

Ireland
AUTHORISED EDITION.

THE
GOVERNMENT OF IRELAND BILL.

SPEECH

DELIVERED BY THE

RIGHT HON. W. E. GLADSTONE, M.P.,

IN THE HOUSE OF COMMONS,

ON

Moving for leave to introduce a Bill for the better Government
of Ireland,

ON THURSDAY, 8TH APRIL, 1886.

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GOVERNMENT OF IRELAND BILL.

MR. GLADSTONE, on rising to ask leave to introduce a Bill for the better Government of Ireland, said :—

I could have wished, Mr. Speaker, on several grounds that it had been possible for me on this single occasion to open to the House the whole of the policy and intentions of the Government with respect to Ireland. The two questions of land and of Irish government are, in our view, closely and inseparably connected, for they are the two channels through which we hope to find access, and effectual access, to that question which is the most vital of all—namely, the question of social order in Ireland. As I have said, those two questions are; in our view—whatever they may be in that of any one else—they are in our view, for reasons which I cannot now explain, inseparable the one from the other. But it is impossible for me to attempt such a task. Even as it is, the mass of materials that I have before me I may, without exaggeration, call enormous. I do not know that at any period a task has been laid upon me involving so large and so diversified an exposition, and it would be in vain to attempt more than human strength can, I think, suffice to achieve. I may say that, when contemplating the magnitude of that task, I have been filled with a painful mistrust; but that mistrust, I can assure the House, is absorbed in the yet deeper feeling of the responsibility that would lie upon me, and of the mischief that I should inflict upon the public interest, if I should fail to bring home to the minds of members, as I seem to perceive in my own mind, the magnitude of all the varied aspects of this question. What I wish is that we should no longer fence and skirmish with this question, but that we should come to close quarters with it;

that we should get if we can at the root; that we should take measures not merely intended for the wants of to-day and of to-morrow, but if possible that we should look into a more distant future; that we should endeavour to anticipate and realise that future by the force of reflection; that we should if possible unroll it in anticipation before our eyes, and make provision now, while there is yet time, for all the results that may await upon a right or wrong decision of to-day.

Social Order in Ireland.

Mr. Speaker, on one point I rejoice to think that we have a material, I would say a vital, agreement. It is felt on both sides of the House, unless I am much mistaken, that we have arrived at a stage in our political transactions with Ireland, where two roads part one from the other, not soon probably to meet again. The late Government—I am not now referring to this as a matter of praise or blame, but simply as a matter of fact—the late Government felt that they had reached the moment for decisive resolution when they made the announcement, on the last day of their Ministerial existence, that their duty compelled them to submit to Parliament proposals for further repressive criminal legislation. We concur entirely in that conclusion, and we think that the time is come when it is the duty of Parliament, when the honour of Parliament and its duty alike require, that it should endeavour to come to some decisive resolution in this matter; and our intention is, Sir, to propose to the House of Commons that which, as we think, it happily accepted, will liberate Parliament from the restraints under which of late years it has ineffectually struggled to perform the business of the country; will restore legislation to its natural, ancient, unimpeded course; and will, above all, obtain an answer—a clear, we hope, and definitive answer—to the question whether it is or is not possible to establish good and harmonious relations between Great Britain and Ireland on the footing of those free institutions to which Englishmen, Scotchmen, and Irishmen are alike unalterably attached.

Now, when I say that we are imperatively called upon to deal with the great subject of social order in Ireland, do not let me for a moment either be led myself or lead others into the dangerous fault of exaggeration. The crime of Ireland, the agrarian crime of Ireland, I rejoice to say, is not what it was in other days—days now comparatively distant, days within my own earliest recollection as a member of Parliament. In 1833

the Government of Lord Grey proposed to Parliament a strong Coercion Act. At that time the information at their command did not distinguish between agrarian and ordinary crime as the distinction is now made. As to the present time, it is easy to tell the House that the serious agrarian crimes of Ireland, which in 1881 were 994 in 1885 were 239. But I go back to the period of 1832. The contrast is, perhaps, still more striking. In 1832 the homicides in Ireland were 248, in 1885 they were 65. The cases of attempts to kill, happily unfulfilled, in the first of those years were 209, in 1885 were 37. The serious offences of all other kinds in Ireland in 1832 were 6,014, in 1885 they were 1,057. The whole criminal offences in Ireland in the former year were 14,000, and in the latter year 2,683.

Coercion a Failure.

So far, therefore, Sir, we are not to suppose that the case with which we have now to deal is one of those cases of extreme disorder which threaten the general peace of society. Notwithstanding that, Sir, in order to lay the ground for the important measure we are asking leave to introduce—and well I am aware that it does require broad and solid grounds to be laid in order to justify the introduction of such a measure—in order to lay that ground I must ask the House to enter with me into a brief review of the general features of what has been our course with regard to what is termed coercion, or repressive criminal legislation. And, Sir, the first point to which I would call your attention is this, that whereas exceptional legislation—legislation which introduces exceptional provisions into the law—ought itself to be in its own nature essentially and absolutely exceptional, it has become for us not exceptional but habitual. We are like a man who, knowing that medicine may be the means of his restoration to health, endeavours to live upon medicine. Nations, no more than individuals, can find a subsistence in what was meant to be a cure. But has it been a cure? Have we attained the object which we desired, and honestly desired, to attain? No, Sir, agrarian crime has become, sometimes upon a larger and sometimes upon a smaller scale, as habitual in Ireland as the legislation which has been intended to repress it, and that agrarian crime, although at the present time it is almost at the low water-mark, yet has a fatal capacity of expansion under stimulating circumstances, and rises from time to time, as it rose

in 1885, to dimensions and to an exasperation which becomes threatening to general social order and to the peace of private and domestic life. I ought, perhaps, to supply an element which I forgot at the moment in comparing 1832 and 1885, that is to remind the House that the decrease of crime is not so great as it looks, because the population of Ireland at that time was nearly 8,000,000, whereas it may be taken at present at 5,000,000. But the exact proportion, I believe, is fairly represented by the figure I will now give. The population of Ireland now, compared with that time, is under two-thirds, the crime of Ireland now, as compared with that period, is under one-fifth.

Boycotting and Intimidation.

But the agrarian crime in Ireland is not so much a cause as it is a symptom. It is a symptom of a yet deeper mischief of which it is only the external manifestation. That manifestation is mainly threefold. In the first place, with certain exceptions for the case of winter juries, it is impossible to depend in Ireland upon the finding of a jury in a case of agrarian crime according to the facts as they are viewed by the Government, by the Judges, and by the public, I think, at large. That is a most serious mischief, passing down deep into the very groundwork of civil society. It is also, Sir, undoubtedly a mischief that in cases where the extreme remedy of eviction is resorted to by the landlord—possibly in some instances unnecessarily resorted to, but in other instances resorted to after long patience has been exhausted—these cases of eviction, good, bad, and indifferent as to their justification, stand pretty much in one and the same discredit with the rural population of Ireland, and become, as we know, the occasion of transactions that we all deeply lament. Finally, Sir, it is not to be denied that there is great interference in Ireland with individual liberty in the shape of intimidation. Now, Sir, I am not about to assume the tone of the Pharisee on this occasion. There is a great deal of intimidation in England too when people find occasion for it; and if we, the English and the Scotch, were under the conviction that we had such grave cause to warrant irregular action, as is the conviction entertained by a very large part of the population in Ireland, I am not at all sure that we should not, like that part of the population in Ireland, resort to the rude and unjustifiable remedy of intimidation. I am very ambitious on this important and critical occasion to gain one object—that is, not to treat this question controversially. I have this object in view, and I do not des-

pair of attaining it; and in order that I may do nothing to cause me to fail of attaining it I will not enter into the question, if you like, whether there ever is intimidation in England or not. But I will simply record the fact which I thought it but just to accompany with a confession with regard to ourselves—I will simply record the fact that intimidation does prevail, not to the extent that is supposed, yet to a material and painful extent in Ireland. The consequence of that is to weaken generally the respect for law, and the respect for contract, and that among a people who, I believe, are as capable of attaining to the very highest moral and social standard as any people on the face of the earth. So much for coercion—if I use the phrase it is for brevity for repressive legislation generally—but there is one circumstance to which I cannot help calling the special attention of the House.

Why Coercion has Failed.

Nothing has been more painful to me than to observe that in this matter we are not improving, but, on the contrary, we are losing ground. Since the last half century dawned, we have been steadily engaged in extending, as well as in consolidating, free institutions. I divide the period since the Act of Union with Ireland into two—the first from 1800 to 1832, the epoch of what is still justly called the great Reform Act, and, secondly, from 1833 to 1885. I do not know whether it has been as widely observed as I think it deserves to be that in the first of those periods—thirty-two years—there were no less than eleven years—it may seem not much to say, but wait for what is coming—there were no less than eleven of those thirty-two years in which our Statute-book was free throughout the whole year from repressive legislation of an exceptional kind against Ireland. But in the fifty-three years since we advanced far in the career of Liberal principles and actions—in those fifty-three years, from 1833 to 1885—there were but two years which were entirely free from the action of this special legislation for Ireland. Is not that of itself almost enough to prove that we have arrived at the point where it is necessary that we should take a careful and searching survey of our position? For, Sir, I would almost venture, trusting to the indulgent interpretation of the House, to say that the coercion we have heretofore employed has been spurious and ineffectual coercion, and that if there is to be coercion—which God forbid—it ought to be

adequate to attain its end. If it is to attain its end it must be different, differently maintained, and maintained with a different spirit, courage, and consistency compared with the coercion with which we have been heretofore familiar.

