

## **ADVICE TO LAND REFORMERS**

**By John Stuart Mill**

EXAMINER, 4 JAN., 1873, PP. 1-2

In 1869 Mill was Chairman of the Provisional Committee to establish the Land Tenure Reform Association, and was responsible in large measure for its proposals, published as *Programme of the Land Tenure Reform Association, with an Explanatory Statement by John Stuart Mill* (London: Longmans, et al., 1871); in CW, Vol. V, pp. 687-95. The work of the Association, along with the women's suffrage movement, absorbed most of his energy in his last years, and it is appropriate that his last three newspaper writings should be on land tenure, and that they should appear in the *Examiner*, where the bulk of his journalism appeared. Helen Taylor's continuation of Mill's *Autobiography* concludes: "In the autumn and winter [of 1872] he wrote . . . two articles for the *Examiner* (published January 4th and 11th, 1873) on Land Reform" (CW, Vol. I, p. 627). In a letter to Cairnes of 8 Jan., 1873, after welcoming Cairnes' agreement with him on the question of the land held by endowed institutions, Mill remarks that he and his daughter are occasionally sending articles to the *Examiner* now, hoping to help build it up once more as "an organ of opinion allied to our own" (LL, CW, Vol. XVII, p. 1933).

This article, in the "Political and Social" section, is headed as title, and is described in his bibliography as "An article headed 'Advice to Land Reformers' in the Examiner of 4 January 1873" (MacMinn, p. 101). The article was combined by Helen Taylor with No. 426 and printed in the posthumous fourth volume of *Dissertations and Discussions* (London: Longman, et al., 1875), under the title "Advice to Land Reformers," pp. 266-77 (in which this article ends at p. 272.31).

now, when the question of the constitution and limits of property in land has fairly come to the front, and a majority of Liberal politicians find it needful to include in their programme some improvement in the existing arrangements on that subject, it is time to consider which

among the minor modifications that alone find favour with the more timid or more cautious innovators deserve to be supported by those who desire greater changes, and which are those that should be opposed, either as giving a renewed sanction to wrong principles, or as raising up new private interests hostile to a thorough reform. There are at present two proposals affecting property in land which engage a considerable and increasing amount of public attention: one, the abrogation of the right of primogeniture, and the abolition or great restriction of the power of making settlements of land;<sup>1</sup> the other, that corporations and endowed institutions should be required to sell their lands, and invest the proceeds in the funds or other public securities.<sup>2</sup> The difference between these two projects affords an illustration of the principles which, we think, should guide the judgment of land tenure reformers in matters of this nature. The former of the two is, in our opinion, entitled to their full support; the latter should be strenuously resisted by them.

Before proceeding farther, it is right to explain whom we mean by land tenure reformers. On so new a question there are naturally many shades of opinion. There are some with whose plans we agree, others from whom we differ; we address ourselves equally to both. There are those who aim at what is called the nationalisation of the land; the substitution of collective for individual property in the soil, with reasonable compensation to the landowners. Their doctrine is far from being so irrational as is pretended; they have much to say for themselves. Nor is theirs a wholly untried theory. It has the feudal traditions, and the general practice of the East, on its side.

Nevertheless, for reasons which we shall have many opportunities of stating, we are decidedly of opinion that, whatever may possibly be the case in a distant future, this scheme is altogether unsuited to the present time. But, short of this, there are modifications of the rights of landed property of a more or less fundamental character, which have already numerous supporters, and are likely, as we believe, before long to become widely popular. There is the principle asserted by the Land Tenure Reform Association; that, inasmuch as land in a prosperous country brings in a constantly increasing income to its

owner, apart from any exertion or expenditure on his part, it may and ought to be subjected to special taxation in virtue of that increase.<sup>3</sup> Again, it is maintained that, inasmuch as the acknowledged end for which land is allowed to be appropriated, is that it may be made more productive, the right of property ought not to extend to that which remains unproductive: and that if large tracts of land are kept in a wild state by their owners, either for purposes of amusement, or because they cannot be let at a rent (though they might amply remunerate a labourer cultivating for himself) the State should resume them, paying only their present value.<sup>4</sup> Again, there might be a limit set to the extent of territory which could be held by a single proprietor.<sup>5</sup> Many other changes might be proposed, more or less extensive, more or less expedient, but all compatible with the maintenance of the institution of landed property in its broad outlines. Now, the reforms which are proposed on the subject of primogeniture, and of entails and settlements, are of a different character. Instead of limiting, they would increase the power over the land of the existing generation of landowners; and accordingly, the supporters of more drastic changes are much divided as to whether these particular measures ought or ought not to be supported.

