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IMPERIAL PARLIAMENT.

HOUSE OF COMMONS.

Monday, April 23,

Motion on the Defence of the *NATION.*

MR. FOX's SPEECH
Concluded.

I have no objection to this language, and I ſubſcribe to all the reports which have been made on the threats of invaſion, but with two proviſions: 1. That we ſhall be prepared to meet it, if real; and 2. That ſuch language ſhall not be uſed to excite needleſs terror. If there are ſerious apprehenſions that the enemy has meditated the plan of invaſion, and made or is making formidable preparations for that purpoſe, and that he has weighed in his mind all the probabilities of ſuch an enterpriſe, it becomes indiſpenſible for this country to deviſe the means of eſtabliſhing effectual defence. We muſt not content ourſelves with temporary ſtratagems, nor repoſe in any temporary defence. We muſt not reckon on his coming in the year 3, or 4, or 5, becauſe if he has meditated the ſcheme, he will not limit himſelf to the time. The plan once conſidered and determined on, the attempt may be made hereafter, and therefore we have no alternative. To temporary danger we ſhould do right to oppoſe temporary means; but to permanent deſigns of annoyance, we muſt provide permanent remedies. It is my object, ſir, to draw the attention of the houſe to this view of the ſubject. It certainly does appear, that the French conſider by their preparations the enterpriſe of an invaſion of this country a practicable attempt. It cannot be concealed that they have gone to a great extent of preparation, and a conſiderable part of this may be regarded, as meant for the purpoſe of permanent annoyance. The nation is called upon, therefore to deviſe the means of permanent ſafety. My motion, however, will not extend to the general ſyſtem of defence, which it is eſſential to provide, but to that of the army only. In the many difficulties which aſſail us at this moment, and which it would be tedious and weariſome to particulariſe, I wiſh to keep the view of the houſe to a ſyſtem of permanent defence by land. I do not wiſh to incumber the queſtion by enquiring this day into the difficulties that preſs upon us reſpecting the finances of the country—nor the difficulties ariſing from the want of currency in Ireland—nor the circumſtance of the exiſtence to this day of martial law in that country—I wiſh to avoid all other topics of enquiry this day, except that of the eſtabliſhment of ſuch a plan of military defence as ſhall be equal to the hoſtile deſigns of the enemy, however formidable and however protracted they may be. I wiſh to bring the diſcuſſion into as narrow a compaſs as poſſible, and therefore to confine myſelf to the mere queſtion of internal defence. I do not even mean to mix with it any obſervations on the naval defence of the country; nor ſhall I attempt to revive the diſcuſſions that have taken place on the volunteer queſtion. That ſubject has been ſo frequently before the houſe, that I can only ſay what I have before ſo often expreſſed, that the volunteer body merit the moſt grateful thanks of their country for the exertions they have made, and that on the motion with which I ſhall conclude for a committee to conſider of the beſt means of a permanent military defence, the alacrity, ſpirit, and perſeverance of the volunteers will be a good ground for truſting to the ſyſtem which I mean to ſuggeſt. In moving for a committee generally to conſider, I leave it to other gentlemen to throw out what particular objects it ought to embrace. It will ſtrike the houſe, at the outſet, that ſuch a committee will have two diſtinct objects—1. The ſolid increaſe of the regular military force, and to remove the impediments that have ſtood in the way of its late recruitment. 2. The formation of an irregular but auxiliary force of a permanent kind. As to the firſt, it is impoſſible for the houſe at this time to know the real ſtate of it. They have no documents before them upon which they can aſcertain the ſtate of the regular army. Gentlemen who have good means of information differ ſo eſſentially from miniſters in the eſtimate which they make of the amount of the regular army, that it is impoſſible to judge between them.