Well, Sir, what are the results that have been produced? This result above all—and now I come to what I consider to be the basis of the whole mischief—that rightly or wrongly, yet in point of fact, law is discredited in Ireland, and discredited in Ireland upon this ground especially—that it comes to the people of that country with a foreign aspect, and in a foreign garb. These coercion Bills of ours, of course—for it has become a matter of course—I am speaking of the facts and not of the merits—these coercion Bills are stiffly resisted by the members who represent Ireland in Parliament. The English mind, by cases of this kind and by the tone of the Press towards them, is estranged from the Irish people, and the Irish mind is estranged from the people of England and Scotland. I will not speak of other circumstances attending the present state of Ireland, but I do think that I am not assuming too much when I say that I have shown enough in this comparatively brief review—and I wish it could have been briefer still—to prove that if coercion is to be the basis for legislation we must no longer be seeking, as we are always laudably seeking, to whittle it down almost to nothing at the very first moment we begin, but we must, like men, adopt it, hold by it, sternly enforce it till its end has been completely attained, with what results to peace, goodwill, and freedom I do not now stop to inquire. Our ineffectual and spurious coercion is morally worn out. I give credit to the late Government for their conception of the fact. They must have realised it when they came to the conclusion in 1885 that they would not propose the renewal or continuance of repressive legislation. They were in a position in which it would have been comparatively easy for them to have proposed it, as a Conservative Government following in the footsteps of a Liberal Administration. But they determined not to propose it. I wish I could be assured that they and the party by whom they are supported were fully aware of the immense historic weight of that determination. I have sometimes heard language used which appears to betoken an idea on the part of those who use it that this is a very simple matter—that, in one state of facts, they judged one way in July, and that, in another state of facts, they judged another way in January; and that consequently the whole ought to be effaced from the minds and memories of men. Depend upon it the effect of

that decision of July never can be effaced—it will weigh, it will tell upon the fortunes and circumstances both of England and of Ireland. The return to the ordinary law, I am afraid, cannot be said to have succeeded.

Almost immediately after the lapse of the Crimes Act boycotting increased fourfold. Since that time it has been about stationary; but in October it had increased fourfold compared with what it was in the month of May. Well, now, if it be true that resolute coercion ought to take the place of irresolute coercion,—if it be true that our system, such as I have exhibited it, has been—we may hide it from ourselves, we cannot hide it from the world—a failure in regard to repressive legislation, will that other coercion, which it is possible to conceive, be more successful? I can, indeed, conceive, and in history we may point to circumstances in which, coercion of that kind, stern, resolute, consistent, might be, and has been, successful. But it requires, in my judgment, two essential conditions, and these are—the autocracy of Government and the secrecy of public transactions. With those conditions that kind of coercion to which I am referring might possibly succeed. But will it succeed in the light of day, and can it be administered by the people of England and Scotland against the people of Ireland—by the two nations which, perhaps, above all others upon earth—I need hardly except America—best understand and are most fondly attached to the essential principles of liberty?

An Alternative.

Now I enter upon another proposition to which I hardly expect broad exception can be taken. I will not assume,—I will not beg—the question, whether the people of England and Scotland will ever administer that sort of effectual coercion which I have placed in contrast with our timid and hesitating repressive measures; but this I will say, that the people of England and Scotland will never resort to that alternative until they have tried every other. Have they tried every other? Well, some we have tried, to which I will refer. I have been concerned with some of them myself. But we have not yet tried every alternative, because there is one—not unknown to human experience—on the contrary, widely known to various countries in the world where this dark and difficult problem has been solved by the comparatively natural and

simple, though not always easy, expedient of stripping law of its foreign garb and investing it with a domestic character. I am not saying that this will succeed; I by no means beg the question at this moment; but this I will say—that Ireland, as far as I know, and speaking of the great majority of the people of Ireland, believes it will succeed, and that experience elsewhere supports that conclusion. The case of Ireland, though she is represented here not less fully than England or Scotland, is not the same as that of England or Scotland. England, by her own strength and by her vast majority in this House, makes her own laws just as independently as if she were not combined with two other countries. Scotland—a small country, smaller than Ireland, but a country endowed with a spirit so masculine that never in the long course of history, excepting for two brief periods, each of a few years, was the superior strength of England such as to enable her to put down the national freedom beyond the border—Scotland, wisely recognised by England, has been allowed and encouraged in this House to make her own laws as freely and as effectually as if she had a representation six times as strong. The consequence is that the mainspring of law in England is felt by the people to be English; the mainspring of law in Scotland is felt by the people to be Scotch; but the mainspring of law in Ireland is not felt by the people to be Irish, and I am bound to say—truth extorts from me the avowal—that it cannot be felt to be Irish in the same sense as it is English and Scotch. The net results of this statement which I have laid before the House, because it was necessary as the groundwork of my argument, are these—In the first place I admit it to be little less than a mockery to hold that the state of law and of facts conjointly which I have endeavoured to describe conduces to the real unity of this great, noble, and world-wide Empire. In the second place, something must be done, something is imperatively demanded from us, to restore to Ireland the first conditions of civil life—the free course of law, the liberty of every individual in the exercise of every legal right, the confidence of the people in the law and their sympathy with the law—apart from which no country can be called, in the full sense of the word, a civilized country, nor can there be given to that country the blessings which it is the object of civilized society to attain. Well, this is my introduction to the task I have to perform; and now I ask attention to the problem we have before us.

Local Autonomy and Imperial Unity.

It is a problem not unknown in the history of the world; it is really this—there can be no secret about it as far as we are concerned—how to reconcile Imperial unity with diversity of legislation. Mr. Grattan not only held these purposes to be reconcilable, but he did not scruple to go the length of saying this,—“I demand the continued severance of the Parliaments with a view to the continued and everlasting unity of the Empire.” Was that a flight of rhetoric, an audacious paradox? No, it was the statement of a problem which other countries have solved, and under circumstances much more difficult than ours. We ourselves may be said to have solved it, for I do not think that anyone will question the fact that, out of the six last centuries for five centuries at least Ireland has had a Parliament separate from ours. That is a fact undeniable. Did that separation of Parliament destroy the unity of the British Empire? Did it destroy it in the 18th century? Do not suppose that I mean that harmony always prevailed between Ireland and England. We know very well there were causes quite sufficient to account for a recurrence of discord. But I take the 18th century alone. Can I be told that there was no unity of empire in the 18th century? Why, Sir, it was the century which saw our navy come to its supremacy. It was the century which witnessed the foundation of that great, gigantic manufacturing industry which now overshadows the whole world. It was, in a pre-eminent sense, the century of empire, and it was in a sense, but too conspicuous, the century of wars. Those wars were carried on, that empire was maintained and enormously enlarged, that trade was established, that navy was brought to supremacy when England and Ireland had separate Parliaments. Am I to be told that there was no unity of empire in that state of things? Well, Sir, what has happened elsewhere? Have any other countries had to look this problem in the face? The last half-century—the last 60 or 70 years since the great war—has been particularly rich in its experience of this subject and in the lessons which it has afforded to us. There are many cases to which I might refer to show how practicable it is, or how practicable it has been found by others whom we are not accustomed to look upon as our political superiors—how practicable it has been found by others to bring into existence what is termed local autonomy, and yet not to sacrifice, but to confirm Imperial unity.

Examples from Abroad.

Let us look to those two countries, neither of them very large, but yet countries which every Englishman and every Scotchman must rejoice to claim his kin—I mean the Scandinavian countries of Sweden and Norway. Immediately after the great war the Norwegians were ready to take sword in hand to prevent their coming under the domination of Sweden. But the Powers of Europe undertook the settlement of that question, and they united those countries upon a footing of strict legislative independence and co-equality. Now, I am not quoting this as an exact precedent for us, but I am quoting it as a precedent, and as an argument *à fortiori*, because I say they confronted much greater difficulties, and they had to put a far greater strain upon the unity of their country, than we can ever be called upon to put upon the unity of ours. The Legislatures of Sweden and of Norway are absolutely independent. The law even forbids—what I hope never will happen between England and Ireland—that a Swede, if I am correct in my impression, should bear office of any kind in the Norwegian Ministry. There is no sort of supremacy or superiority in the Legislature of Sweden over the Legislature of Norway. The Legislature of Norway has had serious controversies, not with Sweden, but with the King of Sweden, and it has fought out those controversies successfully upon the strictest Constitutional and Parliamentary grounds. And yet with two countries so united, what has been the effect? Not discord, not convulsions, not danger to peace, not hatred, not aversion, but a constantly-growing sympathy; and every man who knows their condition knows that I speak the truth when I say that in every year that passes the Norwegians and the Swedes are more and more feeling themselves to be the children of a common country, united by a tie which never is to be broken.

I will take another case—the case of Austria and Hungary. In Austria and Hungary there is a complete duality of power. I will not enter upon the general condition of the Austrian Empire, or upon the other divisions and diversities which it includes, but I will take simply this case. At Vienna sits the Parliament of the Austrian Monarchy; at Buda-Pesth sits the Parliament of the Hungarian Crown; and that is the state of things which was established, I think, nearly twenty years ago. I ask all those who hear me whether there is one among them who doubts? Whether or not the condition of

Austria be at this moment, or be not, perfectly solid, secure, and harmonious, after the enormous difficulties she has had to confront, on account of the boundless diversity of race, whether or not that condition be perfectly normal in every minute particular, this, at least, cannot be questioned, that it is a condition of solidity and of safety compared with the time when Hungary made war on her—war which she was unable to quell when she owed the cohesion of the body politic to the interference of Russian arms; or in the interval that followed when there existed a perfect legislative union and a supreme Imperial Council sat in Vienna?

Now, I have quoted these illustrations as illustrations which show, not that what we are called upon to consider can be done, but that infinitely more can be done—has been done—under circumstances far less favourable. What was the state of Sweden and Norway—two small countries, Norway undoubtedly inferior in population, but still unassailable in her mountain fastnesses—what was the case of Sweden and Norway for bringing about a union by physical and material means? There were no means to be used but moral means, and those moral means have been completely successful. What, again, was the case of Austria, where the seat of empire in the Archduchy was associated not with the majority, but with the minority of the population, and where she had to face Hungary with numbers far greater than her own? Even there, while having to attempt what was infinitely more complex and more dangerous than even prejudice can suppose to be that which I am about to suggest, it is not to be denied that a great relative good and relative success have been attained. Our advantages are immense in a question of this kind. I do not know how many gentlemen who hear me have read the valuable work of Professor Dicey on the Law of the Constitution. No work that I have ever read brings out in a more distinct and emphatic manner the peculiarity of the British Constitution in one point to which, perhaps, we seldom have occasion to refer—namely, the absolute supremacy of Parliament. We have a Parliament to the power of which there are no limits whatever, except such as human nature, in a Divinely-ordained condition of things, imposes. We are faced by no co-ordinate Legislatures, and are bound by no statutory conditions. There is nothing that controls us, and nothing that compels us, except our convictions of law, of right, and of justice. Surely that is a favourable point of departure in considering a question such as this.

Ireland's Past Parliament.