Among the reasons for getting rid of the law of primogeniture and the existing laws of entail and settlement, the one which we oftenest hear, and which carries most weight with many of the assailants of those laws, is that by keeping land out of the market they detain it in too few hands, and that their abolition would increase the number of landed proprietors. The long and obstinate prejudice which existed against peasant properties, grounded on the densest ignorance of their actual operation in the countries where they prevail, has given way before more correct information. Those who fancied that peasant proprietors must be wretched cultivators because cottier tenants are so, have learnt that some of the best agriculture in the world is to be found where such properties abound: those who thought that peasant proprietorship breeds over-population, and converts a country into a "pauper-warren,"<sup>6</sup> now know that its tendency is rather towards the other extreme. Within a few years, therefore, the existence of peasant properties has come to be regarded by English philanthropists as

eminently desirable, and the removal of all obstacles to it has become an aim of advanced politicians; and primogeniture and entail being such obstacles, their abolition is advocated on that ground. But it has come to pass that the same thing which recommends this measure to one class of land reformers, renders another class worse than indifferent to it. Multiplication of proprietors is not the kind of reform which finds favour with a large section of the more thoroughgoing land reformers. Many of them believe that an addition to the number of private owners of land is but an addition to the number of the enemies of the larger changes which they meditate. They think, and in this they are not mistaken, that the wide diffusion of landed property in some Continental countries, and especially in France, is in these countries the great obstacle to any improvement in the conditions of ownership: and they look with no good will on anything which tends, in ever so small a degree, to approximate, in this respect, the British state of things to the French.

We agree, to a considerable extent, with the general views on which this judgment is grounded; but we do not think that the question of abolishing primogeniture and entail is a case for their application. Whether the creation of a class of peasant-proprietors would be a good thing or a bad, we are of opinion that the reforms in question would not have that effect; while they would produce benefits which, even from the exclusive point of view of the land-reformers, might well outweigh some amount of the inconvenience they apprehend.

To what extent these measures would practically operate in causing land to be brought into the market, it is very difficult at present to foresee; but there is no probability that, of such as might be sold, much would come into the hands of small proprietors. As long as the private wealth of the country and its social condition are what they are, the rich will always outbid the poor in the land market. We are speaking, of course, of rural land, of which alone the possession is an object of desire to the wealthy classes. Land in towns, or so close to them as to be available for streets, might often obtain a higher price in small lots; such lots as would enable prudent and economical working

people to become the owners of the houses they live in; which we hold to be an unqualified good: nor is it likely that even the most extreme plans of land reform would disturb such persons in the possession. The land of the country at large outside the towns might possibly come to be shared among a greater number of rich families than at present; but sales by the rich to the rich do not really add to the number of those whose interests and feelings are engaged on the side of **landlordism**; for the rich who wish to be landlords are already as much wedded to landlord privileges as they would be when they actually became so. Reformers, therefore, either moderate or extreme, need have no fear that the facilitation of the sale of land already appropriated should raise up additional obstacles to their projects.

On the other hand, the measures in question would be attended with no small amount of positive benefit. In the first place, whatever transfers of landed property might really be occasioned by these changes would be in the direction of agricultural improvement. True it is that, according to the present ideas of landed property, landlords are neither required nor expected to do anything for the land; but some landlords are more disposed to do so than others; and the purchasers are almost always a more improving class of landowners than those from whom they purchase. It is the capitalist and man of business who buys; it is the needy and the spendthrift who sell. The whole tendency is thus to improve the cultivation and increase the produce of the country. But there is a still greater benefit than this, and one which is often not sufficiently appreciated. The *principle* of the laws of primogeniture and entail is radically wrong; and to get rid of a bad principle, and put a better in its place, is equivalent to a very considerable amount of practical gain. The preference of one child above all the rest, without any superiority of personal claims, is an injustice. The power given to an owner of property to exercise control over it after it has passed into the hands of those to whom it devolves on his death, is, as a rule (with certain obvious exceptions), both an injustice and an absurdity. Moreover, the end for which these institutions are kept up ought to be their sufficient condemnation in the eyes of advanced reformers. The purpose of their existence is to

retain the land, not only in the families which now possess it, but in a certain line of succession within those families, from eldest son to eldest son. They are a contrivance for maintaining an aristocratical order in unimpaired territorial wealth from generation to generation, in spite of the faults which its existing members may commit, and at the sacrifice both of justice between the heir and the other children, and of the interest which all the existing members of the family may have in selling the land. The aristocratic spirit, more powerful than the personal interest of each living member of the body, postpones the private wishes of the existing generation to the interest of the order in maintaining an aristocratic monopoly of the land. The possession of the land is the centre round which aristocratic feeling revolves; and the removal of the two props of the monopoly, though its immediate practical effect would probably be small, should be welcome to all who wish to dissolve the connection between landed property and aristocratic institutions.

We think, then, that all land reformers, whatever may be their ulterior views, should unite in supporting the abrogation of the law of primogeniture and the reform of the law of settlement. We must reserve for another article our reasons for thinking quite otherwise of the proposal recently broached (and which has derived importance from the strong advocacy of the Times and from the interpretation put upon a speech of Mr. Goschen) for requiring all corporate bodies and endowed institutions to part with their lands by sale to private individuals.<sup>7</sup>