

MISCELLANIES,
VOL. III.
ESSAYS, TRACTS OR ADDRESSES
POLITICAL AND SOCIAL.

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LONDON:
KEGAN PAUL, TRENCH & CO., 1 PATERNOSTER SQUARE.

M.DCCC.LXXXIX.

DELIBERATIONS BEFORE WAR.

AT THE OPENING OF THE FRANCO-SARDINIAN WAR AGAINST
AUSTRIA.

From the "London University Magazine," June 1859.

THE question of War is generally looked at from one of two points of view, which we may call the Moral and the International. The Moralist considers whether a war be just or unjust, and compares the prosecutor of an unjust war to a robber who makes lawless attack or resistance, his opponent to the officer who enforces the law. In this view the two parties are not co-ordinate. But the international Jurist, presuming that each side is sure to think itself right, and knowing that good men are fighting on each side, considers by what means the necessary evils of such a state of things may be brought to their minimum. As there is no valid or acknowledged tribunal to determine which side is just, which unjust, he treats the two parties as co-ordinate, calls them *belligerents*, and looks only to the ostensible marks which make a war "lawful," that is to say, *regular*. Certain forms are defined, as necessary preliminaries, and certain rights are reserved as sacred, even in the midst of hostilities.

Each of these modes of looking at the subject is right and necessary, although we must lament that the second is apt to present itself so exclusively to every great power, that the moral certainty that one side at least is criminal, is apt to be overlooked. But *besides* these two points of view, there is a third (which may be called National, rather than International), that seems hardly to be considered at all; yet it is of the utmost moment to a free State, like England, the government of which (we are plainly told by Lord Grey and other statesmen) is (and must be!) a government of Party. Inasmuch as the whole nation is implicated in a war, when once it is undertaken,—inasmuch as we all have the same national disgrace, if it is unjust; the same suffering, if it is tedious; the same loss, if it is expensive;—it is an obvious principle of justice, equally as of expediency, that

every side of the nation should be heard to plead against it by its legitimate representatives. Even under the strongest despotism, if it have the least pretensions to good order, the king or emperor hears advice from opposite sides impartially,—a rule so vehemently dictated by prudence, that it is seldom violated except by the wantonness of one who is half-mad, and drunken with unchecked power. The most warlike imperial potentates habitually take advice of their privy council, and indeed often of their greater council, or senate, before they voluntarily engage in a war. Such a privy council, equally as the senate, uniformly contains men of opposite tendencies and parties, often habitual opponents and perhaps bitter enemies. Neither the Emperor of Russia or of Austria, or the Sultan of Turkey, nor any of our Edwards and Henries, any more than an old king of Etruria or of Rome, would ever make war without hearing the free opinions of the opposite parties or factions which formed the active political world of the State. At the council table of our Elizabeth, there often sat together men who literally thirsted for one another's blood; and if one of them gave to the Queen pernicious advice, another was ready to expose and refute it on the spot. Although a council may be secret, it is not necessarily one-sided: and those powers alone are *judicious* in their wars (of their *justice* nothing must be here said) who carefully secure that both sides of a deliberation shall be sifted by the keenness of political rivals. Justice towards the foreigner is a separate point; but justice towards our own people is obviously violated, when they are dragged into a war without the pleas against it being evenly heard. It is in the nature of collective action that a majority, at least if large, must act for the whole; but this proceeds on the presumption that free deliberation has preceded. For though the minority cannot ultimately refuse to be guided by the majority (estimated as the constitution may dictate), yet, at least as much as a criminal at the bar of justice, the *plea* of innocent men must be *listened to* and pondered, before they are sentenced. If fathers or sons are to be dragged from their families for the stern work of war; if the material resources of the kingdom are to be drained for some foreign object, nay, and the whole existence of the State brought into hazard; the Queen is bound fully to hear the voice of those who may happen to think the war unjust and pernicious, before she sanctions it.

