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On and after the appointed day there shall be in Ireland an Irish Parliament, consisting of his Majesty the King and two Houses, namely, the Irish Senate and the Irish House of Commons.

Notwithstanding the establishment of the Irish Parliament, or anything contained in this Act, the supreme power and authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters, and things within his Majesty's dominions.

THE HOME RULE BILL (1912).
(THE GOVERNING CLAUSE.)

"If we conciliate Ireland, we can do nothing amiss; if we do not we can do nothing well."

SYDNEY SMITH.

"The cry of disaffection will not, in the end, prevail against the principle of liberty."

GRATTAN.

HOME RULE

BY
HAROLD SPENDER

WITH A PREFACE
BY THE
RT. HON. SIR EDWARD GREY, BART., M.P.,
SECRETARY FOR FOREIGN AFFAIRS

SECOND EDITION
With Text of Home Rule Bill (1912)

HODDER AND STOUGHTON
LONDON NEW YORK TORONTO

"There can be no nobler spectacle than that which we think is now dawning upon us, the spectacle of a nation deliberately set on the removal of injustice, deliberately determined to break with whatever remains still existing of an evil tradition, and determined in that way at once to pay a debt of justice and to consult, by a bold, wise and good act, its own interests and its own honour."

GLADSTONE
(1893).

PREFACE

It must surely be clear to-day to many of those who opposed the Home Rule Bill of 1893 that there is a problem of which the solution is now more urgent than ever. We who were Gladstonian

Home Rulers approached the problem originally from the Irish side: those who did not then approach it from that side refused to admit the existence of any problem at all. Since that time circumstances have made it necessary to approach the problem from the British as well as from the Irish side.

The British Parliament has hitherto been regarded as a model to be imitated; if it continues to attempt the impossible task of transacting in detail both local and Imperial business, it will end as an example to be avoided. In the last fifty years the amount of work demanded for particular portions of the United Kingdom, for the United Kingdom as a whole, or for the Empire has increased enormously; in all three categories the work is still increasing and will increase: one Parliament cannot do it all. This is one new aspect of the Home Rule question.

Mr. Spender states the case with force and sympathy from the Irish point of view, with which none of us, who were convinced supporters of Home Rule twenty years ago can ever lose sympathy, and with which the younger generation should make itself acquainted. He makes also a very valuable and opportune review of recent changes in the situation, and considers how Home Rule should be adapted to British and Imperial needs, and should serve them. The whole book is the result of his own reflection, observation and research; the conclusions to which he comes for the settlement of the financial and other details of Home Rule ought to receive most careful consideration as valuable contributions to the discussion of the subject. But, of course, they must not be assumed necessarily to be mine or to be those that will be adopted in the Government Bill.

But I agree with him entirely that Home Rule is necessary to heal bitterness in Ireland, and to effect that reconciliation without which there cannot be real union: that it is necessary to relieve Parliament at Westminster and to set it free for work that concerns the United Kingdom as a whole or the Empire: in other words, that there is a problem to be solved, and that the first step in solving it must be Irish Home Rule in a form that opens the way for Federal Home Rule.

In the autumn of 1910 a considerable part, at any rate, of the Conservative Party seemed ready to admit the need for some solution: to-day they have apparently drifted back to the barren position of opposing all proposals for Home Rule: if they were to render this solution impossible, they would but make the problem more urgent.

EDWARD GREY.

February, 1912.

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THE HOME RULE CASE

THE CASE THAT DOES NOT CHANGE

- i.—THE SEA.
ii.—THE RACE.
iii.—THE CREED.

"Ireland hears the ocean protesting against Separation,
but she hears the sea likewise protesting against Union.
She follows her physical destination and obeys the
dispensations of Providence."

GRATTAN

(First speech against the Union 15th January, 1800).

CHAPTER I.

THE HOME RULE CASE

Very nearly a generation of time has elapsed since, in 1886, Mr. Gladstone expounded in the British House of Commons his first Bill for restoring to Ireland a Home Rule Parliament. Nearly twenty years have passed since that same great man, indomitably defying age and infirmities in the pursuit of his great ideal, passed the second Home Rule Bill (1893) through the British House of Commons. That Bill stands to-day unshaken in regard to all its vital clauses. Some of us still hold the faith that that Bill would, if it had become law in 1893, have saved Ireland from many years of wastage, and would have built up, to face our enemies in the gate, a stronger and stouter fabric of Empire.

The Bill of 1893 only survived the perilous tempests of the House of Commons^[1] to fall a victim to the House of Lords.^[2]

Nearly twenty years have elapsed since that day, and now the successors of Mr. Gladstone, the Progressives of the United Kingdom, Liberals, Labour Members and Nationalists, approach the same task with the Bill of 1912.^[3] Some of them are veterans of the former strife. They can turn, like the present writer, to the thumbed diaries of that great combat,^[4] and can recall the great scenes of that prolonged Parliamentary agony with a sense of treading again some well-worn road. Others are new to the issue, and can only hear, like "horns of Elf-land faintly blowing," some faint echo from the dawn of consciousness.

But young or old, we must again set forth on our travels, and this time—

"It may be that we shall touch the Happy Isles."

It will be the memory of the "Great Achilles" that will sustain us. For this task comes to Liberals as a sacred trust from Mr. Gladstone. It is from him that they have learnt that race-hatred is poison, and that the only true union between nations is—in a phrase that has outlived the silly laughter of the shallow—the "Union of Hearts."^[5] It is Mr. Gladstone's work that they design to accomplish. It is the memory of his passionate and sustained devotion through the last twenty years of that glorious life that has thrown a halo round this cause, and still gilds it with a "heavenly alchemy."

But, before we "smite the sounding furrows," our first duty is to survey once more the seas over which we shall have to voyage. We have to consider again both the old and the new "case for Home Rule"—not merely the case of 1886 or 1893, but the still stronger case of 1912.

For the world never stands still, and in every generation every great human problem presents different aspects, and shows new lights and shadows. Every great human question is like a great mountain which on a second or third visit reveals new and unsuspected depths and heights, new valleys and new peaks, slopes which new avalanches have furrowed, and glaciers which have receded or advanced.

Not that the real, great, main outline ever changes. As with the mountains, so with the great human problems; there are always certain great features which remain permanent.

THE SEA

There are, for instance, in the Irish case the sixty-five miles of sea which, since the earliest dawn of human memory, have divided Ireland from Great Britain. A fact absurdly simple and obvious, but the greatest feature of all in this mighty problem of human government!

"The sea forbids Union, and the Channel forbids Separation." There is no change in that great physical condition. Those sixty-five miles of sea have neither increased nor diminished since 1893. That sea is still too broad for "Union"—in the Parliamentary sense of that word—and too narrow for Separation.

To anyone standing on the deck of one of those swift steamships which now cross to Ireland from so many points on the British coast, there must, if he has any imagination, come some vision of the vast impediment which this sea has placed in the way of direct control by England over Ireland's domestic affairs. Looking back down the vista of history, he must see a succession of fleets delayed by contrary winds, of sea-sick kings and storm-battered convoys, of conquest thwarted by the caprice of ocean, of peace messengers and high administrators brought to anchor in the midst of their proud schemes.

The same causes still operate. In this respect, indeed, Ireland appears to be simply one instance of a general law. It may almost be laid down as an axiom that no nation can govern another across the sea. How often it has been tried, and how often it has failed! France has tried it with England, and England has tried it with France. Great Britain tried it with North America, and Spain tried it with South. In this matter even the great quickening of modern communications, even the miracles of steam and electricity, seem to have made little difference. For even at the present moment, if we look around, we shall see how great a part the sea has played as the deciding factor in forms of government. It is the sea which has made us give self-government to Canada, Australia, and South Africa. It is the sea which keeps Newfoundland apart from the Canadian Federation, and New Zealand apart from Australia. Even within the scope of these islands the same law prevails. It is the sea which makes us give self-government to the Isle of Man and the Channel Islands. Almost the only exception is Ireland. In Ireland we have defied this great law; and in Ireland that defiance is a failure.

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And yet not defied it completely; for the very facts of Nature forbade. While we have taken away the Irish Legislature, we have been obliged to leave the Irish their separate laws, their separate Administration and Estimates, and their separate Executive in Dublin. That Executive has been for a whole century practically uncontrolled by any effective Parliamentary check. The result is that it has grown, like some plant in the dark, into such quaint and eccentric shapes and forms as to defy the control of any Minister or any public opinion^[6]. Perhaps the worst condemnation of the Act of Union has been that while we destroyed the Irish Parliament we have been obliged to leave Dublin Castle.

[7]

THE RACE

Then there is the permanent, abiding difference of Race. It is a truism of history that the Englishman who settles in Ireland becomes more Irish than the Irish. The records of the past are filled with great examples. The Norman adventurers who spread into Ireland after the Conquest have become in modern times the chiefs of great Irish communities, until names like Joyce and Burke have come to be regarded as typical Hibernian surnames. It is a commonplace of modern history that the counties settled by Cromwellian soldiers have become most typically Irish. Tipperary, Waterford, and Wexford—there were great Cromwellian settlements in those counties. And yet they have taken the lead in the fiercest insurrections of modern Irish democracy.

It is only in the North of Ireland, within the confines of the province of Ulster, and there only in the extreme north-east corner, within the counties of Londonderry, Antrim, and Down, that the settlers have formed a distinct and definite racial breakwater against purely Irish influences. The plantation of Ulster in the reign of James I. took into Ireland some of the most dogged members of the Scotch race, men filled with the new fire of the Reformation, men stalwart for their race and creed. They went as conquerors and as confiscators, and for centuries they worked with arms in their hands. They slew and were slain, and were divided from the native Irish by an overflowing river of blood. That river is not yet bridged.

It has been said that there is no human hatred so great as that felt towards men whom one has wronged. The planters of Ulster inflicted upon Ireland many grievous wrongs and endured some fierce revenges. The result is that even to-day there is a section of them that still stands apart from the other colonisers of Ireland—a race still distinct and apart. Is it impossible that even there the binding and unifying principle of Irish life may begin to work? That is the question of the future.

[8]

But though Ireland thus contains at least one instance of a mixture of races not altogether dissimilar from that of England, it still remains true that, taken as a whole, Ireland is a country marked with the Celtic stamp. There, too, the power of the sea comes in. If there had been only a land frontier, it is possible that the Teutonic influence would have overpowered the Celtic. But the sea forms a sufficient barrier to cut off every new band of immigrants from the country of their origin. This isolation drives them into insular communion with the country of their invasion. Thus, however often invaded and "planted," Ireland has continued detached.

This detachment has been apparent ever since the earliest dawn of Western civilisation. Right up to the Norman Conquest Ireland remained apart and aloof from Central European influences. For long ages she had been the rallying-place of the Celt as he was driven westward by the Teuton and the Roman. Even after Great Britain had been absorbed by the Roman Empire, Ireland still remained unconquered, the one home of freedom in Western Europe. This independence of Rome continued far into the Christian era. Ireland developed a separate Christianity of a peculiarly elevated and noble type, full of missionary zeal and inspired by high culture. That Christianity even swept eastward, and for a time dominated Scotland and England from its homes in Iona and Lindisfarne. This Irish Christianity brought upon itself the enmity of Rome by continuing the Eastern tonsure and the Eastern ritual, and finally, at the great Synod at Whitby in the year 664^[7], Rome conquered in the struggle for Britain, and the Irish religion was driven back across the sea.

[9]

But Rome and European Christianity, as it was represented in the Roman spirit, achieved a very slow victory over Ireland herself. The English Pope Adrian gave to Henry II. a full permission to conquer Ireland for the faith. But it was fated that Irish Catholicism should be built up not by submission to the Catholic Kings of England, but by resistance to the Protestant Kings

from Henry VIII. onward. Thus it is that, even in religion, in spite of the passionate loyalty of the modern Irishman to the Roman See, Ireland still stands somewhat distinct and aloof from the rest of Europe.

But if that be so in religion, still more is it so in customs and manners. Take the analogy of a mould. The Celtic civilisation of Ireland is like a mould, into which fresh metal has been always pouring; white-hot, glowing metal from all over the world, from England and Scotland, from France, from Rome, and even from far-off Spain. But though the metal has always been changing, the mould still remains unbroken, and as the metal has emerged in its fixed form it has always taken the Celtic shape. So that to-day, in face of the Imperialistic tendencies of the British Empire, Ireland remains more than ever passionately attached to her nationalism, and more than ever potent to influence all newcomers with her national ideas.

It is in that sense that the question of race still remains a permanent feature in the Irish problem. It is precisely because the Irish nationality is so persistent that it is hopeless to expect a permanent settlement of her government problem within the scope of such an iron uniformity as the Act of Union. It is because Ireland nurses this "unconquerable hope" that the only golden key to these difficulties lies in some form of self-government.

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THE CREED

But besides the sea and the race, there is yet one more feature of the Irish problem which remains practically unchanged. Ireland still remains predominantly Catholic, while Great Britain is still predominantly Protestant. The great movement of the sixteenth century, known as the Reformation, passed from Germany through Holland and France into Great Britain. It won Scotland completely. In England, after a prolonged struggle with a powerful Catholic tradition, it ended in the compromise still represented by the Anglican Church. But there the victory of the Reformation closed. The movement was checked at St. George's Channel. In Ireland Catholicism stood with its back against the Atlantic, and fought a stern, long fight against all the political and social forces of the British Empire. The attack of Protestantism was supported by the full power and authority of the conqueror. It lasted for two centuries. It began with Elizabeth and James as a simple imperative, mercilessly applied without regard to national conditions. It came under Cromwell as a scorching, devastating flame. It remained under William and the Georges as a slow, cruel torture applied through all the avenues of the law. The end of all that effort was, not to convert or destroy, but to weld the national and religious spirits into one common force, acting together throughout the nineteenth century as if identical.

[11]

Purified by persecution, Catholicism in Ireland, almost alone among the religions of Western Europe, stands out still to-day as a great national and democratic force.

But though the persecution failed, it built up, by a double process of immigration and monopoly, a very powerful Protestant population with all the stiff pride of ascendancy. For generations the Protestants of Ireland enjoyed all the offices of government, and had the sole right of inheritance. Thus both the land and the government slipped into their hands. Since no Catholic could inherit land under the penal laws, and since the penal laws lasted for nearly a century, it followed inevitably that the whole land of Ireland fell into the hands of the Protestants. That is why even at the present day the vast majority of the Irish landed and leisured classes are Protestants. The Catholics, during that dark period, became hewers of wood and drawers of water. Thus property in Ireland came to mean, not merely a division of classes, but also a division of creeds. In spite of all the great reforms, the descendants of these Protestants still retain most of the wealth and most of the Government offices in Ireland.^[8] Their resistance to any change is not, therefore, altogether surprising; and we must remember amid all the various war-cries of the present agitation that these gentlemen are fighting, not merely for the integrity of the Empire, but also for position, income and power.

This state of affairs has varied very little for the last half-century.

The Census of 1911 contains, like most previous Irish Census returns, a schedule asking for a statement of religious faith. That enables us to tell with comparative accuracy the proportions between the Catholics and Protestants in Ireland since 1861, when the schedule was first introduced, right up to the present day.

[12]

The Preliminary Report shows that the variation has been very slight. The round figures for 1911 are:—

Roman Catholics	3,238,000
Protestant	575,000
Episcopalians	439,000
Presbyterians	61,000
Methodists	

The figures for 1861 were:—

Roman Catholics	4,500,000
Protestant	693,000
Episcopalians	

Presbyterians	523,000
Methodists	45,000 ^[9]

There has been an all-round decrease, corresponding to the decrease of the population. That decrease has been brought about by emigration, and that emigration has taken place mainly from the Catholic provinces of Munster and Connaught. It is inevitable, therefore, that the Catholics should have diminished more than the Protestants. The result of forty years' wastage of the Irish Catholic peasantry is that the proportions of Catholics to Protestants are now three to one, as against four to one in 1861. Allowing for the great fact of westward emigration, this means that the relations between these two forms of Christianity in Ireland are practically stationary.

The Protestants, too, we must not forget, are divided into two sects—Episcopalian and Presbyterian—which in their history have been almost divided from one another as Catholicism and Protestantism, so much so that several times in Irish history—as, for instance, in 1798—the Catholic and Presbyterian have been brought together by a common persecution at the hands of the Episcopalian. [13]

We must also bear in mind that the Protestants are mainly concentrated in the two provinces of Ulster and Leinster. Ulster contains nearly all the Irish Presbyterians—421,000 out of 439,000—men who are rather Scotch by descent than actually native Irish. Ulster also contains 366,000 Episcopalians, making, with 48,000 Methodists, 835,000 Protestants in Ulster, out of 1,075,000 in the whole of Ireland. The rest of the Episcopalians are in Leinster—round Dublin—where 140,000 are domiciled. Munster contains less than 60,000 Protestants in all, and Connaught contains little over 20,000.^[10] It is practically a Catholic province.

The great fact about this religious situation in Ireland, therefore, is that you have a Catholic country with a strong Protestant minority.

We are asked to believe that this presents an insuperable obstacle to the gift of self-government. But Ireland does not stand alone in this respect. There are many other countries in the world where the same difficulty has been faced and overcome. Take the German Empire. It has included since 1870 the great state of Bavaria, where the great struggle of the Reformation ended with honours divided. Modern Bavaria contains a population which, according to the Religious Census of December 1st, 1905, is thus divided:—

Roman Catholics	4,600,000
Protestant	1,844,000
Jews	55,000

Strangely enough, the proportions are almost precisely the same as in Ireland. But this state of affairs has not prevented the German Empire from leaving to Bavaria, not merely a king and parliament, but also an army subject to purely Bavarian control in time of peace, and a separate system of posts, telegraphs, and state railways.^[11] Are we to say that trust and tolerance are German virtues, unknown to the British people? [14]

But they are not unknown to the British people. Our own colonists have set us a better example. Canada has a far more difficult religious problem than Great Britain. She has two provinces side by side—Quebec and Ontario—both with the same religious problem as Ireland. In both there are strong religious minorities. Quebec is predominantly Catholic, and Ontario is predominantly Protestant. Thus:—

<i>Quebec—</i>	
Catholics	1,429,000
Protestant	189,000
<i>Ontario—</i>	
Protestants	1,626,000
Catholics	390,000

How is this problem solved? Why, by Home Rule. For a long time—from 1840 to 1887—Canada made the experiment of governing these two provinces under one Parliament and from one centre. That experiment never succeeded. As long as they were under one government, the minority in each of these provinces insisted on appealing for help to the majority in the other. There arose the evil of "Ascendancy"—the government of a majority by a minority. At last the Canadians faced the problem. In 1867 they divided the provinces, and gave them each a Home Rule government of their own, subject to the Dominion Parliament. Since then there has been no more trouble about Ascendancy. Quebec and Ontario now settle their own affairs, including Education and all other local matters, and no one ever hears anything about the ill-treatment of minorities. [15]

So much, then, for the permanent factors—Sea, Race, and Religion. There is no insuperable obstacle there. Rather it is here—in these great dominating facts—that the strongest argument for Home Rule must ever be found. For it is those things that constitute nationality.

The real difficulties in the way of Home Rule were found, both in 1886 and 1893, not in these permanent things, but in the changing facets of human laws. It was the Land Question that in all the speeches of 1886 provided the strongest argument. It was the absence of local government, and the presumed incapacity for local government, that filled so many Unionist speeches. It was the quarrel over University Education that provided the best evidence of incompatibility of temper between Irish Catholic and Irish Protestant.

I shall show that in all these respects the problem has completely and radically changed since

FOOTNOTES:

- [1] By a majority of 34 on the third reading—301 to 267—September 1st, 1893.
- [2] Friday, September 8th, 1893. 419 to 41; majority against the Bill of 378.
- [3] See [Appendix A](#) for this Bill.
- [4] "The Story of the Home Rule Session." (1893.) Written by Harold Spender, sketched by F. Carruthers Gould (now Sir Francis C. Gould). London: *The Westminster Gazette* and Fisher Unwin.
- [5] This famous phrase was first coined by Grattan, but was so often said by Gladstone that it was, in 1886, regarded as his.
- [6] See a very interesting account of the present Irish Executive in "Home Rule Problems" (P.S. King and Son. London. 1s.) in a chapter (iv.) entitled "The Present System of Government, in Ireland," by G.F.H. Berkeley. There are 67 Boards, of which only 26 are under direct control of the Irish Secretary. No Parliamentary statute applies to Ireland, of course, unless that country is expressly included by name.
- [7] See, for a popular account of this Synod, Green's "History of the English People," Vol. I., p. 55.
- [8] The central Civil Service is predominantly Protestant, and in municipalities like Belfast the Catholics hold a very small proportion of the salaried posts.
- [9] Census for 1911. Preliminary Report. Page 6.
- [10] Census Summary. Preliminary Report. Page 6.
- [11] See "The Statesman's Year Book," 1911, pp. 877-8.

THE HOME RULE CASE

**THE CASE THAT HAS CHANGED—AND IS
NOW STRONGER**

- i.—THE COUNCILS AND
ii.—THE LAND.**

"They saved the country because they lived in it, as the
others abandoned it because they lived out of it."

GRATTAN.

CHAPTER II.

THE HOME RULE CASE

ToC

Those who, like myself, visited Ireland last summer as delegates of the Eighty Club included some who had not thoroughly explored that country since the early nineties. They were all agreed that a great change had taken place in the internal condition of Ireland. They noticed a great increase of self-confidence, of prosperity, of hope. Many who entered upon that tour with doubts as to the power of the Irish people to take up the burden of self-government came back convinced that her increase in material prosperity would form a firm and secure basis on which to build the new fabric.

What does this new prosperity amount to? The new Census figures leave us in no doubt as to its existence. For the first time there is a real check in that deplorable wastage of population that has been going on for more than half a century. The diminution of population in Ireland revealed by the 1901 Census amounted to 245,000 persons. The diminution revealed by the 1911 Census amounts to 76,000. In other words, the decrease of 1901-11 is 1.5 per cent., as against 5.2 per cent, for 1891-1901, or only one against five in the previous decade^[12]. This is far and away the smallest decrease that has taken place in any of the decennial periods since 1841; and this decrease is, of course, accompanied by a corresponding decline in the emigration figures.^[13]

What is even more refreshing is the evidence which goes to show that the population left behind in Ireland has become more prosperous. For the first time since 1841, the Census now shows an increase—small, indeed, but real—of inhabited houses in Ireland, and a corresponding increase in the number of families^[14].

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It is the first slight rally of a country sick almost unto death. We must not exaggerate its significance. Ireland has fallen very low, and she is not yet out of danger. There is no real sign of rise in the extraordinarily small yield of the Irish income tax. That yield shows us a country, with a tenth of the population, which has only a thirtieth of the wealth of Great Britain—a country, in a word, at least three times as poor^[15]. The diminution in the Irish pauper returns is entirely due to Old-age Pensions.^[16] The much-advertised increase in savings and bank deposits, always in Ireland greatly out of proportion to her well-being, is chiefly eloquent of the extraordinary lack of good Irish investments.

The birth-rate in Ireland, although the Irish are the most prolific race in the world, is still—owing to the emigration of the child-bearers—the lowest in Europe. The record in lunacy is still the worst, and the dark cloud of consumption, though slightly lifted by the heroic efforts of Lady Aberdeen, still hangs low over Ireland.^[17]

Finally, while we rejoice that the rate of decline in the population is checked, we must never forget that the Irish population is still declining, while that of England, Wales and Scotland is still going up.^[18]

[21]

But still the sky is brightening, and ushering in a day suitable for fair weather enterprises. Perhaps the surest and most satisfactory sign of revival in Irish life is to be found in the steady upward movement of the Irish Trade Returns.^[19] That movement has been going on steadily since the beginning of the twentieth century.^[20] It is displayed quite as much in Irish agricultural produce as in Irish manufactured goods; and in view of certain boasts it may be worth while to place on record the fact that the agricultural export trade of Ireland is greater by more than a third than the export of linen and ships.^[21] Denmark preceded Ireland in her agricultural development, but it must be put to the credit of Irish industry and energy that Ireland is now steadily overhauling her rivals.^[22]

[22]

The mere recital of these facts, indeed, gives but a faint impression of the actual dawn of social hope across the St. George's Channel. In order to make them realise this fully, it would be necessary to take my readers over the ground covered by the Eighty Club last summer, in light railways or motor-cars, through the north, west, east and south of Ireland. Everywhere there is the same revival. New labourers' cottages dot the landscape, and the old mud cabins are crumbling back—"dust to dust"—into nothingness. Cultivation is improving. The new peasant proprietors are putting real work into the land which they now own, and there is an advance even in dress and manners. Drinking is said to be on the decline, and the natural gaiety of the Irish people, so sadly overshadowed during the last half-century, is beginning to return.

It is like the clearing of the sky after long rain and storm. The clouds have, for the moment, rolled away towards the horizon, and the blue is appearing. Will the clouds return, or is this improvement to be sure and lasting? That will depend on the events of the next few years.

What has produced this great change in the situation since 1893? To answer that question we must look at the Statute Book. We shall then realise that defeat in the division lobbies was not the end of Mr. Gladstone's policy in 1886 and 1893. That policy has since borne rich fruit. It has been largely carried into effect by the very men who opposed and denounced it. Not even they

[23]

could make the sun stand still in the heavens.

The Tories and Liberal dissentients who defeated Mr. Gladstone gave us no promise of these concessions. The only policy of the Tory Party at that time was expressed by Lord Salisbury in the famous phrase, "Twenty years of resolute government." Although the Liberal Unionists were inclined to some concession on local government, Lord Salisbury himself held the opinion that the grant of local government to Ireland would be even more dangerous to the United Kingdom than the grant of Home Rule.^[23]

If we turn back, indeed, to the early Parliamentary debates and the speeches in the country, we find that Mr. Chamberlain in 1886 concentrated his attack rather on Mr. Gladstone's Land Bill^[24] than on his Home Rule scheme. In his speech on the second reading of the 1886 Bill, indeed, Mr. Chamberlain proclaimed himself a Home Ruler on a larger scale than Mr. Gladstone—a federal Home Ruler. But in the country, he brought every resource of his intellect to oppose the scheme of land purchase.

Similarly with John Bright. Lord Morley, in his "Life of Gladstone," describes Bright's speech on July 1st, 1886, as the "death warrant" of the first Home Rule Bill. But if we turn to that speech we find that Bright, too, based his opposition to Home Rule almost entirely on his hatred of the great land purchase scheme of that year. He called it a "most monstrous proposal." "If it were not for a Bill like this," he said, "to alter the Government of Ireland, to revolutionise it, no one would dream of this extravagant and monstrous proposition in regard to Irish land; and if the political proposition makes the economic necessary, then the economic or land purchase proposition, in my opinion, absolutely condemns the political proposition." In other words, John Bright held to the view that it was the necessity for the Irish Land Bill of 1886 which condemned the Home Rule Bill of that year.

So powerfully did that argument work on the feelings of the British public that in the Home Rule Bill of 1893, not only was the land purchase proposition dropped, but in its place a clause was actually inserted forbidding the new Irish Parliament to pass any legislation "respecting the relations of landlord and tenant for the sale, purchase or re-letting of land" for a period of three years after the passing of the Act.^[25]

So anxious was Mr. Gladstone to show to the English people that Home Rule could be given to Ireland without the necessity of expenditure on land purchase, and with comparative safety to the continuance of the landlord system in Ireland!

Such was the record on these questions up to the year 1895, when the Unionists brought the short Liberal Parliament to a close, and entered upon a period of ten years' power, sustained in two elections with a Parliamentary majority of 150 in 1895 and of 130 in 1900.

But the biggest Parliamentary majorities have limits to their powers. Crises arise. Accidents happen. There is always a shadow of coming doom hanging over the most powerful Parliamentary Governments. With it comes an anxiety to settle matters in their own way, before they can be settled in a way which they dislike. Thus it is that we find that between 1895 and 1905, during that ten years of Unionist power, two great steps were taken towards a peaceful settlement of the Irish question.

One was the Irish Local Government Act of 1898, which extended to Ireland the system of local government already granted in 1889 to the country districts of England. The other was the great Land Purchase Act of 1903, which carried out Mr. Gladstone's policy of 1886, and set on foot a gigantic scheme of land-transference from Irish landlord to Irish tenant. That scheme is still to-day in process of completion.

It is these two Acts which have largely changed the face of Ireland.

LOCAL GOVERNMENT

Take first the Act of 1898. Up to that year the county government of Ireland was carried on entirely by a system of grand jurors, consisting chiefly of magistrates, and selected almost entirely from the Protestant minority. These gentlemen assembled at stated times, and settled all the local concerns of Ireland, fixing the rates, deciding on the expenditure, and carrying out all the local Acts. They formed, with Dublin Castle, part of the great machinery of Protestant Ascendancy. Very few Catholics penetrated within that sacred circle.

These gentlemen, even now for the most part Protestants, still hold the power of justice. But the power of local government has passed from their hands. Every county of Ireland now has its County Council. Beneath the County Councils there are also District Councils exercising in Ireland, as in England, the powers of Boards of Guardians. Neither the Irish counties nor the corporations of Ireland's great cities have power over their police. There are no Irish Parish Councils. Otherwise Ireland now possesses powers of local government almost as complete as those of England and Scotland.

