" and that property owners would be forced to make pathways along rivers and streams and pay for any damage to fences caused by trespassers, Wemyss was certainly alarmist in a country Tory fashion. Such episodes left him open to attack from the Left, who saw the defence of property as a defence of special privileges which had been acquired through ancient acts of theft.

Was Allen right to assert that the aristocratic origin of the LPDL was really privilege masked as individualism? Any assessment must begin by acknowledging the wide variation in definitions of individualism. Taylor's evaluation of the individualism of the late nineteenth century as a

⁷⁰ Grant Allen, *Individualism versus Socialism* Bristol Selected Pamphlets (1889) p.3.

⁷¹ *Ibid.*, p.3.

⁷² Wemyss, *Socialism in England* p.4.

conservative doctrine surely stands. Its proponents had all opposed liberalism as the latter's central assumptions had been redefined. However, there was a seeming contradiction within the individualist camp, between doctrinal purity and the need to maintain the Victorian social order. While this contradiction may have been problematic for the exponents of extreme individualism, conservatives like Wemyss were quite at ease with the concept of individual liberty being preserved *through* the existing social order. Although his own views became more radically libertarian in later years, he had always been a conservative of the Peelite variety.

As a landowner, he enjoyed a good relationship with his tenants, once ridiculing the idea that rural labourers would be better off if historic country houses were closed down.⁷³ Wemyss owned 56,739 acres in his native East Lothian and 4,000 in Gloucestershire.⁷⁴ Consequently, he was fully aware of the rural social apparatus and the web of complex relationships that were fostered by it. While he could be described as a "Tory country gentleman" his defence of the rural social order presents to us a different perspective from that of the traditionalist opposed to rapid industrialisation.⁷⁵ For Wemyss, the threat to the rural order was not trade and industry, but over-reaching legislation. As a noted and vocal supporter of old Liberal economic policies he was much in favour of industrialisation. The list of federated associations within the LPDL and FLPA bears testament to his classical liberal credentials. He therefore saw no contradiction between this and his rural conservatism.

By the 1880s, the onset of the New Radicalism threatened to change the face of British politics so dramatically that previous disagreements between traditionalist and libertarians seemed petty. Therefore, on most issues which affected rural affairs, the country landlord could find himself in agreement with the intellectually consistent urban industrial individualist. Matters of personal liberty transcended the traditional divides between town and countryside, and commercial and landed interests. A clear example of this was the Pigeon Shooting Bill which was rejected by the House of Lords in 1884. The legislation had been intended as an amendment to the already existing Cruelty to Animals Act (1876). Wemyss claimed that while he had no

⁷³ Speech to the House of Lords, September 4th 1895 WP RH4/40/13.

⁷⁴ Norbert C. Seldon, "Douglas, Francis Wemyss-Charteris-, eighth earl of Wemyss and sixth earl of March (1818–1914)", *Oxford Dictionary of National Biography*, Oxford University Press, 2004.

⁷⁵ While he was still an MP and known as Lord Elcho, this label was given to him by the Daily Review, February 17th, 1880.

interest in it, the use of State force to ban a sport which was marred by a minority who practised cruelty was nothing more than heavy-handed overlegislation. He decried the practice, which he saw becoming too common, whereby “an abuse was seen, and instead of calling in the police, or dealing with the abuse by means of the present laws, everybody was put under the legislative harrow and the ban of a fresh Act of Parliament.”⁷⁶

Wemyss opposition to State intervention in the countryside does not indicate a meeting of what we could call the ‘high’ and ‘low’ aspects of his individualism in the way that the struggle against temperance does. In contrast, State regulation of business and trade matters received such strong opposition because Wemyss was able to coordinate action with the numerous trade associations federated within the LPDL and later the FLPA and Employers’ Parliamentary Council (EPC). Rather, it served as an appeal to the conservative credentials of a House in which the landed interest was still strong. It is interesting to note the patterns in legislation which the LPDL opposed. The League had been formed as a response primarily to the land reform measures in Ireland, but threats to countryside property were felt more strongly during Gladstone’s administrations. By the time of High Tory Salisbury’s elevation to Prime Minister in 1885, the immediate threat to landed property had subsided.