I have referred to the 18th century. During that century you had beside you a co-ordinate Legislature. The Legislature of Ireland before the Union had the same title as that of Great Britain. There was no juridical distinction to be drawn between them. Even in point of antiquity they were as nearly as possible on a par, for the Parliament of Ireland had subsisted for 500 years. It had asserted its exclusive right to make laws for the people of Ireland. That right was never denied, for gentlemen ought to recollect, but all do not, perhaps, remember, that Poyning's Law was an Irish law imposed by Ireland on herself. That claim of the Parliament of Ireland never was denied until the reign of George II.; and that claim denied in the reign of George II. was admitted in the reign of George III. The Parliament—the great Parliament of Great Britain—had to retract its words and to withdraw its claim, and the Legislature which goes by the name of Grattan's Parliament was as independent in point of authority as any Legislature over the wide world. We are not called upon to constitute another co-ordinate Legislature. While I think it is right to modify the Union in some particulars, we are not about to propose its repeal.

"Dismemberment" a Misnomer.

What is the essence of the Union? That is the question. It is impossible to determine what is and what is not the repeal of the Union, until you settle what is the essence of the Union. Well, I define the essence of the Union to be this—that before the Act of Union there were two independent, separate, co-ordinate Parliaments; after the Act of Union there was but one. A supreme statutory authority of the Imperial Parliament over Great Britain, Scotland, and Ireland as one United Kingdom was established by the Act of Union. That supreme statutory authority it is not asked, so far as I am aware, and certainly it is not intended, in the slightest degree to impair. When I heard the hon. member for Cork, in a very striking speech at the commencement of the Session, ask for what I think he termed local autonomy or Irish autonomy, I felt that something was gained in the conduct of this great question. If he speaks, as I believe he speaks, the mind of the vast majority of the representatives of Ireland, I feel that we have no right to question for a moment, in this free country, under a

representative system, that the vast majority of the representatives speak the mind of a decided majority of the people. I felt, Sir, that something had been gained. Ireland had come a great way to meet us, and it was more than ever our duty to consider whether we could not go some way to meet her. The term "Dismemberment of the Empire," as applied to anything that is now before us, is, in my judgment—I will not argue it at any length now—simply a misnomer. To speak, in connection with any meditated or possible plan, of the dismemberment of the Empire or the disintegration of the Empire is, in the face of the history of the 18th century, not merely a misnomer, but an absurdity. Some phrases have been used which I will not refer to, simply because I do not think that they quite accurately describe the case, and because they might open a door to new debate. We hear of national independence, we hear of legislative independence, we hear of an independent Parliament, and we hear of federal arrangements. These are not descriptions which I adopt or which I find it necessary to discuss.

Some Suggested Solutions.

Then again, under a sense of the real necessities of the case, there are gentlemen who have their own philanthropic, well-intended plans for meeting this emergency. There are those who say, "Let us abolish the Castle"; and I think that gentlemen of very high authority, who are strongly opposed to giving Ireland a domestic Legislature, have said nevertheless that they think there ought to be a general reconstruction of the administrative Government in Ireland. Well, Sir, I have considered that question much, and what I want to know is this—how, without a change in the Legislature, without giving to Ireland a domestic Legislature, there is to be, or there even can possibly be, a reconstruction of the Administration. We have sent to Ireland to administer the actual system the best men we could find. When Lord Spencer undertook that office, he represented, not in our belief merely, but in our knowledge—for we had known him long—the flower of the British aristocracy, that portion of the British aristocracy which to high birth and great influence of station unites a love of liberty and of the people as genuine as that which breathes within any cottage in the land. And yet, Sir, what is the result? The result is that, after a life of almost unexampled devotion to the public service in Ireland, Lord Spencer's administration not only

does not command, which is easily understood, the adhesion and the commendation of the hon. member for Cork and his colleagues, but it is made the subject of cavil and of censure in this House of Parliament, and from the spot where I now stand, by members of the late Conservative Government. I want to know—for we have not come to our conclusions without making careful examination of the conclusions of other people—I want to know how it is possible to construct an administrative system in Ireland without legislative change, and what gentlemen mean when they speak of the administrative system of Ireland. The fault of the administrative system of Ireland, if it has a fault, is simply this—that its spring and source of action, or, if I can use an anatomical illustration without a blunder, what is called the 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.

There have been several plans liberally devised for granting to Ireland the management of her education, the management of her public works, and the management of one subject and another—boons very important in themselves—under a central elective body; boons any of which I do not hesitate to say I should have been glad to see accepted, or I should have been glad to see a trial given to a system which might have been constructed under them, had it been the desire and the demand of Ireland. I do not think such a scheme would have possessed the advantage of finality. If it had been accepted, and especially if it had been freely suggested from that quarter—by the Irish representatives—it might have furnished a useful *modus vivendi*. But it is absurd, in my opinion, to talk of the adoption of such a scheme in the face of two obstacles—first of all, that those whom it is intended to benefit do not want it, do not ask it, and refuse it; and, secondly, the obstacle, not less important, that all those who are fearful of giving a domestic Legislature to Ireland would naturally and emphatically, and rather justly, say: “We will not create your central board and palter with this question, because we feel certain that it will afford nothing in this world except a stage from which to agitate for a further concession, and because we see that by the proposal you make you will not even attain the advantage of settling the question that is raised.”

A Domestic Legislature for Ireland.

Well, Sir, what we seek is the settlement of that question; and we think that we find that settlement in the establishment, by the authority of Parliament, of a legislative body sitting in Dublin for the conduct of both legislation and administration under the conditions which may be prescribed by the Act defining Irish, as distinct from Imperial, affairs. There is the head and front of our offending. Let us proceed to examine the matter a little further. The essential conditions of any plan that Parliament can be asked or could be expected to entertain are, in my opinion, these:—The unity of the Empire must not be placed in jeopardy; the safety and welfare of the whole—if there is an unfortunate conflict, which I do not believe—the welfare and security of the whole must be preferred to the security and advantage of the part. The political equality of the three countries must be maintained. They stand by statute on a footing of absolute equality, and that footing ought not to be altered or brought into question. There should be what I will at present term an equitable distribution of Imperial burdens.

Safeguards for the Minority.

Next I introduce a provision which may seem to be exceptional, but which, in the peculiar circumstances of Ireland, whose history unhappily has been one long chain of internal controversies as well as of external difficulties, is necessary in order that there may be reasonable safeguards for the minority. I am asked why there should be safeguards for the minority. Will not the minority in Ireland, as in other countries, be able to take care of itself? Are not free institutions, with absolute publicity, the best security that can be given to any minority? I know, Sir, that in the long run our experience shows they are. After we have passed through the present critical period, and obviated and disarmed, if we can, the jealousies with which any change is attended, I believe, as most gentlemen in this House may probably believe, that there is nothing comparable to the healthy action of free discussion, and that a minority asserting in the face of day its natural rights is the best security and guarantee for its retaining them. We have not reached that state of things. I may say, not entering into detail, there are three classes to whom we must look in this case. We must consider—I will not say more on that subject to-day—the class

immediately connected with the land. A second question, not, I think, offering any great difficulty, relates to the Civil Service and the offices of the Executive Government in Ireland. The third question relates to what is commonly called the Protestant minority, and especially that important part of the community which inhabits the province of Ulster, or which predominates in a considerable portion of the province of Ulster.

Ulster.

I will deviate from my path for a moment to say a word upon the state of opinion in that wealthy, intelligent, and energetic portion of the Irish community which, as I have said, predominates in a certain portion of Ulster. Our duty is to adhere to sound general principles, and to give the utmost consideration we can to the opinions of that energetic minority. The first thing of all, I should say, is that if, upon any occasion, by any individual or section, violent measures have been threatened in certain emergencies, 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. I cannot conceal the conviction that the voice of Ireland, as a whole, is at this moment clearly and constitutionally spoken. I cannot say it is otherwise when five-sixths of its lawfully-chosen representatives are of one mind in this matter. There is a counter voice; and I wish to know what is the claim of those by whom that counter voice is spoken, and how much is the scope and allowance we can give them. Certainly, Sir, I cannot allow it to be said that a Protestant minority in Ulster, or elsewhere, is to rule the question at large for Ireland. I am aware of no constitutional doctrine tolerable 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.

Various schemes, short of refusing the demand of Ireland at large, have been proposed on behalf of Ulster. One scheme is that Ulster itself, or, perhaps with more appearance of reason, a portion of Ulster, should be excluded from the operation of the Bill we are about to introduce. Another scheme is that a separate autonomy should be provided for Ulster, or for a portion of Ulster. Another scheme is that certain rights with regard to

certain subjects—such, for example, as education and some other subjects—should be reserved and should be placed to a certain extent under the control of Provincial Councils. These, I think, are the suggestions which have reached me in different shapes; there may be others. But what I wish to say of them is this,—there is no one of them which has appeared to us to be so completely justified, either upon its merits or by the weight of opinion supporting and recommending it, as to warrant our including it in the Bill and proposing it to Parliament upon our responsibility. What we think is that such suggestions deserve careful and unprejudiced consideration. It may be that that free discussion, which I have no doubt will largely take place after a Bill such as we propose shall have been laid on the table of the House, may give to one of these proposals, or to some other proposals, a practicable form, and that some such plan may be found to be recommended by a general or predominating approval. If it should be so, it will, at our hands, have the most favourable consideration, with every disposition to do what equity may appear to recommend. That is what I have to say on the subject of Ulster.

A Real Settlement.

I have spoken now of the essential conditions of a good plan for Ireland, and I add only this—that in order to be a good plan it must be a plan promising to be a real settlement of Ireland. To show that without a good plan you can have no real settlement I may point to the fact that the great settlement of 1782 was not a real settlement. Most unhappily, Sir, it was not a real settlement; and why was it not a real settlement? Was it Ireland that prevented it from being a real settlement? No, Sir, it was the mistaken policy of England, listening to the pernicious voice and claims of ascendancy. It is impossible, however, not to say this word for the Protestant Parliament of Ireland. Founded as it was upon narrow suffrage, exclusive in religion, crowded with pensioners and place-holders, holding every advantage, it yet had in it the spark, at least, and the spirit of true patriotism. It emancipated the Roman Catholics of Ireland when the Roman Catholics of England were not yet emancipated. It received Lord Fitzwilliam with open arms; and when Lord Fitzwilliam promoted to the best of his ability the introduction of Roman Catholics into Parliament, and when his brief career was unhappily intercepted by a peremptory recall from England, what happened? Why, Sir, in both Houses of the Irish

Parliament votes were at once passed by those Protestants, by those men, mixed as they were, with so large an infusion of pensioners and of place-men, registering their confidence in that nobleman and desiring that he should still be left to administer the government of Ireland. What the Irish Parliament did when Lord Fitzwilliam was promoting the admission of Roman Catholics into Parliament justifies me in saying there was a spirit there which, if free scope had been left to it, would in all probability have been enabled to work out a happy solution for every Irish problem and difficulty, and would have saved to the coming generation an infinity of controversy and trouble.