How has this system worked? In the discussions that preceded the establishment of local government in Ireland we heard many prophecies of doom. So great was the fear of trusting Ireland with any powers of self-government that the Unionists actually proposed, in 1892, a Local Government Bill, which would have established local bodies subject to special powers of punishment and coercion.^[26]

It was with much fear and trembling, then, that the Protestant Party in Ireland entered upon the new period of local government. As a matter of fact, all these fears have been falsified. Instead of proving inefficient and corrupt, the Irish County Councils have gained the praises of all parties. They have received testimonials in nearly every report of the Irish Local Government Board. If, indeed, they possess any fault, it is that they are too thrifty and economical.[27]

In one respect, indeed, these County and District Councils of Ireland have conspicuously surpassed the corresponding bodies that exist in England. [27]

One of the most important measures passed by the British Parliament during this period of Irish revival has been the Irish Labourers' Act. It was one of the first measures passed by the new Liberal Parliament of 1906, and it has been since often amended and supplemented. But its main provisions still stand. In this Act the Imperial Government grants to the local authorities in Ireland loans at cheap rates for the purpose of re-housing the Irish agricultural labourers. It places the whole administration of these loans in the hands of the Irish District Councils—a very delicate and difficult task.

So efficiently have the District Councils done their work that more than half the Irish labourers have already been re-housed. It is fully expected that within a few years the whole Irish agricultural labouring population will have received under this Act good houses, accompanied always with a plot of land at a small rent.

Compare with this the administration of the Small Holdings Act by the English local authorities. That Act, passed in 1908, placed the actual allocation of small holdings in the hands of the English County Councils. It is not necessary to dwell here upon the notorious failure of most of the high hopes with which that measure was passed through the British Parliament. The cause of that failure is obvious. The promise of the Small Holdings Act has been practically destroyed by the refusal of the County Councils to throw either goodwill or efficiency into its administration. [28]

LAND PURCHASE

But the second of the two great renovating measures—the Irish Land Purchase Act of 1903—has contributed even more powerfully than the first to the recovery of Ireland during the last ten years. There again we have a great instance of the supremacy of the spirit of Parliament over the prejudices of Party. The whole tendency of democratic government is so rootedly opposed to coercion that it is difficult for any party to continue on purely coercive lines for any long period. And yet, as Mr. Gladstone always pointed out with such prescience, the only alternatives in Ireland were either coercion or government according to Irish ideas.

Now, the most noted Irish idea was the desire for personal ownership of the soil by the cultivator himself. In the years 1901 and 1902, just when the Unionists were embarrassed with all the complications of the South African trouble, the Tory Government were faced again with this imperious desire. They found arising in Ireland a new revolt against the power of the landlords. The Land Courts of Ireland, set up under the Act of 1881, had given to the Irish tenant two revisions of rent—the first in 1882, and the second in 1896—amounting in all to nearly 40 per cent. But these sweeping reductions had produced a new trouble. They had brought about a state of acute hostility between landlord and tenant without any real control of the land by either. The landlords, deprived of their powers of eviction and rent-raising, were in a state of sullen fury. The tenants had made the fatal discovery that their best interest lay in bad cultivation. Both parties were opposed to the existing land administration, and the Irish people were on the eve of another great effort to attain their ideals. [29]

The Tory Government of 1902-3, then, either had to change the whole system, or they had to enter upon a new period of coercion with a view of suppressing the increased passion of the tenants for the full possession of the land. Looking down such a vista, the Irish landlords themselves could see nothing but ruin at the end. The Irish tenants might suffer, indeed, but they would be able to drag down their landlords in the common ruin along with them. The prospect facing the Irish landlord was nothing less than the entire, gradual disappearance of all rent.

With such a black prospect ahead, the time was ripe for a remarkable new movement, started by two distinguished Irishmen—Mr. William O'Brien on the side of the tenants, and Lord Dunraven on the side of the landlords. The omens were auspicious. Lord Cadogan, one of the old guard, had retired from the Viceroyalty, and had been succeeded in 1902 by a younger and more open-minded man, Lord Dudley. A still more remarkable man, Sir Anthony MacDonnell (now Lord MacDonnell) had been appointed to the Under-Secretaryship of Dublin Castle under circumstances which have not even yet been clearly explained. Sir Anthony MacDonnell was known to be a Nationalist, although his Nationalist tendencies had been strongly modified by a prolonged and distinguished career in India. Mr. Wyndham, then Chief Secretary, made the remarkable statement that Sir Anthony MacDonnell was "invited by me rather as a colleague than as a mere Under-Secretary to register my will." There is, indeed, no doubt that if the full facts were known, it would be found that the new Under-Secretary was appointed on terms which practically implied the adoption of a new Irish policy by the Tory Government. In other words, the party which is at the present moment (1912) entering upon an uncompromising fight against Home Rule was, in 1903, contemplating a policy not far removed from that very idea. [30]

In the mind of Sir Anthony MacDonnell himself—and probably of several members of the

Government—the policy took two forms. One was to settle the problem of Irish land, and the other was to settle the problem of Irish Government.

The first of these great enterprises went through with remarkable smoothness. Both landlords and tenants were weary of the strife, and ready for peace on terms. The leaden, merciless pressure of the great Land Courts set up by Mr. Gladstone's Act of 1881 had gradually worn down the dour and obstinate wills of the Irish landlords. The very men who had denounced land purchase as the worst element in the scheme of 1886 were now enthusiastic on its behalf. The only opposition that could have come to such a scheme was from the House of Lords, and the opposition of the House of Lords, as we all know, did not exist in those blessed years. Mr. Wyndham was sanguine and enthusiastic, and both Irish tenants and Irish landlords found a common term of agreement in mutual generosity at the expense of the taxpayer. With the help of that taxpayer—commonly called "British," but including, be it remembered, the Irish taxpayer also—the landlords were able to go off with a generous bonus, and the tenants were able to obtain prospective possession of their farms, while paying for a period of years an annual instalment considerably less than their old rent. [31]

The terms to both landlords and tenants were so favourable that the Act of 1903 was, after a short period of pause, followed in Ireland by results which transcended the expectations of Parliament. There was a rush on one side to sell, and on the other to buy. From 1904 to 1909 the applications kept streaming in, and the Land Commissioners were kept at high pressure arranging the sale of estates. The pace, indeed, was so rapid that it laid too heavy a strain on the too sanguine finance of Mr. Wyndham's Act. The double burden of the war and Irish land proved too great. The British Treasury found that they could not pour out money at the rate demanded by the working of the Act. In 1909 it was found necessary to pass an amending Act, which has given rise to fierce controversy in Ireland. That Act slightly modified the generous terms of the Act of 1903, but not before under those terms a revolution had already been effected. Practically half the land of Ireland had passed before 1909 from the hands of the landlords into those of the tenants.

Even on the new terms the process will go on. By voluntary means if possible, but if not, by compulsion, the land of Ireland will pass back within twenty years into the hands of the people.

Here, then—in land purchase and the new machinery of local government—are the two leading facts in the great change which had come over Ireland since 1893. What do they signify?

Why, this. In 1886 and 1893 the Unionists pointed out, not without some heat and passion, two main difficulties in the path to Home Rule. One was the incompetence of the Irish people for local government. "They are by character incapable of self-rule," was the cry; and we all remember how Mr. Gladstone humorously described this incapacity as a "double dose of original sin." [32]

That incapacity has been disproved. The Irish have been shown to be fully as capable of self-government as the English, Scotch, and Welsh.

The other great difficulty was the unsolved land question. "We cannot desert the English garrison—the Irish landlords," was the cry. "We cannot trust the Irish people to treat them justly." But the Irish land question is now settled. The Irish landlords are either gone or going. The Irish tenants are becoming peasant-proprietors. All that is required now is a national authority to stand as trustee and guardian of the Irish peasantry in paying their debt to the British people—or, perhaps, even if the material condition of Ireland under Home Rule should justify that course, to take over the debt. That is the new "felt want," and the only way to supply it is to create a responsible Irish self-governing Parliament.

Thus the two principal changes in Ireland since 1893 have not weakened, but immensely strengthened, the case for Home Rule.

FOOTNOTES:

[12] See [Appendix B](#).

[13] [Appendix B](#) (4), 31,000 in 1911, the lowest figure since the Famine. There is a similar decline in the number of the Migratory Labourers, from 15,000 in 1907 to 10,000 in 1910 (Cd. 6019).

[14] [Appendix B](#) (2) and (3). 2,000 families and nearly 3,000 inhabited houses.

[15] The yield of Irish income tax is practically stationary at £1,000,000, as against £30,000,000 yielded by Great Britain. (Inland Revenue Report, 1910-11, page 100.) The assessment to income tax is £40,000,000 for Ireland, as against £93,000,000 for Scotland (with about the same population), and £878,000,000 for England.

[16] See [Appendix F](#). The diminution is from 99,000 to 80,000.

[17] The deaths from consumption in Ireland declined from 10,594 in 1909 to 10,016 in 1910. (Irish Registrar-General's Report, 1911, p. xxvi.)

- [18] See [Appendix B](#).
- [19] The most trustworthy thermometer of Irish trade is to be found in the volume now yearly issued by the Irish Government—the Report on the Trade in Imports and Exports at Irish Ports. In the absence of Irish Customs there must be some uncertainty in the tests, but the Government figures are collected from the "manifests" of exporters and importers. (The latest report comes up to the 31st December, 1910. Cd. 5965.)
- [20] The growth of Irish trade since 1900 can be seen at a glance in the following table (including exports and imports):—

	£
1904	103,790,799
1905	106,973,043
1906	113,208,940
1907	120,572,755
1908	116,120,618
1909	124,725,895
1910	130,888,732

- [21] The export of manufactured goods increased from £20,000,000 in 1906 to £26,000,000 in 1910. Those goods consisted mostly of linen and ships from Belfast. The export of farm stuffs increased from £31,000,000 in 1905 to £35,000,000 in 1910.
- [22] Ireland now exports into England three times as much live stock as any other country. She imports more potatoes and poultry than any other. She also stands in butter only second to Denmark, in eggs only second to Russia, and in bacon and hams only third to the United States and Denmark (Cd. 5966).
- [23] "Local authorities are more exposed to the temptation of enabling the majority to be unjust to the minority when they obtain jurisdiction over a small area, than is the case when the authority derives its sanction and extends its jurisdiction over a wider area. In a large central authority the wisdom of several parts of the country will correct the folly and mistakes of one. In a local authority that correction is to a much greater extent wanting, and it would be impossible to leave that out of sight in any extension of any such local authority in Ireland."—Lord Salisbury (1885).
- [24] Proposing to buy out the Irish landlords at an estimated cost of £100,000,000.
- [25] See [Appendix D](#) for a summary of the 1893 Home Rule Bill.
- [26] It was named by Mr. Sexton the "Put 'em in the dock Bill," and that phrase practically killed it.
- [27] See the Local Government Board Reports *passim*:—

"Before concluding our reference to the Local Government Act we may be permitted to observe that the predictions of those who affirmed that the new local bodies entrusted with the administration of a complex system of County Government would inevitably break down have certainly not been verified. On the contrary, the County and District Councils have, with few exceptions, properly discharged the statutory duties devolving upon them. Instances have, no doubt, occurred in which these bodies have, owing to inexperience and to an inadequate staff, found themselves in difficulties and have had to receive some special assistance from us in regulating their affairs; but this has been of rare occurrence." (Annual Report of the Irish Local Government Board for year ending March, 1900.)

"In no other matter have the Councils been more successful than in their financial administration. After the heavy preliminary expenses necessarily attending the introduction of a new system of local government had been provided for, and the Councils and their officers had succeeded in obtaining a satisfactory basis on which to make their estimates of future expenditure, they found it possible to effect considerable reductions in their rates, and there seems to be every reason to anticipate that, with extended experience, there will be a still further general reduction of county rates." (Annual Report of the Irish Local Government Board for year ending March, 1902.)

Our impression as travellers was that the Irish County Councils do not yet spend enough money on their roads.

THE HOME RULE CASE

THE CASE THAT HAS CHANGED—(CONTINUED)

i.—THE CONGESTED DISTRICTS
ii.—THE BOARD OF AGRICULTURE
iii.—OLD-AGE PENSIONS
iv.—THE UNIVERSITIES

"Although while I live I shall oppose separation, yet it is my opinion that continuing the Legislative Union must endanger the connection."

O'CONNELL
(1834).

[34]

[35]

CHAPTER III.
THE HOME RULE CASE

ToC

But Land Purchase and County Councils are only part of the great change that has come over Ireland since 1893.

There are other great transformations. There is the redemption of the congested districts. There is the revival of agriculture. There is the Old Age Pensions Act. Finally, there is the reform of the Universities.

THE CONGESTED DISTRICTS BOARD

Take, first, the daring policy of social renovation by which the forlorn peasantry of the West are being saved from the grey wilderness into which they had been thrust by the landlordism of 1830 to 1880.

It is the habit of the Unionist Press to claim the whole of this work as their own. That is rather bold of a party that lifted not a finger while these people—said by those who know them to be the best peasantry in Europe—were driven from the rich lands of Ireland to till the barren moorland and scratch the very rocks on the shores of the Atlantic. The Tories do not explain why they allowed the House of Lords for a whole half century to seal up the exile of these poor folk by rejecting every measure proposed for their welfare. As a matter of fact, of course, the policy of redeeming the congested districts was not first proposed either by the Tories or by the Liberals, but by the Irish members themselves.

The Tory claim is based, of course, on the fact that the first step towards action by the British Government dates from the famous Western tour of Mr. Arthur Balfour in the early nineties. Perhaps Mr. Balfour was tired of the monotony of five years of coercion. At any rate, he took that journey, and it was the best act of his political life. He travelled along that misty fringe of the Atlantic. He saw—as we saw last summer, and I saw in 1891—the utter poverty of that unhappy land, where human life, sustained only by the charity of American exiles, still pays its doleful toll to far-off, indifferent landlords. Who can tell whether some touch of remorse did not enter into the heart of the man who up to that time had been the greatest of Irish coercionists since Castlereagh, when he saw with his own eyes the sorry plight of the poorest people in Europe—the people who, in the opinion of General Gordon, were, as a result of a century of British civilisation, more destitute and miserable than the savages of Central Africa?

[36]

Mr. Balfour, at any rate, relented from his policy of more oppression. He even entered upon the first small beginnings of a policy of restoration.

It was a very small beginning—that first Congested Board—and a Commission that reported on its work nearly twenty years after^[28] decided that the Board had neither powers nor cash sufficient for its work. The Liberal Government of 1906-10 frankly accepted the opinion of the

Commission, and gave the Board both new powers and new funds in the Irish Land Act of 1909. Under that Act the Congested Board is endowed with £250,000 a year, and has authority over half the area and a third of the population of Ireland.[29] Over these great regions[30] this authority now possesses extensive powers of purchase, rehousing, replanting, creation of fisheries, provision of seed and stocks—powers, in short, extending to the complete restoration, by compulsion if necessary, of a whole community. The Board is appointed by the Chief Secretary,[31] and already in two short years it has accomplished great work. Estates are being bought and replanted; holders are being migrated from bad land to good; villages are being rebuilt; industries encouraged; health safeguarded; fisheries revived. Those who examine its work as we did last summer will experience the feeling of men looking on at a splendid and gallant effort to salvage a race submerged.

[37]

This work, indeed, is still in its infancy. There are many absentee landlords who are still holding out for heavy and extravagant prices as a reward for the poverty and misery which they have often in large part caused by their own neglect. The Board appears to be reaching the limits of voluntary action. Much of the hope for the future of Ireland rests on their courage and skill.

THE BOARD OF AGRICULTURE

The passing of landlordism has produced a great revival of energy and life in the rural districts. That revival began in the nineties, and the credit for first realising its importance and significance must be given to Sir Horace Plunkett. But private organisation alone could not meet the needs of the situation. In 1899 the Government were persuaded by the Irish party to pass an Act founding a new Irish Board of Agriculture on broad and generous lines.[32]

[38]

This Irish Board of Agriculture is a very remarkable body. It is practically a Home Rule authority for agricultural purposes only. The Irish Minister for Agriculture by no means rules as an autocrat. He has to submit his policy to a large "Advisory Council" of over 100 members elected by all the County Councils of Ireland. Out of this Council a committee is chosen which is practically a Cabinet. This Agricultural Parliament now plays a most important part in the life of Ireland. It speaks for the whole nation more than any other public body. Its discussions are practical and useful. It is a training ground for the rulers of the future, and it is playing a vital part in bringing together the best men of the North and South. The Ulster members are already, in agricultural matters, working in a friendly spirit side by side with the men from the South.

Thus advised and kept in touch with public opinion, the Board of Agriculture is the most popular and effective Department in Dublin Castle. It gives us a foretaste of the new power that will be given to Irish administration by the Home Rule spirit.

For it is just this central guidance that the other great new Irish developments chiefly lack. Take local government. There is not a County Council in Ireland which would not be stronger if it were directed—and sometimes, perhaps, even commanded—from the centre by a sympathetic national authority. There is not a Board in Ireland, whether it be the Congested Districts Board, or the Estates Commissioners, or the Land Commission, that would not be more wisely directed if there were some central arena in which the great principles of administration could be seriously and responsibly debated and settled. For, in spite of the popular notion that Irishmen are too talkative, there is really too little discussion in Ireland on practical affairs. The great unsolved political problem blocks the way. The block cannot be removed except by settlement. One of the strongest reasons for granting Home Rule is in order to free the mind of the nation for attention to the national housekeeping.

[39]

OLD-AGE PENSIONS

One of the most remarkable events of the last few years has been the unexpected side-share of Ireland in the great social legislation of Great Britain. Even the Irish members themselves have scarcely foreseen how immensely Ireland, being the poorest partner in the United Kingdom, would benefit by a policy "tender to the poor." The most conspicuous example of that effect has been Old-age Pensions. Old-age Pensions have fallen on Ireland as a shower of gold. Her share is already well over £2,000,000. The great new fact in Irish social welfare is that she now draws that great draught from the Imperial Exchequer.

Travelling along the Atlantic coast last summer, I inquired in many local post-offices as to the amount of pensions given weekly in those little grey villages. I found that often the old-age pensioners would number between 100 and 200 in small villages of less than 2,000 people. The emigration of the youth has left a disproportionate number of the old, and it is not necessary to bring any railing accusation against the honesty of the Irish race in order to understand why it is that Old-age Pensions have done so much for Ireland. But the fact remains, and it carries with it a great and unexpected relief to the Irish ratepayer.[33]

[40]

Last, but not least, we have the great stimulus given to higher education by the passage of Mr. Birrell's Irish University Act. For a whole generation the progress of higher education in Ireland has been held up by a barren and wearisome religious quarrel. Now that quarrel has vanished, and Ireland is organising a great system of University education for her Catholic as well as her Protestant youth. Not the least stimulating experience of the Eighty Club in Ireland was the day which we spent, under the guidance of the distinguished Principal, at Cork University College, where we saw Catholics and Protestants, men and women, young and old, working together in friendly harmony in the splendid buildings which have sprung up to house the undergraduates of the south-west. The same process is going on at Dublin, Galway, and Belfast. The machinery is being rapidly prepared for training up in the best possible atmosphere of mutual tolerance the new rulers of Home Rule Ireland.

Such have been the great Acts of Parliament which have created a changed situation in Ireland. But the crown is still wanting to the work. Those who travel in Ireland and make any close inquiry into the work of these Acts must feel that there is a great gap unfilled. It is a gap at the top. All these new roads of reform are well and truly laid—but they all lead nowhere.

[41]

Take one startling fact. Two Commissions of late years have considered the great and glaring need of Ireland in the want of swift, cheap, and convenient transport both for persons and goods. One of these Commissions was on Canals, and the other on Railways. Both decided in favour of national control. But as there is no national authority which anyone trusts, both reports have been stillborn.^[34]

It was probably some such facts that led, as far back as August, 1903, to the uprising among the more moderate Unionist Irishmen of a remarkable movement which is still affecting Ireland. This movement took shape in a body; called the Irish Reform Association, presided over, like the Land Conference, by that remarkable Irish peer Lord Dunraven. That Conference put forward a set of proposals which are now historical, and which have since, in varying forms, inspired the movement for what is popularly known as "Devolution."^[35]

Mild as are the proposals of this new party, they do not differ in principle from the proposals of the Home Rulers.

These proposals obtained the backing of a large section of the Unionist Party. They undoubtedly had the sympathy of Sir Anthony MacDonnell. It is difficult to say, at the present moment, what precise part was played by Mr. George Wyndham, then still the Irish Chief Secretary. But the eloquent fact remains that the ultimate triumph of the Ulster Unionists over the Devolution Party of 1903 was marked by his resignation. There would seem to be no substantial doubt that in 1903 there arose in the Unionist Party the same division in regard to Home Rule as arose in 1885, when Lord Carnarvon, the Tory Viceroy, met Mr. Parnell. For the moment the better spirits seriously contemplated removing once and for all the bitterness of the Irish grievance. There was a return of that feeling in the autumn of 1910, when, for the moment, at a period still known politically as the "age of reason," most of the Unionist Press admitted how much good reason and common-sense there was on the side of Home Rule. On each of these occasions the same result has occurred. At the critical moment the extreme faction of the Ulster Unionists has intervened and driven back the Tory Party to its fatal enslavement.

[42]

But the great fact which produced these movements still remains as valid and potent as ever. It is that, whatever improvements you introduce into the Irish machine, it can never work properly until the central motive power is a self-governing authority.

So deeply have the better Unionists been committed to that view in the past, in 1885, 1903, and 1910, that they are now shaping a new argument to face the situation of 1912. This argument is simple. It is that the new prosperity of Ireland is not a help, but a bar to Home Rule.

"If Ireland can prosper so well without Home Rule," so runs this line of reasoning, "why give her Home Rule at all?"

This is indeed a strange and cruel argument. We all know the people who used to say Home Rule was impossible because Ireland was disturbed. They are now occupied in saying that she must be denied Home Rule because she is so peaceful.

[43]

But now it appears that this ingenious dilemma is to be applied to her material condition also. As with order, so with finance. In the old days Ireland was refused Home Rule because she was too poor. How could she get on without England? She would be bankrupt. But now that she is better off she is to be refused it because she is too prosperous!

Is it not quite obvious that these are arguments after judgment? That the people who use them are merely seeking excuses for refusing Home Rule altogether and at all seasons?

The British people, essentially a just and serious people, will not listen to these last desperate pleas, the coward fugitives of a routed case.

They will rather believe that all these material improvements in the condition of Ireland only make the need for Home Rule stronger and more urgent. They will realise that Ireland requires not a material, but a moral cure to give her the full value of the new reforms. Her need is to be

removed once and for all from the class of dependent communities. She wants the great tonic cure of self-reliance and self-responsibility.

For it is as true to-day as it was when Mr. Gladstone spoke these wise and searching words in April, 1886[36]:—

"The fault of the administration of Ireland is simply this: that its spring and source of action, and what is called its motor muscle, is English and not Irish. Without providing a domestic Legislature for Ireland, without having an Irish Parliament, I want to know how you will bring about this wonderful, superhuman, and, I believe, in this condition, impossible result, that your administrative system shall be Irish and not English?"

[44]

The greatest need is still this—to make the "motor-muscle" Irish.

FOOTNOTES:

- [28] The Report of the Congested Districts Commission was issued in 1908.
- [29] See 19th Report (1911), Cd. 5712. The Act of 1909 more than doubled the area and population, bringing the area to 4,000,000 acres, and the population to 600,000. The former endowment was £86,000.
- [30] Comprising the whole of the counties of Donegal, Leitrim, Sligo, Roscommon, Mayo, Galway, Kerry, and parts of the counties of Clare and Cork.
- [31] The members of this admirable Board are Mr. Birrell, Lord Shaftesbury, Mr. O'Donnell, Dr. Mangan, Sir Horace Plunkett, Sir David Harrel, and six others.
- [32] For the governing clauses of that Act see [Appendix E](#).
- [33] May not the Insurance Act do the same? It is very likely.
- [34] See [Appendix J](#).
- [35] Private Bill legislation to be settled in Dublin. Irish internal expenditure to be handed to a financial council half elected and half nominated. An Irish Assembly to be created with a small power of initiative.
- [36] April 8th.—Second Reading Speech on 1886 Home Rule Bill.

[45]

THE HOME RULE PLAN

THE NINETEENTH CENTURY BILLS AND THE BILL OF 1912.

"Without union of hearts identification is extinction, is dishonour, is conquest—not identification."

GRATTAN.

"It would be a misery to me if I had forgotten or omitted, in these my closing years, any measure possible for me to take towards upholding and promoting the cause, not of one Party or another, of one nation or another, but of all Parties and of all nations inhabiting these islands; and to these nations, viewing them as I do with all their vast opportunities, under a living union for power and for progress, I say, let me entreat you to let the dead bury the dead, and to cast behind you every recollection of bygone evils, and to cherish, to love, and sustain one another through all the vicissitudes of human affairs in the times that are to come."

Mr. GLADSTONE
(First reading of 1893 Bill, 13th February).

CHAPTER IV.

THE HOME RULE PLAN

The Home Rule Bill of 1912 is now before the country, both in the clear and simple statement of the Prime Minister and in the text of the Bill itself^[37]. The Bill has already passed through the fire of one Parliamentary debate, and secured one great majority of 94 in the House of Commons.

What are the general outlines of this great measure? Its central proposal is the creation of an Irish Parliament, responsible for the administration of Irish affairs. That Parliament is to consist of a Senate and a House of Commons, numbering respectively 40 and 164, guided by an Irish Executive, chosen in the same manner as the British Imperial Cabinet. Ireland, in other words, is to be governed by responsible Parliamentary chiefs, commanding a majority in the Irish House of Commons. In this honest recognition of facts and terms we have an advance on the vagueness of former proposals. Otherwise, both this Parliament and this Executive are to have the same liberty and are to be restrained by almost precisely the same checks and safeguards, in regard both to religious rights and Imperial sovereignty, as those which existed in the Home Rule Bills of 1886 and 1893. Ireland is to retain at Westminster a representation of forty-two members.

What is to happen if the two Irish Chambers differ? According to the Bill, the Senate is to be nominated, at first by the Imperial Government, and afterwards by the Irish Parliament, and the members are to sit by rotation for eight years. The Irish House of Commons, on the other hand, is to be elected by the same constituencies as at present, and the membership is to be distributed in proportion to the population—an arrangement which will give Ulster fifty-nine representatives.^[38] It is clear that under those conditions a powerful Irish Government remaining in office beyond a certain period would have command of both Houses, as indeed happens at present under similar conditions both in Canada and New Zealand.^[39] But if one Party should hold power for a prolonged period, and then give place to another, the new Government will find itself, as Mr. Borden finds himself in Canada at present, restrained from precipitate change by an Upper House nominated by his predecessors.

What would happen in that case? To settle that problem, the Home Rule Bill contains a clause^[40] adopting the provisions of the South Africa Act, enabling both Houses to hold a joint sitting, in which the majority will prevail. As long as that provision holds, it matters very little whether the Upper Chamber is nominated or is elected, as some propose, by proportional representation. In either case, the Irish House of Commons will be the real governing body, as indeed it must be if the Irish Executive is to be properly responsible, and the new Irish Constitution to work smoothly.

So much for the general provisions of the present Bill. The details as to safe-guards and exclusions will be found in the full text of the Bill contained in [Appendix A](#), and I shall leave the question of finance to the chapter specifically devoted to that subject.

Let us turn now to the chief arguments against the measure as set forth in the recent debate, and as expressed with ability and power in a pamphlet entitled "Against Home Rule," to which practically all the chief leaders of the Unionist cause contribute articles^[41]. Apart from the Ulster case, dealt with in a previous chapter, the main argument seems to be that the English people have not been sufficiently consulted. "It is all so sudden," said the elderly lady when she received a proposal from an elderly suitor who had been delaying his passion for a score or so of years. The same painful outcry comes from the Unionist Party twenty-seven years after the first beginning of the discussions of Home Rule in this country.

One can imagine, indeed, that a foreign visitor, coming to this land in ignorance of the past of English politics, would suppose that the Home Rule controversy had now arisen for the first time. Attending Unionist meetings, he would hear an immense amount of eloquence devoted to the wrongs of the English people in being rushed into a premature decision, and being asked to give judgment without proper trial. The Home Rulers would be represented to him as men of rash and precipitate temper, who wanted to bring about in a few months a change which would affect the United Kingdom for centuries. And finally he would hear men thanking God that there existed a House of Lords which, in spite of the machinations of the Home Rulers, could still give the British public two more years to ruminate over the question of Home Rule.