IV.

Although Wemyss remained active in Parliament until his death in 1914, most of the frenzied battles for individualism were over by the beginning of the century. After its municipal campaigns of the beginning of the twentieth century, the LPDL’s prominence began to recede just as the laissez-faire doctrines which it defended did. After the Liberal majority of 1906, the LPDL found it harder to influence Parliament. Membership rolls declined.⁷⁷ Individualism as a movement had been fighting a defensive war, as evidenced by the fact that many of its philosophical proponents had identified with Conservatism in the face of the collectivist legislative onslaught. Wemyss and the LPDL had been especially zealous and uncompromising in their opposition to collectivist legislation, all the way through the late Victorian period and into the new century, in a manner which even anti-socialists had come to find objectionable. The Chairman of the Anti-Socialist League, Claude Lowther, himself an ex-Conservative MP,

⁷⁶ *Hansard* HL Deb 16 May 1884 vol. 288 cc532-7.

⁷⁷ Bristow, *Individualism versus Socialism*, p.307.

described the League in particularly unflattering terms in 1911. He said he regarded it as “a dangerous reactionary group which engenders more socialism in one week than it prevents in a year by its wholesale opposition to all proposals which make for the people’s welfare.” Furthermore, he believed that the “extreme individualist is an absurd a member of the community as a pure collectivist.”⁷⁸

Wemyss was certainly not an extreme individualist in the same mould as some of his staff members and associations like Donisthorpe. The message from the new generation of anti-collectivists was clear. Socialism was not going to be defeated through a doctrinaire commitment to principles which it deemed as belonging in another age. However, as history was to show, neither was socialism defeated through the abandonment of classical liberalism and a reversion to Tory paternalism. One unintended legacy of the LPDL and FLPA came as a result of the successful campaign to counter the engineering strike of 1897. A broad cross-section of labour and left wing organisations coalesced to form the Labour Representation Committee in 1900, which became the Labour Party.⁷⁹ Various individualist groups persisted for a while into the new century, not least among them the British Constitution Association. The BCA was led at first by Lord Hugh Cecil, whose 1912 book *Conservatism* helped outline an intellectual defence of laissez-faire Toryism. Other members included those who had been associated with the LPDL such as Dicey and Mackay. Its purposes were the same as those Wemyss had instilled into his own organisations: a defence of self-help as opposed to a reliance on Parliament or municipalities for welfare, and a commitment to the moral principle that no amount of legislation could engender a religious, moral, temperate, or industrious character within people.⁸⁰

When Wemyss died in 1914, just short of his ninety-sixth birthday, the running of the LPDL was left to the prolific author and editor of *Liberty Review*, Frederick Millar. Although devoid of much of the significance it had enjoyed in the last two decades of the nineteenth century, it carried on before fizzling out entirely during the Great Depression. It goes without saying that individualism as a political movement was thereafter confined to the fringes

⁷⁸ Claude Lowther, quoted in Perkin pp.148-9.

⁷⁹ Soldon, “Douglas, Francis Wemyss-Charteris,” *Oxford Dictionary of National Biography*.

⁸⁰ Mark H. Judge Ed., *Political Socialism: a remonstrance: a collection of papers by the British Constitution Association with Presidential addresses by Lord Balfour of Burleigh and Lord Hugh Cecil* (London: P.S. King, 1908) p.179.

of intellectual discussion until later in the twentieth century when classical liberal ideas underwent a renaissance. There is also another juncture between the resurgence of classical liberal ideas in the late twentieth century under the banner of libertarianism, and the late Victorian individualist movement. The rising popular interest in libertarian ideas was matched by a rising scholarly interest in Victorian and Edwardian individualism, exhibited by figures like Greenleaf, Soldon, and Bristow.