It is the singular disgrace of modern England to have allowed the solemn responsibility of war to be tampered with by the arbi-

trary judgment of executive officers : who decide on deeds of battle and slaughter, involving the allegiance and permanent state of nations, without a single sacred form which shall bind the adviser to conscientious scrupulosity, or such publicity as shall make it notorious how and why each man voted. The nation which boasts of its jury ; which will not allow pecuniary penalties to be imposed, much less a life to be taken, without the unanimous verdict of twelve men, solemnly sworn to give a verdict according to the evidence of Right ; the nation which would be scandalized and indignant, if a judge were to avow that he gave his award according to the convenience of those in power, and not according to the rights of the case ; this same nation permits war to be made, lives by the twenty thousand or fifty thousand to be sacrificed, provinces to be confiscated and permanent empire over foreign subjects established, at the secret advice of a cabinet, *all of one party, acting collectively for party-objects*, no one outside knowing how each has voted : and this, when its members from time to time plainly avow that to speak publicly according to their conscience in such matters would be foppish absurdity, and that of course they go with their Party. Lord Palmerston lately went farther ;—and no one, when Parliament met, rebuked him, as far as we are aware. When a vote of the Commons had condemned his Chinese hostilities, he punished them by dismissal, and then publicly ridiculed the idea that Parliament ought to fancy that it met “as if in a jury-box to vote on the Right and the Wrong, and not, to vote which statesman should guide the destinies of England.” How dead must Cabinets have become to the profound guilt of an unjust war, before a Prime Minister could have ventured on thus publicly outraging the moral sense of the nation ! How accustomed to contumelious contempt from the secret cabinets must Parliament be, when it can endure to be told that each member’s vote concerning a war is to be decided, *not* by the rights of the millions at stake in it, but by considering which of two or three despots they had better elect !

And what is the explanation of this enormity, in the nation which thinks itself the freest and justest in the world ? We believe it mainly springs out of the anomaly of the East Indian empire : for the evil practice has grown stronger and stronger with that empire, until, in the last twenty years, it has attained a development wholly unprecedented.

From the year 1784, when the Board of Control was established, the power of the East India Directors to declare war and peace

was made merely nominal ; but the nominal rights reserved for the Directors served as a screen to the omnipotent ministry behind them. The Directors, by legal fiction, appointed the Governor-General, who had the power of war and peace ; but the appointment was subject to the approval of the crown : and as the crown had power to "*alter or amend or keep back* the dispatches of the Directors," and in urgent cases, to transmit orders to any functionary in India *without the concurrence* of the Directors,—nay and without the *knowledge* of any but those called the Secret Committee, —it would have been simply absurd in the Directors to fight against the crown as to the appointment of the Governor-General. In point of fact, the Prime Minister appointed him, as effectually as by the *congé d'élire* he appoints the Bishops. The orders to make or not to make war, went out direct from the Board of Control, that is, really from the ministry in Downing Street. Two, or even one resolute man had power to make war without check ; not only when, by reason of the distance from England, the excuse could be made, that there was no time to take advice, but even when full debate in England was easily possible. But let us pass to recent times. In the virtuous days of the first Reform Act, when an excellently intended Indian Bill was passed, under that pure-minded sagacious governor Lord William Bentinck we began to believe in a coming millennium for India. But this very nobleman had already been ordered to send a spy to Afghanistan (Sir Alexander Burnes), who in 1832 explored the military opportunities with a view to that notoriously unjust and disastrous invasion which a few years later Lord Auckland was commanded to execute. It does not suit our purpose to dwell on the pretences of this war. The main argument used for it in Parliament by its chief advocate Lord Palmerston, was, that it was better that *we* than the Emperor of *Russia* should hold in our hands the keys of Asia. So we stole the keys, for fear he should steal them ! But let that pass. What we here desire to insist on, is,—that the war became a terrible reality, was supported by a noble army from England, besides the properly Indian troops, — that it cost us the unprecedented butchery of the entire army of occupation,* added twenty-three millions sterling to the Indian debt, left the treasury of India in a permanent deficit, drew after it

* But for this terrible massacre, the English armies might have tried to occupy Bokhara also, *on the other side* of the Hindoo Koosh ; for Captains Stodhart and Conolly were sent thither as spies, and the ministerial organs blustered that the Russians were *intriguing* in Bokhara. In this chase of Russian intrigue over all Asia, a severe fall was certain to be at last encoun-

a belief that we might be expelled from India as effectually as from Afghanistan, and gave a vehement excitement to the late Indian insurrection. All this was brought about, the fair fame of England stained, her blood and treasure wasted, the foundation laid for miserable complications in the future, at the *Secret Order* of two or three *executive* officers of the Queen, without previous debate in Parliament! After the crime was committed and its disastrous fruits reaped, then at length Parliament debated; but, finding the mischief accomplished, of course did nothing. In the way of routine, they *could* do nothing but merely eject the entire ministry; without any permanent stigma on guilty individuals, who, under the shield of a secret Cabinet, can never be legally ascertained.