No Irish Representatives at Westminster.

I pass on to ask how are we to set about the giving effect to the proposition I have made, to the purpose I have defined, of establishing in Ireland a domestic Legislature to deal with Irish as contradistinguished from Imperial affairs? And here, Sir, I am confronted at the outset by what we have felt to be a formidable dilemma. I will endeavour to state and to explain it to the House as well as I can. Ireland is to have a domestic Legislature for Irish affairs. That is my postulate from which I set out. Are Irish members in this House, are Irish representative peers in the other House, still to continue to form part of the respective Assemblies? That is the first question which meets us in consideration of the ground I have opened. Now I think it will be perfectly clear that if Ireland is to have a domestic Legislature Irish peers and Irish representatives cannot come here to control English and Scotch affairs. That I understand to be admitted freely. I never heard of their urging the contrary, and I am inclined to believe that it would be universally admitted. The one thing follows from the other. There cannot be a domestic Legislature in Ireland dealing with Irish affairs and Irish peers and Irish representatives sitting in Parliament at Westminster to take part in English and Scotch affairs. My next question is, Is it practicable for Irish representatives to come here for the settlement, not of English and Scotch, but of Imperial affairs? In principle it would be very difficult, I think, to object to that proposition. But then its acceptance depends entirely upon our arriving at the conclusion that in this House we can draw for practical purposes a distinction between affairs which are Imperial and affairs which are not Imperial. It would not be difficult to say in principle that as the Irish Legislature will have nothing to do with Imperial con-

cerns let Irish members come here and vote on Imperial concerns. All depends on the practicability of the distinction. Well, Sir, I have thought much, reasoned much, and inquired much, with regard to that distinction. I had hoped it might be possible to draw a distinction, and I have arrived at the conclusion that it cannot be drawn. I believe it passes the wit of man; at any rate it passes not my wit alone, but the wit of many with whom I have communicated. It would be easy to exhibit a case; but the difficulty, I may say, in my opinion, arises from this. If this were a merely legislative House, or if the House of Lords were merely a legislative House—this House, of course, affords the best illustration—I do not think it would be difficult to draw a distinction. We are going to draw the distinction—we have drawn the distinction—in the Bill which I ask leave to lay on the table for legislative purposes with reference to what I hope will be the domestic Legislature of Ireland. But this House is not merely a legislative House; it is a House controlling the Executive; and when you come to the control of the Executive, then your distinction between Imperial subjects and non-Imperial subjects totally breaks down—they are totally insufficient to cover the whole case.

For example, suppose it to be a question of foreign policy. Suppose the Irish members in this House coming here to vote on a question of foreign policy. Is it possible to deny that they would be entitled to take part in discussing an Address to the Crown for the dismissal of the Foreign Minister? It is totally impossible to deny—it is totally impossible to separate—the right of impugning the policy and the right of action against the Minister. Well, Sir, if on that account members might take part in an Address dismissing the Foreign Minister, I want to know, considering the collective responsibility of Government—a principle, I hope, which will always be maintained at the very highest level that circumstances will permit, for I am satisfied that the public honour and the public welfare are closely associated with it—if that be so, what will be the effect of the dismissal of the Foreign Minister on the existence and action of the Government to which he belongs? Why, Sir, the Government in 19 cases out of 20 will break down with the Foreign Minister; and when these gentlemen, coming here for the purpose of discussing Imperial questions alone, could dislodge the Government which is charged with the entire interests of England and Scotland, I ask you what becomes of the distinction between Imperial and non-Imperial affairs? I believe the distinction to be impossible, and therefore I arrive

at the next conclusion—that Irish members and Irish peers cannot, if a domestic Legislature be given to Ireland, justly retain a seat in the Parliament at Westminster.

Fiscal Unity of the Empire.

If Irish members do not sit in this House and Irish peers do not sit in the other House, how is Ireland to be taxed? I shall assume, as a matter of course, that we should propose that a general power of taxation should pass to the domestic Legislature of Ireland. But there is one very important branch of taxation, involving, indeed, a second branch, which is susceptible of being viewed in a very different aspect from the taxes of Ireland generally. I mean the duties of customs and duties of excise relatively to customs. One thing I take to be absolutely certain. Great Britain will never force upon Ireland taxation without representation. Well, Sir, if we are never to force upon Ireland taxation without representation, then comes another question of the deepest practical interest—Are we to give up the fiscal unity of the Empire? I sometimes see it argued that, in giving up the fiscal unity of the Empire, we should give up the unity of the Empire. To that argument I do not subscribe. The unity of the Empire rests upon the supremacy of Parliament and on considerations much higher than considerations merely fiscal. But I must admit that, while I cannot stand on the high ground of principle, yet on the very substantial ground of practice to give up the fiscal unity of the Empire would be a very great public inconvenience and a very great public misfortune—a very great public misfortune for Great Britain; and I believe it would be a still greater misfortune for Ireland were the fiscal unity of the Empire to be put to hazard and practically abandoned. I may say also, looking as I do with hope to the success of the measure I now propose, I, at any rate, feel the highest obligation not to do anything, not to propose anything, without necessity that would greatly endanger the right comprehension of this subject by the people of England and Scotland, which might be the case were the fiscal unity of the Empire to be broken.

Irish Customs and Excise.

There is the dilemma. I conceive that there is but one escape from it, and that is, if there were conditions upon which Ireland consented to such arrangements as would

leave the authority of levying customs duties, and such excise duties as are immediately connected with customs, in the hands of Parliament here, and would by her will consent to set our hands free to take the course that the general exigencies of the case appear to require. These conditions I take to be three:—In the first place, that a general power of taxation over and above these particular duties should pass unequivocally into the hands of the domestic Legislature of Ireland. In the second place, that the entire proceeds of the customs and excise should be held for the benefit of Ireland, for the discharge of the obligations of Ireland, and for the payment of the balance after discharging those obligations into an Irish Exchequer, to remain at the free disposal of the Irish legislative body.

Provisions for Further Amendment.

But there is another point which I think ought to engage and may justly engage, the anxious attention in particular of the representatives of Ireland; and it is this:—The proposal which I have now sketched is that we should pass an Act giving to Ireland what she considers an enormous boon, under the name of a statutory Parliament for the control of Irish affairs, both legislative and administrative. But one of the provisions of that Act is the withdrawal of Irish representative peers from the House of Lords, and Irish members from the House of Commons. Well, then, I think it will naturally occur to the Irish, as it would in parallel circumstances to the Scotch or the English—and more especially to the Scotch—mind what would become of the privileges conveyed by the Act after the Scotch members, who were their natural guardians, were withdrawn from Parliament. (A Voice: The Irish members.) I was speaking of the Scotch members in order to bring it very distinctly to the minds of hon. members, supposing that Scotland had entertained—what she has never had reason to entertain—the desire for a domestic Legislature. I must confess I think that Ireland ought to have security on that subject—security that advantage would not be taken, so far as we can preclude the possibility of it, of the absence of Irish representatives from Parliament for the purpose of tampering with any portion of the boon which we propose to confer on Ireland by this Act. I think we have found a method for dealing with that difficulty. I may be very sanguine, but I hope that the day may come when Ireland will have reason to look on this Act, if adopted by Parliament, as for practical purposes her Magna Charta. A Magna

Charta for Ireland ought to be most jealously and effectively assured, and it will be assured, against unhallowed and unlawful interference.

Two cases at once occur to the mind. There might be alterations of detail in a law of this kind on which everybody might be agreed. We think it would be very absurd to require either the construction or reconstruction of a cumbrous and difficult machinery for the purpose of disposing of cases of this kind, and therefore we propose that the provisions of this Act might be modified with the concurrence of the Irish Legislature, or in conformity with an Address from the Irish Legislature. That is intended for cases where there is a general agreement. I hope it will not happen, but I admit it might happen, that in some point or other the foresight and sagacity now brought to bear on this subject might prove insufficient. It is possible, though I trust it is not probable, that material alterations might be found requisite, that on these amendments there might be differences of opinion; and yet, however improbable the case may be, it is a case which it might be proper to provide for beforehand. What we then should propose is that the provisions of this Act should not be altered, except either on an Address from the Irish Legislature to the Crown such as I have described, or else, after replacing and recalling into action the full machinery under which Irish representatives now sit here, and Irish peers sit in the House of Lords, so that when their case again came to be tried they might have the very same means of defending their constitutional rights as they have now. Now, we believe that is one of those cases which are often best averted by making a good provision against them.

A Defence of the Removal of the Irish Members.

Now, upon the footing which I have endeavoured to describe we propose to relieve Irish peers and representatives from attendance at Westminster, and at the same time to preserve absolutely the fiscal unity of the Empire. Let me say that there are several reasons that occur to me which might well incline the prudence of Irishmen to adopt an arrangement of this kind. If there were Irish representatives in this House at the same time that a domestic Legislature sat in Ireland, I think that the presence of those Irish representatives would have some tendency to disparage the domestic Legislature. I think there would be serious difficulties that would arise besides the insurmountable difficulty that I have pointed out as to the division

of subjects. Even if it were possible to divide the subjects, what an anomaly it would be, what a mutilation of all our elementary ideas about the absolute equality of members in this House, were we to have ordinarily among us two classes of members, one of them qualified to vote on all kinds of business and another qualified only to vote here and there on particular kinds of business, and obliged to submit to some criterion or other—say the authority of the Chair—novel for such a purpose and difficult to exercise—in order to determine what kinds of business they could vote upon, and what kinds of business they must abstain from voting on! There would, I think, be another difficulty in determining what the number of those members should be. My opinion is that there would be great jealousy of the habitual presence of 103 Irish members in this House, even for limited purposes, after a legislative body had been constructed in Ireland; and on the other hand I can very well conceive that Ireland would exceedingly object to the reduction—the material reduction—of those members. I am sorry to have to mention another difficulty, which is this—Ireland has not had the practice in local self-government that has been given to England and Scotland. We have unfortunately shut her out from that experience. In some respects we have been jealous, in others niggardly towards Ireland. It might be very difficult for Ireland in the present state of things to man a Legislative Chamber in Dublin, and at the same time to present in this House an array of so much distinguished ability as I think all parties will admit has been exhibited on the part of Ireland during recent Parliaments on the benches of this House.