He would naturally gather from this that the proposal of Home Rule for Ireland had come upon this country with entire freshness, and had never before been discussed among rational men. Filled with this impression he might perhaps be surprised if he obtained the chance of hearing the "still, small voice" of truth through the clamour and the uproar, to discover that this plan of Home Rule was not born yesterday, but no less than twenty-five years ago. He would find that for a whole generation every nook and cranny of this proposal has been meticulously explored, and that there have been on this subject thousands, if not millions, of speeches and leading articles, hundreds of books, and dozens of Parliamentary debates. He would even learn from many politicians that their chief difficulty was the utter boredom of their constituents over a subject which has been worn down by argument to the very threads.

But he would be more surprised than all to discover that this proposal had already been considered in at least four General Elections—1886, 1892, and the two elections of 1910.^[42] "It has been deliberately rejected by the people on two occasions" would be the cry which he would hear most commonly from his Tory friends, and he would find that they referred to the elections of 1886 and 1895. Our friend the foreigner would naturally be impressed by that argument. But what would be his amazement to discover that his informants had forgotten to enlighten him on the equally important fact that Home Rule had been definitely accepted and approved by the British electorate, not in two, but in three elections—the election of 1892 and the two elections of 1910? He would discover that on all these three occasions the subject had been definitely placed before them, that on all three occasions the electorate had definitely supported Home Rule, by majorities varying from forty in 1892 to 124 in December, 1910. As to the other General Elections, might not our foreigner reflect that if an electorate were really to discover that its vote for the approval of a measure was treated—as in 1892—with indifference, it might naturally weary of well-doing?

Might he not even, if he were a shrewd man, suspect that that was the very object and aim which his informants had in view?

But perhaps his surprise would reach its highest point when he discovered that this Home Rule proposal, so far from appearing now for the first time in a definite form, had actually twice before taken the definite and statutory form of Home Rule Bills, both the specific and considered proposals of Liberal Governments, both fully drafted and laid before Parliament, and both still to be purchased at any Government printers. The first of these Bills, the Bill of 1886, was, indeed, rejected by the House of Commons on the second reading, and never ran the gauntlet of full Parliamentary debate. But the second, the Bill of 1893, occupied fully five months of Parliamentary time, and was carried successfully by Mr. Gladstone through all its stages in the House of Commons. It was amended on many points without the interference of Government authority. It presents a full scheme of self-government for Ireland, so clearly and minutely considered as to provide an efficient and reasoned basis for the measure of 1912.

THE BILLS OF 1886 AND 1893

The aim of both these great measures—the Bills of 1886 and 1893—was to give the Irish control of their own local affairs and to distinguish as clearly as possible between those affairs and Imperial matters. The method chosen in both Bills is to follow the Parnell scheme of enumerating the subjects excluded from the legislative power of the Irish Parliament. The excluding clause became considerably enlarged in the Bill of 1893 as it was left by the House of Commons. The 1893 Bill also contains a far more definite and stronger assertion of Imperial authority, which is inserted twice—first in the Preamble, and then in the second clause of the Bill.^[43]

In both Bills there was a safeguarding clause as well as an excluding clause. The safeguarding clause also grew considerably between 1886 and 1893. It is almost entirely directed to preventing the Irish Legislature from establishing any new religious privileges, or interfering with any existing religious rights. The clause, as it emerged in 1893, not only forbade any new establishment or endowment of religion, but seemed to leave the claims of all denominations precisely as they stand at present.

This safeguarding clause reappears in the Bill of 1912, but it has been shortened and redrafted by the Government. It contains very important additional safeguards to prevent the adoption by the Irish civil power of the principles contained in the recent Papal Decrees against mixed marriages, and in regard to the right of Catholic clergy to claim exclusion from the courts of justice. The Irish Parliament will be debarred from acting on these decrees, and thus the whole agitation against "Ne Temere" falls to the ground.

THE TWO CHAMBERS

The 1886 Bill established, as we have seen, an arrangement by which Ireland should be governed by one legislative body consisting of two orders, a first and a second. These orders were to deliberate and vote together, except in regard to matters which should come directly under the Home Rule Act, amendments of the Act, or Standing Orders in pursuance of the Act. In such cases the first order possessed the right of voting separately, and seemed to possess an absolute veto. [53]

The first order of the legislative body created by the 1886 Bill consisted of 103 members, of whom 75 were elected members and 28 peerage members. The elected members were to be chosen under a restricted suffrage, and the peerage members were to be the representative Irish Peers. The second order was to consist of 204 members, elected under the existing franchise.

All this was rather complicated and confusing, and was, perhaps rightly, brushed aside by the framers of the 1893 Bill. They constituted the Irish Legislature on the model of an ordinary Colonial Parliament with two Chambers—a Legislative Assembly and a Legislative Council. The Legislative Council was to consist of 48 members, elected by large constituencies voting under a £20 property franchise. The Legislative Assembly was to consist of 103 members, elected by the existing constituencies under the existing franchise. In cases of disagreement between the two Houses, it was proposed that, either after a dissolution or after a period of two years, the Houses were to vote together, and that the majority vote should decide the matter. Since 1893 that provision, in almost precisely the same form, has been adopted by the Australian Commonwealth, and, in a more progressive form, by, the South African Parliament.

In the Bill of 1912 these provisions of 1893 reappear, but in a broader and more liberal form. The Irish Legislative Assembly and Legislative Council—names which seem to give to Ireland a position of a subordinate—have given way, as we have seen, to the frank and generous titles of Senate and House of Commons, both forming the Irish Parliament. The machinery for settling disagreements has come back from its journey round the world refreshed by a new draft of democracy, imbibed from the climates of Australia and South Africa. In cases of differences between the Assemblies they will meet and decide by common vote, without the necessity of a dissolution. That is a great and important simplification, and for it the Irish have to thank the genius of the founders of the South African Constitution. [54]

IN OR OUT?

Every student of the Home Rule question knows that Mr. Gladstone several times varied his proposals in regard to the Irish representation at Westminster. The Irish Party were, from the beginning, indifferent on the point; but it was quite clear that this was a matter vitally affecting Imperial interests. The first proposal grafted into the Bill of 1886 was that the Irish should cease to attend at Westminster altogether. But, after seven years of consideration, there grew up a general agreement that the entire absence of the Irish Party at Westminster might create a series of difficult relations between the Parliaments, and might even gradually lead to separation. The first proposal of the Bill of 1893 was that the Irish members should attend in slightly reduced numbers and vote at Westminster only on Irish concerns. But this proposal—known as the "In and Out" clause—found little favour in debate, and suffered severely at the hands of Mr. Chamberlain. Mr. Gladstone finally left the matter to the judgment of the House of Commons, and—after a severe Parliamentary crisis, in which the Government narrowly escaped destruction—it was decided that 80 Irish members should sit in the British House of Commons without any restriction of their power or authority. [55]

In the Bill of 1912 the solution finally reached in 1893 is again adopted, with one vital difference—that the Irish members to be summoned to Westminster will be reduced not to 80, but to 42. Those members will possess full Parliamentary powers, as indeed it is right and necessary they should, as long as the Parliament at Westminster continues to exercise such large powers over Ireland. But Mr. Asquith threw out the suggestion that the British House of Commons should, by its Standing Orders, arrange for a further delegation of Parliamentary power to national groups. The House of Commons has already a Scotch Committee, and to that might be added an English Committee and a Welsh Committee. It would be a serious thing for the central body to over-ride the opinions of these committees.

But Mr. Asquith also threw out an even more important hint as to the future development of the Home Rule policy. It is clear that if the Irish Home Rule Bill is simply the first stage in a process which will lead to the creation of Home Rule Parliaments for local affairs in Scotland, England and Wales, then such slight control as the 42 Irish members may retain over British affairs will be only temporary. What, then, is the present Parliamentary relationship between Irish Home Rule and the Federal idea?

Since the year 1893 there has been a great change of feeling in regard to the whole Home Rule question. The British Parliament has gone through a great crisis in its procedure, and it has, for the moment, accepted a temporary way out in the form of a drastic use of the closure, applied by Mr. Balfour, under Standing Orders, to so vital a matter as Supply. That violent remedy known as the "Compartment Closure" is now almost automatically extended by both parties, under the very thin veil of liberty left by a special resolution, to almost every great measure that comes before the House of Commons. [56]

This development of the British Parliamentary system has created a new outlook on the Home Rule question. The case of Ireland still stands by itself, with great grievances and strong historical claims behind it. Home Rule for Ireland will always have a peculiar urgency, arising from conditions of geographical position. But the passion for Irish liberty is now mingled in the average British mind with the passion for the liberty of the British House of Commons. It is recognised that unless Ireland is freed the British Parliament will remain in chains.

This new attitude has widened the outlook of Home Rulers until Home Rule has ceased to be a merely Irish question. Nothing was more dramatic during the recent debates over the Insurance Bill than the sudden wave of federal feeling in the House of Commons which compelled the Government to grant a separate administrative insurance authority, not merely to Ireland, but also to Scotland and Wales. Similarly with Home Rule. What was in 1893 only a pale glimmer of foresight, is with many, in the year 1912, a passionate conviction. It is that after Home Rule has been given to Ireland it must be extended also to Scotland, Wales, and possibly England.

Now it would be plainly useless to grant Home Rule to any of these countries until there is a wider and deeper demand for it. The issue of Home Rule for Ireland was definitely raised in both the elections of 1910, and when the people gave their votes they knew, and were actually warned by Mr. Balfour himself, and by most of the other Unionist chiefs, that the result would be the creation of a Home Rule Parliament in Ireland. But it cannot be said that the same proposal was so definitely and effectively put forward in regard to Scotland and Wales. In both those countries there is a very widespread desire for Home Rule. But there has not yet been any definite democratic vote on that desire. It may be necessary, therefore, to delay the extension of Home Rule to those countries. But the desire is sufficiently strong both in Scotland and in Wales to justify the Government in so framing a Home Rule Bill as to enable those other parts of the United Kingdom to be brought under its provisions in due time. There is a strict analogy for that proceeding in the North America Act of 1867, which created the Dominion of Canada. That Act joined together three provinces at first, but left the door open for other provinces to come in. They have since come in, one by one—all except the island of Newfoundland—until the great federation of States which we now know as the Canadian Dominion has been gradually built up. [44] [57]

What follows from all this? Surely that a Home Rule Bill for Ireland must be so framed as to render it a possible basis of a federal Constitution in the near future. But if the Irish members were entirely excluded from the British Parliament, as in 1886, then we should be turning our backs on Federalism. The only analogy to such a Constitution would be that of Austria-Hungary, where two countries are united in one Government, but work through two Parliaments. Lord Morley tells us that Mr. Parnell was very anxious to imitate in the 1886 Bill the ingenious machinery of "Delegations," by which the relations of the Austrian and Hungarian Parliaments combine for common affairs.[45] [58]

There is much to be said for that machinery in Austria-Hungary, strongly binding together two countries which must otherwise have inevitably drifted asunder. But Mr. Parnell was thinking only of Ireland, and he was not a Federalist. We are thinking of the whole United Kingdom, and many of us are Federalists. The machinery of "Delegations" therefore would not suit our purpose.

What seems to be required ultimately at Westminster is a small Parliament devoted to Imperial affairs—Imperial finance, Imperial legislation, and Imperial administration—and leaving to subordinate Parliaments the administration of local matters. Many are firmly convinced that in that way the United Kingdom would become a more successful and efficient country, with legislation better adapted to the needs of its inhabitants, and with a mind more free for the consideration of great Imperial affairs. This now seems to them the only way to produce order out of the present constitutional chaos.

What, then, are the lines that should be followed if we are to go forward to that goal? An Imperial Parliament of that nature would probably be a smaller assembly than the present House of Commons, which is far too large for modern conditions. There is, therefore, good ground for reducing the representation of Ireland to 42, or 38 less than in 1893. That will clear the way for a future Imperial assembly of between 300 and 400, it being understood that as each section of the United Kingdom obtains its own Home Rule Parliament it will consent to have its representation at Westminster reduced in proportion. [59]

As long as the present system of Cabinet Government resting on majorities exists—and it is the only conceivable system for a completely self-governing democracy—it still seems, as it seemed to the men of 1893, impossible to agree to any "in and out" arrangement. Under such a plan the Government might possess a majority on Imperial or English affairs, while it could be out-voted on Irish affairs. Although such a situation might conceivably work for a time, it might come to a sudden deadlock in a moment of emergency. It seems best, therefore, that the 42 Irish members at Westminster should possess full voting powers. If any Liberal dreads the prospect of having 42

Irish members still possibly giving votes hostile to Liberal views—say, on education—I would ask him to remember that the Liberal Party will not have to mourn the loss of Irish votes still almost certain to be cast in their favour on behalf of many democratic measures.

The prospect of this larger federal settlement opens a larger vision than that of 1886 or 1893. Strangely enough, it is the same vision as that sketched by Mr. Joseph Chamberlain in the daring speech which he made on the second reading of the Home Rule Bill of 1886:—

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"In my view the solution of this question should be sought in some form of federation, which would really maintain the Imperial unity, and which would, at the same time, conciliate the desire for a national local government which is felt so strongly in Ireland. I say I believe it is on this line, and not on the line of our relations with our self-governing Colonies, that it is possible to seek for and to find a solution of this difficulty."^[46]

FOOTNOTES:

- [37] See [Appendix A](#) for the text of the 1912 Bill.
- [38] It is proposed that the representation be divided as follows:—Ulster, 59 members; Leinster, 41; Munster, 37; Connaught, 25; The Universities, 2; making a total of 164.
- [39] In Canada the Senators are selected for life. Since 1891 the New Zealand Senators are selected for seven years only.
- [40] See [Appendix C](#).
- [41] "Against Home Rule." London: Warne and Co., 1/-net.
- [42] Home Rule was not properly debated in the General Election of 1895, which turned on other issues, and in the General Elections of 1900 and 1906 it was laid aside by common consent.
- [43] See [Appendix D](#).
- [44] The 146th clause of the British North America Act (1867) reads as follows:—
- ADMISSION OF OTHER COLONIES.
- "It shall be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, on Addresses from the Houses of Parliament of Canada, and from the Houses of the respective Legislatures of the Colonies or Provinces of Newfoundland, Prince Edward Island, and British Columbia, to admit those Colonies or Provinces, or any of them, into the Union, and on Address from the Houses of Parliament of Canada to admit Ruperts Land and the North Western Territory, or either of them, into the Union, on such terms and conditions in each case as are in the Addresses expressed, and as the Queen thinks fit to approve, subject to the provisions of this Act: and the provisions of any Order in Council in that behalf shall have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland."
- [45] For a description of this machinery see Chap. IX., "Home Rule in the World," p. 121.
- [46] April 9th, 1886.

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HOME RULE DIFFICULTIES

ULSTER

"Violent measures have been threatened. I think the best compliment I can pay to those who have threatened us is to take no notice whatever of the threats, but to treat them as momentary ebullitions, which will pass away with the fears from which they spring, and at the same time to adopt on our part every reasonable measure for disarming those fears."

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"Sir, I cannot allow it to be said that a Protestant minority in Ulster or elsewhere is to rule the question for Ireland. I am aware of no constitutional doctrine on which such a conclusion could be adopted or justified. But I think that the Protestant minority should have its wishes considered to the utmost practicable extent in any form which they may assume."

GLADSTONE (1893).

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CHAPTER V.

HOME RULE DIFFICULTIES

ToC

"Sooner or later," said a wise man to me the other day, "always sooner or later in the Home Rule question you bump up against religion." That is, unhappily, still true, though not so true to-day as in 1886 or in 1893. No one who visits Ireland to-day can doubt that the religious hatreds of the past are being softened; but, unhappily, this process, as recent events have vividly shown us, is still fiercely resisted by a small minority.

It may almost be said that in Ireland religious intolerance is a political vested interest. It would indeed be impossible to justify the immense preponderance of salaried power and place still given at the centre to the Protestant minority^[47] unless you could maintain the idea that the Catholic is a dangerous man when in a place of power. That consideration, doubtless largely unconscious, may yet partly explain the immense amount of energy devoted in the north-east of Ireland to the encouragement of religious prejudice—honest in many of the rank-and-file, artificial, I fear, in many of the organisers.

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BELFAST

Belfast, so like a great modern city in its magnificent outward aspect, is still largely mediæval at heart. Its chief social energies are thrown into that vast and powerful organisation known as the "Orange Society"—still wearing the badges of the seventeenth century, still uttering its war-cries, and still feeding on its passions. This immense religious club has to support in the modern age that theory of religious incompatibility which nearly every other community has long ago abandoned. It has to justify itself in excluding from the municipal honours of Belfast almost every Roman Catholic. It has to justify the majority of 300,000 Belfast Protestants in giving a small and inadequate representation among the rulers of this great wealthy town to the minority of 100,000 Catholics. To maintain this policy of Ulster ascendancy the Orange chiefs watch every document that comes from Rome with a lynx eye, and try to catch a glimpse of the "Scarlet Woman" behind every Latin rescript.

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All this may appear to some good politics; but surely it is past tolerance when these manufacturers of intolerance talk of the intolerance of others.

In all these respects Belfast stands almost alone in Ireland. A canon of the Catholic Church—a man of winning manners and charming personality, who lives on quite friendly terms with his Protestant neighbours in the South of Ireland—told me that on the only occasion when he visited Belfast he was spat at in the streets. The story is quite credible to those who have watched the deliberate manipulation of the worst religious passions by the party organisers of Ulster, not always unassisted by their colleagues in London.

One result is that if you ask any question as to the character of a man in the city of Belfast, the answer will always come to you in terms of religion. In the South the reply will be, "He is a Nationalist," or "He is a Unionist." But in Belfast it will be, "He is a Catholic," or "He is a Protestant."

So fierce is this feeling in Belfast that until recently all political and social differences were submerged by it, and every fresh effort towards local progress was broken up by the revival of religious prejudice. Things have been somewhat changed by the wonderful social and political crusade, quite independent of all religious differences, carried on by that remarkable young citizen of Belfast, Mr. Joseph Devlin, who captured the constituency of West Belfast in 1906 and retained it in 1910 largely on a social reform policy. He has for the first time given Ulster a glimpse of something better than religious fanaticism—a social policy based on the unions of religions for the good of all.^[48]

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This break in the dark clouds must surely spread until a better spirit prevails.

For Belfast, perhaps, has more to gain than any other great Irish city by a policy that would pacify Ireland. If Belfast could once shake off the memory of her immigrant origin, and look to Ireland rather than Great Britain as her native country, she would perceive that the gain of Catholic Ireland must be her gain also. Her prosperity can never be sure or certain as long as it stands out against a background of Irish poverty. The linen industry can never rest secure as long as there are so few industries to support it. The linen merchants cannot really gain by their isolation. Belfast at present has a great export trade. She clothes Great Britain in fine linen. But what about her home trade? Would not Belfast be even more prosperous if she could clothe Ireland too?—if Ireland could afford to put aside her rags and replace them with "purple and fine linen" from the factories of the North?

Might not Belfast, in that case, be able not merely to enrich her merchants but to raise the social conditions of her own people? For it is unhappily the case that the researches of the Women's Trade Unions have disclosed in Belfast conditions of sweated labour that have surprised and alarmed even the most hardened investigators. The lofty buildings and humming mills of Belfast are revealed to be resting on a swamp of social misery. Nor is this at all remarkable, for the mass of the people are kept helpless and divided by their religious divisions, which are too often used as a weapon to prevent them from combining for higher wages and shorter hours. Religious fanaticism is not quite so self-sacrificing in its commercial results as superficial observers might suppose.

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It is impossible, indeed, that Belfast can continue for ever in a prosperity isolated and aloof from the country in which she is situated. Either she must throw in her lot with Ireland or Ireland must drag Ireland down into one common pit of adversity. Lord Pirrie, the enterprising and fearless director of the great shipbuilding works on Queen's Island—works which maintained their pre-eminence and continued their output through the dark days of the shipbuilding trade on the Clyde and the Thames—has been converted to Home Rule. Other business men will follow his example, for Belfast, as much as any other town in Ireland, suffers in Private Bill legislation from the remoteness of the Legislature and the Administration. She, too, has too often to endure a financial policy not suited to her needs. She, like the rest of Ireland, has everything to gain and nothing to lose by a policy that will enable Ireland to obtain legislation better fitted to the needs of the Irish people.

In spite, indeed, of her outcries, Ulster has already gained more from the policy of the Nationalists at Westminster than from that of the Orange reactionaries who represent half the province at Westminster. Those Orangemen have identified the robust Radicalism and Presbyterianism of Ulster with the narrowest demands of the Anglican landlords and Tories of England. Happily for Ulster, they have been defeated. The farmers of Ulster are at present buying their farms under the policy of Land Purchase which the Orange Ulstermen resisted. These farmers have freely used the Land Courts which their representatives denounced as revolution and the "end of all things." They are profiting by the triumphs of Nationalist policy even while they denounce the Nationalists in terms which are reserved by other people for criminals and wild beasts.

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The best men in Ulster will probably think twice before prolonging a campaign of rebellion. We have heard of late threats of refusal to pay taxes or rents to the Irish Parliament. But what could be more dangerous to a city like Belfast than a no-rent campaign under the guidance of English lawyers? If the farmers are advised not to pay their rents to Dublin, is it not likely that the working-class tenants of Belfast may refuse to pay their rents to their own landlords? At their own peril, indeed, will a class which largely lives on rent and interest strike a blow at the habits and customs which enforce such payments. The kid-glove revolution of linen merchants might suddenly and swiftly turn into something nearer to the real, red thing. It is dangerous to set examples in revolution.

As Ulster gradually swings round to the inevitable, she will discover that there is a very bright silver lining to what seems to her so black a cloud. Ulster, while still represented at Westminster, will send 59 members to Dublin under the 1912 Bill. Thus she will have no small or mean representation in the future Irish Parliament. She may have far more power than she imagines, if she uses it with wisdom. A strong Progressive section from the industrial North may hold the balance between the parties of the South and centre. It would be rash to predict the future. But there are many causes—education, Free Trade, enlightened local government, to take a few—in which Ireland will gain immensely by a strong, clear progressive lead. "The best is yet to be." Why should not Belfast—Belfast Protestant united with Belfast Catholic—have in these matters a

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greater and nobler part to play under Home Rule than under the present system of distant, ignorant, absent-minded, rule?

As for religious persecution, the thing would be absurdly impossible under any Home Rule Bill that possessed the guarantees and safeguards of the 1912 Bill. But, beyond those safeguards, Ulster will always have, in any such extreme and improbable event, an appeal to all the forces of the Empire—an appeal which would certainly not be in vain.

The conviction of these truths will gradually penetrate the shrewd brain of Ulster and save her from the madness of rebellion or secession. The patience and moderation of the Government will gradually disarm these men. Who knows whether in the end the majority in Belfast, as in Ulster, as a whole may not voluntarily prefer to join rather than hold aloof from a great national restoration?

In one of his 1893 Home Rule speeches, Mr. Gladstone reminded the House of Commons, with impressive power, of the splendid reception given in 1793 to the Protestant delegates from Grattan's Parliament at Dublin, who had come to plead for the concession of their rights to the Catholics of Ireland.

It was the Act of Union that destroyed all that generous feeling, and revived again the passions of ascendancy and fanaticism among the Orangemen of North-east Ulster.

But the old, generous feelings may yet return again.

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SOUTHERN ULSTER

The great majority of the Protestants in Ireland stand outside this ring. They have no more share in the good things than the average Catholic. Those men, Irishmen first and Protestants afterwards, are now taking their part in public life and earning their proper share in the rewards of public zeal.

The delegates of the Eighty Club made a special public appeal for information as to cases of religious intolerance. They received a great many responses to this appeal, but it is hardly any exaggeration to say that they found no genuine cases of religious intolerance outside the North-east corner of Ulster, where they received some conspicuous examples of the religious persecution of Liberal Protestants by their Orange co-religionists.^[49]

Journeying southwards, however, the Eighty Club delegates passed with every mile into a serener atmosphere. They received deputations at every wayside station from the public bodies in the south of Ulster. These presented documents stating the bare facts as to the representation of these two forms of the Christian religion—so often, alas! belying the doctrine of Christian love by the practice of mutual hatred—on their public bodies. They found, for instance, in Monaghan, a predominantly Catholic town, that seven seats on the local Council went to the Unionist and Protestant Party, a considerable concession from a majority large enough in numbers to pack the whole of the council if they so desired. That little town might give a good lesson to some of the boroughs of our great county of London, where it is an almost universal practice for either party to seize the whole of the seats if they are capable of doing so.

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Take one more instance in that district—out of the many—in the town of Cavan, a preponderantly Catholic borough. There, out of twenty-three candidates at the last election standing for eighteen seats, four Unionists were elected by a similar method of compromise. Where is the evidence of the Orangemen in their strongholds meting out similar measure to the Catholics?

Passing further south they found that although the great majority of the public bodies was naturally Nationalist and Catholic, there was no sign of that spirit of rigid exclusiveness extended towards the Catholics by the Protestants in the city of Belfast. Of course, a large number of the Protestant officials found so frequently in the service of these public bodies are appointed in Ireland by the Crown, and not, as in England, by the local authorities. But the Protestants are not confined to those offices. Dublin has several times freely elected a Protestant to the Lord Mayoralty of that city. In other parts of southern Ireland the Eighty Club found Protestants as masters in the county schools, surveyors of taxes, local registrars, clerks of the works, rate collectors, and public librarians. The Catholics on the local bodies recognise that the Protestants in the south possess, owing to their superior advantages in education, a great proportion of the brains, and they are not slow to do justice to this fact in filling public posts.

In regard to elections, let us be quite candid. It is not to be expected that an Irish elector will return at the head of the poll men who hurl abuse and calumny at the Irish race and at the religion held by the great majority of the Irish race. Treachery to one's cause and one's faith is not required by any proper doctrine of tolerance. Surrender is not the same thing as compromise. We do not, for instance, expect in England that a Unionist constituency should return a Liberal, or a Liberal constituency should return a Tory. We expect men to live up to their faith, and even admire them for doing so. In Ireland, similarly, Nationalist voters, as a whole, prefer Nationalist

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members, and will continue to do so until this great issue of Home Rule is settled.

CHANCES OF PEACE

But when a Unionist or a Protestant comes forward with a single eye to the public good, and displays in public affairs a broad and generous spirit, he finds no difficulty in securing his place in public life. In county Cork and Tipperary we found Protestant landlords who had sold their estates. Having ceased to be rent collectors, they are becoming real leaders of their people. These landlords are reorganising co-operative societies, encouraging agricultural experiments, looking after schools, and helping generally in the regrowth of Ireland with a real good will. Many of these men are Devolutionists. Take, for instance, Sir Nugent Everard, the public-spirited squire who, with great enterprise, enthusiasm, and perseverance, is reviving that old Irish tobacco industry which once played so big a part in the prosperity of Ireland. Sir Nugent Everard is a Protestant, but he has been elected to his county council. On that council, too, he has been appointed chairman of several committees by his Catholic fellow county councillors.

There is, indeed, at the present moment throughout the south of Ireland a new spirit of willingness, amounting almost to eagerness, to accept the services of all distinguished Protestants who will work for the common good of Ireland. That is not at all surprising when we remember that the Irish Party have, in the past, numbered among their leaders at least three distinguished Protestants—Grattan, Butt, and Parnell—and at the present day always return a steady percentage of Protestant representatives to the Imperial Parliament.^[73]

The plain fact is that, except in the north-east corner, religious intolerance is a dying cause in Ireland, and even in Belfast it is mainly kept alive by artificial respiration frequently administered by English Unionist leaders.

Every phase of Irish life is expressed in Irish humour. Two Irish stories commonly related to-day in the south really throw some light on the change of feeling in Ireland. One is that of a Protestant parson in the south who found that the Bishop was about to visit his parish for a confirmation. But, unhappily, it so happened that there were no young people to confirm. The parson was in despair. After long reflection, he took a great decision. He went across to the Catholic priest and described his unhappy plight. "Indeed," he said, "I shall be a ruined man." "Sure," said the priest sympathetically, "I will lend you a congregation." "How will you do that?" said the parson. "Faith! I'll tell the boys and girls to go across." And the story relates that when the Bishop came down he actually found the church full of "boys and girls" who, for the moment, figured as Protestants.

The second story comes from Ulster, and seems to show that there is some softening even in the rigour of that climate. It is said that "once upon a time," when July 11th came round one of the Orange drummers found that on the last occasion he had broken his drum, and could not get it mended. Finding himself faced with disgrace, he wandered through the town after a drum, and finally found himself looking at a very beautiful specimen of its kind standing in a Catholic schoolroom. After much heart-searching, the Orangeman at last went in, and timidly told the Catholic priest the extremity of his Protestant need. "You shall have the drum," said the priest; "but you must not break it this time." And so, on that condition, the drum was handed over.

Perhaps if such relations were to become more common the drums would actually beat more softly in the north of Ireland.

FOOTNOTES:

[47] Take the facts given by Mr. John J. Horgan, in his interesting pamphlet entitled "Home Rule—A Critical Consideration":—"In a country of which three-fourths of the population are Catholic there has not been a Catholic Viceroy since 1688. There never was a Catholic Chief Secretary. There have been three Catholic Under-Secretaries. There have been two Catholic Chancellors. In the High Court of Justice there are seventeen Judges; *three* of them are Catholics. There are twenty-one County Court Judges and Recorders; eight of them are Catholics. There are thirty-seven County Inspectors of Police; five of them are Catholics. There are 202 District Inspectors of Police; sixty-two of them are Catholics. There are over 5,000 Justices of the Peace; a little more than one-fifth of them are Catholics. There are sixty-eight Privy Councillors; eight of them are Catholics.