According to the aſſertions which have been made in this houſe, the returns of the infantry are ſaid to be double what officers of good information believed them to be. Now why is there all this myſtery and concealment on the ſubject? Surely it cannot be alleged that the enemy will gain any thing by knowing the amount. The number of battalions are known to every one. The expence and eſtabliſhment is nearly aſcertained, and it is therefore in the power of any military man, accuſtomed to theſe details, to calculate the force of rank and file. It is idle, therefore, to attempt to make a ſecret to parliament only of that which is no ſecret, and which can be no ſecret to others. But miniſters think it quite ſufficient to ſay, that the regular force is fully equal to what it was at the end of the laſt war. I can only ſay for myſelf, that it is difficult to believe this aſſertion, and alluding particularly to Ireland, in which they aſſert the regular force to be equal, I fairly ſay, I do not believe it, if you take into the account of regulars, the militia and Britiſh fencible regiments then in Ireland. At the end of the laſt war, the amount of the military force in Ireland of theſe deſcriptions, was between 50 and 60,000 men. Is it poſſible to believe that there is at this time an equal number? With reſpect to acceſſary force, ſuch as artillery, guns horſes, and drivers, it is conſiderably higher than at the end of laſt war, if we are to truſt to miniſter's ſpeeches; but as I am incredulous on the ſubject, I wiſh it to be made apparent by documents laid before the committee. Before I go on, however, I muſt advert to an obſervation that may be made, that I of all men ought not to complain that the ranks ſhould be thin, becauſe I was for keeping down the peace eſtabliſhment. It is moſt true that I was for keeping down the peace eſtabliſhment, and I was ſo upon the grounds taken by Miniſters themſelves. They did not demand a greater eſtabliſhment than they obtained—they gave the Houſe the moſt ſolemn aſſurances of continuance of peace, and therefore the ground was ſpecifically different from what it is now, and I am juſtified in ſaying, what I have always maintained, that the œconomy of a low eſtabliſhment, in a time of a profound peace is the ſure and beſt means of enabling us to provide an adequate force in the time of war. But in time of peace, that old conſtitutional force, the militia, in favour of which ſo many of my moſt reſpectable friends were ſuch warm admirers, was recommended as excellent in its principles, and I know that theſe perſons think we ought to have in view that force, as our chief dependence for internal defence. No man however will ſay that a militia can be altogether equal to a regular army, ſince an army that has not ſeen actual ſervice, cannot be equal to an army that has ſeen it. For the great purpoſe therefore of a permanent defence againſt the meditated plan of attack, the increaſe of the regular force, or the proviſion of an elementary force, which would always come in aid of it, is the deſideratum to be obtained. And what I complain of is, that our efforts have not been wiſely devoted to that purpoſe.—Every regulation has been calculated to counteract the recruiting of the army, and with the impediments in the way of the regulars, it is morally impoſſible that they ſhould get men. It is natural to think, that on the breaking out of a war there muſt always be ſome contraction of the manufactures of a nation, ſome diminution of the commerce, ſome parts of its population thrown out of employment, and that conſequently men are to be had by the regular army without much difficulty. So it would be perhaps upon a good ſyſtem; but when I am told that this has happened, and that men are to be got by the regulars at ten guineas, when the army of Reſerve are giving 50, I muſt ſay I do not believe it. Human nature is the ſame at all times, and I cannot believe that the people of this country are ſo little capable of calculation, or ſo fooliſh, as to accept of the ſmaller ſum when the greater is to be had. It is in vain to reſiſt plain and ſimple truths. Men are not to be bubbled by theories which contradict human reaſon. You muſt put an end to every fooliſh impediment that ſtands in the way of recruiting the regular force, if you expect it to ſucceed. You cannot hope to get men by the ordinary bounty which the regulars offer, while a competition is maintained ſo exceſſive and it is not that inequality only which you have to remove, but a much more ſerious obſtacle on the folly of which I never heard one ſingle military man to differ, I mean the monſtrous error of enliſting men for life. Is it not a moſt ſingular thing, that this ſhould be the only country in Europe in which this practice prevails? In all the great military eſtabliſhments on the Continent no ſuch thing is attempted. In countries the moſt deſpotic, where governments of tyranny demand the ſervice of unconditional ſubmiſſion, and where it may be ſuppoſed the government would give the greateſt facility to perpetuating the ſervice, no ſuch thing has been attempted. But in the freeſt country in Europe, in that country which boaſts of the vigilance & care which it exerciſes by law over the perſons and properties of the people, is it not monſtrous that this ſhould be the only place where men are ſo inliſted? In England the law impoſes reſtraints upon perſons with reſpect to the alienation of their property. A man in many caſes cannot diſpoſe of his property, and no man under the age of 21 can alienate any part of his eſtate. Nay, moſt unwiſely in my mind, both ſexes are reſtrained from diſpoſing of their perſons in marriage long after they have obtained an age when nature dictates to them the propriety of doing ſo. But though they cannot give away their properties, nor even yield to the honeſt and generous affections of the heart in diſpoſing of their perſons in marriage, without the conſent of their parents, they may by law, in this free land, ſell themſelves at any age into military bondage for their natural lives! It is a monſtrous ſoleciſm. It is a ſtain upon our military code, and, like every other groſs and abſurd practice it ſerves to impede inſtead of promoting the ſervice. For what is it but this contract for life that renders this ſervice ſo terrific to every parent and to every relative? Every gentleman muſt have had frequent opportunities of ſeeing the effect which it has upon the hearts of fathers and mothers, even the very loweſt claſſes of ſociety.