Powers of the Irish Legislative Body.

But I pass on from this portion of the question, having referred to these two initiatory propositions as principal parts of the foundation of the Bill—namely, first, that it is proposed that the Irish representation in Parliament at Westminster should cease unless in the contingent, and I hope hardly possible, case to which I have alluded, and next that the fiscal unity of the Empire shall be absolutely maintained. My next duty is to state what the powers of the proposed legislative body will be.

The capital article of that legislative body will be that it should have the control of the executive Government of Ireland as well as of legislative business. Evidently, I think, it was a flaw in the system of 1782 that adequate provision was not made for that purpose, and we should not like to leave a flaw of

such a nature in the work we are now undertaking. In 1782 there were difficulties that we have not now before us. At that time it might have been very fairly said that no one could tell how a separate Legislature would work unless it had under its control what is termed a responsible Government. We have no such difficulty and no such excuse now. The problem of responsible government has been solved for us in our Colonies. It works very well there; and in perhaps a dozen cases in different quarters of the globe it works to our perfect satisfaction. It may be interesting to the House if I recount the fact that that responsible government in the Colonies was, I think, first established by one of our most distinguished statesmen, Earl Russell, when he held the office of Colonial Secretary in the Government of Lord Melbourne. But it was a complete departure from established tradition, and, if I remember right, not more than two or three years before that generous and wise experiment was tried Lord Russell had himself written a most able despatch to show that it could not be done; that with responsible government in the Colonies you would have two centres of gravity and two sources of motion in the Empire; while a united Empire absolutely required that there should be but one, and that consequently the proposition could not be entertained. Such was the view of the question while it was yet at a distance, and such perhaps may have been our view on the subject I am now discussing while it was yet at a distance. But it has been brought near to us by the circumstances of the late election, and I believe that if we look closely at its particulars we should find that many of the fears with which we may have regarded it are perfectly unreal, and especially so that great panic, that great apprehension of all, the fear lest it should prove injurious to what it is our first duty to maintain—namely, the absolute unity and integrity of the Empire.

There is another point in regard to the powers of the legislative body of which I wish to make specific mention. Two courses might have been followed. One would be to endow this legislative body with particular legislative powers. The other is to except from the sphere of its action those subjects which we think ought to be excepted, and to leave it everything else which is the consequence of the plans before us. There will be an enumeration of disabilities, and everything not included in that enumeration will be left open to the domestic Legislature. As I have already said, the administrative power by a responsible Government would pass under our proposals with the legislative power. Then, Sir, the legislative body would be subject to the

provisions of the Act in the first place as to its own composition. But we propose to introduce into it what I would generally explain as two orders, though not two Houses; and we suggest that with regard to the popular order, which will be the more numerous, the provisions of the Act may be altered at any period after the first dissolution; but with regard to the other and less numerous order, the provisions of the Act can only be altered after the assent of the Crown to an address from the legislative body for that purpose. We should provide generally—and on that I conceive there would be no difference of opinion—that this body should be subject to all the prerogatives of the Crown, but only should insert a particular provision to the effect that its *maximum* duration, without dissolution, should not exceed five years.

What Ireland may Not Do.

I will now tell the House—and I would beg particular attention to this—what are the functions that we propose to withdraw from the cognizance of this legislative body. The three grand and principal functions are, first, everything that relates to the Crown—succession, prerogatives, and the mode of administering powers during incapacity, regency, and, in fact, all that belongs to the Crown. The next would be all that belongs to defence—the Army, the Navy, the entire organization of armed force. I do not say the police force, which I will touch upon by-and-bye, but everything belonging to defence. And the third would be the entire subject of Foreign and Colonial relations. Those are the subjects most properly Imperial, and I will say belonging as a principle to the Legislature established under the Act of Union and sitting at Westminster. There are some other subjects which I will briefly touch upon. In the first place, it would not be competent to the domestic Legislature in Ireland to alter the provisions of the Act which we are now about to pass, as I hope, and which I ask that we should pass with the consent of the three countries—it would not be competent to the Irish legislative body to alter those provisions, excepting in points where they are designedly left open as part of the original contract and settlement. We do not propose universal disability as to contracts, but there are certain contracts made in Ireland under circumstances so peculiar that we think we ought to except them from the action of the legislative body. There are also some analogous provisions made in respect to charters anterior

to the Act which in our opinion ought only to be alterable after the assent of the Crown to an address from the legislative body for that purpose. There is another disability that we propose to lay upon the legislative body; and it is one of those with respect to which I am bound to say in my belief there is no real apprehension that the thing would be done, but at the same time, though there may not be a warranted apprehension, there are many honest apprehensions which it is our duty to consider as far as we can. We propose to provide that the legislative body should not be competent to pass a law for the establishment or the endowment of any particular religion. Those I may call exceptions of principle. Then there are exceptions of what I may call practical necessity for ordinary purposes. The first of those is the law of trade and navigation. I assume that as to trade and navigation at large, it would be a great calamity to Ireland to be separated from Great Britain. The question of taxation in relation to trade and navigation I have already mentioned. The same observation applies to the subject of coinage and legal tender, but we do not propose to use the term "currency," simply because there is an ambiguity about it. Ireland might think fit to pass a law providing for the extinction of private issues in Ireland, and that no bank notes should be issued in Ireland except under the authority and for the advantage of the State. I own it is my opinion that Ireland would do an extremely sensible thing if she passed such a law. It is my most strong and decided opinion that we ought to have the same law ourselves, but the block of business has prevented that and many other good things towards the attainment of which I hope we are now going to open and clear the way. I only use that as an illustration to show that I should be very sorry if we were needlessly to limit the free action of the Irish Legislature upon Irish matters. There are other subjects on which I will not dwell. One of them is the subject of weights and measures; another is the subject of copyright. These are not matters for discussion at the present moment.

There is, however, one other important subject with regard to which we propose to leave it entirely open to the judgment of Ireland—that subject is the Post Office. Our opinion is that it would be for the convenience of both countries if the Post Office were to remain under the control of the Postmaster-General; but the Post Office requires an army of servants, and I think that Ireland might not wish to see all the regulations connected with that unarmed army left to an English authority.

We have, therefore, placed the Post Office in the Bill under circumstances which would enable the legislative body in Ireland to claim for itself authority on this subject if it should see fit. There are some other matters, such as the quarantine laws, and one or two others which stand in the same category. Now, Sir, that I believe I may give as a sufficient description of the exceptions from the legislative action of the proposed Irish Legislature, bearing in mind the proposition that everything which is not excepted is conferred. I have dealt with the powers of the legislative body.

Composition of the New Body.

I come next to the composition of the legislative body. We propose to provide for it as follows. I have referred to the protection of minorities. We might constitute a legislative body in Ireland by a very brief enactment if we were to say that the 103 members now representing Ireland and 103 more members, perhaps elected by the same constituencies, should constitute the one and only legislative House in Ireland without the introduction of what I may call the dual element. But, Sir, we are of opinion that if a proposition of that kind were made, in the first place it would be stated that it did not afford legitimate protection for minorities. And, in the second place, it might be thought by many of those who would be less sensitive on the subject of minorities that some greater provision was required for stability and consistency in the conduct of the complex work of legislation than could possibly be supplied by a single set of men elected under an absolutely single influence. Upon that account, Sir, we propose to introduce into this legislative body what we have termed two orders. These orders would sit and deliberate together. There would be a power on the demand of either order for separate voting. The effect of that separate voting would be that while the veto was in force, while it sufficed to bar the enactment of a Bill, there would be an absolute veto of one order upon the other. Such veto, in our view, might be salutary and useful for the purpose of insuring deliberation and consistency with adequate consideration in the business of making laws. But it ought not to be perpetual. If it were perpetual, a block would arise, as it might arise conceivably, and as really, we may almost say, we have seen it arise in certain cases in the Colonies, particularly in one where there were two perfectly independent orders. What we, therefore, propose is that this veto can only

be operative for a limited time, say until a dissolution, or for a period of three years, whichever might be the longer of the two.

So much, Sir, for the relation of these two orders, the one to the other. I may observe that that distinction of orders would be available and is almost necessary with a view to maintaining the only form of control over the judicial body known to us in this country—viz., the concurrence of two authorities chosen under somewhat different influences in one common conclusion with regard to the propriety of removing a Judge from his office.

The First Order and the Irish Peers.

Now, Sir, I will just describe very briefly the composition of these orders. It may not have occurred to many gentlemen that, if we succeed in the path we are now opening, with respect to the 28 distinguished individuals who now occupy the place of representative peers of Ireland, it will not be possible, we think, for them to continue to hold their places in the House of Lords after the Irish representatives have been removed from attending the House of Commons. I do not say that the precedent is an exact one, but the House may remember that in the case of the disestablishment of the Irish Church we did disable the Bishops who were entitled to sit for life from continuing—I mean disable them personally from continuing—to sit in the House of Lords after the disestablishment of the Irish Church. We do not wish, Sir, to entail this personal disability. We propose that these 28 peers shall have the option of sitting, if they think fit, as a portion of the first order in the Irish legislative assembly. And that they shall have the power—that they shall personally have the power—of sitting there, as they sit in the House of Lords, for life. There may, Sir, be those who think this option will not be largely used. I am not one of that number. I believe that the Irish peers have an Irish as well as an Imperial patriotism. In the 18th century Irish peers were not ashamed of the part they played in the Irish Parliament. It was, I think, the Duke of Leinster who moved the Address in the Irish House of Peers, which he carried, expressing the confidence of that House in Lord Fitzwilliam. I may be too sanguine, but I say boldly that if this measure pass under happy circumstances, especially if it pass without political exasperation, one of its effects will be a great revival of the local as well as a great confirmation and extension of Imperial

patriotism. At any rate it is our duty, I think, to provide that the Irish peers, the twenty-eight representative Irish peers, may form part of the Irish legislative body. There will be no disability entailed upon any Irish peer from being at once a member of the Irish legislative body and likewise of the House of Lords. In the last century many distinguished men sat in both, and in the circumstances we certainly see no cause for putting an end to the double qualification which was thus enjoyed, and which, I think, worked beneficially. There is a difficulty, however, to which I will just advert for one moment in combining the connexion or place of these twenty-eight peers who are to sit for life with the rest of the first order of the Chamber. We propose as to the remainder of the first order that it shall consist of seventy-five members to be elected by the Irish people under conditions which we propose to specify in the schedule to the Act, not yet filled up as to its details. But I mention at once the two provisions which would apply to the election of seventy-five members. First of all, the constituency would be a constituency composed of persons occupying to the value of £25 and upwards, and secondly, they would be elected for a period, as a general rule, of ten years, with a little exception I need not now refer to. Thirdly, they will be elected subject to a property qualification of realty to the extent of £200 a-year, or of personalty to the extent of £200 a-year, or a capital value of £4,000. The peers would ultimately be replaced by twenty-eight members, elected under the above conditions. We cannot ensure that all these twenty-eight peers shall die at the same time: it would, consequently, be extremely difficult to devise an electoral machinery for the purpose of supplying their places by election. We therefore propose to grant to the Crown power, limited to a term which we think may fairly well exhaust the present generation, of filling their places by nomination, not for life, but down to the date to be fixed by the Act. After the system had ceased to operate and the representative peers had ceased to be in that first order the first order of the legislative body would be elected entirely upon the basis I have described.