"Let us now consider some of the large Government Departments. Take the Local Government Board. This body consists of two elements—the nominated and highly paid officials and those who secure admission through competitive examinations. From the latter class Catholics cannot, of course, be excluded. The permanent Vice-President is to all intents and purposes the Local Government Board. He is a Protestant and a Unionist. Of the three Commissioners, two are Protestants, one a Catholic. On the permanent staff we find forty-seven nominated officials, thirty-four of whom are Protestants: and the balance of thirteen Catholics. The thirty-four Protestants draw an average yearly salary of £653 13s., while the average yearly salary of the thirteen Catholic officials only amounts to £580. On the permanent staff created by competitive examination the story is

very different. Here we find forty-three Catholics and twenty-five Protestants. Brains and ability could not be kept out. But what about their remuneration? The average salary of the forty-three Catholics amounts to £207 13s. 6d., while that of the twenty-five Protestants is £304 8s. Can any sensible man believe that there is no favour here?"

- [48] The result is that since 1906 Ulster has been half Nationalist in its Parliamentary representation. Taking the last three General Elections together, the Nationalists have nearly an average hold over half the seats in Ulster:—1906: Nationalist and Liberal, 17; Unionist, 16. 1910 (January): Nationalist and Liberal, 15; Unionist, 18. 1910 (December): Nationalist and Liberal, 16; Unionist, 17. And yet people talk as if Ulster was entirely Unionist!
- [49] Many of these experiences were narrated to me personally by the sufferers, and consisted of boycotting in religion, trade and social life.
- [50] There are now eight Protestants among the Nationalist Party. The directors of Maynooth College told us that the two best friends of their college were Burke and Grattan. A portrait of Grattan hangs in their hall. It was, too, a Catholic Corporation that re-gilded the statue of William III.—William of Orange—at Dublin.

[75]

HOME RULE DIFFICULTIES

ROME RULE *or* HOME RULE?

"There is a principle on our part which must ever prevent (Catholicism being established) in Ireland. It is this—that we are thoroughly convinced that it would be the surest way of de-Catholicising Ireland. We believe that tainting our Church with tithes and giving temporalities to it would degrade it in the affections of the people."

O'CONNELL.

"I want soldiers and sailors for the State; I want to make a greater use than I now can do of a poor country full of men. I want to render the military service popular among the Irish; to make every possible exertion for the safety of Europe ... and then you, and ten other such boobies as you, call out 'for God's sake, do not think of raising cavalry and infantry in Ireland....' They interpret the Epistle to Timothy in a different manner from what we do!"

[76]

"'They eat a bit of wafer every Sunday, which they call their God!' ... I wish to my soul they would eat you, and such reasoners as you are!"

SYDNEY SMITH
(Peter Plymley's Letters).

CHAPTER VI.

HOME RULE DIFFICULTIES

ToC

Those who watch closely the exploitation of the religious cry against Home Rule will have observed that its exploiters always endeavour to make the best of both worlds. One world is expressed in the phrase, "Home Rule means Rome Rule." The other by the watchword, "Priest-ridden Ireland." Those who use the first of these cries are always trying to persuade themselves that the gift of Home Rule will increase the power of the Catholic Church in Ireland and produce a kind of religious tyranny over the Protestant minority. How that could be done under a measure so carefully safeguarded as, for instance, the Bill of 1912,^[51] they never condescend to tell us. It is part of their policy never to enter into details, but to produce a general atmosphere of distrust and unreason.

But it is often these very same people who draw terrible pictures of the power of the Roman Catholic Church already existing in Ireland at the present moment. They do not explain how both of these propositions can be true—how, if Ireland is already "priest-ridden"—a superlative phrase—without Home Rule, there is any room for an increase of that evil under Home Rule. They never seem to contemplate the possibility that the proper and natural corrective to the power of the priest, if it be excessive, is the creation of a strong rival civil power.

Is it, indeed, so certain that "Home Rule" would increase the power of Rome in Ireland? I have even heard it said that the Home Rule cause finds its headquarters at Rome, and that it is part of a gigantic conspiracy of the Vatican to break up a Protestant Empire. Do those who reason thus ever reflect how it is that the English Catholics are often among the most formidable opponents of the Home Rule cause? [78]

Why are the English Catholics so often opposed to Home Rule? The answer was given by Cardinal Manning in the famous phrase quoted by Lord Morley: "We want every one of their eighty votes."

UNIONISM AS "ROME RULE"

Those who fear Home Rule as "Rome Rule" in Ireland had better, indeed, examine themselves as to whether their action in defeating the Home Rule Bill of 1893 has not, so far as it goes, led to this very same effect in England. It must never be forgotten that it was with the help of the 80 Irish votes, pressed back to Westminster by the Irish Bishops in sympathy with the Catholic Bishops in England, that the British Parliament passed those clauses of the 1902 Education Act which are most offensive to English Nonconformists. Dr. Clifford has coined the expression "Rome on the rates." It is not, perhaps, a phrase that tells the whole story. We cannot forget how many of the poorer Catholics in our great cities are the descendants of the unhappy Irishmen who were evicted between 1840 and 1880 from the cabins of Ireland. Those poor exiles have a special call on our purses. But Anglicanism—rich Anglicanism—has also been placed on the rates. It has been placed there through a working alliance between the English Church and Rome, carrying out its aims by means of the votes of the Catholic Irish members. Those members only acted up to their principles in so voting. It was Great Britain that compelled them to remain as full voters in full strength at the British Parliament. As long as they are there the Irish must be expected to vote for the interests of their own religion and their own people. But what of the sincerity of the people who, after using the aid of the Irish to endow the Catholic and Anglican schools in England, now raise this outcry about "Rome Rule" in Ireland? [79]

It is vital, indeed, to point out that in these matters Home Rule for Ireland is the only possible road to Home Rule for England also. Under the 1912 Bill the Irish vote at Westminster is reduced to 42, and will, if English self-government be also extended, be excluded from education altogether. Thus the first plain and practical result of Irish Home Rule would be not so much to give the Roman Catholics more power in Ireland as to give the Protestants more liberty in England. But who can doubt that it would also introduce a new element of civil power into the schools of Ireland?^[52]

NATIONALISM AND RELIGION

As to Ireland itself, indeed, there can be no doubt that the great national wrongs of the Irish people have immensely strengthened the hold of the Roman Catholic Church over that island

during the last century.

Let us look back for a moment at the historic relations between Roman Catholicism and the Irish National cause.

No doubt the iron hammer of Cromwell—in England the rebel, in Ireland the conqueror—and the long torture of the penal laws both contributed to weld together the religious and political faith of Ireland. During those dark days, Nationalism and Catholicism were almost identical terms. It has been shrewdly remarked that Henry VIII. and Elizabeth might probably have converted Ireland to Protestantism if they had preached the reformed faith in the Irish language. However that may be, it is quite certain that Protestantism stood throughout the eighteenth century as the sign and uniform of the conqueror and the devastator. Catholicism remained as the hope and sign of the conquered. Any Irishman who became a Protestant was naturally suspected of being a traitor, not merely to his religion but also to his nation. [80]

Yet at the end of the eighteenth century the British Government had a great opportunity of dividing the national from the religious cause. Grattan's Parliament, with all its brilliancy and efficiency, was, after all, a Parliament from which every Catholic was excluded. That Parliament, indeed, as we have noted, granted the franchise to the Catholic peasant and abolished the penal laws. But it was part of the policy of the British Government to show that Grattan's Parliament could not grant Catholic emancipation in its full sense. The grant was to be kept as a bribe by which to achieve the policy of the Union. Anyone who reads the story in the pages of Lecky[53] must see how that motive ran like a sinister thread throughout the whole working of British policy from 1795 to 1800.

Well, that policy succeeded only too thoroughly for the time. Among the various forms of bribery which induced the Irish Parliament to give a vote for the Union at the second time of asking, the gift of money and titles were, perhaps, less powerful than the offer of Catholic emancipation. Recent researches have shown that that offer led to the conversion of Bishops and their clergy throughout the whole of Ireland, besides winning over the great body of Catholic Peers. [81]

It is now known, indeed, to be the fact that the British Government actually induced the Vatican to bring pressure upon the Irish leaders and the Irish bishops in order to achieve their object. It is almost certain that unless that offer had been made, and unless the Catholic Party in Ireland had been informed that the Act of Union was the inevitable price for Catholic emancipation, Lord Castlereagh would never have succeeded in closing the Irish Parliament.[54]

That bargain was broken. It is unhappily the case that the British Ministers must have given their pledge to the Catholic Party in Ireland with the conscious knowledge of their inability to carry it out. For over them all was their King, George III., still with the Royal privilege of dismissal for his Ministers, and resolutely, fiercely resolved not to grant Catholic emancipation. Pitt relieved his conscience by a two-years' resignation, but he returned to Parliament without achieving his pledge. For another thirty years the struggle went on. It is the Duke of Wellington himself who has handed down to history the testimony that Catholic emancipation was only finally granted in 1829 in order to save Ireland from a second rebellion.

It is that record that has driven Ireland into the arms of Rome, and who can wonder?

England has now only paid the price of that great betrayal of 1800—a betrayal almost as great as the broken treaty of Limerick. Those who read the story of 1800 to 1830, and especially the brilliant sketch of O'Connell's life in Lecky's "Leaders of Irish Public Opinion," will know that it was in the course of this prolonged struggle for Catholic emancipation that the forces of religion and politics were first thrown into close alliance in Ireland. It was not until after 1820 that the Catholic priest took the place of the Irish landlord, and became what he was throughout most of the nineteenth century, the political leader of his district. It was O'Connell who first carried out that great revolution in political strategy. It was he who first placed the flocks of the Irish people under the guidance of shepherds who carried the crook and not the rent-book. If the Home Rule movement has been assisted by religious fervour, that has been the fault of British statesmen. If the Irish have stood apart from the rest of Europe by a steadily deepening loyalty to their faith, the reason is largely to be found in the British policy of 1800. [82]

ROME AND HOME RULE

What is the moral of all this? Some of the Unionists themselves give a shrewd though cynical comment on the situation when they suggest, in the intervals of crying "Home Rule means Rome Rule," that probably the Roman Catholic priests have no great zeal for Home Rule. I do not, myself, for a moment believe that that is the case. The Roman Catholic priests of Ireland have themselves been elevated and purified by the great struggle, both social and political, through which they have passed. They stand apart from the rest of the priesthood of Europe, distinguished above all others by their deep and strong democratic sympathies. When all others deserted the people of Ireland in the black times of the '98 Rebellion, in the dark and evil days of the famine of 1847, or through the murderous retaliations that followed, the Irish priesthood stood staunchly by Ireland. Those who remained faithful then are not likely to desert the cause of their people now that it is on the verge of success. A broader and more enlightened view of the future was expressed to me by that distinguished man the Vice-president of Maynooth College, [83]

when he said:—"We do not expect any direct gain for our faith, but as Irishmen we are with Ireland, and as Catholics we cannot but believe that the prosperity of a Catholic nation must redound to the glory of Catholicism." That is the view of a good Catholic who is also a good citizen.

But though we may believe in their resisting power to this great temptation, we must remember that the failure to settle the Home Rule question would give to the bishops and priests a great power in Ireland. They would remain the great, pre-eminent centre of national authority. Look at their position now. They are public men; they are allowed, without envy or opposition, to maintain an unchallenged control over the schools; they have a voice in all great public decisions of policy, even in regard to such matters as old-age pensions, insurance, or agriculture. The present position plays into their hands. "Rome Rule" is far more powerful without "Home Rule."

So much for the Irish clergy. But what of Rome itself? Looked at from the distance of the Seven Hills, and viewed from the standpoint of a Church that contemplates all forms of human government with equal indifference, always regarding only the good of their Church, is it not possible that the acute diplomatists of the Eternal City may think that they stand to gain more by prolonging than by satisfying the present hunger of Ireland? At present Rome holds Ireland in fee. As long as Ireland possesses no strong secular central power she must always lean on the authority of her bishops and archbishops. But Rome thinks probably more of the 40,000,000 people of Britain than of the 4,000,000 of Ireland. As long as England persists in holding Ireland in bondage she must pay to Rome some compensation. The eighty votes at Westminster are still doing the work which Cardinal Manning required of them. Is it likely that Rome is so beset with anxiety to drive them across the Channel? Is it altogether unlikely that some of the more shrewd Italian or Spanish diplomatists at the Vatican—advised, perhaps, by their English bishops and dukes—may hope to affect the issue rather in the Unionist than in the Home Rule direction? Such suspicions may be entirely baseless, but it will be impossible to disregard them entirely during the events of the next few years.

It would not be the first time, nor the latest since Castlereagh, when the extreme Protestant Unionists of this country conspired with the Tory Ultramontanes of the Vatican to traffic away the liberties of Ireland.^[55]

Amid all these doubts and perplexities we shall be wise to stick fast to the central doctrine that civil liberty and religious liberty stand together. This is the one truth that emerges from the history of Europe during the last three centuries. Wherever we look—whether in Germany, France, Holland, Scotland, or England—we see that these two rights have always gone hand in hand.

Is there, indeed, a single instance in human history when the grant of civil liberty has led to the forging of religious chains? Look to the West, and note how, in the freest countries of the world—in the United States and Canada, where there is not even a shadow of an establishment for any form of religion—every kind of human faith lives together in simple human brotherhood, and draws from that brotherhood new food for the refreshment of mankind. In Ireland the one reason why the religious quarrel has been maintained is to be found in the absence of civil liberty. At every crisis of Ireland's fate the passion of religious hatred has been worked—then as now—in order to prolong civil and political despotism.

May we not be sure that Home Rule, instead of strengthening this evil tendency, will weaken it? May we not be equally sure that it will take no blood or muscle from the cause of true religion, certain to flourish with greater richness and power where Christian love prevails?

Is it possible, in short, that in Ireland alone, of all countries, freedom should mean persecution? On the contrary, is it not far more likely that Home Rule for Ireland will mean neither Rome Rule nor Orange Rule, but the "rule of the best for the good of all"?

FOOTNOTES:

[51] See [Appendix A](#) for the text of the Bill.

[52] The priests have now practically complete power of dismissal over the elementary teachers in the Irish schools. The only appeal is to the Bishops.

[53] In his "History of Ireland in the Eighteenth Century." That book is one of the most conscientious pieces of work in all modern historical literature. It should be read by all who wish to gain a thorough understanding of the Irish problem.

[54] See a very interesting pamphlet entitled "The Closing of the Irish Parliament," by John Roche Ardill, LL.D. (Dublin). Dublin: Hodges, Figgis and Co. Price 1s. 6d.

[55] For instance, it was by a Unionist intrigue at the Vatican that the Pope was induced to denounce the "Plan of Campaign," and to restrain the agitation among the Irish priests.

HOME RULE IN HISTORY

FIVE CENTURIES OF LIMITED HOME RULE (1265-1780)

"You parade a great deal upon the vast concessions made by this country to the Irish before the Union. I deny that any voluntary concession was ever made by England to Ireland. What did Ireland ever ask that was granted? What did she ever demand that was not refused? How did she get her Mutiny Bill—a limited Parliament—a repeal of Poyning's Law—a Constitution? Not by the concessions of England, but by her fears. When Ireland asked for all these things upon her knees, her petitions were rejected with Percevalism and contempt; when she demanded them with the voice of 60,000 armed men, they were granted with every mark of consternation and dismay"

SYDNEY SMITH.

[88]

CHAPTER VII.

HOME RULE IN HISTORY

[89]

ToC

What is the fact of Irish history vital to our present cause? Surely it is this, that up to the year 1800—the year of the Act of Union—Ireland had possessed for practically five centuries a Home Rule Government in some shape or form. In other words, self-government had been the rule and not the exception throughout the centuries preceding 1800. This is a complete and sufficient answer to those who argue that the supporters of Irish Home Rule are making a proposal of a completely novel and revolutionary kind, without precedent in the history of the Western world.

As a matter of plain fact, it was the framers of the Act of Union who were the revolutionaries, and it is the supporters of Home Rule who are returning to the ancient paths. The Home Rulers have five centuries behind them, as against the one century behind the Unionists. From the days of Simon de Montfort^[56] the Irish Parliament developed side by side with the English, growing with the growth of English rule in Ireland, and varying with its limitations. Its powers, indeed, were placed under a grave and serious limitation by Poyning's Law, passed in the reign of Henry VII.,^[57] and strengthened in the reign of Mary Tudor.^[58] They were for a brief time entirely taken away by Oliver Cromwell, who was, strangely enough, the first great Unionist ruler of Ireland. Restored by Charles II., the Irish Parliament was again limited in power by the Government of George I.^[59] But in 1782 it broke through all these limitations, and became for a short brilliant period a fully self-governing Parliament.

[90]

We have thus the illuminating fact that, with one single exception—and that an example eminent in English affairs, but certainly not to be followed in Irish—every great English ruler and monarch governed Ireland under a distinct Irish Home Rule Parliament up to the year 1800. If Home Rule is so certain to be ruinous to Empire, how, we may well ask, did these rulers build up the British Empire? How did Marlborough and Clive, Chatham and Walpole, do their great world-work with an Irish Parliament behind them? The answer is, of course, that they did it better, and not worse, because Ireland was so far satisfied with her fortunes as to be willing to put her full

force into the struggle for Empire.

For as long as Ireland possessed a Parliament she always possessed hope.

[91]

THE UNION CENTURY

As against these five centuries, we have one century of Irish rule under a united Parliament—1800 to 1911. One against five. But as the one is more recent, we have here not a bad provision of material for an answer to the question: "Which has proved in the past the best way of governing Ireland—Union or Home Rule?"

In regard to the century of Union, the record lies before us, open and palpable, a tale of disaster and tragedy almost without parallel in the modern history of the world. We see in the statistics of Irish population, of Irish disease, of Irish poverty during the nineteenth century^[60] a black picture of material decay that literally "cries to Heaven" for redress.

Side by side with these statistics, too, we have others to clinch the evidence which traces the cause to the Act of Union. For the nineteenth century was no century of decay. On the contrary, in almost every other Western country, and especially in countries of the same racial and religious fusion—in the United States, in the United Kingdom, and in the British Colonies—the nineteenth century was a period of rising population, advancing commerce, and abounding prosperity.

Nor is it the fact that British Ministers had any deliberate malice against Ireland. On the contrary, many noble Englishmen worked themselves grey during the nineteenth century in their efforts to make the best of the Union system. Viceroy after Viceroy, and Chief Secretary after Chief Secretary, have gone to Ireland full of hope, and have come back converted reluctantly to the admission that their efforts have been in vain and their work wasted under the present form of Government.^[61]

[92]

"For forms of government let fools contest;
Whate'er is best administered is best"

sang Pope. But there are some forms of government so bad that they cannot be well administered. Among them is the form of government established under the Act of Union.

Unionist writers who are honest enough to admit the decay of Ireland between 1800-1900 attempt to trace it to any other cause than the Act of Union—to over-population, to the Catholic religion, to the Irish character, or even to the potato. But they labour in vain. If Ireland stood alone, they might succeed. But it does not stand alone. Precisely at the time when Ireland was decaying, all other Western nations were flourishing. Precisely when the Irish race was withering in Ireland, the same race, with the same religion and the same national characteristics, was prospering exceedingly in America, and was even contributing much of the power, skill and value for building up the white British Colonies.

Unvarying progress on one side—on the other, unvarying decline, until checked by the willingness of England to listen to the voice of Ireland. What evidence could you have more convincing, what witnesses more eloquent?

Perhaps, indeed, the most convincing statement of this very case was given to the world, not by an Irishman or by any Liberal statesman, but by the great Lord Salisbury. Speaking in 1865 as Lord Robert Cecil, he uttered the following wise and statesmanlike summary of the policy of the Union up to that date:—

[93]

"What is the reason that a people with so bountiful a soil, with such enormous resources (as the Irish), lag so far behind the English in the race? Some say that it is to be found in the character of the Celtic race, but I look to France, and I see a Celtic race there going forward in the path of prosperity with most rapid strides—I believe at the present moment more rapidly than England herself. Some people say that it is to be found in the Roman Catholic religion; but I look to Belgium, and there I see a people second to none in Europe, except the English, for industry, singularly prosperous, considering the small space of country that they occupy, having improved to the utmost the natural resources of that country, but distinguished among all the peoples of Europe for the earnestness and intensity of their Roman Catholic belief. Therefore, I cannot say that the cause of the Irish distress is to be found in the Roman Catholic religion. An hon. friend near me says that it arises from the Irish people listening to demagogues. I have as much dislike to demagogues as he has, but when I look to the Northern States of America I see there people who listen to demagogues, but who undoubtedly have not been wanting in material prosperity. It cannot be demagogues, Romanism, or the Celtic race. What then is it? I am afraid that the one thing which has been peculiar to Ireland has been the Government of England."^[62]

Nothing has occurred since 1865 to vary that judgment.

THE HOME RULE FIVE

So much for the one century of Union. What about the five of Home Rule?

"Were there no black centuries before 1800? Had Ireland no grievances? What of the 'curse of Cromwell,' the broken 'Treaty of Limerick,' and the penal laws?"

Thus I shall be challenged.

There were, indeed, black centuries before 1800, and black events. Ireland endured a special share of the agony inflicted upon Europe by the great religious struggles of the sixteenth and seventeenth centuries. She suffered, perhaps, more than any other country from the divisions of Christian Europe following on the revolt of Luther against Rome in 1520. The statutory limitations of the Irish Parliament during that period led to many interferences from England, and the gradual exclusion of Catholics divided the Parliament from the Irish nation. The artificial infusion of a fanatical Protestant population by James I. and Cromwell produced a terrible embitterment of the struggle. There were crimes on both sides, and calamities beyond telling. But, with all that, it is still to be doubted whether any of those centuries presents such a picture of national decay, both industrial and social, as is presented by the Ireland of the nineteenth century. [94]

For through the blackness of that night the Irish Parliament always shone like a star. Ireland grew with its growth, and withered with its decay. Precisely as she had more Home Rule she advanced, and precisely as she had less she fell back. But as long as the Parliament existed at all it could never be said that the final spark of liberty had been stamped out.

Even in the eighteenth century, when Catholic Ireland seemed to be crushed, and Ireland lay supine beneath the double weight of the penal laws and the commercial restrictions of England—an Ireland pictured for all time by the keen, merciless pen of Dean Swift—still the vestal flame was not quite extinguished. Captured by ascendancy, dominated by fanaticism, narrowed to one faith, or even to one section of that faith, the Irish Parliament still always provided a framework and machinery for a possible moment of regeneration and recovery.

That moment came in 1782—came, unhappily both for England and for Ireland, in such a form as to seem to justify the hard saying—"England's danger is Ireland's opportunity." [95]

The story of 1782 has been told with surpassing brilliancy in the greatest of all Mr. Lecky's books—the darling of his youth and the worry of his old age—his "Leaders of Irish Public Opinion." [63] The disastrous and wasting struggle against our own kith and kin in the American colonies—forced on England by the folly of the same type of statesmen now resisting Home Rule—had reduced these islands to an almost defenceless condition. The British Army, intended for the defence of Great Britain, had been sent away into the forests and prairies of Northern America to fight an invisible foe, and to meet with a disastrous and undeserved defeat. But in their blind passion to subdue the Americans the British Government had for the moment forgotten Ireland. In their eagerness to conquer their colonies they had forgotten to maintain their hold on the half-conquered country at their side. The British troops had been withdrawn from Ireland as well as from England. At that dramatic moment France came into the struggle with her fleet, and Ireland, with her great harbours and her accessible coastline, could not be left defenceless. As Ireland had no British troops to defend her, it was inevitable that she should be allowed to defend herself.

Ireland, never slow in a fight, rose to this crisis. In a few months there sprang up throughout the country that wonderful movement of the Irish Volunteers. Ireland in a few weeks produced an army that kept Europe from her shores. Sixty thousand Irishmen stood to arms. Ireland could no longer be hectorated or bullied. She was, for the moment—for the only time in her history—mistress of her own fate. [96]

The American War came to its only possible end with the grant of American Independence. Great Britain turned to look to her own domestic affairs, and found herself face to face with the possibility of a second war. For Ireland, having once armed to resist Europe, refused to disarm until she received her liberty. The Volunteers, in other words, would not disperse except on the conditions that the Irish Parliament should become a reality. Poyning's Law was to be repealed. The right of legislative initiative was to be given back to the Irish Parliament, and England was to admit solemnly and categorically the right of Ireland to make laws for herself.

It was a tremendous demand, but the British Government had no choice except to yield. Exhausted with the American struggle, the British Ministers could not face a second war. The demands of Ireland were granted, and thus in a moment Grattan's Parliament, in the full panoply of armed strength, sprang into existence.

Well might Grattan exclaim, at the opening of that Parliament, in words that still send a thrill through every true lover of freedom:—

"I found Ireland on her knees. I watched over her with an eternal solicitude. I have traced her progress from injuries to arms, and from arms to liberty. Spirit of Swift! Spirit of Molyneux! Your genius has prevailed. Ireland is now a Nation! In that new character I now hail her! And, bowing to her august presence, I say, *Esto Perpetua*." [64]

FOOTNOTES:

- [56] The first real representative English Parliament, of course, was summoned by Simon de Montfort in 1265. Grattan was accustomed to claim "seven centuries" as the lifetime of the Irish Constitution; but in that, of course, he went back behind the days of a representative Parliament.
- [57] Poyning's Law was passed by the Irish Parliament, at Drogheda, in 1495, under the influence of Sir Edward Poyning, the Lord Deputy of Ireland to the Viceroy Prince Henry, afterwards King Henry VIII. The essential provision of Poyning's Law was that it secured all initiative in legislation to the English Privy Council, leaving to Ireland nothing but the simple power of acceptance or rejection. Ireland was thus left only a veto, though a veto is often a considerable weapon.
- [58] An Act in the reign of Mary forbade the Irish Parliament to alter or add to an Act of Parliament returned to her from England.
- [59] 6 of George I. made the Irish Parliament subordinate and dependent.
- [60] See [Appendix B](#).
- [61] Among the Viceroys converted of later years to Home Rule by experience of the present system of Irish Government may be named Lord Spencer, Lord Dudley, and probably the last Lord Carnarvon. The resignation of Mr. George Wyndham was due to the suspicion of his conversion.
- [62] Quoted by Mr. Stephen Gwynn, M.P., in his brilliant book "The Case for Home Rule." (Maunsel & Co., Dublin.)
- [63] See the essays on Flood and Grattan. (Longmans, 2 vols., 1903.)
- [64] Grattan, 16th April, 1782.

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HOME RULE IN HISTORY

GRATTAN'S PARLIAMENT

"To destroy is easy: the edifices of the mind, like the fabrics of marble, require an age to build, but ask only minutes to precipitate: and as the fall of both is an effort of no time, so neither is it a business of any strength. A pick-axe and a common labourer will do the one—a little lawyer, a little pimp, a wicked Minister the other."

GRATTAN (1800.)

"Yet I do not give up my country. I see her in a swoon, but she is not dead—though in her tomb she lies helpless and motionless, still there is on her lips a spirit of life, and on her cheeks a glow of beauty—

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'Thou art not conquered: Beauty's ensign yet

Is crimson on thy lips and in thy cheeks,
And Death's pale flag is not advanced there."

GRATTAN

(In the final debate on the Act of Union,
May 26th, 1800).

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CHAPTER VIII.

HOME RULE IN HISTORY

ToC

Grattan's Parliament was the first Parliament with full legislative authority possessed by Ireland since the time of Henry VII. It existed for nearly twenty years, and in that brief time it did a great work for Ireland. If we look for its epitaph we shall find it, strangely enough, in the words spoken in 1798 by the man who pursued Grattan's Parliament with his venomous hate, and finally compassed its doom—the famous Irish Chancellor, Lord Clare:—

"There is not a nation on the face of the habitable globe which has advanced in cultivation, in agriculture, in manufactures, with the same rapidity, in the same period, as Ireland."^[65]

But, great and splendid as was Grattan's victory, there were two points of weakness in the settlement of 1782, soon to be revealed by experience. One was that although the Irish Parliament obtained the right of legislation, the appointment of the Government and the Executive was still placed in the hands of the Irish Privy Council, and therefore of the British Central Government. That meant, in the end, that the British Government still possessed the leverage for recovering the powers of legislative initiative and legislative veto.

As far as Ireland possessed separate executive powers, she used them with loyalty and patriotism. Take, for instance, her finance. Ireland possessed, under the settlement, a separate Irish Exchequer, and the British Government could levy no war taxes in Ireland, except with the consent of the Irish Parliament. That gave to the Irish Parliament an immense power of checking and hampering England in her struggle against Napoleon. If we were to judge from some of the talk heard at the present moment, one would take for granted that Ireland must have refused all help to England in that struggle.