—They muſt have ſeen with what agony they have heard of their ſon's enliſting for life. And with what eagerneſs they hord up from their ſcanty earnings, a ſum to buy him off. With what earneſt ſupplications they pray for his relief? And why is all this—but that by the nature of this engagement, made by a youth in a giddy moment, they conſider him as cut off from their family forever; cut off from the enjoyment of all the quiet bleſſings they intended for him, or from the exertions by which their own toils, were to be eaſed, and their old age protected. Becauſe they conſider his enliſting for life as tantamount to civil annihilation; but would it be ſo if the contract were limited to a certain, and that a ſhort period?—On the contrary, would it not diſpoſe many a parent not merely in the loweſt claſſes of ſociety, but even farmers and tradeſmen, to conſent to a ſon's entering into the ſervice, or of viewing his entrance with complacency, if thinking him perhaps a little too unſteady for their quiet occupations, they knew that his military career would be over in a certain number of years, and that he might then return to them with a mind improved by the knowledge of the world, and with habits uſeful to his future life? If the abſurd practice were done away, is it to be apprehended that any conſiderable number of good men would be loſt at the expiration of their terms; & is there any juſt reaſon to dread that they ſhould diſband in numbers at one time? Againſt both evils, eaſy proviſions might be made. Good ſoldiers would not be likely to quit the ſervice. Men are fond of that in which they excel—a new bounty—hope of promotion—or perhaps in ſome caſes an increaſe of pay would be irreſiſtable temptation And as to a general diſbanding that might be eaſy avoided, and would of courſe be ſo if the nature of enliſting was made uniform. New modes muſt undoubtedly be tried—for hitherto no plan had ſucceeded. The breach of the peace was announced ſo long ago as the begining of March, and hoſtilities began in May laſt. We are now within three weeks of a twelve month at actual war, and what ſucceſs have we made in erecting a regular army? It is ſaid—that one great evil is removed by putting an end to the abuſe of rank. Officers cannot get now more than one ſtep. This is fomenting, but with all poſſible reſpect for the vigilance with which office is adminiſtered at this time, I do not think it poſſible altogether to check the abuſe of rank. There will be evaſion of the rules, if the leaſt loop-hole is permitted, that which is ſo pernicious to the ſervice. Nothing effectual can be done in the way of recruiting the regular army, without radical reforms. There muſt be no competiton for men—no buying them by extravagent bounties, and no inliſting for life. The army of reſerve muſt be totally ſuſpended, and the militia be ſuffered quietly to melt down to its proper level. With reſpect to an acceſſary force, I think there ſhould be a more general armament than that of the Volunteers. I will not ſay what length the ſyſtem might have gone indeed, if it had not been checked by government in every way, and by every ſpecies of perſecution. They reſiſted their right of reſignation, until they were compelled to yield it, and in the ſame manner they fought every privilege for which the Volunteers contended, & to which they were entitled by the acts under which they enrolled themſelves. In this way the government certainly laboured to their utmoſt to damp the zeal of the volunteers, if their zeal could be damped by any thing which Miniſters could do.—But without infringing on the volunteer ſyſtem, I wiſh to go farther, and to propoſe a general arming of the peaſantry of the United Kingdom; force though not ſo good as the volunteer, as to fighting in battalion, will yet be of infinite value for the kind of attack with which we are threatened. I do not which to propoſe the training of the peaſantry to the uſe of arms in the hope of uſing them as an army; but it is a great thing to embody all the phyſical force of the country, and to form it into a ſhape which might be contributed to the regular force. I ſhould never have done it I were to attempt to enumerate all the advantages which would ariſe from arming the peaſantry, and from employing them locally in the defence of their own immediate homes and neighbourhoods. Thoſe who have ſeen the conſequences of an armed peaſantry in the caſe of an invading foe, can alone form an idea of the ineſtimable value of ſuch a force. It ſets a nation actually at eaſe againſt the moſt deſperate attack of an enemy.—An armed peaſant y, with their geographical knowledge of their own territory, is irreſiſtible. It is the natural ſtrength to which of all others, a free people in a cultivated country ought to look. Every thing elſe may fail us. The volunteer ſyſtem may relax. As the immediate danger diſappears—As the threatened invaſion is protracted, the volunteers may melt away. Your regular army would be too ſmall to guard every part of ſo extenſive a coaſt—but in a country ſo adapted to defence—ſo populous an armed peaſantry taking advantage of every hill—of every valley—of every lane—of every hedge—acquainted with every turn and paſs, would make it impoſſible for an enemy to advance, or if advanced, to return. I do not ſpeak of them as of an army to fight battles; I ſpeak of that ſurer and more fatal ſpecies of attack, which they would be inſtructed to make on an enemy, in which they would give them no reſpite, and from which the enemy could have no retreat.