Despite this resurgence of interest in late Victorian individualism, many have still continued to overlook the important, specific role which Wemyss played within it. Due to his inveterate presence within Parliament he was able to bridge the gap between the theoretical aspect of individualism, and its practical application. What then was Wemyss' position within late Victorian individualism? He certainly did not contribute to libertarian theory. His political thought represents that of an aristocrat who was warmly receptive of classical liberal ideas and convinced that free-market political economy was "experience and common sense."⁸¹ He had become a convinced Peelite during the repeal of the Corn Laws and he remained one until his death in 1914. His description of himself as a "liberal-conservative" was a particularly mid-Victorian self-assessment, and one which he sustained until the end of his life. In many ways this sums up his commitment to the individualist cause in the late nineteenth century and into the twentieth. Fighting against the changes within Liberalism after the onset of the New Radicalism, he felt most comfortable identifying with the Liberals of Palmerston's generation. And yet at the same time he was very much a conservative, inflexibly resolute in his defence of the constitutional status quo in both Church and State.

If we were to apply Greenleaf's terminology we could definitely place Wemyss within the libertarian conservative tradition. This, however, provides both a confirmation of and a degree of divergence with M.W. Taylor's assessment of late Victorian individualism as a conservative movement. On the one hand we can see that Wemyss was conservative and concerned with the maintenance of the Victorian social order. Many of the philosophical individualists had resigned themselves to this task when it became clear that their ambition to remove the last remaining obstructions to a truly libertarian society were not likely to be achieved in the near future. The rise of collectivism was a much greater threat than any vestigial privilege and heredity, the latter destined to disappear eventually as a natural result of human social evolution. However, in other respects, any true assessment of Wemyss has to provide a point of departure with Taylor's point that late

⁸¹ Wemyss to Editor of *The Times*, December 28th, 1895 WP RH4/40/13.

Victorian individualism was disconnected with Manchester liberalism of the early to mid- Victorian period. While it is true that many individualists of the late nineteenth century like Donisthorpe, Herbert, and Mackay were Spencerians, Wemyss' relationship with these figures was mostly functional since his own intellectual heritage was manifestly linked with the early classical liberals, as he himself acknowledged.

While he did not contribute many of his own ideas to the pool of individualist thought, Wemyss did serve the cause by virtue of his lengthy and established career as parliamentarian. It was his social and political position which allowed the individualist philosophers to gain such wide currency. Furthermore, he was able to practically fight collectivism through the LPDL and its subsequent offshoots, the FLPA and the EPC. In this respect, Wemyss served as the leading political representative of individualism and was able to mobilise support in the House of Lords to defeat a number of 'socialistic' measures. His role as an obstructionist illustrates both his own political tendencies as well as the position of individualism as a philosophy.

In late Victorian Britain, the principles to which individualists clung increasingly came under assault: critics regarded them as relics of a bygone age unfit to address the complex needs of an industrializing society.⁸² As such, the individualist presence within politics, of which Wemyss was the most prominent symbol, fought a predominantly defensive war. Besides its role in the slew of political propaganda which became prolific during the pamphlet wars with the Fabians in the 1890s, its function was limited to defeating collectivist measures through the joint action of affiliated trade societies and a small but steady core of reliable parliamentarians who would divide against objectionable legislation. This, however, was the extent of Wemyss' conservative individualism in Parliament. While in their own terms, the organisations at Wemyss' disposal, like the LPDL and the FLPA, achieved considerable short term success, this was a negative battle. As Sidney Webb noted, there was no attempt to put into practice any individualist measures: only the attempt to defeat collectivist ones. Thus, Wemyss' individualism was defined as the opposite of collectivism. In short, Wemyss served as a defender of Peelite political philosophy well beyond its days of popularity. In many ways, he remained of a kind unto himself. He was a key figure in the individualist movement, but in a way which he felt was consistent with his life-long principles. Asked by a young man at an 1880

⁸² Of course, later libertarians such as Friedrich Hayek demonstrated that a centralised State was incapable of possessing the knowledge required to intervene and regulate, and that only a free market is capable of effectively allocating resources.

campaign meeting for the true definition of a liberal-conservative, he coolly replied, “Lord Elcho.”⁸³

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83 *Haddington Courier*, March 25th, 1880 from WP RH4/40/11.

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