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On the contrary, the Irish Parliament voted sums freely to Pitt for the wars against France. The Irish statesmen would have no dealings with the English Whigs in their pro-French policy. Like that other great Irishman, Edmund Burke, Grattan was opposed to the spirit of the French Revolution. In that great European crisis Ireland showed herself what she really is—a nation inclined in all essentials to conservative rather than revolutionary ideas.

"CATHOLIC EMANCIPATION"

But it was the existence of a separate external executive, gradually limiting the legislative powers of the Irish Parliament, that finally brought out the gravity of the other signal defect in the settlement of 1782. That defect was the failure to effect a complete settlement of the Catholic question. For the Irish Parliament, even after 1782, was still confined to Protestants. Could any reasonable man call that a final solution of the problem of government in a country where four-fifths of the people were Catholics? With a truer foresight than Grattan, Flood desired that the Volunteers should refuse to lay down their arms until the Catholic question had been settled. But Grattan, still filled with that spirit of generous trust which has been the undoing of so many noble Irishmen, refused to use the military power for any further exaction of terms. He disbanded the Volunteers.

Grattan trusted that once the Irish Parliament was endowed with full powers, the Catholic question would settle itself. He could rely with certainty on his own Protestant followers. He persuaded them to repeal the penal laws. He prevailed upon them to extend the franchise to the Catholic peasant. Both those great reforms were passed through the Irish Parliament in the fulness of its strength and power, and the British Government were compelled to acquiesce. But there Grattan reached the limit of his authority. There was one more great step which had to be taken before the Catholic claims could be satisfied. It was necessary to concede the right to a Catholic, as to a Protestant, to sit in the Irish Parliament. When Grattan made that proposal, he

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found himself faced with new forces. The British Government and the Ascendancy Party in Ireland had already begun to regain their hold over the Irish Parliament. The forces of patronage and corruption were already at work.

If those had been the only powers Grattan might have defeated them. Neither he nor his admirers were perhaps wholly aware of what we now know to be the centre of this resistance—the dogged, almost insane, obstinacy of George III. Pitt indeed had already lost his earlier reforming zeal. The shadow of the French struggle had already fallen across his path, and had already shaken his early faith in freedom and progress. But if Pitt had been left alone he might still have done justice. It was George III. that lost us the soul of Ireland, as he lost us both the body and soul of North America.

There were, indeed, moments in those difficult days when the British people seemed to realise dimly the wisdom of what Burke saw to be the wisest British fighting policy—the policy of rallying Catholic Ireland against revolutionary France. There was, for instance, the mission of Lord Fitzwilliam in 1795—a Whig mission extorted from Pitt against his will, due to a Parliamentary complication, and backed from London with but half-hearted support. That famous mission which sent through Ireland such a strange, sad thrill of hope, soon closed in mist and darkness. Lord Fitzwilliam went to Ireland, as many Englishmen have gone since, with the intention of doing justice. He was thwarted, like most others, by the resistance of the local Ascendancy Party, fighting doggedly for the remnants of its power. It was the place-holders of Ireland who, intriguing with the Ministry in London, led to the recall of Lord Fitzwilliam.^[66]

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For that party was then playing the same part as it is attempting to play to-day. They were playing then, as ever since, on the nerves of Protestant England. They were conjuring up the dread of Catholic power, and the terror of Irish disloyalty. Unhappily, in the confusions of the moment—the confusions of the French wars—they succeeded. By compelling the recall of Lord Fitzwilliam they wrecked the hopes of the Grattan Parliament.

For after 1795 that Parliament was practically doomed, and events moved rapidly to their climax. Grattan, thwarted in his policy, and unwilling to be responsible for a body over which he had no control, withdrew into retirement. The Irish Catholics, feeling themselves again betrayed and deserted, relapsed all over Ireland into sullen indifference and detachment. The Protestant Parliament, deprived of their leader, swung more and more towards the Ascendancy Party. Even so, indeed, the virtue of self-government continued to work. No Parliament has left a better record of good local work for the prosperity of its country than Grattan's Parliament. From end to end of Ireland new industries had sprung up, and new life had been put into old industries. Ireland then was prosperous. Her exports had doubled. Her wealth was increasing. Her towns overflowed with life, and Dublin for the moment almost rivalled London in its brilliancy and its wit.^[67]

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THE GREAT REBELLION

This prosperity might have saved Grattan's Parliament but for a new movement which had crossed the two channels from France. It is doubtful whether the Catholics alone could have wrecked Grattan's Parliament. It was, curiously enough, the Irish Presbyterians of Ulster—our friends, the Orangemen—who sowed the seeds of revolt against the Protestant Parliament of 1782. It was they, in the combination known as the "United Irishmen," who started the movement that culminated in the Irish Rebellion in 1798. These Presbyterian Nonconformists had all been deeply affected by the doctrines of the French Revolution. They had for years past been agitating for a reform of the Irish Parliament on the lines subsequently adopted in 1831—chiefly by the abolition of the rotten boroughs. Grattan was with them, but again he was powerless. He was opposed, both in Dublin and in London, by the existing executives. Those executives now rested their power almost entirely on the members returned by those very same rotten boroughs. For ever since 1782 bribery had been going on, and as early as 1790 England had been rapidly buying back the hold she had lost in 1782. These being her weapons, it was not likely that the Irish executive was going to yield to the claims of the Irish Presbyterians. The Government resisted, and the movement of the Irish Reformers became more and more formidable.

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All these causes of unrest culminated in the Irish Rebellion of 1798—a horrible event, beginning with the lawlessness of the revolutionary Presbyterians in the north—lawlessness so feebly checked as to raise grave suspicions in regard to the attitude of the Irish Government itself towards a possible revolution. But the outrages of the Orangemen on the Catholics in Ulster, and the Catholic feeling of desertion by the Government, soon produced a far more terrible outbreak in the south. That practically culminated in a religious war between Catholic and Protestant. From that moment the Rebellion was marked by atrocities on both sides almost as terrible as anything which occurred in the French Revolution. The Rebellion was extinguished in blood and fire.

The period of exhaustion and despair that followed in Ireland was seized upon by Castlereagh and Pitt for destroying the Irish Parliament. An immense machinery of bribery and corruption, assisted by pledges that were broken and prophecies that failed, all working under the double shadow of rebellion and war, drove the Irish Parliament to reluctant suicide, and passed into law, both at Dublin and Westminster, the Union Act of 1800.

That great light of the Irish Parliament thus passed suddenly into darkness. The Chamber which had resounded with the eloquence of Flood and Grattan passed over to the money-changers, and ever since the clink of coin has taken the place of the silver voices of the Irish orators.[68]

AFTER THE UNION

The events of 1800 left Ireland, for the moment, prostrate under the heel of Great Britain. The last remnants of self-government disappeared with the absorption of the two exchequers in 1817. Although Ireland still retained a separate administration, that administration was not under the control of any self-governing authority. Out of the Dragon's teeth of the Union rose the sinister army of a new bureaucracy, recruited almost entirely by the enemies of Ireland, and for the most part even working with its guns trained against the hopes and aspirations of the Irish race.

The artificial stimulus given to agriculture by the French wars concealed for some years the greatness of the disaster. The population of Ireland continued to rise. The Irish landlords, indeed, had for the moment a strong motive to multiply their tenants, in the existence of the forty shilling freehold vote granted by the Irish Parliament. Holdings were sub-divided, and the cultivation of the potato encouraged an even larger population on a lower level of subsistence. This prepared the way for the great catastrophe of the Irish famine in 1847. It was that famine which brought out fully, for the first time, the tremendous calamity inflicted on Ireland by the destruction of her Parliament. [106]

For it was not that England showed any lack of sympathy in dealing with the Irish famine. It was indeed that event which finally converted Sir Robert Peel to the abolition of the Corn Laws, and, more even than the agitation of Richard Cobden or the speeches of John Bright, contributed to the final triumph of Free Trade. It was not want of sympathy that wrecked Ireland then. It was want of understanding. For it was only an Irish Government, living on the spot, and responsible to the people of Ireland itself, that could have risen to the great height of that tremendous emergency.

The monstrous human disaster that followed—the loss of 2,000,000 of population in twenty years—was the direct result of the destruction of all the means of prompt salvage and repair which could have been brought to bear only by a Home Rule Government.

During those calamitous decades another great evil emerged as a result of the Union. Many bad things have been said against the Irish land laws, and many of them are justified. But the Irish land laws in their old working were simply rather an exaggerated form of the very same laws that have survived in England right up to the present moment. Why is it that these laws proved intolerable in Ireland, and have yet survived up to the present moment in England? Simply because, after the passing of the Act of Union, they were aggravated by the great and terrible social evil of Absenteeism.

Even those bad laws could be made to work as long as there was a human relationship between the landlords and their tenants. Up to 1830, at any rate, there was a strong motive for that relationship. The victory of Catholic emancipation was a colossal triumph for the genius of Daniel O'Connell. It removed one of the worst surviving religious injustices in this kingdom. But in Ireland it was a victory of the tenant over the landlord, and it was achieved by a new alliance between tenant and priest against the landlord. While giving emancipation to the Catholics, the Act of 1830 also raised the level of the franchise, and abolished the forty shilling freehold vote, thus removing the landlord's motive for preserving the small tenancies. [107]

The result was that the Irish landlords as a class—always, of course, with many conspicuous individual exceptions—entered from 1830 onwards upon a new career of hostility towards their tenants, amounting to little less than a passion for revenge. Being, for the most part, both Protestant and Absentee, they lost all interest in their tenantry, except that of rent collectors. The Irish famine made matters far worse. For the famine deprived the Irish tenant, for the moment, of the power of paying rent. Not only so, but by reducing him to pauperism it turned him into a distinct and definite burden on the rates.

The Irish landlords then first conceived the idea that, by getting rid of the people, they could save their pockets. At the same time, they made the great discovery that beasts were more profitable than peasants. Hence the great clearances and evictions of the period between 1840-1870. Hence the cruel compulsory exodus of vast masses of the people of Ireland to the shores of America. Hence, finally, the bitter cleavage between landlords and tenantry which brought the whole land system of Ireland crashing into ruin.

These disasters had one good effect. They roused the Irish people from their indifference. The bitter proofs of mis-government shown by the breakdown of their land system brought home to every cottager the need of a Home Rule Government. The great agitations for land reform and Home Rule went on side by side—sometimes taking a form of violence, but more and more of orderly constitutional pressure—until in the seventies there emerged at Westminster a powerful Irish Party, too strong either for the neglect or the indifference of any British Government. [108]

ENGLAND'S NEED

It was impossible, indeed, for Great Britain to be indifferent, for she had suffered almost as much as Ireland. The hostility of the Irish Party formed a perpetual source of danger to her Governments, both Liberal and Tory, and a chronic source of instability in her administration. The democratic movement in England was continually weakened by the necessity of keeping Ireland down. That necessity largely broke the strength of the great reform movement of the thirties. It destroyed Sir Robert Peel's Government in the forties. It broke down the strength of Mr. Gladstone's Government in the eighties. Ireland and Irish affairs absorbed so much of the time of the British Parliament that the affairs of Great Britain herself were neglected. The old free and easy ways of the British Parliament were brought to a summary close by the obstruction of the Irish Party in the eighties, and the modern rules of compartment closure and strict limitation of debate were forced upon the Mother of Parliaments.

It was these consequences, quite as much as the sufferings of Ireland, that gradually converted a great body of the British people to the cause of Home Rule. That process was going on throughout the seventies and the eighties, and was brought to a climax by the conversion of Mr. Gladstone in 1886. Since then the cause which was so despised in the days of O'Connell has had one of the great English parties behind it, and has so steadily made its way in the favour of the British nation that it now stands on the threshold of accomplishment.

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What, then, emerges from this survey? It is that in returning to Home Rule as the mode of governing Ireland we are simply going back to the old and traditional method of Irish rule. It is also that, on surveying the past, we find not merely that Home Rule has often saved Ireland, but that always the wider and the more generous the form of Home Rule the more it has helped Ireland. The wiser course of accepting Irish advice in Irish affairs has always turned the tide of disaster, and brought the hope of a new happiness for Ireland. Surely here we have a convincing proof that the logical consummation of this policy by the restoration of Home Rule is the only means of bringing back Ireland to a full and secure enjoyment of lasting well-being.

FOOTNOTES:

- [65] For confirmation of this see Lecky's "Leaders of Public Opinion in Ireland," Vol. I., p. 120.
- [66] It is clear from Lecky's account that Lord Fitzwilliam's recall was due, not so much to any change of policy in London as to his action in dismissing Beresford, one of the most prominent figures of the Irish Protestant Party.
- [67] There is a very close and minute account of the growth of Irish prosperity under the Grattan Parliament in O'Connell's great Repeal speeches to the British Parliament in 1834. Between 1782 and 1797 the consumption of coffee in Ireland went up by 600 per cent., the consumption of tea by 84 per cent., of tobacco by 100 per cent., and wine by 74 per cent. All these figures ran down rapidly after 1800.
- [68] The Irish Parliament House, built in the eighteenth century, was, after the Act of Union, handed over to the Bank of Ireland. The House of Lords has been left intact, but special secret instructions were given that the Irish House of Commons should be divided into compartments in order that the memories of the Irish Parliament should be forgotten. Those instructions were carried out, and the Chamber of the Irish House of Commons ceased to exist.

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HOME RULE IN THE WORLD

THE CASE FROM ANALOGY

"I wish the Irish were negroes, and then we should have an advocate in the Hon. Baronet. His erratic humanity wanders beyond the ocean, and visits the hot islands of the West Indies, and thus having discharged the duties of kindness there, it returns burning and desolating, to treat with indignity and to trample upon the people of Ireland."

O'CONNELL.

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CHAPTER IX.

HOME RULE IN THE WORLD

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ToC

"Ah!" but I shall be told by Unionist critics who have followed me so far, "but the tendency of the world at present is all towards great empires and away from little states. You are reversing the process."

This will probably be one of the most frequent arguments that we shall hear during the present discussions. We shall, perhaps, have thrown at our heads cases like the absorption of Persia by Russia, of Tripoli by Italy, of Morocco by France, and of the Congo by Germany.

If we are to argue the matter on those lines it will be fair to point out, on the other side, that during the last decade Norway has separated from Sweden, new provincial and state governments have been created in Canada and the United States, new self-governing powers have been given to Cuba and the Philippines by the Americans in faithful and loyal adherence to their word at the time of the Spanish-American war, and, even more recently, new powers have been given to Alsace and Lorraine by the German Empire.

So the argument might go on, to and fro, each party pelting one another with cases from other parts of the world. Perhaps at that point it might be well to remember the grave and wise warning given us by Lord Morley in his "Life of Gladstone"—that each case of political re-adjustment really stands by itself, and that often little light can be thrown, but rather darkness deepened, by studying too closely the analogies from other communities.

Still, though the case of the relations between England and Ireland must always stand on its own merits, there are general tendencies in the world which come under law. There are certain lessons to be gathered from other countries which we should be unwise to ignore. The Greeks, who were great constitution builders, amused themselves in their later period by making immense collections of political specimens from among the Hellenic States. Doubtless their politicians derived some advantage from this practice of their philosophers.

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There are general tendencies, and those tendencies may be classified under the two familiar heads of (1) the tendency towards unity and (2) the tendency towards division. These two tendencies are always going on side by side in various parts of the world. But the puzzling part of political study is that very often what seems a tendency towards unity conceals a tendency towards division, and that what seems a tendency towards division is really a tendency to unity.

THE BRITISH EMPIRE

Take, for instance, the famous case of the British Empire. Any superficial observer from another clime or another planet might conclude from reading the records, that the tendency within the British Empire during the last century lay toward division. He would find on looking the matter up in any book of reference that the British Empire now includes nearly thirty Parliaments.^[69] He would discover that the powers of the central authority have been gradually waning until practically every great white community outside the United Kingdom has now complete control over its own local affairs. He might even be excused some astonishment if he discovered also that these communities placed heavy taxes on the imports of the mother country, and were in no degree restrained from doing so, and that there even existed a party in the home country who contended that that act of filial attention ought to be rewarded by special

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preferences to colonial imports at home. Perhaps he would be most astonished when he discovered that these colonies were now engaged in raising their own navies and armies, which might possibly in the future be used for purposes independent of the central control.

Pursuing his enquiries, he would discover that this country of Great Britain had conducted at great cost of life and money, less than ten years ago, a war to prevent the separation and secession of one great white community—that of South Africa—and that, having carried that war to a successful conclusion, the central government had followed up that war by granting to that great white community a strong central local government, with complete control of its local affairs. "You talk about the tendency to unity," he would say, "but have we not here a clear instance of division?"

To all of which we should reply, and reply correctly—"Not at all! The secret of our Empire is that we have found unity in difference. We have achieved the miracle of combination by means of division of power."

We should probably have some difficulty in persuading him of this truth. He might be some Rip Van Winkle, who had gone to sleep during the War of American Independence, and still derived from those days his notions of the right principles of colonial government. But if he conducted his enquiries further he would end by being fully persuaded. For what would he discover? He would find out that in spite of, or perhaps by means of, this principle of division the British Empire was now the most united Empire in the world. He would learn the amazing story, incredible to almost any other nation, of the great rally of colonial troops to the help of the Empire at the time of the Boer War. He would read of the periodical Imperial Conferences at the Centre in London. He would learn of the new drawing together now going on both in regard to foreign policy and military strategy. He would contrast all this with the spirit of the American Colonies between 1776 and 1782. He would look back, perhaps, to the beginning of this new era of self-government, and recall the memory of Canada in rebellion, of Australia in a state of permanent quarrel with Downing Street, and of South Africa in perpetual, recurring, chronic confusion and disorder. He would learn that before 1837 every white British colony was discontented,^[70] and that now every colony was loyal. He would contrast these two pictures of Empire. Perhaps, then, he would realise that the true secret of the strength of the modern British Empire lay neither in militarism nor Imperialism, neither in swagger nor bounce nor boasting nor pride, but in the gradual development of that amazing policy of generosity and goodwill which is best typified in the phrase, "Home Rule."

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It is Home Rule that has saved the British Empire up to the present. Is it not likely that it is Home Rule that will save her in the future?

"Ah! but"—again will come the cry of the critic of the narrow vision—"look at the South African Union. Is not that an instance of unionism as against Home Rule? Have we not there in this latest achievement a specimen of State authorities over-ruled by a central power?"

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In answer to that cry, I turn to the eighty-fifth clause of the South African Act, 1909. In that clause I find the following powers reserved for the local authorities of Cape Colony, Natal, Transvaal, and the Orange River Colony:—

- (1) Direct taxation within their provinces.
- (2) The right of borrowing money on their own credit.
- (3) All education other than higher education.
- (4) Agriculture.
- (5) Hospitals.
- (6) Municipal institutions.
- (7) All local works and undertakings within their provinces.
- (8) All roads and bridges within their provinces.
- (9) Markets and towns.
- (10) Fish and game preservation.
- (11) The right of fine and imprisonment, and
- (12) Generally all matters which, in the opinion of the Governor-General in Council, are of a merely local or private nature.

Ireland would not very much mind that kind of unionism!

The fact is, of course, that this instance of South Africa is a typical example of the principles of unity and division working at the same time. In regard to South Africa as a whole, the Union Act was a great and beneficent grant of Home Rule. It was the end of a long period of harassing interferences with the affairs of South Africa on the part of the Imperial Government at home, through its High Commissioner on the spot. That process is even now unfinished. It will probably in the end have to be brought to completion by the inclusion within the authority of the South African Parliament of countries like Rhodesia, and even, perhaps, of Basutoland.

But in regard to South Africa itself, the same Act was a case of true unionism required and necessitated by the conditions of the country. Before 1909 the South African states were suffering within themselves from excessive division of functions. They were quarrelling over railways and tariffs. They were unable to pursue any common policy or common aim. That perpetual division of functions weakened them in the presence of the world, and rendered them unfit for local guidance. We should have a similar situation in this country if England, Ireland, Scotland, and Wales were all under separate governments, with separate tariffs and separate policy. In that case the doctrine we should be preaching to-day would not be Home Rule, but Unionism. For these two tendencies throughout the world are like a see-saw. Both are required

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for efficient government. Both may be carried to excessive and exaggerated lengths. Our case in regard to the United Kingdom is that unionism has been carried to excessive lengths, and requires to be tempered by Home Rule.

For let any Unionist glance round the world outside the British Empire. He will find that the British do not stand alone in their trust in the Home Rule principle. Nearly every great Empire in the world rests upon Home Rule as its basis. Even Russia, perhaps the most centralised of all, has its provincial councils, known as the Zemstvos, and it was one of M. Stolypin's most daring actions that he even broke the letter of the Russian Constitution in order to strengthen the Zemstvos of Eastern Russia. Finland, too, a province of Russia, possesses a larger form of local government than is even being demanded by Ireland. It is a curious irony of the present situation that many of those Britons who refuse self-government to Ireland are most diligent in watching the action of Russia in relation to the powerful and—up to the present—almost independent Parliament of Finland.

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THE GERMAN EMPIRE

If we pass from Russia to the other great human combinations, we shall find the principle of Home Rule far more extensively and powerfully developed. Take China, a combination of 400,000,000 of human beings, now changing before our eyes from an absolute monarchy to a constitutional republic. But whether as a monarchy or a republic, China has always rested her rule on gigantic and almost autonomous provinces, under separate Viceroys. Those provinces have doubtless been subject to the same autocratic control as China herself, but with the change in her central government they will probably pass by an easy transition into Home Rule provinces. Or come nearer home to an Empire which most Englishmen imagine to be the most centralised in the world—the German Empire. That Empire rests upon a basis of twenty-six autonomous governments, varying from autocracies at one end to republics at the other. The German Empire contains within it every form and shape of human community, varying from sheer mediævalism to extreme modernism. But whatever the form or shape of these separate governments, they are all alike in having control over their own local affairs. Most of the great states of Germany still possess control even over their own railways. They have their own Parliaments, their own judges, and, in many cases, their own reigning sovereigns. It was part of the wisdom of the founders of the German Empire that they made no attempt to interfere with these local powers. They contented themselves with combining all those forces for common defence, including them under a common tariff, and giving to them a common vote for a common assembly at the centre. In other words, Germany rests upon the two principles of unity and division, and in that combination lies its strength.

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THE UNITED STATES

Or turn to the United States. There you have another of those powerful human governments resting on a basis of forty-six State authorities, each with its own legislature, and even with its own little army. Each of those state governments has control over such great matters as criminal and civil law, marriage and divorce, licensing, education, game laws, and the regulation of labour. They have the right to place a direct tax upon property. They have their own governors and their own ministries. And yet they all work harmoniously within the central authority of the Federal States. Probably by no other means could that great combination be held together.

AUSTRIA-HUNGARY

Or come back to Europe, and take the astonishing case of Austria and Hungary. There you have two countries of different race and different language, with different ideals, and with bitter memories of past strife lying between them. A generation ago it was a commonplace among all politicians that the Austrian Empire must break up. Yet it still holds together, and has recently shown itself capable even of aggressive action. The prophecy of decay is being pushed further and further forward, and Austria still remains the great Christian bulwark of Europe. How has that miracle been achieved after the terrible internecine struggles of the mid-nineteenth century? How is it that Hungary has forgotten the hangings and the butcheries of the sixties, and still works within the Austrian Empire? Why, simply by virtue of the principle of Home Rule.

Austria and Hungary, indeed, represent a far more extreme and daring instance of this principle than it is necessary to put forward in regard to Ireland. They possess distinct Parliaments and distinct ministries. Those Parliaments sit apart and legislate apart and neither possess any representation in the other. But they have, as we have already seen, their link, not merely in a common Emperor and King, but in a common body called the Delegations. There is the Austrian Delegation and the Hungarian Delegation, both consisting of sixty members, twenty

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from each Upper House, and forty from each Lower House. The delegations sit alternately at Vienna and Buda Pesth, and they deliberately and independently communicate their decisions by writing. But if after three such interchanges no decision is arrived at, then the whole 120 meet together and settle the matter by vote without discussion. They possess a common Minister for Foreign Affairs, a common Minister of War, and a common Minister of Finance. Count Von Aehrenthal, who has in late years produced so startling an effect on European politics, is the common Minister for Foreign Affairs for Austria and Hungary, two countries with distinct Parliaments.

INDIA

I return from this tour of the world back to the British Empire. Here, too, the principle of Home Rule has been working, not merely in regard to our white dominions, but during the last ten years even more daringly in regard to the countries of our black subjects. The great Indian Reform Act of 1909 has created in India what are practically the first beginnings of Home Rule Councils. Seven great provinces of India have now each of them Legislative Councils of their own, and on nearly all of these Councils the unofficial members are in the majority.^[71]

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The powers of these Legislative Councils are still very limited; but who can doubt that they will increase?

We are, in other words, faced with the fact that while Ireland has been waiting for Home Rule we have taken the first great step in granting Home Rule to India. Surely this is a fact that presents a new challenge to the reactionary Unionist of the United Kingdom. Does he really contend that Ireland is incapable of receiving the same liberties as we are granting to India? Or will he make the wicked and dangerous suggestion that we are only conceding these things to India by force from fear of disorder, and in that way threaten the happy peace of Ireland?

Surely the concession of Home Rule to India removes the last vestige of an Imperial argument against Home Rule for Ireland also!

Such are the results of a general survey at the present moment. They show that in proposing Home Rule for Ireland we are not rowing against the tide, but following the drift of a general law which is prevailing all over the world.

FOOTNOTES:

[69] See [Appendix K](#). This figure includes, of course, the Isle of Man and the Channel Islands.

[70] See the Letters of Lord Aberdeen quoted by Mr. Gladstone.

[71] The Governors of Madras and Bombay and the five Lieutenant-Governors each have Legislative Councils. Under the new scheme the Legislative Councils of the provinces are constituted as follows:—

Madras	48 members. 20 official.	26 unofficial. 2 experts.
Bombay	48 members. 18 official.	28 unofficial. 2 experts.
Bengal	51 members. 18 official.	31 unofficial. 2 experts.
United Provinces	49 members. 21 official.	26 unofficial. 2 experts.
East Bengal and Assam	43 members. 18 official.	23 unofficial. 2 experts.
Punjab	27 members. 11 official.	14 unofficial. 2 experts.
Burma	18 members. 7 official.	9 unofficial. 2 experts.

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"You gave £20,000,000 to the negroes or to their masters. Will you give £20,000,000 to the Irish?"

O'CONNELL

"The noble Lord, towards the conclusion of his speech, spoke of the cloud which rests at present over Ireland. It is a dark and heavy cloud, and its darkness extends over the feelings of men in all parts of the British Empire. But there is a consolation which we may all take to ourselves. An inspired King and bard and prophet has left us words which are not only the expression of a fact, but which we may take as the utterance of a prophecy. He says, 'To the upright there ariseth light in the darkness.' Let us try in this matter to be upright. Let us try to be just. That cloud will be dispelled. The dangers which surround us will vanish, and we may yet have the happiness of leaving to our children the heritage of an honourable citizenship in a united and prosperous Empire."

JOHN BRIGHT (1868)

CHAPTER X.

HOME RULE FINANCE

Home Rule finance is already the subject of a whole library of books and pamphlets, and there is some danger that the money question may occupy a place out of all perspective and proportion in the coming controversy. Men quarrel over money very easily, and some of the fiercest opponents of Home Rule still imagine that they can silence the Home Rulers by talking "money" at the top of their voices. But the Home Rulers must not be drawn into that net. They must refuse to view this matter as a question merely of book-keeping and accounts. They must remember always that the financial difficulty is simply another statement of the fact of Irish poverty, and that Irish poverty is due to the Act of Union. It is not any financial arrangement, but Home Rule itself, that will cure the difficulties of Irish finance.

On the one side, the English are being told that they are going to be bled white in order to please Ireland. On the other side, the Irish are being warned by their extremists that England hopes to undo the effects of Home Rule by a dowry of impoverishment. On both sides of the Channel the enemies of Home Rule hope to use this as a weapon to defeat the cause. Let us, therefore, keep our heads, and look at the problem calmly and sanely.

What is the present position in regard to Irish finance? It has totally changed since 1893. It follows, therefore, that the financial proposals of the 1886 and the 1893 Bills are of little value to us as a guide to the policy of 1912.^[72] In those days the British Government could cheerfully propose a fixed contribution of over £4,000,000 from the new Irish Parliament, as in the Bill of 1886, or an allocation of one-third of the general revenue of Ireland, for Imperial expenditure, as in the Bill of 1893. Lord Morley has told us that in 1886 Mr. Parnell was gravely disturbed over the finance proposals of Mr. Gladstone. We thought him unreasonable at the time, and perhaps a little mean. I can remember Liberals saying hard things about the Irish attitude in those days. But the events that have occurred since prove that Mr. Parnell, on that occasion, was only exercising his customary shrewdness. He saw to the root of the matter. He was evidently

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possessed with the fear that he might be saddled with a poverty-stricken Home Rule Parliament, and the course of events since 1886 has somewhat justified his fear.