While this great war was raging, the same ministers simultaneously, and without previous debate in Parliament, undertook two other wars of the greatest scale, one of which had all but precipitated us into a war with France. This was the Syrian war of 1840, in which we expelled the Pasha of Egypt from the entire coast of Syria, and virtually restored all Syria to the Sultan. The treaty by which we took on ourselves this dangerous and highly questionable office, was signed without cognizance of Parliament; and the first public revelation of it (if we remember) was by the newspaper reports of a naval action. The ferment in France was universal and very violent: the ministry of Thiers would probably have declared war on us; but Louis Philippe was too prudent to do it without the aid of Russia: he dismissed the ministry and held back the nation. Happily, the war was brought to a close before there was time for a coalition, and France grudgingly submitted to events. The argument used to justify our intervention to aid the Sultan against his subjects, was, that if we did not aid him, Russia would. Such is the logic that satisfies a secret Cabinet.

The simultaneous Chinese war was fought in vengeance for the seizure of smuggled opium. We do not enter into the details of right, but only into those of form. The English representative (Captain Elliot), when the opium was seized, *gave a receipt for it to the smugglers as delivered over to the British Government!* As he identified himself with the smugglers, the Chinese authorities temporarily imprisoned him, and our Cabinet made war on them for

tered. But a minister, equally as an Emperor, when shut up to his own counsels, is easily intoxicated with success. Stodhart and Conolly were killed as spies. Burnes's better luck was but ill-luck.

the insult offered to Queen Victoria. Yet Captain Elliot appears to have been sincerely ashamed of the dirty work required of him. The great war thus undertaken at the other end of the world was strictly a British war, to defend British commerce; the East India Company having been allowed no commerce since 1833: yet this also was kept in the hand of the executive government, because the public had become accustomed to apathy concerning Asiatic wars.

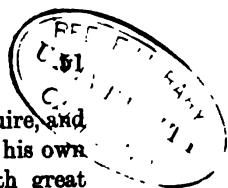
The next great *coup d'état* ventured on by the same ministers (Russell and Palmerston) was, to crush liberty in Portugal (1847), where the Whig party, incensed at the Queen's violations of the constitution, took arms to compel her to legality, and were victorious, until by the intervention of the British fleet they were reduced, and liberty cast helpless at the feet of the Queen.* This also was done without the cognizance of the British Parliament; and was apologised for in whispers, that the ministry did not like the dirty work, but, as the heir of Portugal was a Coburg, they could not help it; besides, the Spaniards and French would have interfered, if we had not; and would have treated the poor Portuguese with less consideration than we. Are these the arguments which satisfy secret Cabinets?

But we are forgetting the blockade of Athens! One word must suffice. Athens was blockaded *first*, and a hundred times the value of Don Pacifico's debt was spent by ourselves and levied on Greece; a great debate in Parliament took place *afterwards*!

A more terrible affair of debt was that of Burma. Two ship-captains complained in Calcutta that they had been put to undue expenses and forfeits in Rangoon. Lord Dalhousie reduced their demands to under a thousand pounds, and sent Commodore Lambert (*with a strong squadron*) to inquire into the facts and demand payment; but ordered him, even if flatly refused, *on no account to enter on hostilities*. The Commodore reversed his instructions as completely as if he had had private assurance that they were only

* This shameful deed, perpetrated by Russell and Palmerston (apparently) to avoid displeasing the Court, was what ruined their moral courage in the two next years towards the three despots who overthrew law and right in Hungary and Rome. No English ministers ever lost more splendid opportunities of establishing rightful liberty on the solid base of nationality, without war, by merely acknowledging the right cause, and holding out to it greeting and equal neutrality, than did these recreant Whigs in 1848-49. We do not care to ask how the Court was minded. The nation was, then as always, on the side of right and liberty, and would have carried the ministers through.

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meant as papers to lay before Parliament. He did *not* inquire, and did *not* ask for the money; but picked a new quarrel of his own on totally different grounds, and bombarded Rangoon with great slaughter. Lord Dalhousie mildly rebuked him, but confirmed all his acts, and took up the war. The province of Pegu, long since coveted by officials, was added to the empire, and Commodore Lambert received a blue ribbon from Queen Victoria at the advice of Lord Aberdeen. Parliament was ignored by both ministries.