The Second Order.

With regard to the second order, its composition would be simple. Of course, it would be proposed to the 103 gentlemen who now represent Ireland in this House from county districts, from citizen towns, and from the University of Dublin, that

they should take their places in the Irish Legislative Chamber in Dublin. We should likewise propose as nearly as possible to duplicate that body. Another 101 members, not 103, we propose should be elected by the county districts and the citizen towns in exactly the same manner as that in which the present 101 members for counties and towns have been elected. We shall also propose that in the event of any refusal to sit, refusals to accept the option given, the place shall be filled up by election under the machinery now existing. I ought to say a word about Dublin University. We do not propose to interfere by any action of ours with the existing arrangements of Dublin University in one way or another. But certainly we could not ask the House to adopt a plan at our suggestion which would double the representation of Dublin University. We propose to leave it as it is, but at the same time to empower the legislative body, if it should think fit, to appoint a corresponding representation by two members in favour of the Royal University of Ireland. There would be no compulsion to exercise that power, but it would be left to the discretion of the legislative body. The effect of that would be to give to the first order of the proposed Legislative Chamber or body a number making 103; to give to the second order the number of 206 at the outside, or 204 if the power of the Royal University were not exercised, and to leave the relations of the two orders upon the footing which I have described.

The Irish Executive.

I must now say a few words upon the subject of the Executive, and what we think most requisite with regard to the Executive is that our Act should be as elastic as possible. It is quite evident that though the legislative transition can be made, and ought to be made, *per saltum*, by a single stroke, the Executive transition must necessarily be gradual. We propose, therefore, Sir, to leave everything as it is until it is altered in the regular course; so that there shall be no breach of continuity in the government of the country, but that by degrees, as may be arranged by persons whom we feel convinced will meet together in a spirit of co-operation, and will find no great, much less insurmountable, difficulty in their way, the old state of things shall be adjusted to the new. On the one hand, the representatives of the old system will remain on the ground; on the other hand, the principle of responsible government is freely and fully conceded. That principle of responsible government will

work itself out in every necessary detail. It has often, Sir, been proposed to abolish the Viceroyalty, and some gentlemen have even been sanguine enough to believe that to abolish the Viceroyalty was to solve the whole Irish problem. I must say that I think that that involves a faculty of belief far beyond any power either of the understanding or imagination to which I have ever been able to aspire. We propose to leave the Viceroyalty without interference by the Act, except in the particulars which I am about to name. The office of the Viceroyalty will only be altered by statute. He would not be the representative of a party. He would not quit office with the outgoing Government. He would have round him, as he has now, in a certain form, a Privy Council, to aid and to advise him. Within that Privy Council the executive body would form itself under the action of the principal responsible Government for the purpose of administering the various offices of the State. The Queen would be empowered to delegate to him in case his office should be permanently continued—which I am far from believing to be unlikely—any of the prerogatives which she now enjoys or which she would exercise under this Act: and finally, we have not forgotten that his office almost alone is still affected by one solitary outstanding religious disability—a kind of Lot's wife when everything else has been destroyed—and that religious disability we propose by our Bill to remove.

Judges.

The next point is with regard to the Judges of the superior Courts, and here I draw a partial distinction between the present and the future Judges. As regards the Judges of the superior Courts now holding office, we desire to secure to them their position and their emoluments in the same absolute form as that in which they now exist. Although they would become chargeable upon the Consolidated Fund of Ireland, which we propose to constitute by the Act, still they would retain their lien—so to call it—on the Consolidated Fund of Great Britain. Under the peculiar circumstances of Ireland, we cannot forget that some of these Judges, by no fault of their own, have been placed in relations more or less uneasy with popular influences, and with what under the new Constitution will in all probability be the dominating influence in that country. We cannot overlook the peculiarities of Irish history in framing the provisions of this Bill, and we therefore propose, both with regard to the Judges now holding office and with regard to other persons who

in what they deemed loyal service to the Empire have been concerned in the administration and conduct of the criminal law in Ireland, that Her Majesty may, not lightly or wholesale, but if she should see cause on any particular occasion, by order in Council antedate the pensions of these particular persons. With regard to the future Judges we hold the matter to be more simple. We propose to provide that they should hold office during good behaviour, that their salaries—these are the superior Judges alone—should be charged on the Irish Consolidated Fund, that they shall be removable only on a joint address from the two orders of the legislative body, and that they should be appointed under the influence, as a general rule, of the responsible Irish Government. There is an exception which we propose to make in regard to the Court of Exchequer, which is a Court of Revenue Pleas. I will not enter into any details now, but the enormous financial relations which will subsist between Great Britain and Ireland if our measure be carried made us feel, for reasons which I shall perhaps on another occasion more fully explain, that it is necessary for us to keep a certain amount of hold on the Court of Exchequer, or, at least, on two of its members; but the general rule of our measure will be that the action of the Judges will pass under the new Irish Executive, and will rest with them, just as it rested in former times with the old Irish Executive.

Control and Cost of the Police.

I must now say a few words on the important subject of the Irish Constabulary. The substance of those words really amounts to this—that I think there remains much for consideration in order to devise the details of a good and prudent system; but we think it our first duty to give a distinct assurance to the present members of that distinguished and admirable force that their condition will not be put to prejudice by this Act, either in respect of their terms of office, their terms of service, or with regard to the authority under which they are employed. The case of the Dublin police is not quite the same, but we propose the same conditions with regard to the Dublin police, as far, at least, as the terms of service are concerned. With regard to the local police I will say nothing, because I do not want at present to anticipate what may be matter hereafter for free consideration or discussion, or for the action of the Irish legislative body. There will be no breach of continuity in the administration with regard to the police. One thing I cannot omit to say. The constabulary,

as I have said, is an admirable force, and I do not intend to qualify in the smallest degree what I have already said, but the constabulary on its present footing exhibits one of the most remarkable instances of waste of treasure and of enormous expense, not with good results, but with unhappy results, with which and under which the civil government and the general government of Ireland have hitherto been carried on. The total charge of the constabulary amounts to a million and a-half, including the Dublin police. Now, Ireland is a cheaper country than England, and if the service were founded on the same principle and organized in the same manner, it ought, per thousand of the population, to be cheaper in Ireland than in England, assuming Ireland to be in a normal condition; and our object is to bring it into a normal condition.

Now the House will perhaps be surprised when I tell them this. The present constabulary of Ireland costs £1,500,000 a-year, every penny of it now paid out of the British Exchequer. If the police of Ireland were organized upon the same principles and on the same terms as the police in England, instead of costing £1,500,000, it would cost £600,000 a-year. That will convey to the House an idea, first, of the enormous charge at which we have been governing Ireland under our present system, and, secondly, of the vast field for judicious reductions which the system I am now proposing ought to offer to the Irish people. I anticipate a vast reduction, both in the force and in the expenditure. The charge is now a million and a-half. We propose that the Consolidated Fund of Great Britain—this subject I shall revert to in the financial statement which I shall have to put before the House—shall for a time relieve the Irish legislative body of all expenditure in excess of a million. I am bound to say that I do not look upon a million as the proper charge to be imposed on Ireland. I am perfectly convinced, however, that the charge will be reduced to a much smaller sum, of which Ireland, of course, will reap the benefit. After two years the legislative body may fix the charge for the whole police and for the constabulary of Ireland, with a saving of existing rights. One thing I must say. We have no desire to exempt the police of Ireland in its final form from the ultimate control of the legislative body. We have no jealousies on the subject; and I own I have a strong personal opinion that when once the recollection of the old antipathies has been effectually abated, the care of providing for the ordinary security of life and property of the citizens will be regarded as the very first duty of any good local Government in Ireland. I think it will

be understood from what I have stated that the constabulary would remain under the present terms of service and under the present authority, although I do not say that this is to be so for ever. Assuming control over the constabulary, that control will be prospective, and will not import any injury to existing rights.

Irish Civil Service.

With respect to the Civil Service, of course the future Civil Service of the country generally will be absolutely under the legislative body. With respect to the present Civil Service, we have not thought that their case was exactly analogous either to the constabulary or the judicial offices, and yet it is a great transition, and moreover it will without doubt be the desire of the legislative body of Ireland forthwith, or very early, to effect a great economy in its establishment. We have, therefore, considered to some extent in what way we can at once provide what is just for the civil servants of Ireland, and at the same time set free the hands of the legislative body to proceed with this salutary work of economy and retrenchment. Our opinion is that, upon the whole, it will be wise in the joint interests of both to authorize the civil servants now serving to claim the gratuity or pension which would be due to them upon the abolition of their offices, provided they shall serve not less than two years to prevent an inconvenient lapse in the practical business of the country, and at the close of those two years both parties would be free to negotiate afresh, the civil servants not being bound to remain and the legislative body not being in any way bound to continue to employ them. That is all I have to say upon the subject of the new Irish Constitution.

Distribution of Imperial Charges.