THE NEW IRISH DEFICIT

For since 1886, two events have happened. The first has been that Ireland instead of being the creditor is now the debtor of England. The most recent Treasury estimate, as given by Mr. Asquith in his first reading speech on the Home Rule Bill of 1912 gives the true deficit of Ireland for 1912-3 at £1,500,000. I am aware that the Treasury estimates are open to many criticisms, which have been brilliantly stated by Professor Kettle in his handbook on "Home Rule Finance," [73] but for our present purposes we are bound to accept these figures.

What do they show? In the first place, they fully bear out the forecast of the Financial Relations Commission that the position of Ireland under the Act of Union would become steadily worse. We have probably not yet reached the bottom of the hill. Ireland is so poor that each new Act for the relief of poverty increases the disproportion between the expenditure of Great Britain and Ireland. There is no way out of that vicious circle. If England were to increase Irish taxation she would simply increase the poverty which she has to relieve. During the last fifty years, in fact, the British Government has had to give back in some form of relief an equivalent for almost every increase of taxation enforced upon Ireland. If Ireland cannot pay, England must pay. That means that unless Home Rule is given during the next twenty years Ireland will become an increasingly heavy charge upon Great Britain. [127]

In face of these facts, it is clear that Great Britain will be wise to "cut the loss." Considerable scorn has been thrown on the suggestion made by Professor Kettle and others that Great Britain should present Ireland with a dowry of £20,000,000 on the occasion of setting up a Home Rule Parliament. Mr. Kettle called it a "wedding present," to which Mr. F.E. Smith retaliated with some humour that it was really a "separation allowance." Mr. Kettle has since replied with even better humour that as Home Rule is the only true marriage between the nations his description is the more correct. This is all a pretty play of wit, but we must not allow it to conceal from us the fact that if John Bull deals generously with Ireland at this present moment he will be playing the part, not merely of a philanthropist, but of a good business man.

There are many ways in which this generosity can be shown. A big capital sum of money would probably be bad both for England and for Ireland. It would give Ireland a sense of dependence, and it would leave England with a sense of injury. There are many other better ways of making this financial adjustment. The charge which has turned Ireland into a debtor to England, for instance, is the £2,500,000 drawn from the Imperial Exchequer for Irish Old-age Pensions. The men and women who are receiving those pensions are the veterans of the famine period, and England has a special obligation towards them. [128]

The Home Rule Bill of 1912 provides that these old age pensions should be kept for the moment as an Imperial charge. That will be both a generous and humane provision.

Another proposal made by Irish financial reformers is that the Royal Irish Constabulary, a force which costs £1,370,000 a year, should be regarded and paid for as an Imperial force. The argument is that the Royal Irish Constabulary was created in the interests of the English garrison—was, in fact, an army of occupation, which, since the new settlement of the Irish land question, has become, in Mr. Kettle's witty phrase, an "army of no occupation."

That proposal is not adopted in the Home Rule Bill of 1912. The force is kept under the control of the British Government for six years, and it will then be handed over to Ireland. In the meantime, it will be paid for out of the money reserved from Irish revenue by the Imperial Government. We shall have to wait, therefore, for six years before the Irish Government is able to apply economy to what is perhaps the most expensive and most extravagant service in the whole administration of Ireland.

The general financial proposals of the 1912 Bill are as follows:— [129]

The British Treasury takes the Irish revenue and divides it into three portions. The first is the postal revenue, which will be both collected and controlled by the Irish Government, as the Post Office will be handed over immediately. The second is the "transferred" revenue, amounting to £6,350,000, which is the estimated cost of the services delegated to the Irish Parliament, such as the Civil Service, the payment of judges, and so forth. This revenue will still be collected by the Imperial Government, but handed over to Ireland. The third portion will be the "reserved" revenue, consisting of the amount retained by the British Treasury for the services over which it will retain control. Those services will be as follows:—

	£
Old Age Pensions	2,660,000
National Insurance	190,000
Land Purchase	616,000
Constabulary (Royal Irish)	1,380,000
Collection of Revenue	300,000
	<u>5,146,000</u>

This leaves the profit and loss account for Great Britain as follows:—

Receipts.	Expenditure.
£9,485,000	On "Reserved Services" £5,046,000
	On "Transferred Sum" <u>6,350,000</u>
	<u>6,350,000</u>

The upshot is that the British deficit, which stands at present at £1,500,000, will rise to £1,911,000. That will be covered by a grant of £500,000 a year. That grant will be reduced annually by decrements of £50,000 until it reaches £200,000. [130]

There is no need for the British taxpayer to be alarmed at this balance-sheet. The essential fact is that Home Rule will work steadily on the side of thrift and saving. The substantial points are—(1) that pensions will from this time forward steadily decrease; (2) that the Royal Irish Constabulary will be diminished; and (3) that any increase in the prosperity of Ireland will result in an increasing yield of taxation collected by the British Treasury and devoted to the benefit of the British taxpayer. The British taxpayer, in a word, is thoroughly well looked after.

Doubtless these proposals will be subjected to much criticism in committee, and no one would pretend that they could not be improved in detail. It might be argued, for instance, that it would be better for Great Britain to make herself responsible for the Royal Irish Constabulary as an Imperial charge, and therefore have a motive for reducing it. That action might be taken as a generous substitute for the bonus of £500,000 a year, which may possibly not produce favourable effects on the relations between the two countries. As against the extra charge to the British Treasury, you would have the fact that the British Government could immediately proceed to reduce the Constabulary.

But once give Ireland a chance by some such settlement as this, and then the main problem of finance will solve itself. For we cannot ignore one very important aspect of that problem—the extravagance of Irish government. One of the most startling revelations of the Financial Commission Report was that Ireland, a poor country, cost twice as much to govern as Belgium, a country of nearly twice the population. Mr. Kettle has shown since that the Civil Service of Ireland is four times as great, and costs more than four times as much, as the Civil Service of Scotland.[74] [131]

Why is this? Because at the present moment two systems of government are existing in Ireland side by side—the old and the new. The old is for the most part an encumbrance and an impediment, but the new is required for doing the work of land purchase and agricultural development. Ireland is like a household into which a new staff of servants is being imported, while nobody dares to disturb the old. Could there be a more extravagant way of governing a country?

The only way to put that house in order is to give it Home Rule. All the rights of existing civil servants must be respected, and therefore the saving on that account will only be gradual. Mr. Kettle estimates it at £700,000 within a reasonable time. That is probably even an underestimate. For once this kind of saving begins, it soon tells on a nation's expenditure. Ireland is at present governed from the point of view of the place-hunters. Once Ireland begins to be governed from the point of view of the Irish people, then the reign of extravagance will be at an end.

Once the Home Rule Parliament is set up we shall be able to distinguish clearly between Ireland's local and her Imperial obligations. We shall hear much indignant talk against any proposal that Ireland shall pay less than her full proportional contribution for Imperial Defence. Those who are so moved on this question seem to forget that the British Colonies pay practically nothing. Yet we have never heard that they are paupers on that account. They certainly derive more from the Empire than Ireland. Therefore, there would be nothing either degrading or unjust even if Ireland were relieved from all Imperial expenditure for a term of years. For Ireland requires time to recover from the impoverishment of the past, and it may be wise to give her that time. But once that time is over, the Irish Parliament will probably wish to follow in the steps of the Grattan Parliament, and contribute her honest due to the Empire of which she will be a part. But that due must be paid, not out of deficit, but out of surplus. As long as Ireland has a deficit produced by poverty, it is absurd to talk to her about Empire. Once she has a surplus—and a surplus will soon come with the working of Home Rule—then she will play her part in a manly way. [132]

For we must never forget that Home Rule in itself is a great financial asset. During the brief period of the Grattan Parliament, as we have seen, Ireland doubled her exports. During that time the Parliament carried out public works in every part of Ireland, and industry thrived. Those things cannot be done by an absentee Parliament. They can only be done by a Parliament on the spot. They are intensely and earnestly needed by Ireland at present. For Ireland is largely an industrial derelict, waiting for the restoring hand of a central governing power. It is impossible to put this aspect of the matter into figures. Here we must move in faith. But we cannot see this matter clearly unless we believe firmly—as we have every justification for believing—that Home Rule means wealth to Ireland.

THE FINANCIAL COMMISSION

But we have to remember that since 1893 a great and authoritative Financial Commission has reported that England stands in debt to Ireland.

The British public has never quite realised what the Report of 1896 signified, or quite understood the effect which it produced on the Irish nation. The Financial Relations Commission was a body created by the Liberal Government in 1894, soon after the defeat of the Home Rule Bill, and partly as a consequence of that defeat. It consisted of fifteen of the ablest financiers in the United Kingdom, including two great Treasury Chiefs, Lord Farrer and Lord Welby, Sir Robert Hamilton, Sir David Barbour, and that great Parliamentary financial expert Mr. W.A. Hunter. The chair was occupied by an ex-Chancellor of the Exchequer, Mr. Childers.^[75] The Commission sat for two years, and carried out a most searching investigation. They reported in 1896. Their united Report consists of only two pages in the Blue Book,^[76] and the essence of it is contained in five short paragraphs, as follows:—

(1) That Great Britain and Ireland must, for the purpose of this inquiry, be considered as separate entities.

(2) That the Act of Union imposed upon Ireland a burden which, as events showed, she was unable to bear.

(3) That the increase of taxation laid upon Ireland between 1853 and 1860 was not justified by the then existing circumstances.

(4) That identity of rates of taxation does not necessarily involve equality of burden.

(5) That whilst the actual tax revenue of Ireland is about one-eleventh of that of Great Britain, the relative taxable capacity of Ireland is very much smaller, and is not estimated by any of us as exceeding one-twentieth.

Now, what does this amount to? As worked out in the various minority reports, it means that, in the opinion of this Commission, Ireland has been over-taxed for many years at the rate of over £2,000,000 a year. As to the precise sum the Commissioners differ. Some went as high as £3,500,000, others down to £2,000,000, but all, except Sir Thomas Sutherland and Sir David Barbour, set it at about £2,000,000. Mr. Childers, unhappily, died before the close of the Commission. But he wrote an epoch-making Report, in which he estimated the excess of taxation at £2,250,000.^[77]

Now, it is useless to make light of this Report. It was the solemn judgment of the highest financiers of the day on the financial workings of the Act of Union. If we turn back to the debates in Parliament in 1800, especially to the speeches of Pitt, prophesying that the Act of Union would take the wealth of England across St. George's Channel, and apply it to Ireland, we cannot escape some sombre reflections on the short-sightedness of great statesmen. Pitt's judgment was disturbed by the existence of a war with France, which created in him an intense desire to unite the two countries. Otherwise he would probably have foreseen that for a rich partner to unite his finances with a poor partner certainly meant bankruptcy for the one, and probably, in the end, also ruin for the other. Taking the nineteenth century as a whole, the fundamental financial error has been this—that Ireland has been taxed on the theory of equality with England in point of wealth. That equality has not existed. What was a light burden for the one country has proved for the other a burden too heavy to be borne.

The result has been that Ireland, being continually overtaxed, has sunk steadily in her resources, and has gradually become less and less of a taxable country. The taxes have returned less and less, and have had to be returned in the form of relief of poverty. A crisis in that situation is now reached, and it is quite clear that we stand at the parting of two roads. Now that the balance is beginning to work against England, it is certain that the only alternative to the restoration of Ireland is the gradual dragging down of England.

It is useless and unjust to argue, in answer to this great Report, that Ireland ought not to have been regarded as a financial unit at all. Any country that is an island, and possesses a social organisation of its own, with a definite relationship between rich and poor, must necessarily be a financial unit. But even if that were not so, it is too late to argue the question with any honour. For we must never forget that the whole financial legislation of the United Kingdom in regard to Ireland is based upon the Act of Union, which was practically a solemn treaty between the two countries, passed—we will not say how—by both the British and the Irish Parliaments. It is the essence of that treaty that Ireland entered into it upon certain financial terms, and among those terms was the condition that she should be treated as a separate financial unit.

This Report, therefore, immensely strengthens the claim of Ireland to more generous financial terms in 1912 than in 1886 or in 1893.

We want to set up in Ireland a high and strong sense of financial responsibility. The control therefore, as well as the expenditure, must be placed as far as possible in Irish hands, and for that purpose the management, as well as the collection, of Irish taxes ought to be left as far as possible with the Irish Exchequer that must be set up.

The tendency is started by the principle of the Bill of 1912, and the policy of the next decade will be to place in Irish hands as rapidly as possible both the collection and the administration of the finance for all the great Irish services, including those at present "reserved" as well as those at present "transferred."

This brings us finally to the vexed problem of Customs and Excise. It is notorious that the greater part of the Irish revenue—the revenue of a poor country, derived for the most part through indirect taxation—is drawn from Customs and Excise.[78]

It is not, perhaps, surprising, therefore, that the Bill of 1912 should go some way towards meeting the demand that has sprung up in various quarters, both in Ireland and in England, for the control of customs and excise by the Irish Parliament. The proposal of the Government is that we should extend to Ireland, with some variations, what is at present the financial arrangement in regard to customs and excise between the British Treasury and the Isle of Man. The first fact to be remembered quite clearly is that the Irish Parliament is absolutely debarred from creating any new duty. It will not be able to draw up any new set of tariffs. In other words, it will have to adapt its revenue to the general financial policy of the central government, whether that be a free trade policy or a tariff reform policy. But Ireland is to be allowed to vary her customs within certain limits. She may, for instance, reduce her customs to the lowest point, on the only condition that she loses thereby equivalent revenue. But on the main custom duties which fall on such articles as tea, sugar, cocoa, tobacco, and so forth, she cannot raise her customs beyond 10 per cent. The only exceptions will be beer and spirits, on which Ireland may raise her customs or her excise to any point that she desires. It will be necessary, of course, to have rebates or countervailing duties in regard to articles transferred from Great Britain to Ireland, or *vice versa*, and to that very slight extent alone will these proposals affect the trade relations between Ireland and England. [137]

I may add that the same power of reduction or addition will extend both to income tax and death duties up to the limit of 10 per cent. for increase—a provision which will safeguard the industries of the North from being sacrificed to the needs of the South.[79]

Such are the proposals of the 1912 Home Rule Bill. They appear to present an ingenious compromise between the complete delegation of customs and excise and the complete centralisation. There are very serious objections to the complete separation of these duties. One is that separation of customs has been accepted everywhere as vitally inconsistent with the Federal idea. No State of the American Union has separate customs. Even Bavaria, a State of the German Empire which possesses, as we have seen, a separate army, post office, and national railways, has no separate customs. Such a plan could, therefore, hardly fit in with Federalism, as at present realised in any part of the world. The second objection would be the very grave offence given to the free trade sentiment of Great Britain, and the very grave injury to trade between Britain and Ireland, if we were to hand over to Ireland the right of placing taxes on English goods. Under such circumstances it would certainly be impossible to persuade the British public to grant a bonus to Ireland in order to give her the power of taxing British goods. That would clearly be too great a strain upon the Christian sentiment even of John Bull.

Parnell, it is well known, felt a strong temptation to make a demand for separate customs. But he always put it aside as impolitic, probably on this very ground; and the rise of the Tariff Reform movement since his death has certainly not weakened those considerations, because it has led to a corresponding rise of free trade feeling among a large part of the British public on this side of the Channel. [138]

It is quite clear that the Government's compromise on customs and excise, ingenious as it is, will be subject to very close and shrewd criticism. But the first duty of Home Rulers, both in Great Britain and Ireland, is to avoid the carefully-baited trap of a quarrel on points of detail. That is the obvious game of the enemies of Home Rule. The proper policy of every true Home Ruler is to preserve through all the vicissitudes of those financial discussions a sane and steady perspective, well knowing that, after all, finance is not really the true heart of this problem.

THE MIGHTY HOPE

We must not reduce a great human problem to a squabble over pocket-money. We must in this, too, as in the religious and political sides of the question, have faith in the result of freedom. We must believe, as we have every right to believe, that liberty will bring to Ireland a new power over her resources, and a new skill in using them—that her magnificent harbours will no longer be silent, or her rivers empty; that her factories will hum once more with a new life and industry; that the grass will cease to grow in her streets and on her wharves, and that the rich and strong will cease to fly from her shores. All this must be taken into account in any reasonable calculation of the future. It is just as foolish to err from lack of faith as it is to blunder from excess of credulity. [139]

For here, indeed, we have an excellent precedent to give us hope. It was the common evidence of all experts at the time that Ireland grew greatly richer under the twenty years of Grattan's Parliament. The future Irish Parliament will, just as it will be more representative, so supply Ireland with a machine even more efficient than Grattan's Parliament. If so, we have every reason to suppose that within twenty years we shall have a richer Ireland, with a far greater taxable capacity. For can we doubt that the alchemy of liberty will here, too, even in this sordid realm of finance, repeat its ancient power?

FOOTNOTES:

- [72] For these proposals see [Appendix D](#).
- [73] For instance, in the absence of Irish Customs the estimates of true Irish revenue can only be approximate. On the expenditure side, too, there are grave matters of consideration. For instance, should the vote for Irish Constabulary be regarded as a local or Imperial charge? Or Irish judges, or even Irish poverty? It was the definite opinion of the Financial Relations Commission that until Home Rule was set up there could be no possible way of distinguishing between local and Imperial expenditure in Ireland.
- [74] There are 4,397 civil servants in Ireland with incomes over £160 a year, as against 944 for Scotland. (Inland Revenue Report, 1909-1910.)
- [75] The members of this Commission were:—The Rt. Hon. Hugh Childers, Lord Farrer, Lord Welby, the Rt. Hon. O'Connor Don, Sir Robt. Hamilton, Sir Thomas Sutherland, K.C.M.G., Sir David Barbour, K.C.S.I., the Hon. Ed. Blake, M.P., Bertram W. Currie, Esq., W.A. Hunter, Esq., M.P., C.E. Martin, Esq., J.E. Redmond, Esq., M.P., Thomas Sexton, Esq., M.P., and added in June, 1894, Henry F. Slattery, Esq., and G.W. Wolff, Esq., M.P.
- [76] C. 8262, price 1s. 10d.
- [77] Lord MacDonnell has estimated the total over-payment of Ireland in the nineteenth century as exceeding £300,000,000.
- [78] Out of a total tax-revenue of £24,000,000 from 1906-9 Ireland paid no less than £18,000,000 in Customs and Excise. (Inland Revenue Report.)
- [79] See the Government Outline of Financial Provisions, [Appendix A](#).

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HOME RULE

APPENDICES

- A. [THE HOME RULE BILL OF 1912](#)
- B. [THE SHRINKAGE OF IRELAND](#)
- C. [THE ACT OF UNION](#)
- D. [THE HOME RULE BILLS OF 1886 AND 1893](#)
- E. [THE IRISH BOARD OF AGRICULTURE](#)
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- J. [IRISH CANALS AND RAILWAYS](#)
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APPENDIX A

THE HOME RULE BILL OF 1912.

[ToC](#)

A BILL TO

AMEND the PROVISION for the Government of Ireland. BE it enacted by the **A.D. 1912.** King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the

authority of the same, as follows:—

Legislative Authority.

1.—(1) On and after the appointed day there shall be in Ireland an Irish Parliament consisting of His Majesty the King and two Houses, namely, the Irish Senate and the Irish House of Commons. **Establishment of Irish Parliament.**

(2) Notwithstanding the establishment of the Irish Parliament or anything contained in this Act, the supreme power and authority of the Parliament of the United Kingdom shall remain unaffected and undiminished over all persons, matters, and things within His Majesty's dominions.

2. Subject to the provisions of this Act, the Irish Parliament shall have power to make laws for the peace, order, and government of Ireland with the following limitations, namely, that they shall not have power to make laws except in respect of matters exclusively relating to Ireland or some part thereof, and (without prejudice to that general limitation) that they shall not have power to make laws in respect of the following matters in particular, or any of them, namely— **Legislative powers of Irish Parliament.**

- (1) The Crown, or the succession to the Crown, or a Regency; or the Lord Lieutenant except as respects the exercise of his executive power in relation to Irish services as defined for the purposes of this Act; or
- (2) The making of peace or war or matters arising from a state of war; or the regulation of the conduct of any portion of His Majesty's subjects during the existence of hostilities between Foreign States with which His Majesty is at peace, in relation to those hostilities; or
- (3) The navy, the army, the territorial force, or any other naval or military force, or the defence of the realm, or any other naval or military matter; or
- (4) Treaties, or any relations, with Foreign States, or relations with other parts of His Majesty's dominions, or offences connected with any such treaties or relations, or procedure connected with the extradition of criminals under any treaty, or the return of fugitive offenders from or to any part of His Majesty's dominions; or
- (5) Dignities or titles of honour; or
- (6) Treason, treason felony, alienage, naturalisation, or aliens as such; or
- (7) Trade with any place out of Ireland (except so far as trade may be affected by the exercise of the powers of taxation given to the Irish Parliament, or by the regulation of importation for the sole purpose of preventing contagious disease); quarantine; or navigation, including merchant shipping (except as respects inland waters and local health or harbour regulations); or
- (8) Lighthouses, buoys, or beacons (except so far as they can consistently with any general Act of the Parliament of the United Kingdom) be constructed or maintained by a local harbour authority; or
- (9) Coinage; legal tender; or any change in the standard of weights and measures; or
- (10) Trade marks, designs, merchandise marks, copyright, or patent rights; or
- (11) Any of the following matters (in this Act referred to as reserved matters), namely—

- (a) The general subject-matter of the Acts relating to Land Purchase in Ireland, the Old Age Pensions Acts, 1908 and 1911, the National Insurance Act, 1911, and the Labour Exchanges Act, 1909; **8 Edw. 7. c. 40
1 & 2 Geo. 5. c. 16.
1 & 2 Geo. 5. c. 55.**
- (b) The collection of taxes; **9 Edw. c. 7.**
- (c) The Royal Irish Constabulary and the management and control of that force;
- (d) Post Office Savings Banks, Trustee Savings Banks, and Friendly Societies; and
- (e) Public loans made in Ireland *before the passing of this Act*:

Provided that the limitation on the powers of the Irish Parliament under this section shall cease as respects any such reserved matter if the corresponding reserved service is transferred to the Irish Government under the provisions of this Act.

Any law made in contravention of the limitations imposed by this section shall, so far as it contravenes those limitations, be void.

3. In the exercise of their power to make laws under this Act the Irish Parliament shall not make a law so as either directly or indirectly to establish or endow any religion, or prohibit the free exercise thereof, or give a preference, **Prohibition of laws interfering with religious equality, &c.**

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privilege, or advantage, or impose any disability or disadvantage, on account of religious belief or religious or ecclesiastical status, or make any religious belief or religious ceremony a condition of the validity of any marriage.

Any law made in contravention of the restrictions imposed by this section shall, so far as it contravenes those restrictions, be void.

Executive Authority.

4.—(1) The executive power in Ireland shall continue vested in His Majesty the King, and nothing in this Act shall affect the exercise of that power except as respects Irish services as defined for the purposes of this Act. **Executive power in Ireland.**

(2) As respects those Irish services the Lord Lieutenant or other chief executive officer or officers for the time being appointed in his place, on behalf of His Majesty, shall exercise any prerogative or other executive power of His Majesty the exercise of which may be delegated to him by His Majesty.

(3) The power so delegated shall be exercised through such Irish Departments as may be established by Irish Act, or subject thereto, by the Lord Lieutenant, and the Lord Lieutenant may appoint officers to administer those Departments, and those officers shall hold office during the pleasure of the Lord Lieutenant. [146]

(4) The persons who are for the time being heads of such Irish Departments as may be determined by Irish Act, or, in the absence of any such determination, by the Lord Lieutenant, and such other persons (if any) as the Lord Lieutenant may appoint, shall be the Irish Ministers.

Provided that—

- (a) No such person shall be an Irish Minister unless he is a member of the Privy Council of Ireland; and
- (b) No such person shall hold office as an Irish Minister for a longer period than six months, unless he is or becomes a member of one of the Houses of the Irish Parliament; and
- (c) Any such person not being the head of an Irish Department shall hold office as an Irish Minister during the pleasure of the Lord Lieutenant in the same manner as the head of an Irish Department holds his office.

(5) The persons who are Irish Ministers for the time being shall be an Executive Committee of the Privy Council of Ireland (in this Act referred to as the "Executive Committee"), to aid and advise the Lord Lieutenant in the exercise of his executive power in relation to Irish services.

(6) For the purposes of this Act, "Irish services" are all public services in connexion with the administration of the civil government of Ireland except the administration of matters with respect to which the Irish Parliament have no power to make laws, including in the exception all public services in connexion with the administration of the reserved matters (in this Act referred to as "reserved services").

5.—(1) The public services in connexion with the administration of the Acts relating to the Royal Irish Constabulary and the management and control of that force, shall by virtue of this Act be transferred from the Government of the United Kingdom to the Irish Government on the expiration of a period of six years from the appointed day and those public services shall then cease to be reserved services and become Irish services. **Future transfer of certain reserved services.** [147]

(2) If a resolution is passed by both Houses of the Irish Parliament providing for the transfer from the Government of the United Kingdom to the Irish Government of the following reserved services, namely—

- (a) All public services in connexion with the administration of the Old Age Pensions Acts, 1908 and 1911; or
- (b) All public services in connexion with the administration of Part I. of the National Insurance Act, 1911; or
- (c) All public services in connexion with the administration of Part II. of the National Insurance Act, 1911, and the Labour Exchanges Act, 1909; or
- (d) All public services in connexion with the administration of Post Office Savings Banks, Trustee Savings Banks, and Friendly Societies;

the public services to which the resolution relates shall be transferred accordingly as from a date fixed by the resolution, being a date not less than a year after the date on which the resolution is passed, and shall on the transfer taking effect cease to be reserved services and become Irish services:

Provided that this provision shall not take effect as respects the transfer of the services in connexion with Post Office Savings Banks, Trustee Savings Banks, and Friendly Societies until the expiration of ten years from the appointed day.

(3) On any transfer under or by virtue of this section, the transitory provisions of this Act (so far as applicable) and the provisions of this Act as to existing Irish officers shall apply with respect to the transfer, with the substitution of the date of the transfer for the appointed day, and of a

period of five years from that date for the transitional period.

Irish Parliament.

6.—(1) There shall be a session of the Irish Parliament once at least in every year, so that twelve months shall not intervene between the last sitting of the Parliament in one session and their first sitting in the next session. **Summoning, &c., of Irish Parliament.**

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(2) The Lord Lieutenant shall, in His Majesty's name, summon, prorogue, and dissolve the Irish Parliament.

7. The Lord Lieutenant shall give or withhold the assent of His Majesty to Bills passed by the two Houses of the Irish Parliament, subject to the following limitations; namely— **Royal assent to Bills of Irish Parliament**

(1) He shall comply with any instructions given by His Majesty in respect of any such Bill; and

(2) He shall, if so directed by His Majesty, postpone giving the assent of His Majesty to any such Bill presented to him for assent for such period as His Majesty may direct.

8.—(1) The Irish Senate shall consist of forty senators nominated as respects the first senators by the Lord Lieutenant subject to any instructions given by His Majesty in respect of the nomination, and afterwards by the Lord Lieutenant on the advice of the Executive Committee. **Composition of Irish Senate.**

(2) The term of office of every senator shall be eight years, and shall not be affected by a dissolution; one fourth of the senators shall retire in every second year, and their seats shall be filled by a new nomination.

(3) If the place of a senator becomes vacant before the expiration of his term of office, the Lord Lieutenant shall, unless the place becomes vacant not more than six months before the expiration of that term of office, nominate a senator in the stead of the senator whose place is vacant, but any senator so nominated to fill a vacancy shall hold office only so long as the senator in whose stead he is nominated would have held office.

9.—(1) The Irish House of Commons shall consist of one hundred and sixty-four members, returned by the constituencies in Ireland named in the First Part of the First Schedule to this Act in accordance with that Schedule, and elected by the same electors and in the same manner as members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom. **Composition of Irish House of Commons.**

(2) The Irish House of Commons when summoned shall, unless sooner dissolved, have continuance for five years from the day on which the summons directs the House to meet and no longer. **Money Bills.**

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(3) After *three years from the passing of this Act*, the Irish Parliament may alter, as respects the Irish House of Commons, the qualification of the electors, the mode of election, the constituencies, and the distribution of the members of the House among the constituencies, provided that in any new distribution the number of the members of the House shall not be altered, and due regard shall be had to the population of the constituencies other than University constituencies.

10.—(1) Bills appropriating revenue or money, or imposing taxation, shall originate only in the Irish House of Commons, but a Bill shall not be taken to appropriate revenue or money, or to impose taxation by reason only of its containing provisions for the imposition or appropriation of fines or other pecuniary penalties, or for the payment or appropriation of fees for licences or fees for services under the Bill. **Money Bills.**

(2) The Irish House of Commons shall not adopt or pass any resolution, address, or Bill for the appropriation for any purpose of any part of the public revenue of Ireland or of any tax, except in pursuance of a recommendation from the Lord Lieutenant in the session in which the vote, resolution, address, or Bill is proposed.