The Russian war followed, into which we were "drifted" by the Secret Correspondence and the battle of Sinope. If that correspondence had been at once laid before Parliament, the national indignation would have undeceived the Emperor Nicolas as to the temper of the English people. But by cringing and flattery, and making Nicolas's avowed accomplice, Austria, mediator and referee, Lord Aberdeen persuaded the Russian Emperor that our Cabinet was playing his game. They did their utmost to stop debate in Parliament, lest any words too spirited might be spoken; till at length, making sure of our neutrality, the Emperor plunged on into a position from which pride forbade him to withdraw till compelled. There were undoubtedly *at last* great debates in Parliament; and the war was not ultimately undertaken until the whole nation felt our honour had become inextricably committed. But if debate on the Secret Correspondence had taken place one year earlier; if the ministry had been as anxious to inform and elicit public opinion, as it was agonizing in its efforts to forbid debate and withhold facts; it is certain that the war would have been put off, and it is possible that it might have been wholly averted.

Scarcely was this war ended, when two more wars were undertaken, each secret and unconstitutional, besides all their other irregularities. A hostile correspondence was carried on between Lord Clarendon (then Foreign Secretary, — *not* President of the Board of Control), and the Court of Persia; in consequence of which Lord Palmerston commanded war against Persia to be proclaimed *at Bombay!* This little circumstance (insignificant as it may seem) serves as a clue, how the East India Company has been made the blind, to enable the ministry to use the vast military and naval force of England in whatever cause they pleased, without consulting Parliament. War was not proclaimed in London, that they might the better pretend it was no business of ours, Asiatic interests being too profound (of course) for a stupid

English Parliament to understand. A manifesto from the Persian Court appeared in some of our newspapers, which stated—that the King's government sent a plenipotentiary to Constantinople to confer with the English ambassador, and by the electric telegraph with the Court of St James's;—that on his arrival, totally unforeseen demands were made on him, for which of course he had no instructions;—that he asked and obtained a fixed number of days for getting new instructions from his Court, and sent off a messenger instantly; but before half the time was expired, before it was physically possible for the messenger to return, Bushire was already assaulted and war proclaimed. Not only was all done without the cognizance of Parliament, but we do not know that anyone has inquired in Parliament whether the Persian manifesto was genuine and was true. Of course *we* cannot guarantee it. But our readers, with us, must have read the narrative of the British Envoy at Bushire, which boasted that up to the last moment he kept the Persian authorities in ignorance that any war was intended; until, when the fleet from Bombay was almost in sight, he escaped secretly, got on board, sent in the declaration of war, and gave orders to the admiral to commence the attack. We had thought all this piratical; but secret cabinets think otherwise, and Parliament is too busy to examine *events that are past*.

The second Chinese war took a different turn. It was commenced without leave of Parliament, and condemned by Parliament. Thereupon the minister punished the House by dissolution,—which is like *fining* each member (on an average) six or eight hundred pounds, and representatives of powerful constituencies twice or thrice as much, even if re-elected. A majority of the new House was elected to promote Reform of Parliament; and Lord Palmerston, by suddenly avowing himself a Reformer, averted all further mention of the Chinese war. He knew that many Members would not dare to eject him for an Asiatic *accomplished fact*, if they had to eject with him the chances of the promised Reform: and that the sturdier haters of the Chinese war would fear to move, lest the votes of the others should turn the scale in his favour.

If Earl Grey is right, and a Cabinet must be a *party*, this is a decisive, irrefragable reason why a Cabinet must NEVER exercise the function of deciding on Peace and War. The recent overthrow of the East India Company has swept away all the shams which have hidden from England that the ministry in Downing

Street worked the Indian puppet. *Now* is the critical time, at which Parliament should claim that public debate shall *precede* all voluntary hostilities, small or great. The aspect of things, while we write, is most threatening. The ministry has put forth a declaration of neutrality, yet is reported in every newspaper that we take up to be acting as if in convulsive preparation for a war against France. This may prove not to be a strictly correct report; but the itch manifested by the ministry to seize some pretext for shielding Austria from the insurrections of the nations which she has perfidiously crushed,—and perhaps striking some *coup de main* against France, in hope that English pride will in every case rally to the English flag,—seem to make it incumbent on the nation, and on Parliament as soon as it meets, to protest in the most solemn way, that henceforth no blow in war shall be struck, until the voice of Parliament has permitted and commanded it.