I am afraid I have still many subjects on which I have some details to show, and I fear I have already detained the House too long. I have now, Sir, to give a practical exposition of the phrase which I have used that we looked upon it as an essential condition of our plan that there should be an equitable distribution of Imperial charges. The meaning of that is, what proportion shall Ireland pay? I must remind gentlemen before I enter upon the next explanation that the proportion to be paid is not the only thing to be considered; you have to consider the basis upon which that proportionate payment is to be

applied. Looking upon the proportionate payment we now stand thus. At the time of the Union it was intended that Ireland should pay 2-17ths, or in the relation of 1 to $7\frac{1}{2}$ out of the total charge of the United Kingdom. The actual true payment now made by the Irish taxpayer is not 1 to $7\frac{1}{2}$, but something under 1 to 12, or about 1 to $11\frac{1}{2}$ —that is the total expenditure. The proposal I make is that the proportion chargeable to Ireland shall be 1 to 14, or 1-15th, but that will not be understood until I come to join it with other particulars. I will look, however, Sir, a little to the question what are the best tests of capacity to pay. Many of these tests have been suggested—one of them is the income-tax, which I conceive to be a very imperfect indication. The income-tax, I believe, would give a proportion not of 1 to 14, but of 1 to 19. This is to be borne in mind if you have regard to the income-tax that while, on the one hand, it is paid in Ireland upon a lower valuation than in England or in Scotland—because, as we all know, in England Schedule A is levied on the full rent—it is also unquestionable that many Irishmen also hold securities upon which dividends are received in London and pay income-tax, I hope, before the dividends come into the hands of the persons entitled to them. Therefore it is almost a certainty that a considerable sum ought to be added to the Irish income-tax, which would raise it from the proportion of one to nineteen to perhaps one to seventeen. But there are two other tests which I consider far superior to the income-tax. One is the test afforded us by the death duties, not by the amount levied, because the amounts levied vary capriciously according to the consanguinity scale, but by the property passing under the death duties. The amount of property on which, on an average of three years, the death duties fell was for Great Britain £170,000,000, and for Ireland £12,908,000, or 1 to 13. I have taken three years, because they represent the period since we entered upon a somewhat new administration of the death duties, and that is by far the best basis of comparison. When we come to the valuation, inasmuch as Ireland is valued much lower in proportion to the real value than England and Scotland, the valuation in the latest year for which we have returns is in Great Britain £166,000,000, and for Ireland £13,833,000, giving a proportion of 1 to 12, or 1-13th.

Under these circumstances, what ought we do? In my opinion we ought to make for Ireland an equitable arrangement and I think that when I propose to assume the proportion of 1-15th, it will be seen that that is an equitable or even generous

arrangement, after I have mentioned three considerations. The first of these considerations is that if we start an Irish legislative body, we must start it with some balance to its credit. But if we are to start it with a balance to its credit, I know of no way except the solitary £20,000 a-year which still remains to be worked out of the Church surplus after all the demands made upon it. I know of no way of honestly manufacturing that balance except by carving it out of the Budget for the coming year, and providing for the sum at the expense, as it will then be, not of the Irish Exchequer exclusively, but at the expense of the English and Scotch taxpayers. That is one consideration; the second consideration is this. I take this 1 to 14 or 1-15th for the purpose of ascertaining what share Ireland is to pay to the Imperial expenditure. But when I said that Ireland now pays 1 to 11½ or 1 to 12½ of the Imperial expenditure, I meant the amount of the whole gross Imperial expenditure; and when I say that we shall ask her to pay 1-15th of the Imperial expenditure in the future, that is an Imperial expenditure very materially cut down. For, upon consideration, it has been thought right in computing the military expenditure to exclude from it altogether what ought strictly to be called war charges. We do not propose to assume, in fixing the future Imperial contribution of Ireland, to base that calculation on the supposition of her sharing in charges analogous, for example, to the vote of credit for 11 millions last year. Therefore, this proportion of 1-15th is to be applied to a scale of Imperial expenditure materially reduced.

How Ireland's Share is to be Paid.

But, Sir, there is another consideration which I think it right to mention. It is this—that this Imperial contribution would be paid by Ireland out of a fund composed in the first instance of the entire receipts paid into the Irish Exchequer; but that, Sir, is not a true test of the amount of taxation paid by Ireland. There are goods which pay duty in England, and which are exported, duty paid, to Ireland, which are consumed in Ireland, and upon which, therefore, the duty is really paid by Irishmen, while the receipts go into the Imperial Exchequer. But there is not only a corresponding movement the other way, but there is a movement very much larger and more important. More than one million of duty, I think £1,030,000, is paid upon spirits in Ireland that are exported to Great Britain. Every shilling of that duty is really paid by the Englishman and the Scotch-

man; but at the same time the whole receipts go into the Irish Exchequer. The same thing holds with respect to the porter brewed in Ireland. The same thing holds with regard to the very considerable manufacture of tobacco carried on in Ireland. We have made it the object of our best efforts to ascertain how much money Ireland loses to England by the process which I have described—and which I have no doubt is accurately understood by all members of the House—how much money Ireland loses to Great Britain by the flow of duty-paid commodities from Great Britain to Ireland; and how much Great Britain loses to Ireland from the flow of such commodities from Ireland to Great Britain. The result of this investigation is—I state it with confidence, not actually as if it were to be demonstrated in every point by Parliamentary returns, but I state it as a matter of certainty with regard to a far greater portion of the sum, and as a matter certainly subject to very little doubt—that the Irish receipt gains from Great Britain by the process I have described more than Great Britain gains from Ireland, and more, to no less an amount than £1,400,000, paid by the British taxpayer and forming part of the Irish receipt. If you maintain the fiscal unity of the Empire, if you do not erect—which I trust you will not erect—Custom-houses between Great Britain and Ireland, if you let things take their natural course, according to the ordinary and natural movement of trade, £1,400,000 will be paid to the benefit of Ireland as a charge upon the English and Scotch taxpayer, and will form a portion of the fund out of which Ireland will defray the Imperial contribution which we propose to levy upon her.

If this amount of Imperial contribution to be paid by Ireland, which I have described as one-fourteenth, comes to be reduced by subtracting this sum of £1,400,000, the portion which Ireland will have to pay will be, not one-fourteenth, but a fraction under one-twenty-sixth. That is a very great change. It is a benefit she gets, not only in the state of the law, but owing to the course of trade. We cannot take it away without breaking up the present absolute freedom between the two countries. I hope this will be borne in mind by those who think this charge of one-fifteenth is a heavy charge to be thrown upon Ireland; and by those who think, as I certainly do, that in a case of this kind after all that has occurred when two countries are very strong and very rich compared with a third of far more restricted means, the pecuniary arrangement ought to be equitable and even bountiful in some moderate degree. It will be interesting to the House to know what payment *per*

capita the plan I have described will allot to the Irishman and to the Briton respectively. I use the word "Briton" because I know that it will gratify my friends from Scotland. The incidence of this plan *per capita* I will state as follows. In the first place, if I were to take the present contribution of Ireland to the entire expenditure of the country according to the receipt into the two Exchequers, the inhabitant in Great Britain pays £2 10s. *per capita* and the inhabitant in Ireland £1 13s. 7d. That is obviously and inequitably high for Ireland. But if I take the real payment of the Irish taxpayer and compare that with the real payment of the English taxpayer, it will follow that the English payment is £2 10s. 11d. as against £1 7s. 10d. of Ireland, which is certainly a more equitable proportion.

Now I pass to the basis of 1-14th or 1-15th. This is not founded upon the total expenditure of the country; but upon what we are about to reckon as Imperial expenditure and the respective contribution to the Imperial Exchequer. The respective contribution *per capita* will be for Great Britain £1 10s. 11d., and for Ireland 13s. 5d., and I do not think that that is an inequitable arrangement. I wish to exhibit exactly what alterations we propose to make. Under the proportion now proposed Ireland will pay 13s. 5d. while, if the present proportion were maintained, she would pay 16s. 10d., which will be a very considerable diminution in the amount of her contribution *per capita*.

Present Waste of Public Money.

I will state only one other striking fact with regard to the Irish expenditure. The House would like to know what an amount has been going on—and which at this moment is going on—of what I must call not only a waste of public money but a demoralizing waste of public money, demoralizing in its influence upon both countries. The civil charges *per capita* at this moment are in Great Britain 8s. 2d. and in Ireland 16s. They have increased in Ireland in the last fifteen years by 63 per cent., and my belief is that if the present legislative and administrative systems be maintained you must make up your minds to a continued never-ending, and never-to-be-limited augmentation. The amount of the Irish contribution upon the basis I have described would be as follows:—One-fifteenth of the annual debt charge of £22,000,000 would be £1,466,000, 1-15th of the Army and Navy charge, after excluding what we call war votes, and also excluding the charges for Volunteers

and Yeomanry, would be £1,666,000, and the amount of the civil charges, which are properly considered Imperial, would entail upon Ireland £110,000, or a total charge properly Imperial of £3,242,000. I am now ready to present what I may call an Irish Budget, a debtor and creditor account for the Irish Exchequer. The customs produce in Ireland a gross sum of £1,880,000, the excise £4,300,000, the stamps £600,000, the income-tax £550,000, and non-tax revenue, including the Post Office, £1,020,000. And, perhaps, here again I ought to mention as an instance of the demoralizing waste which now attends Irish administration, that which will perhaps surprise the House to know—namely, that while in England and Scotland we levy from the Post Office and Telegraph system a large surplus income, in Ireland the Post Office and the Telegraphs just pay their expenses, or leave a surplus so small as not to be worth mentioning. I call that a very demoralizing way of spending money. Although I believe that there is no purer department in the country than the Post Office, yet the practical effect of our method of administering Ireland by influences known to be English and not Irish leads to a vast amount of unnecessary expenditure.

Ireland's Assets and Liabilities.