(3) The Irish Senate may not reject any Bill which deals only with the imposition of taxation or appropriation of revenue or money for the services of the Irish Government, and may not amend any Bill so far as the Bill imposes taxation or appropriates revenue or money for the services of the Irish Government, and the Irish Senate may not amend any Bill so as to increase any proposed charges or burden on the people.

(4) Any Bill which appropriates revenue or money for the ordinary annual services of the Irish Government shall deal only with that appropriation.

11.—(1) If the Irish House of Commons pass any Bill and the Irish Senate reject or fail to pass it, or pass it with amendments to which the Irish House of Commons will not agree, and if the Irish House of Commons in the next session again pass the Bill with or without any amendments which have been made or agreed to by the Irish Senate, and the Irish Senate reject or fail to pass it, or pass it with amendments to which the Irish House of Commons will not agree, the Lord Lieutenant may during that session convene a joint sitting of the members of the two Houses. **Disagreement between two Houses of Irish Parliament.**

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(2) The members present at any such joint sitting may deliberate and shall vote together upon the Bill as last proposed by the Irish House of Commons, and upon the amendments (if any)

which have been made therein by the one House and not agreed to by the other; and any such amendments which are affirmed by a majority of the total number of members of the two Houses present at the sitting shall be taken to have been carried.

(3) If the Bill with the amendments (if any) so taken to have been carried is affirmed by a majority of the total number of members of the two Houses present at any such sitting, it shall be taken to have been duly passed by both Houses.

12.—(1) The powers, privileges, and immunities of the Irish Senate and of the Irish House of Commons, and of the members and of the committees of the Irish Senate and the Irish House of Commons, shall be such as may be defined by Irish Act, but so that they shall never exceed those for the time being held and enjoyed by the Commons House of Parliament of the United Kingdom and its members and committees, and, until so defined, shall be those held and enjoyed by the Commons House of Parliament of the United Kingdom, and its members and committees at the date of *the passing of this Act*.

**Privileges,
qualifications,
&c. of members
of Irish
Parliament.**

(2) The law, as for the time being in force, relating to the qualification and disqualification of members of the Commons House of Parliament of the United Kingdom, and the taking of any oath required to be taken by a member of that House, shall apply to members of the Irish House of Commons.

(3) Any peer, whether of the United Kingdom, Great Britain, England, Scotland, or Ireland, shall be qualified to be a member of either House.

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(4) A member of either House shall be incapable of being nominated or elected, or of sitting, as a member of the other House, but an Irish Minister who is a member of either House shall have the right to sit and speak in both Houses, but shall vote only in the House of which he is a member.

(5) A member of either House may resign his seat by giving notice of resignation to the person and in the manner directed by standing orders of the House, or if there is no such direction, by notice in writing of resignation sent to the Lord Lieutenant, and his seat shall become vacant on notice of resignation being given.

(6) The powers of either House shall not be affected by any vacancy therein, or by any defect in the nomination, election, or qualification, of any member thereof.

(7) His Majesty may by Order in Council declare that the holders of the offices in the Irish Executive named in the Order shall not be disqualified for being members of either House of the Irish Parliament by reason of holding office under the Crown, and except as otherwise provided by Irish Act, the Order shall have effect as if it were enacted in this Act, but on acceptance of any such office the seat of any such person in the Irish House of Commons shall be vacated unless he has accepted the office in succession to some other of the said offices.

Irish Representation in the House of Commons.

13. Unless and until the Parliament of the United Kingdom otherwise determine, the following provisions shall have effect:—

**Representation
of Ireland in the
House of
Commons of the
United
Kingdom.**

(1) After the appointed day the number of members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom shall be forty-two and the constituencies returning those members shall (in lieu of the existing constituencies) be the constituencies named in the second Part of the First Schedule to this Act, and no University in Ireland shall return a member to the Parliament of the United Kingdom.

(2) The election laws and the laws relating to the qualification of parliamentary electors shall not, so far as they relate to elections of members returned by constituencies in Ireland to serve in the Parliament of the United Kingdom, be altered by the Irish Parliament, but this enactment shall not prevent the Irish Parliament from dealing with any officers concerned with the issue of writs of election, and if any officers are so dealt with, it shall be lawful for His Majesty by Order in Council to arrange for the issue of any such writs, and the writs issued in pursuance of the Order shall be of the same effect as if issued in manner heretofore accustomed.

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So far for the constitutional clauses. The clauses from 14 to 26 are occupied with finance. They are so technical that it will be more convenient to substitute the terms of the very clear Memorandum issued by the Government:—

OUTLINE OF FINANCIAL PROVISIONS.

Present Irish Revenue and Expenditure.

It is estimated that the revenue to be derived from Ireland in the year 1912-13 will be as follows:—

	£
Customs	3,230,000
Excise	3,320,000
Income tax	1,512,000
Estate duties	939,000
Stamps	347,000
Miscellaneous	137,000
Post Office	<u>1,354,000</u>
Total	<u>10,839,000</u>

It is estimated that the expenditure for Irish purposes in the year 1912-13 will amount to £12,354,000. The expenditure may be divided for the purposes of this Memorandum as follows:—

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	£
All purposes not separately specified	5,462,000
Post Office	1,600,000
Old Age Pensions	2,664,000
Charges under the Land Purchase Acts	761,000
National Insurance and Labour Exchanges	191,500
Royal Irish Constabulary	1,377,500
Collection of revenue	<u>298,000</u>
Total	<u>12,354,000</u>

The expenditure therefore exceeds the revenue by £1,515,000.

It is anticipated that in a period of ten or fifteen years the charges under the existing Land Purchase Acts will increase by £450,000, and under the National Insurance Act by £300,000. On the other hand, it is estimated that within twenty years the cost of Old Age Pensions will decrease by £200,000.

Charges upon the Irish Exchequer.

The Bill provides for the establishment of an Irish Exchequer and an Irish Consolidated Fund.

From the Irish Exchequer will be defrayed the whole of the present and future cost of Irish government, with the exception of the expenditure on certain services, termed in the Bill Reserved Services.

Charges upon the Imperial Exchequer.

The Imperial Government will retain the control, and the Imperial Exchequer will continue to bear the cost, of the Reserved Services, namely, Old Age Pensions, National Insurance, Labour Exchanges, Land Purchase, and Collection of Taxes. For a period of six years the Royal Irish Constabulary will also be one of the Reserved Services.

There are provisions for the transfer to the Irish Government of certain of the Reserved Services under the conditions stated below.

Revenue of the Irish Exchequer.

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The Bill provides, in the first instance, for the period during which the yield of Irish taxes is less than the cost of Irish administration, and contemplates certain modifications after a financial equilibrium has been attained.

During that period the revenue of the Irish Exchequer will consist of a sum transferred annually from the Imperial Exchequer, and termed in the Bill the Transferred Sum, together with the receipts of the Irish Post Office.

The Transferred Sum will be fixed at the outset at such amount as will cover, with the addition of the Post Office revenue, the present expenditure on Irish Government, with the exception of the cost of the Reserved Services. Included in the Transferred Sum will also be a specified sum as surplus. The amount of this surplus will be £500,000 annually for a period of three years, then diminishing by £50,000 a year for six years till it reaches £200,000, at which sum it will remain.

Subject to this variation in the amount of the surplus and to certain minor variations specified in the Bill, and subject also to any changes consequent upon the exercise by the Irish Parliament of the powers of increasing or reducing taxation which are defined below, the amount of the Transferred Sum, fixed in the first year after the passing of the Act, will remain the same until an equilibrium is reached between the total revenue derived from Ireland and the total expenditure

on Irish purposes.

Revenue of the Imperial Exchequer from Ireland.

The Bill provides that until such equilibrium is established the whole of the proceeds of all Irish taxes shall be collected by the Treasury of the United Kingdom, and be paid into the Imperial Exchequer. (This provision does not apply to Post Office revenue.)

The revenue so collected should be sufficient to cover the Transferred Sum and to provide a balance sufficient to defray a part of the cost of the Reserved Services. As the revenue from Ireland increases in the future, the receipts of the Imperial Exchequer will increase proportionately, and the yearly deficit which will fall at the outset upon the Imperial Exchequer will gradually be lessened and ultimately disappear.

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Joint Exchequer Board.

The Bill establishes a Joint Exchequer Board of Great Britain and Ireland, consisting of two members appointed by the Imperial Treasury and two by the Irish Treasury, with a Chairman appointed by His Majesty the King.

The duty of the Board will be to determine certain questions of fact arising from time to time under the financial provisions of the Bill.

The figures given in this Paper are estimates only, and do not purport to be final. The Bill, therefore, does not rest upon these figures, but enables fuller returns to be obtained after the passing of the Act, and it provides that the amounts of Irish Revenue and Expenditure for the purposes of the Act shall be, not the figures given in this Paper, but such sums as may be determined after the passing of the Act, upon the basis of these fuller returns and of the more accurate figures of Revenue and Expenditure which will then be available, by the Joint Exchequer Board.

Revenue and Expenditure Accounts.

If, however, the estimates given above are assumed, for purposes of illustration, to be the figures finally determined, the Irish Government's Budget in the first year would balance as follows:—

<i>Revenue.</i>		<i>Expenditure.</i>	
	£		£
Transferred Sum	6,127,000	All purposes not separately specified	5,462,000
Post Office	1,354,000	Post Office	1,600,000
Fee Stamps	81,000		<u>7,062,000</u>
		Surplus	500,000*
Total	<u>7,562,000</u>	Total	<u>7,562,000</u>

* Subject to subsequent reduction as stated above.

The Imperial Government's receipts and expenditure on Irish account would balance as follows:

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<i>Revenue.</i>		<i>Expenditure.</i>	
	£		£
Irish Revenue (excluding Post Office and fee stamps)	9,404,000	Transferred Sum	
Deficit	2,015,000	Old Age Pensions	6,127,000
		National Insurance and Labour Exchanges	191,500
		Land Purchase	—
		(1.) Land Commission	592,000
		(2.) Other Charges	169,000
		Constabulary	1,377,500

	Collection of	298,000
	Revenue	
11,419,000	Total	11,419,000

Powers of Varying Taxation.

The Bill confers on the Irish Parliament the following financial powers:—

1. It may add to the rates of Excise Duties, Customs Duties on beer and spirits, Stamp Duties (with certain exceptions), Land Taxes, or Miscellaneous Taxes, imposed by the Imperial Parliament.

2. It may add to an extent not exceeding 10 per cent, to the Income Tax, Death Duties, or Customs Duties other than the duties on beer and spirits, imposed by the Imperial Parliament.

3. It may levy any new taxes, other than new Customs Duties.

4. It may reduce any tax levied in Ireland, with the exception of certain Stamp Duties.

The Imperial Treasury will collect the revenue arising from any increases in taxation enacted by the Irish Parliament in the exercise of these powers; and an addition will be made to the Transferred Sum of such amount as the Joint Exchequer Board may determine to be the produce of the additional taxation. Similarly, if taxation, is reduced by the Irish Parliament, a deduction will be made from the Transferred Sum corresponding to the loss of revenue due to the repeal of a tax or to collection at the lower rates.

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The Irish Exchequer will therefore gain or lose by any increase or decrease in taxation enacted by the Irish Parliament, and the net revenue of the Imperial Exchequer will remain unaffected by such changes.

If Excise or Customs Duties are imposed at different rates in Great Britain and Ireland respectively, provision is made for the adjustment of the taxes paid in respect of articles passing from one country to the other.

As administrative difficulties might arise in certain cases if the 10 per cent. limitation mentioned above were in terms to prohibit additions to the taxes in question to an extent of more than 10 per cent. of the rates of tax, the Bill effects the object in view by enacting that only such proceeds of the tax as do not exceed 10 per cent. of the yield of the Imperial tax shall be transferred to the Irish Exchequer.

The Bill makes no specific reference to the powers of the Imperial Parliament to levy taxation in Ireland. The provision in clause 1 that the supreme power and authority of the Parliament of the United Kingdom shall remain unaffected retains the existing powers of the Imperial Parliament in this regard.

Transfer of the Reserved Services to the Irish Government.

After six years, the control of the Royal Irish Constabulary will pass to the Irish Executive. The Irish Parliament is empowered to assume at any time, with twelve months' notice, legislative and executive control with respect to Old Age Pensions, to National Health Insurance, or to Unemployment Insurance, together with Labour Exchanges. When any such transfer of Reserved Services is effected, the financial burden will be assumed by the Irish Exchequer, and an addition will be made to the Transferred Sum corresponding to the financial relief given to the Imperial Exchequer.

Loans and Capital Liabilities.

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Loans made for the purposes of land purchase and loans made before the passing of the Act for other Irish purposes will be among the Reserved Services, and the payment of interest and sinking fund charges will be made by the Imperial Exchequer.

New loans may be raised by the Irish Parliament on the security of the Irish revenue. Provision is also made for enabling the joint Exchequer Board, if so authorised by the Irish Parliament, to issue the loans and to meet the interest and sinking fund charges by means of deductions from the Transferred Sum.

The Bill provides for the apportionment between the two Exchequers of liability for existing loans raised for Irish services.

Readjustment when Financial Equilibrium is reached.

When the total revenue received from Ireland by the Imperial Treasury has been sufficient, during three consecutive years, to meet the total charges for Irish purposes, the Exchequer Board shall report the fact with a view to a revision of the financial arrangements. Since it is impossible now to foresee what services may remain at that time as Reserved Services, what loans may have been contracted during the intervening years, and what changes may have been made in the rates of taxation, the Bill does not attempt to enact the modifications which may then be desirable.

It contemplates, however, as part of the present financial settlement, that Parliament will then consider, on the one hand, the fixing of such contribution by Ireland to the common expenses of the United Kingdom as may be equitable, and, on the other hand, the transfer to the Irish Legislature and Government of the control and collection of such taxes as may be deemed advisable.

The remaining clauses—from 27 to 47—are concerned with readjustments as to judges, civil servants, police and other matters, and do not vary substantially from the corresponding clauses in the Bill of 1893 (published in [Appendix D](#)). The first meeting of the Irish Parliament is fixed for the first Tuesday in September, 1913.

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There are only two other clauses which require special notice, as adding fresh provisions to those laid down in the Bill of 1893.

The first is the 26th clause, which gives to the Irish special powers of representation at Westminster in the case of a revision of the financial arrangements:—

"For the purpose of revising the financial provisions of this Act in pursuance of this section, there shall be summoned to the Commons House of Parliament of the United Kingdom such number of members of the Irish House of Commons as will make the representation of Ireland in the Commons House of Parliament of the United Kingdom equivalent to the representation of Great Britain on the basis of population; and the members of the Irish House of Commons so summoned shall be deemed to be members of the Commons House of Parliament of the United Kingdom for the purpose of any such revision."

The second—Clause 42—provides that Irish laws shall be interpreted always in legal subordination to Acts of the Imperial Parliament:—

"(2) Where any Act of the Irish Parliament deals with any matter with respect to which the Irish Parliament have power to make laws which is dealt with by any Act of the Parliament of the United Kingdom passed after the passing of this Act and extending to Ireland, the Act of the Irish Parliament shall be read subject to the Act of the Parliament of the United Kingdom, and so far as it is repugnant to that Act, but no further, shall be void."

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APPENDIX B

THE SHRINKAGE OF IRELAND

ToC

(1.) THE DECREASE IN POPULATION SINCE 1841.

Year.	Population.	Decrease.	Decrease per cent.	Great Britain. Increase per cent.	
				England.	Scotland.
1841	8,196,597	—	—	—	—
1851	6,574,278	1,622,319	19.8	12.65	10.2
1861	5,798,967	775,311	11.8	11.9	6.0
1871	5,412,377	386,590	6.7	13.21	9.7
1881	5,174,836	237,541	4.4	14.36	11.2
1891	4,704,750	470,086	9.1	11.65	7.8
1901	4,458,775	245,975	5.2	12.17	11.1
1911	4,381,951	76,824	1.7	10.9	6.4

N.B.—This Table is compiled from the Preliminary Reports of the Census of 1911, which give the population returns only as far back as 1841. There was, of course, a Census of the United Kingdom as early as 1801, but the official returns extended at first only to England and Scotland, and it was not until 1813 that there was any official census of Ireland. Even then it was far from correct. The first trustworthy Irish Census was that of 1821. For 1821 and 1831 the Census figures are given in "Whitaker" as follows:—

1821	6,801,827
1831	7,767,401

It is probable that the apparent rise of the population from 1821 to 1841 amounts to little more than the more correct taking of the Census among an illiterate population. But on the whole

subject of the rise of population between 1821 and 1841, see my remarks in Chapter VIII. p. 105. It was due of course very largely to the creation of faggot votes by Protestant landlords desirous of being returned to Parliament under the old law before the passing of Catholic Emancipation in 1829. It was an artificial rise in the poorest section of the population going along with a steady decline in the general material prosperity of Ireland. Hence the great collapse of the famine period.

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(2.) IRISH FAMILIES SINCE 1841.

(From Preliminary Census Report, 1911.)

Year.	Number of Families.
1841	1,472,787
1851	1,204,319
1861	1,128,300
1871	1,067,598
1881	995,074
1891	932,113
1901	910,256
1911	912,711 <i>First Increase since 1841.</i>

(3.) INHABITED HOUSES SINCE 1841.

(From same source.)

Year.	Number of Families.
1841	1,328,839
1851	1,046,223
1861	995,156
1871	961,380
1881	914,108
1891	870,578
1901	858,158
1911	861,057 <i>First Increase since 1841.</i>

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(4.) EMIGRATION.

For Decennial Periods, 1852-1910.

Period.	Average Number of Emigrants, per year.	Per 1,000 of Population.
1852-9	115,842	15.2
1860-9	85,960	15.2
1870-9	60,327	11.2
1880-9	80,491	16.0
1890-9	44,955	9.7
1900-9	35,886	8.1
1910	32,457	7.4
1911	31,058	7.

APPENDIX C

TEXT OF THE ACT OF UNION

ToC

An Act for the Union of Great Britain and Ireland.—[2d July 1800.]

WHEREAS in pursuance of His Majesty's most gracious Recommendation to the Two Houses of Parliament in *Great Britain* and *Ireland* respectively, to consider of such Measures as might best tend to strengthen and consolidate the Connection between the Two Kingdoms, the Two Houses of the Parliament of *Great Britain* and the Two Houses of the Parliament of *Ireland* have severally agreed and resolved, that, in order to promote and secure the essential Interests of *Great Britain* and *Ireland*, and to consolidate the Strength, Power, and Resources of the *British* Empire, it will be advisable to concur in such Measures as may best tend to unite the Two Kingdoms of *Great Britain* and *Ireland* into One Kingdom, in such Manner, and on such Terms and Conditions, as may be established by the Acts of the respective Parliaments of *Great Britain* and *Ireland*:

And whereas, in furtherance of the said Resolution, both Houses of the said Two Parliaments respectively have likewise agreed upon certain Articles for effectuating and establishing the said Purposes, in the Tenor following:

ARTICLE FIRST.

That it be the First Article of the Union of the Kingdoms of *Great Britain* and *Ireland*, that the said Kingdoms of *Great Britain* and *Ireland* shall, upon the First Day of *January* which shall be in the Year of our Lord One thousand eight hundred and one, and for ever after, be united into One Kingdom, by the Name of *The United Kingdom of Great Britain and Ireland*; and that the Royal Stile and Titles appertaining to the Imperial Crown of the said United Kingdom and its Dependencies; and also the Ensigns, Armorial Flags and Banners thereof, shall be such as His Majesty, by His Royal Proclamation under the Great Seal of the United Kingdom, shall be pleased to appoint.

That *Great Britain and Ireland* shall, upon *Jan. 1, 1801*, be united into One Kingdom; and that the Titles appertaining to the Crown &c., shall be such as His Majesty shall be pleased to appoint.

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ARTICLE SECOND.

That it be the Second Article of Union, that the Succession to the Imperial Crown of the said United Kingdom, and of the Dominions thereunto belonging, shall continue limited and settled in the same Manner as the Succession to the Imperial Crown of the said Kingdoms of *Great Britain* and *Ireland* now stands limited and settled, according to the existing Laws, and to the Terms of Union between *England* and *Scotland*.

That the Succession to the Crown shall continue limited and settled as at present.

ARTICLE THIRD.

That it be the Third Article of Union, that the said United Kingdom be represented in One and the same Parliament, to be stiled *The Parliament of the United Kingdom of Great Britain and Ireland*.

That the United Kingdom be represented in One Parliament.

ARTICLE FOURTH.

That it be the Fourth Article of Union, that Four Lords Spiritual of *Ireland* by Rotation of Sessions, and Twenty-eight Lords Temporal of *Ireland* elected for Life by the Peers of *Ireland*, shall be the Number to sit and vote on the Part of *Ireland* in the House of Lords of the Parliament of the United Kingdom; and One hundred Commoners (Two for each County of *Ireland*, Two for the City of *Dublin*, Two for the City of *Cork*, One for the University of *Trinity College*, and One for each of the Thirty-one most considerable Cities, Towns, and Boroughs), be the Number to sit and vote on the Part of *Ireland* in the House of Commons of the Parliament of the United Kingdom:

That the Number of Lords Spiritual and Temporal, and of Commoners herein specified, shall sit and vote on the Part of *Ireland* in the Parliament of the United Kingdom.

That such Act as shall be passed in the Parliament of *Ireland* previous to the Union, to regulate the Mode by which the Lords Spiritual and Temporal, and the Commons, to serve in the Parliament of the United Kingdom on the Part of *Ireland*, shall be summoned and returned to the said Parliament, shall be considered as forming Part of the Treaty of Union, and shall be incorporated in the Acts of the respective Parliaments by which the said Union shall be ratified and established:

That such Act as shall be passed in *Ireland* to regulate the Mode of

Here follow clauses making provision (1) that the House of Lords shall decide all questions of rotation or election in regard to Peers from *Ireland*, (2) that Irish

Peers not sitting in the Lords may be elected to Commons, but loses thereby all privileges of Peerage, (3) that the Crown may create Irish Peerages in proportion of one for each three that become extinct until the Irish Peerage is reduced to 100, when they can go on creating enough to keep up to the 100.

The rest of this article consists of machinery provisions.

summoning and returning the Lords and Commoners to serve in the Parliament of the United Kingdom shall be considered as Part of the Treaty of the Union.

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ARTICLE FIFTH.

That it be the Fifth Article of Union, That the Churches of *England* and *Ireland*, as now by Law established, be united into One Protestant Episcopal Church, to be called, *The United Church of England and Ireland*; and that the Doctrine, Worship, Discipline, and Government of the said United Church shall be, and shall remain in full force for ever, as the same are now by Law established for the Church of *England*; and that the Continuance and Preservation of the said United Church, as the established Church of *England* and *Ireland*, shall be deemed and taken to be an essential and fundamental Part of the Union; and that in like Manner the Doctrine, Worship, Discipline, and Government of the Church of *Scotland*, shall remain and be preserved as the same are now established by Law, and by the Acts for the Union of the Two Kingdoms of *England* and *Scotland*.

The Churches of *England* and *Ireland* to be united into One Protestant Episcopal Church, and the Doctrine of the Church of *Scotland* to remain as now established.

ARTICLE SIXTH

places Irish subjects under same laws and provisions in regard to trade and navigation prohibitions and bounties, imports and exports, and provides for the gradual abolition of customs duties between Great Britain and Ireland.

ARTICLE SEVENTH

provides that the Irish National Debt shall be kept distinct from the British National Debt. It fixes the proportions of contributions to revenue at 15 for Great Britain as to 2 for Ireland for 20 years. To be revised at the end of 20 years on a variety of alternative bases of calculation (Customs, trade, income, etc.). The contributions to be raised in both countries by taxes fixed by the United Parliament, and Parliament to have power to vary taxes, unify debt, and any Irish surplus to be reduced by reduction of taxation. Loans in future to be common.

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ARTICLE EIGHTH

first recites that all present laws to remain in force till repealed. Provides also that these Articles not to become Act until passed by Parliament.

Ends by reciting the measure to be passed through Irish Parliament regulating the representation of Ireland at Westminster after 1801.

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APPENDIX D

THE HOME RULE BILLS OF 1886 AND 1893

ToC

(1) THE BILL OF 1886.

A Bill to Amend the provision for the future Government of Ireland.

A.D. 1886

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

Legislative Authority.

1. On and after the appointed day there shall be established in Ireland a **Establishment**

Legislature consisting of Her Majesty the Queen and an Irish Legislative Body.

**of Irish
Legislature.**

2. With the exceptions and subject to the restrictions in this Act mentioned, it shall be lawful for Her Majesty the Queen, by and with the advice of the Irish Legislative Body, to make laws for the peace, order, and good government of Ireland, and by any such law to alter and repeal any law in Ireland.

**Powers of Irish
Legislature.**

3. The Legislature of Ireland shall not make laws relating to the following matters or any of them:—

**Exceptions from
powers of Irish
Legislature.**

- (1.) The status or dignity of the Crown, or the succession to the Crown, or a Regency;
- (2.) The making of peace or war;
- (3.) The army, navy, militia, volunteers, or other military or naval forces, or the defence of the realm;
- (4.) Treaties and other relations with foreign States, or the relations between the various parts of Her Majesty's dominions;
- (5.) Dignities or titles of honour;
- (6.) Prize or booty of war;
- (7.) Offences against the law of nations; or offences committed in violation of any treaty made, or hereafter to be made, between Her Majesty and any foreign State; or offences committed on the high seas;
- (8.) Treason, alienage, or naturalization;
- (9.) Trade, navigation, or quarantine;
- (10.) The postal and telegraph service, except as hereafter in this Act mentioned with respect to the transmission of letters and telegrams in Ireland;
- (11.) Beacons, lighthouses, or sea marks;
- (12.) The coinage; the value of foreign money; legal tender; or weights and measures; or
- (13.) Copyright, patent rights, or other exclusive rights to the use or profits of any works or inventions.

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Any law made in contravention of this section shall be void.

4. The Irish Legislature shall not make any law—

**Restrictions on
powers of Irish
Legislature.**

- (1.) Respecting the establishment or endowment of religion, or prohibiting the free exercise thereof; or
- (2.) Imposing any disability, or conferring any privilege, on account of religious belief; or
- (3.) Abrogating or derogating from the right to establish or maintain any place of denominational education or any denominational institution or charity; or
- (4.) Prejudicially affecting the right of any child to attend a school receiving public money without attending the religious instruction at that school; or
- (5.) Impairing, without either the leave of Her Majesty in Council first obtained on an address presented by the Legislative Body of Ireland, or the consent of the corporation interested, the rights, property, or privileges of any existing corporation incorporated by royal charter or local and general Act of Parliament; or
- (6.) Imposing or relating to duties of customs and duties of excise, as defined by this Act, or either of such duties or affecting any Act relating to such duties or any of them; or
- (7.) Affecting this Act, except in so far as it is declared to be alterable by the Irish Legislature.

5. Her Majesty the Queen shall have the same prerogatives with respect to summoning, proroguing, and dissolving the Irish Legislative Body as Her Majesty has with respect to summoning, proroguing, and dissolving the Imperial Parliament.

**Prerogatives of
Her Majesty as
to Irish
Legislative
Body.**

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6. The Irish Legislative Body whenever summoned may have continuance for *five years* and no longer, to be reckoned from the day on which any such Legislative Body is appointed to meet.

**Duration of the
Irish Legislative
Body.**

Executive Authority.

7.—(1.) The Executive Government of Ireland shall continue vested in Her Majesty, and shall be carried on by the Lord Lieutenant on behalf of Her Majesty with the aid of such officers and such council as to Her Majesty may from time to time seem fit.

**Constitution of
the Executive
Authority.**

(2.) Subject to any instructions which may from time to time be given by Her Majesty, the Lord

Lieutenant shall give or withhold the assent of Her Majesty to Bills passed by the Irish Legislative Body, and shall exercise the prerogatives of Her Majesty in respect of the summoning, proroguing, and dissolving of the Irish Legislative Body, and any prerogatives the exercise of which may be delegated to him by Her Majesty.

8. Her Majesty may, by Order in Council, from time to time place under the control of the Irish Government, for the purposes of that Government, any such lands and buildings in Ireland as may be vested in or held in trust for Her Majesty. **Use of Crown lands by Irish Government.**

Constitution of Legislative Body.

9.—(1.) The Irish Legislative Body shall consist of a first and second order.

Constitution of Irish Legislative Body.

(2.) The two orders shall deliberate together, and shall vote together, except that, if any question arises in relation to legislation or to the Standing Orders or Rules of Procedure or to any other matter in that behalf in this Act specified, and such question is to be determined by vote, each order shall, if a majority of the members present of either order demand a separate vote, give their votes in like manner as if they were separate Legislative Bodies; and if the result of the voting of the two orders does not agree the question shall be resolved in the negative. [170]

10.—(1.) The first order of the Irish Legislative Body shall consist of one hundred and three members, of whom seventy-five shall be elective members and twenty-eight peerage members. **First order.**

(2.) Each elective member shall at the date of his election and during his period of membership be bonâ fide possessed of property which—

(a.) if realty, or partly realty and partly personalty, yields two hundred pounds a year or upwards, free of all charges; or

(b.) if personalty yields the same income, or is of the capital value of four thousand pounds or upwards, free of all charges.