The total receipts of the Irish Exchequer are thus shown to amount to £8,350,000, and against that I have to place an Imperial contribution which I may call permanent, because it will last for a great number of years, of £3,242,000. I put down £1,000,000 for the constabulary, because that would be a first charge, although I hope that it will soon come under very effective reduction. I put down £2,510,000 for the other civil charges in Ireland, and there, again, I have not the smallest doubt that that charge will likewise be very effectually reduced by an Irish Government. Finally, the collection of revenue is £834,000, making a total charge thus far of £7,586,000. Then we have thought it essential to include in this arrangement, not only for our own sakes, but for the sake of Ireland also, a payment on account of the Sinking Fund against the Irish portion of the National Debt. The Sinking Fund is now paid for the whole National Debt. We have now got to allot a certain portion of that debt to Ireland. We think it necessary to maintain that Sinking Fund, and especially for the interest of Ireland. When Ireland gets the management of her own affairs, I venture to prophesy that she will want, for useful

purposes, to borrow money. But the difficulty of that operation will be enormously higher or lower according to the condition of her public credit. Her public credit is not yet born. It has yet to lie like an infant in the cradle, and it may require a good deal of nursing, but no nursing would be effectual unless it were plain and palpable to the eye of the whole world that Ireland had provision in actual working order for discharging her old obligations so as make it safe for her to contract new obligations more nearly allied to her own immediate wants. I therefore put down three-quarters of a million for Sinking Fund. That makes the total charge £7,946,000, against a total income of £8,350,000, or a surplus of £404,000. But I can state to the House that that £404,000 is a part only of the Fund, which, under the present state of things, it would be the duty of the Chancellor of the Exchequer of the three countries to present to you for the discharge of our collective expenditure.

Past Beneficial Legislation for Ireland.

Sir, the House has heard me with astonishing patience while I have endeavoured to perform what I knew must prove an almost interminable task. There is only one subject more on which I feel it still necessary to detain the House. It is commonly said in England and Scotland—and in the main it is, I think, truly said—that we have for a great number of years been struggling to pass good laws for Ireland. We have sacrificed our time, we have neglected our own business, we have advanced our money, which I do not think at all a great favour conferred on her, and all this in the endeavour to give Ireland good laws. That is quite true in regard to the general course of legislation since 1829. But many of those laws have been passed under influences which can hardly be described otherwise than as influences of fear. Some of our laws have been passed in a spirit of grudging and of jealousy. It is most painful for me to consider that after four or five years of Parliamentary battle when a Municipal Corporation Act was passed for Ireland it was a very different measure to that which in England and Scotland created complete and absolute municipal life. Were I to come to the history of the land question I could tell a still sadder tale. Let no man assume that he fully knows that history until he has followed it from year to year, beginning with the Devon Commission or with the efforts of Mr. Sharman Crawford. The appointment of the Devon Commission does, in my opinion, the highest honour to the

memory of Sir Robert Peel. Then notice the mode in which the whole labours of that Commission were frustrated by the domination of selfish interests in the British Parliament. Our first effort at land legislation was delayed until so late a period as the year 1870. I take this opportunity of remarking that sound views on the land question were not always confined to Irish members, nor to the Liberal side of this House. The late Mr. Napier, who became Lord Chancellor of Ireland, when he sat in this House for the academical constituency of Dublin, developed with great earnestness truly liberal views on the subject of Irish land, and made generous efforts in that direction—efforts which were, however, intercepted.

But, Sir, I do not deny the general good intentions of Parliament on a variety of great and conspicuous occasions, and its desire to pass good laws for Ireland. But let me say that in order to work out the purposes of government there is something more in this world occasionally required than even the passing of good laws. It is sometimes requisite not only that good laws should be passed, but also that they should be passed by the proper persons. The passing of many good laws is not enough in cases where the strong permanent instincts of the people, their distinctive marks of character, the situation and history of the country, require not only that these laws should be good, but that they should proceed from a congenial and native source, and besides being good laws should be their own laws. In former times it might have been doubted—I have myself doubted—whether this instinct had been thus developed in Ireland. If such doubts could be entertained before the last general election they can be entertained no longer.

A Lesson from the Colonies.

The principle that I am laying down I am not laying down exceptionally for Ireland. It is the very principle upon which within my recollection, to the immense advantage of the country, we have not only altered but revolutionised our method of governing the Colonies. I had the honour to hold office in the Colonial Department—perhaps I ought to be ashamed to confess it—51 years ago. At that time the Colonies were governed from Downing Street. It is true that some of them had legislative assemblies, but with these we were always in conflict. We were always fed with information by what was termed the British party in those Colonies. A clique of gentlemen constituted themselves the British party; and the non-British party, which was

sometimes called the "disloyal party," was composed of the enormous majority of the population. We had continual shocks, continual debates, and continual conflicts. All that has changed. England tried to pass good laws for the Colonies at that period, but the Colonies said, "We do not want your good laws; we want our own." We admitted the reasonableness of that principle, and it is now coming home to us from across the seas. We have to consider whether it is applicable to the case of Ireland. Do not let us disguise this from ourselves. We stand face to face with what is termed Irish nationality. Irish nationality vents itself in the demand for local autonomy or separate and complete self-government in Irish, not in Imperial, affairs. Is this an evil in itself? Is it a thing that we should view with horror or apprehension? Is it a thing which we ought to reject or accept only with a wry face, or ought we to wait until some painful and sad necessity is incumbent upon the country, like the necessity of 1780 or the necessity of 1793? Sir, I hold that it is not. There is a saying of Mr. Grattan—who was indeed a fiery and fervid orator, but he was more than that, he was a statesman, his aphorisms are in my opinion weighty, and even profound, and I commend them to the careful reflection and examination of the country—when he was deprecating the surrender of the Irish Parliament and pointing out that its existence did not prevent the perfect union of the two countries, he remarked, "The Channel forbids union, the ocean forbids separation." Is that channel nothing? Do what you will with your steamers and your telegraphs, can you make that channel cease to exist, or to be as if it were not? These 60 miles may appear a little thing, but I ask you what are the 20 miles between England and France? These few miles of water have exercised a vital influence upon the whole history, the whole development, and the whole national character of our people.

Local and Imperial Patriotism.

These, Sir, are great facts. I hold that there is such a thing as local patriotism, which in itself is not bad, but good. The Welshman is full of local patriotism—the Scotchman is full of local patriotism; the Scotch nationality is as strong as it ever was, and should the occasion arise—which I believe it never can—it will be as ready to assert itself as in the days of Bannockburn. I do not believe that that local patriotism is an evil. I believe it is stronger in Ireland even than in Scotland. Englishmen are eminently English, Scotchmen are profoundly

Scotch, and, if I read Irish history aright, misfortune and calamity have wedded her sons to her soil. The Irishman is more profoundly Irish, but it does not follow that because his local patriotism is keen he is incapable of Imperial patriotism. There are two modes of presenting the subject. The one is to present what we now recommend as good, and the other to recommend it as a choice of evils. Well, Sir, I have argued the matter as if it were a choice of evils; I have recognised as facts entitled to attention the jealousies which I do not share or feel, and I have argued it on that ground as the only ground on which it can be argued, not only in a mixed auditory, but in the public mind and to the country, which cannot give a minute investigation to the operations of that complicated question. But in my own heart I cherish the hope that this is not merely the choice of the lesser evil, but may prove to be rather a good in itself. What is the answer to this? It is only to be found in the view which rests upon the basis of despair and of absolute condemnation of Ireland and Irishmen as exceptions to the beneficent provisions which enable men in general, and Europeans in particular, and Americans, to be capable of performing civil duties, and which considers an Irishman either as a *lusus nature* or one for whom justice, common-sense, moderation, and national prosperity have no meaning, and who can only understand and appreciate perpetual strife and dissension. Well, Sir, I am not going to argue that view, which to my mind is founded on a monstrous misconception. I say that the Irishman is as capable of loyalty as another man—I say that if his loyalty has been checked in its development why is it? Because the laws by which he is governed do not present themselves to him, as they do to us in England and Scotland, with a native and congenial aspect, and I think I can refer to two illustrations which go strongly to support the doctrine I have advanced. Take the case of the Irish soldier, and of the Irish constabulary. Have you a braver or a more loyal man in your army than the Irishman, who has shared every danger with his Scotch and English comrades, and who has never been behind them when confronted by peril, for the sake of the honour and safety of his Empire? Compare this case with that of an ordinary Irishman in Ireland. The Irish soldier has voluntarily placed himself under military law, which is to him a self-chosen law, and he is exempted from that difficulty which works upon the population in Ireland—namely, that they are governed by a law which they do not feel has sprung from the soil. Consider how common it is to hear the observation in

discussing the circumstances of Ireland, that while the constabulary are largely taken from the Roman Catholic population and from the very class most open to disaffection, where disaffection exists, they form a splendid model of obedience, discipline, and devotion such as the world can hardly match. How is this? It is because they have undertaken a voluntary service which takes them completely out of the category of the ordinary Irishman. They are placed under an authority which is to them congenial because freely accepted. Their loyalty is not checked by the causes that operate on the agricultural population of Ireland. It has grown as freely in the constabulary and in the Army as if every man in the constabulary and every Irish soldier had been an Englishman or a Scotchman.

The Better Union.

However this may be, we are sensible that we have taken an important decision—our choice has been made. It has not been made without thought; it has been made in the full knowledge that trial and difficulty may confront us on our path. We have no right to say that Ireland through her constitutionally-chosen representatives will accept the plan I offer. Whether it will be so I do not know—I have no title to assume it—but if Ireland does not cheerfully accept it it is impossible for us to attempt to force upon her what is intended to be a boon; nor can we possibly press England and Scotland to accord to Ireland what she does not heartily welcome and embrace. There are difficulties, but I rely upon the patriotism and sagacity of this House; I rely on the effects of free and full discussion; and I rely more than all upon the just and generous sentiments of the two British nations. Looking forward, I ask the House to assist us in the work which we have undertaken, and to believe that no trivial motive can have driven us to it—to assist us in this work which we believe will restore Parliament to its dignity, and legislation to its free and unimpeded course. I ask you to stay that waste of public treasure which is involved in the present system of government and legislation in Ireland; and which is not a waste only, but which demoralizes while it exhausts. I ask you to show to Europe and to America that we too can face political problems which America 20 years ago faced, and which many countries in Europe have been called upon to face and have not feared to deal with. I ask that in our own case we should practise with firm and fearless hand

what we have so often preached—the doctrine which we have so often inculcated upon others—namely, that the concession of local self-government is not the way to sap or impair, but the way to strengthen and consolidate, unity. I ask that we should learn to rely less upon merely written stipulations, and more upon those better stipulations which are written on the heart and mind of man. I ask that we should apply to Ireland that happy experience which we have gained in England and in Scotland, where the course of generations has now taught us, not as a dream or a theory but as practice and as life, that the best and surest foundation we can find to build upon is the foundation afforded by the affections, the convictions, and the will of the nation; and it is thus, by the decree of the Almighty, that we may be enabled to secure at once the social peace, the fame, the power, and the permanence of the Empire

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