(2.) For the purpose of electing the elective members of the first order of the Legislative Body, Ireland shall be divided into the electoral districts specified in the First Schedule to this Act, and each such district shall return the number of members in that behalf specified in that Schedule.

(3.) The elective members shall be elected by the registered electors of each electoral district, and for that purpose a register of electors shall be made annually.

(4.) An elector in each electoral district shall be qualified as follows, that is to say, he shall be of full age and not subject to any legal incapacity, and shall have been during the twelve months next preceding the *twentieth day of July* in any year the owner or occupier of some land or tenement within the district of a net annual value of twenty-five pounds or upwards.

(5.) The term of office of an elective member shall be *ten years*.

(6.) In every fifth year thirty-seven or thirty-eight of the elective members, as the case requires, shall retire from office, and their places shall be filled by election; the members to retire shall be those who have been members for the longest time without re-election.

(7.) The offices of the peerage members shall be filled as follows; that is to say,— [171]

(a.) Each of the Irish peers who on the appointed day is one of the twenty-eight Irish representative peers, shall, on giving his written assent to the Lord Lieutenant, become a peerage member of the first order of the Irish Legislative Body; and if at any time within *thirty years* after the appointed day any such peer vacates his office by death or resignation, the vacancy shall be filled by the election to that office by the Irish peers of one of their number in manner heretofore in use respecting the election of Irish representative peers, subject to adaptation as provided by this Act, and if the vacancy is not so filled within the proper time it shall be filled by the election of an elective member.

(b.) If any of the twenty-eight peers aforesaid does not within *one month* after the appointed day give such assent to be a peerage member of the first order, the vacancy so created shall be filled up as if he had assented and vacated his office by resignation.

(8.) A peerage member shall be entitled to hold office during his life or until the expiration of *thirty years* from the appointed day, whichever period is the shortest. At the expiration of such *thirty years* the offices of all the peerage members shall be vacated as if they were dead, and their places shall be filled by elective members qualified and elected in manner provided by this Act with respect to elective members of the first order, and such elective members may be distributed by the Irish Legislature among the electoral districts, so, however, that care shall be taken to give additional members to the most populous places.

(9.) The offices of members of the first order shall not be vacated by the dissolution of the Legislative Body.

(10.) The provisions in the Second Schedule to this Act relating to members of the first order of the Legislative Body shall be of the same force as if they were enacted in the body of this Act.

11.—(1.) Subject as in this section hereafter mentioned, the second order of the **Second order.** Legislative Body shall consist of two hundred and four members.

(2.) The members of the second order shall be chosen by the existing constituencies of Ireland, two by each constituency, with the exception of the city of Cork, which shall be divided into two divisions in manner set forth in the Third Schedule to this Act, and two members shall be chosen by each of such divisions.

(3.) Any person who, on the appointed day, is a member representing an existing Irish constituency in the House of Commons shall, on giving his written assent to the Lord Lieutenant, become a member of the second order of the Irish Legislative Body as if he had been elected by the constituency which he was representing in the House of Commons. Each of the members for the city of Cork, on the said day, may elect for which of the divisions of that city he wishes to be deemed to have been elected.

(4.) If any member does not give such written assent within *one month* after the appointed day, his place shall be filled by election in the same manner and at the same time as if he had assented and vacated his office by death.

(5.) If the same person is elected to both orders, he shall, within *seven days* after the meeting of the Legislative Body, or if the Body is sitting at the time of the election, within *seven days* after the election, elect in which order he will serve, and his membership of the other order shall be void and be filled by a fresh election.

(6.) Notwithstanding anything in this Act, it shall be lawful for the Legislature of Ireland at any time to pass an Act enabling the Royal University of Ireland to return not more than two members to the second order of the Irish Legislative Body in addition to the number of members above mentioned.

(7.) Notwithstanding anything in this Act, it shall be lawful for the Irish Legislature, after the first dissolution of the Legislative Body which occurs, to alter the constitution or election of the second order of that body, due regard being had in the distribution of members to the population of the constituencies; provided that no alteration shall be made in the number of such order.

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Clauses 12 to 20 are the Finance Clauses, which are dealt with at the end of this Appendix.

Police.

21. The following regulations shall be made with respect to police in Ireland:

(a.) The Dublin Metropolitan Police shall continue and be subject as heretofore to the control of the Lord Lieutenant as representing Her Majesty for a period of *two years* from the passing of this Act, and thereafter until any alteration is made by Act of the Legislature of Ireland, but such Act shall provide for the proper saving of all then existing interests, whether as regards pay, pensions, superannuation allowances, or otherwise.

(b.) The Royal Irish Constabulary shall, while that force subsists, continue and be subject as heretofore to the control of the Lord Lieutenant as representing Her Majesty.

(c.) The Irish Legislature may provide for the establishment and maintenance of a police force in counties and boroughs in Ireland under the control of local authorities, and arrangements may be made between the Treasury and the Irish Government for the establishment and maintenance of police reserves.

Clause 22 reserves to the Crown the power of erecting forts, dockyards, etc.

Legislative Body.

23. If a Bill or any provision of a Bill is lost by disagreement between the two orders of the Legislative Body, and after a period ending with a dissolution of the Legislative Body, or the period of *three years* whichever period is longest, such Bill, or a Bill containing the said provision, is again considered by the Legislative Body, and such Bill or provision is adopted by the second order and negatived by the first order, the same shall be submitted to the whole Legislative Body, both orders of which shall vote together on the Bill or provision, and the same shall be adopted or rejected according to the decision of the majority of the members so voting together.

Veto by first order of Legislative Body, how overruled.

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24. On and after the appointed day Ireland shall cease, except in the event hereafter in this Act mentioned, to return representative peers to the House of Lords or members to the House of Commons, and the persons who on the said day are such representative peers and members shall cease as such to be members of the House of Lords and House of Commons respectively.

Ceaser of power of Ireland to return members to Parliament.

Clause 25 refers constitutional questions to the Judicial Committee of the Privy Council.

Clause 26 abolishes religious test for the Lord Lieutenant.

Clauses 27-30 safeguards interests of Judges and Civil Servants.

Clauses 31-36, transitory and miscellaneous.

37. Save as herein expressly provided all matters in relation to which it is not competent for the Irish Legislative Body to make or repeal laws shall remain and be within the exclusive authority of the Imperial Parliament save as aforesaid, whose power and authority in relation thereto shall

in nowise be diminished or restrained by anything herein contained.

Clause 38 continues existing laws, courts and officers.

39.—(1.) On and after the appointed day this Act shall not, except such provisions thereof as are declared to be alterable by the Legislature of Ireland, be altered except— **Mode of alteration of Act.**

(a.) by Act of the Imperial Parliament and with the consent of the Irish Legislative Body testified by an address to Her Majesty, or

(b.) by an Act of the Imperial Parliament for the passing of which there shall be summoned to the House of Lords the peerage members of the first order of the Irish Legislative Body, and if there are no such members then twenty-eight Irish representative peers elected by the Irish peers in manner heretofore in use, subject to adaptation as provided by this Act; and there shall be summoned to the House of Commons such one of the members of each constituency, or in the case of a constituency returning four members such two of those members, as the Legislative Body of Ireland may select, and such peers and members shall respectively be deemed, for the purpose of passing any such Act, to be members of the said Houses of Parliament respectively.

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(2.) For the purposes of this section it shall be lawful for Her Majesty by Order in Council to make such provisions for summoning the said peers of Ireland to the House of Lords and the said members from Ireland to the House of Commons as to Her Majesty may seem necessary or proper, and any provisions contained in such Order in Council shall have the same effect as if they had been enacted by Parliament.

Clause 40, definition clause.

Summary of Finance Provisions.

(Clauses 12-20.)

Clause 13. The Irish Parliament is to have the right to impose all taxes except customs and excise.

The Irish Parliament to pay annually to the British Exchequer these sums, fixed at the level for the following 30 years:—

£1,466,000	as interest on the Irish share in the National Debt.
1,666,000	towards the Army and Navy.
110,000	towards the Imperial Civil expenditure.
<u>1,000,000</u>	towards the Irish Constabulary.
£4,242,000	in all.

The Irish Exchequer to pay annually £360,000 towards the reduction of the National Debt, and their payment of interest to be reduced in proportion.

If any reduction takes place in Army and Navy to the extent of reducing British proportions below 15 times the Irish, then the Irish to be reduced by 1-15th.

The Irish Government to receive the revenues of Crown Lands in Ireland.

If the Irish Constabulary is reduced, then the Irish contribution towards Constabulary to be reduced accordingly.

Clause 14. The first charge for the Irish contributions to be on the customs and excise collected in Ireland. The rest to go to the Irish Government.

The first charge on other Irish taxes to be (1) any deficit in Irish contribution to British Exchequer, (2) any interest on any Irish debt, (3) Irish public service, (4) Irish judges, etc.

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Duty laid upon Irish Government to raise taxes equal to paying these charges.

Clauses 16 and 17. Provisions as to Irish Church Fund and Irish loans (now obsolete).

Clause 18. In case of war Irish Government "may" contribute more money for the prosecution of war.

Clauses 19 and 20. Machinery clauses.

(2) THE BILL OF 1893.

A Bill intituled an Act to amend the provision for the Government of Ireland. **A.D. 1893.**

WHEREAS it is expedient that without impairing or restricting the supreme authority of Parliament, an Irish Legislature should be created for such purposes in Ireland as in this Act mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Legislative Authority.

1. On and after the appointed day there shall be in Ireland a Legislature consisting of Her Majesty the Queen and of two Houses, the Legislative Council and the Legislative Assembly. **Establishment of Irish Legislature.**

2. With the exceptions and subject to the restrictions in this Act mentioned, there shall be granted to the Irish Legislature power to make laws for the peace, order, and good government of Ireland in respect of matters exclusively relating to Ireland or some part thereof. Provided that, notwithstanding anything in this Act contained, the supreme power and authority of the Parliament of the United Kingdom of Great Britain and Ireland shall remain unaffected and undiminished over all persons, matters, and things within the Queen's dominions. **Powers of Irish Legislature.**

3. The Irish Legislature shall not have power to make laws in respect of the following matters or any of them:— **Exceptions from powers of Irish Legislature.** [177]

- (1.) The Crown, or the succession to the Crown, or a Regency; or the Lord Lieutenant as representative of the Crown; or
- (2.) The making of peace or war or matters arising from a state of war; or the regulation of the conduct of any portion of Her Majesty's subjects during the existence of hostilities between foreign states with which Her Majesty is at peace, in respect of such hostilities; or
- (3.) Navy, army, militia, volunteers, and any other military forces, or the defence of the realm, or forts, permanent military camps, magazines, arsenals, dockyards, and other needful buildings, or any places purchased for the erection thereof; or
- (4.) Authorising either the carrying or using of arms for military purposes, or the formation of associations for drill or practice in the use of arms for military purposes; or
- (5.) Treaties or any relations with foreign States, or the relations between different parts of Her Majesty's dominions, or offences connected with such treaties or relations, or procedure connected with the extradition of criminals under any treaty; or
- (6.) Dignities or titles of honour; or
- (7.) Treason, treason-felony, alienage, aliens as such, or naturalization; or
- (8.) Trade with any place out of Ireland; or quarantine, or navigation, including merchant shipping (except as respects inland waters and local health or harbour regulations); or
- (9.) Lighthouses, buoys, or beacons within the meaning of the Merchant Shipping Act, 1854, and the Acts amending the same (except so far as they can consistently with any general Act of Parliament be constructed or maintained by a local harbour authority); or
- (10.) Coinage; legal tender; or any change in the standard of weights and measures; or
- (11.) Trade marks, designs, merchandise marks, copyright, or patent rights. [178]

Provided always, that nothing in this section shall prevent the passing of any Irish Act to provide for any charges imposed by Act of Parliament, or to prescribe conditions regulating importation from any place outside Ireland for the sole purpose of preventing the introduction of any contagious disease.

It is hereby declared that the exceptions from the powers of the Irish Legislature contained in this section are set forth and enumerated for greater certainty, and not so as to restrict the generality of the limitation imposed in the previous section on the powers of the Irish Legislature.

Any law made in contravention of this section shall be void.

4. The powers of the Irish Legislature shall not extend to the making of any law—

- (1.) Respecting the establishment or endowment of religion, whether directly or indirectly, or prohibiting the free exercise thereof; or
- (2.) Imposing any disability, or conferring any privilege, advantage, or benefit, on account of religious belief, or raising or appropriating directly or indirectly, save as heretofore, any public revenue for any religious purpose, or for the benefit of the holder of any religious office as such; or
- (3.) Diverting the property or without its consent altering the constitution of any religious body; or
- (4.) Abrogating or prejudicially affecting the right to establish or maintain any place of denominational education or any denominational institution or charity; or
- (5.) Whereby there may be established and endowed out of public funds any

theological professorship or any university or college in which the conditions set out in the University of Dublin Tests Act, 1873, are not observed; or

- (6.) Prejudicially affecting the right of any child to attend a school receiving public money, without attending the religious instruction at that school; or
- (7.) Directly or indirectly imposing any disability, or conferring any privilege, benefit, or advantage upon any subject of the Crown on account of his parentage or place of birth, or of the place where any part of his business is carried on, or upon any corporation or institution constituted or existing by virtue of the law of some part of the Queen's dominions, and carrying on operations in Ireland, on account of the persons by whom or in whose favour or the place in which any of its operations are carried on; or
- (8.) Whereby any person may be deprived of life, liberty, or property without due process of law in accordance with settled principles and precedents, or may be denied the equal protection of the laws, or whereby private property may be taken without just compensation; or
- (9.) Whereby any existing corporation incorporated by Royal Charter or by any local or general Act of Parliament may, unless it consents, or the leave of Her Majesty is first obtained on address from the two Houses of the Irish Legislature, be deprived of its rights, privileges, or property without due process of law in accordance with settled principles and precedents, and so far as respects property without just compensation. Provided nothing in this subsection shall prevent the Irish Legislature from dealing with any public department, municipal corporation, or local authority, or with any corporation administering for public purposes taxes, rates, cess, dues, or tolls, so far as concerns the same.

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Any law made in contravention of this section shall be void.

Executive Authority.

5.—(1.) The executive power in Ireland shall continue vested in Her Majesty the Queen, and the Lord Lieutenant, or other chief executive officer or officers for the time being appointed in his place, on behalf of Her Majesty, shall exercise any prerogatives or other executive power of the Queen the exercise of which may be delegated to him by Her Majesty, and shall, in Her Majesty's name, summon, at least once in every year, prorogue, and dissolve the Irish Legislature; and every instrument conveying any such delegation of any prerogative or other executive power shall be presented to the two Houses of Parliament as soon as conveniently may be. Provided always that the lieutenants of counties shall be appointed by the Lord Lieutenant of Ireland as representing Her Majesty.

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(2.) There shall be an Executive Committee of the Privy Council of Ireland to aid and advise in the government of Ireland, being of such numbers, and comprising persons holding such offices under the Crown as Her Majesty or, if so authorised, the Lord Lieutenant may think fit, save as may be otherwise directed by Irish Act.

(3.) The Lord Lieutenant shall, on the advice of the said Executive Committee, give or withhold the assent of Her Majesty to Bills passed by the two Houses of the Irish Legislature, subject nevertheless to any instructions given by Her Majesty in respect of any such Bill.

6. All the powers and jurisdiction to be exercised in accordance with the provisions of the Foreign Enlistment Act, 1870, and the Fugitive Offenders Act, 1881, by the Lord Lieutenant or Lord Justices, or other Chief Governor or Governors of Ireland, or the Chief Secretary of the Lord Lieutenant, shall be exercised by the Lord Lieutenant in pursuance of instructions given by Her Majesty.

Constitution of Legislature.

7.—(1.) The Irish Legislative Council shall consist of forty-eight councillors.

(2.) Each of the constituencies mentioned in the First Schedule to this Act shall return the number of councillors named opposite thereto in that schedule.

(3.) Every man shall be entitled to be registered as an elector, and when registered to vote at an election, of a councillor for a constituency, who owns or occupies any land or tenement in the constituency of a rateable value of more than twenty pounds, subject to the like conditions as a man is entitled at the passing of this Act to be registered and vote as a parliamentary elector in respect of an ownership qualification or of the qualification specified in section five of the Representation of the People Act, 1884, as the case may be: Provided that a man shall not be entitled to be registered, nor if registered to vote, at an election of a councillor in more than one constituency in the same year.

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(4.) The term of office of every councillor shall be eight years, and shall not be affected by a dissolution; and one half of the councillors shall retire in every fourth year, and their seats shall be filled by a new election.

8.—(1.) The Irish Legislative Assembly shall consist of one hundred and three members, returned by the existing parliamentary constituencies in Ireland, or the existing divisions thereof,

and elected by the parliamentary electors for the time being in those constituencies or divisions.

(2.) The Irish Legislative Assembly when summoned may, unless sooner dissolved, have continuance for five years from the day on which the summons directs it to meet and no longer.

(3.) After six years from the passing of this Act, the Irish Legislature may alter the qualification of the electors, and the constituencies, and the distribution of the members among the constituencies, provided that in such distribution due regard is had to the population of the constituencies.

9. If a Bill or any provision of a Bill adopted by the Legislative Assembly is lost by the disagreement of the Legislative Council, and after a dissolution, or the period of two years from such disagreement, such Bill, or a Bill for enacting the said provision, is again adopted by the Legislative Assembly and fails within three months afterwards to be adopted by the Legislative Council, the same shall forthwith be submitted to the members of the two Houses deliberating and voting together thereon, and shall be adopted or rejected according to the decision of the majority of those members present and voting on the question.

Irish Representation in House of Commons.

10. Unless and until Parliament otherwise determines, the following provisions shall have effect

- (1.) After the appointed day each of the constituencies named in the Second Schedule to this Act shall return to serve in Parliament the number of members named opposite thereto in that schedule, and no more, and Dublin University shall cease to return any member.
- (2.) The existing divisions of the constituencies shall, save as provided in that schedule, be abolished.
- (3.) The election laws and the laws relating to the qualification of parliamentary electors shall not, so far as they relate to parliamentary elections, be altered by the Irish Legislature, but this enactment shall not prevent the Irish Legislature from dealing with any officers concerned with the issue of writs of election, and if any officers are so dealt with, it shall be lawful for Her Majesty by Order in Council to arrange for the issue of such writs, and the writs issued in pursuance of such Order shall be of the same effect as if issued in manner heretofore accustomed.

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Clauses 11-20 are the finance clauses, which are dealt with at the end of this Appendix.

Clauses 21 and 22 substitute the Judicial Committee of the Privy Council as Court of Appeal for Ireland in place of House of Lords.

Clause 23 abolishes religious test for the Lord Lieutenant.

Clauses 25-28 safeguard interests of Judges, Civil Servants.

29.—(1.) The forces of the Royal Irish Constabulary and Dublin Metropolitan Police shall, when and as local police forces are from time to time established in Ireland in accordance with the Fifth Schedule to this Act, be gradually reduced and ultimately cease to exist as mentioned in that Schedule; and thereupon the Acts relating to such forces shall be repealed, and no forces organised and armed in like manner, or otherwise than according to the accustomed manner of a civil police, shall be created under any Irish Act; and after the passing of this Act, no officer or man shall be appointed to either of those forces;

Provided that until the expiration of six years from the appointed day, nothing in this Act shall require the Lord Lieutenant to cause either of the said forces to cease to exist, if as representing Her Majesty the Queen he considers it inexpedient.

Sections (2) to (5) safeguard interests of existing police.

Clauses 30-33. Miscellaneous.

34.—(1.) During three years from the passing of this Act, and if Parliament is then sitting until the end of that session of Parliament, the Irish Legislature shall not pass an Act respecting the relations of landlord and tenant, or the sale, purchase, or letting of land generally: Provided that nothing in this section shall prevent the passing of any Irish Act with a view to the purchase of land for railways, harbours, waterworks, town improvements, or other local undertakings.

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(2.) During six years from the passing of this Act, the appointment of a judge of the Supreme Court or other superior court in Ireland (other than one of the Exchequer judges) shall be made in pursuance of a warrant from Her Majesty countersigned as heretofore.

Clause 35. Transitory.

Clause 39. Definitions, etc.

Summary of Finance Provisions.

(Clauses 11-20.)

The General Revenue of Ireland to be kept apart as specified. One-third to be allocated to Imperial expenditure. Two-thirds to form the special revenue of Ireland and to be spent in purely

Irish expenditure.

War taxes to be imposed on Ireland simultaneously and identically with Great Britain and to be paid into the British exchequer.

After six years all taxation except customs and excise to be transferred to Ireland and all these arrangements to be revised.

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APPENDIX E

THE IRISH BOARD OF AGRICULTURE

ToC

This Board was set up in 1899 by the Agriculture and Technical Instruction (Ireland) Act.

The constructive clauses of this Act are the following:—

Clause 1 establishes a Department of Agriculture, its powers to be exercised either by the President or Vice-President.

Clauses 2, 3, 4 and 5 define its powers.

Part II. creates the advisory machinery to which reference is made in the text, and they run as follows:—

Consultative Council, Agricultural Board and Board of Technical Instruction, and Financial Provisions.

7. For the purpose of assisting the Department in carrying out the objects of this Act there shall be established—

- (a) a Council of Agriculture;
- (b) an Agricultural Board; and
- (c) a Board of Technical Instruction.

8.—(1.) The Council of Agriculture shall consist of the following members:—

- (a) Two persons to be appointed by the county council of each county (other than a county borough) in each province; and
- (b) A number of persons resident in each province equal to the number of counties (exclusive of county boroughs) in the province, to be appointed by the Department with due regard to the representation on the council of any agricultural or industrial organisations in the province.

(2.) For the purposes of this section the county of Cork shall be regarded as two counties, and four persons shall be appointed by the council of that county.

(3.) The members representing each province shall constitute separate committees on the Council and shall be styled the provincial committees of the respective provinces.

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9. The Agricultural Board shall consist of the following members:—

- (a.) Two persons to be appointed by the provincial committee of each province; and
- (b.) Four persons to be appointed by the Department.

10. The Board of Technical Instruction shall consist of the following members:—

- (a.) Three persons to be appointed by the county council of each of the county boroughs of Dublin and Belfast;
- (b.) One person to be appointed by a joint committee of the councils of the several urban county districts in the county of Dublin; such committee to consist of one member chosen out of their body by the council of each such district;
- (c.) One person to be appointed by the council of each county borough not above mentioned;
- (d.) One person to be appointed by the provincial committee of each province;
- (e.) One person to be appointed by the Commissioners of National Education;
- (f.) One person to be appointed by the Intermediate Education Board; and

(g.) Four persons to be appointed by the Department.

11. The Council of Agriculture shall meet at least once a year for the purpose of discussing matters of public interest in connexion with any of the purposes of this Act.

12. The Agricultural Board shall advise the Department with respect to all matters and questions submitted to them by the Department in connexion with the purposes of agriculture and other rural industries.

13. The Board of Technical Instruction shall advise the Department with respect to all matters and questions submitted to them by the Department in connexion with technical instruction.

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APPENDIX F

THE REDUCTION IN IRISH PAUPERISM OWING TO OLD AGE PENSIONS

ToC

The Report of the Irish Local Government Board for 1911 shows a reduction in Irish pauperism between March, 1910, and March 26th, 1911, amounting to over 18,000:—

March 26th, 1910	99,607
March 25th, 1911	<u>80,942</u>
	18,665

An analysis of the figures shows that the reduction is almost entirely due to the Old-age Pensions Act. There is little or no reduction in children, lunatics, or mothers, while there are the following reductions in aged and infirm paupers:—

	1910.	1911.	Reduction.
Aged and infirm in work-houses	13,478	11,291	2,187
Aged and infirm on outdoor relief	51,304	35,681	15,623
		Total	17,810

leaving only 855 of the reduction unaccounted for.

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APPENDIX G

THE LAND LAW (IRELAND) ACT, 1881

ToC

The provisions which have revolutionised the land system of Ireland are contained in Clause 8 of the Land Act of 1881, which runs as follows:—

8.—(1.) The tenant of any present tenancy to which this Act applies, or such tenant and the landlord jointly, or the landlord, after having demanded from such tenant an increase of rent which the tenant has declined to accept, or after the parties have otherwise failed to come to an agreement, may from time to time during the continuance of such tenancy apply to the court to fix the fair rent to be paid by such tenant to the landlord for the holding, and thereupon the court, after hearing the parties, and having regard to the interest of the landlord and tenant respectively, and considering all the circumstances of the case, holding, and district, may determine what is such fair rent.

(2.) The rent fixed by the court (in this Act referred to as the judicial rent) shall be deemed to be the rent payable by the tenant as from the period commencing at the rent day next succeeding

the decision of the court.

(3.) Where the judicial rent of any present tenancy has been fixed by the court, then, until the expiration of a term of fifteen years from the rent day next succeeding the day on which the determination of the court has been given (in this Act referred to as a statutory term), such present tenancy shall (if it so long continue to subsist) be deemed to be a tenancy subject to statutory conditions, and having the same incidents as a tenancy subject to statutory conditions consequent on an increase of rent by a landlord.

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APPENDIX H

THE IRISH CONGESTED DISTRICTS BOARD

ToC

The present Congested Districts Board, so often referred to in the text, is constituted under the following clauses of the Irish Land Act of 1909:—

45.—(1.) From and after the appointed day, the Congested Districts Board shall consist of the following members:—

(a.) The Chief Secretary, the Under Secretary to the Lord Lieutenant, and the Vice-President of the Department of Agriculture and Technical Instruction for Ireland, who shall be ex officio members:

(b.) Nine members appointed by His Majesty (in this Act referred to as appointed members):

(c.) Two paid members appointed by His Majesty (in this Act referred to as permanent members).

(2.) An appointed member shall hold office for five years, and shall be eligible for re-appointment. On a casual vacancy occurring by reason of the death, resignation, or incapacity of an appointed member or otherwise, the person appointed by His Majesty to fill the vacancy shall continue in office until the member in whose place he was appointed would have retired, and shall then retire.

46.—(1.) For the purposes of the Congested Districts Board (Ireland) Acts, as amended by this Act, each of the following administrative counties, that is to say, the counties of Donegal, Sligo, Leitrim, Roscommon, Mayo, Galway, and Kerry, shall be a congested districts county, the six rural districts of Ballyvaghan, Ennistymon, Kilrush, Scariff, Tulla, and Killadysert, in the county of Clare, shall together form one congested districts county, and the four rural districts of Bantry, Castletown, Schull, and Skibbereen, in the county of Cork, shall together form one congested districts county.

(2.) No electoral division shall, after the passing of this Act, be or form part of a congested districts county, unless it is included in a congested districts county constituted under this section.

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The Act follows closely on the lines of the Report of the 1908 Commission, and places a third of Ireland under the Board.

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APPENDIX J

ToC

(1.) RECOMMENDATION IN REGARD TO IRELAND OF THE ROYAL COMMISSION ON CANALS AND INLAND NAVIGATION

(1.) That such waterways in Ireland as, on a review of all the facts, your Majesty's Government may deem of importance to the cause of cheap inland transport, should come under State control; and

(2.) That a Controlling Authority should be constituted for the purpose of taking over those inland waterways which are already under the control of the State, of Local Authorities, or of a

public trust, and of acquiring such other waterways as are determined to be of importance either to the drainage of the country, or to the cause of cheap inland transport.

(2.) IN REGARD TO IRISH RAILWAYS

The principal recommendation of the Majority Report of the Viceregal Commission on Irish Railways (1910) runs as follows:—

- (1.) That an Irish Authority be instituted to acquire the Irish Railways and work them as a single system.
- (2.) That this Authority be a Railway Board of twenty Directors, four nominated and sixteen elected.
- (3.) That the general terms of purchase be those prescribed by the Regulation of Railways Act of 1844 (7 and 8 Vic. cap. 85. sec. 2), with supplementary provisions as to redemption of guarantees, and purchase of non-dividend paying or non-profit earning lines.
- (4.) That the financial medium be a Railway Stock; and that such stock be charged upon (1) the Consolidated Fund; (2) the net revenues of the unified Railway system; (3) an annual grant from the Imperial Exchequer; and (4) a general rate, to be struck by the Irish Railway Authority if and when required.

[191]

APPENDIX K

ToC

(1.) HOME RULE PARLIAMENTS IN THE BRITISH EMPIRE

Canada	10
Australia	7
South Africa	5
Newfoundland	1
New Zealand	<u>5</u>
Total	24

Besides these Autonomous Parliaments—

- (1.) India has also now seven "Legislative Councils," partly elective.
- (2.) The Isle of Man has "House of Keys," with almost complete legislative power.
- (3.) The Channel Islands have their own semi-independent governing Assemblies.
- (4.) The Crown Colonies have Assemblies possessing a considerable local representative element.

Typographical errors corrected in text:

Page 146: established replaced with established
Page 176: intituled replaced with intitled

*** END OF THE PROJECT GUTENBERG EBOOK HOME RULE ***

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