In every view of the ſubject it would be a moſt political thing to inſtitute this ſort of force. In caſe of emergency how much eaſier would it be to diſcipline men who had been previouſly uſed to ſome ſort of weapon, than to diſcipline men who had never handled a firelock, and who knew not even by which end to hold it, or whether to draw the lock or the trigger? In the way of recruiting the army alſo, if all the young men of the kingdom were by a general law practiſed to the uſe of arms, though in the moſt unexpenſive way, both as to money and time, how much more diſpoſed would they be to enter into the ſervice on any preſſing call of their country? I know that ſome men pretend to deride the ſmock-frocked ſoldier, but they will not deride them who have felt their power. I do not wiſh you, however, to put an end to one force in order to create another. I wiſh this experiment to be tried, becauſe it muſt be of the utmoſt advantage to every part of the ſervice, and in every poſſible ſtate of the country, both in time of peace and war. I know that the more you truſt to the people, the more faithful ſervice they will render you, and that arms can be not only put into their hands with ſafety, but with uſe in the way of preventing tumult, of aſſiſting the police, and of reſtraining depredation. I own I think it a moſt deſirable thing to promote this ſpecies of civil defence even in time of peace, that the military may not be reſorted to on every occaſion. But in time of war what would be the ineſtimable value of ſuch a force? Suppoſe the enemy landed in great and commanding numbers. Let us ſuppoſe what however we do not believe will happen—that the event of a battle ſhould be diſaſtrous to the Engliſh army. With every poſſible reſpect for the bravery of our troops, the ſuppoſition ought to be imagined, and the calamity guarded againſt. In that caſe, what would be the conſequence if you had an armed peaſantry? That the enemy would reap no advantage beyond the actual field of battle. They would even after their victory remain in a ſtate of poſitive impotence. They could not afterwards ſcour the country; they could not ſend to any town, village or even to any farm, for a ſingle load of hay, without a detachment and an eſcort—they muſt be broken into a thouſand parts to provide themſelves with food, and be enfeebled by their diviſion; or otherwiſe they muſt be confined to the identical ſpot of their glory, while our own beaten army would have time to recover and to reinforce its ranks. I ſtate it fairly, becauſe we muſt view both ſides of a queſtion.—The greateſt courage, engaged in the beſt cauſe, does not always command ſucceſs; but let us view the other ſide. Suppoſe what is much more likely to happen, that an army of freemen fighting for the ſecurity of all that was dear to them ſhould beat the invaders. What would be the conſequence of a ſingle victory to them? The annihilation of the enemy! It would not be as it is between contending armies, in a martial territory where the inhabitants were quiet ſpectators of the battle; but here a vanquiſhed enemy could find no ſhelter; no ſuſpenſion; no breathing time; no recovery. No rallying point could be found in a country where every man was armed, and where every hedge was an entrenchment. I recommend this ſpecies of defence the more earneſtly, becauſe it will be the means of correcting all the errors into which we have fallen, and I muſt take blame to myſelf, in common with others, for having ſuffered an aſſertion to ſtand as part of the preamble to the Defence Bill, which is utterly untenable in the conſtitutional law. It certainly is impoſſible for the members of that Houſe to watch over every word and ſentence of every bill that is brought in. And therefore the particular authors of each bill are looked to as more peculiarly reſponſible for glaring errors. I believe that ninety-nine out of an hundred acts paſs without being critically and carefully examined as they ought to be, by the members of the Houſe, conſiſtent with their ſtrict and rigid duty. But it is in a particular way the duty of miniſters, that no bill ſhall be ſuffered to aſſert any falſe or dangerous doctrine, in the perſuaſion that it may paſs unobſerved in the hurry of legiſlation. In July, 1803, the alarm of invaſion was ſo imminent, according to miniſters, that the defence bill muſt be paſſed by acclamation and the zeal of the country being arouſed to meet the invaſion, which was to take place in Auguſt; no time was to be loſt in weighing and judging of the bill. Accordingly I find we overlooked a moſt ſerious declaration in the preamble of the bill, and which certainly if I had ſeen, I ſhould have exerted the utmoſt efforts of my mind to have corrected, namely, "that the King has a right to command all his liege ſubjects to take up arms," &c. a doctrine which, to be admitted as true, ought to have been qualified and defined. It may be ſaid that his majeſty has the right to do juſtice; but he is to do juſtice according to law. And ſo is the prerogative of calling forth his people in arms. It may undoubtedly be ſaid of any community, that they muſt poſſeſs the means of preſerving themſelves, and that, on the principle of the *ſalus populi ſuprema lex*, the power of calling forth the phyſical ſtrength of the community, muſt reſide in it; and, that the King as the head, repreſents the community, and is the organ of its will. But this ſpecies of reaſoning would juſtify the moſt arbitrary aſſertions; and all ſuch reaſoning the ſpirit of our conſtitution utterly reprobates.—The rights which our Sovereign poſſeſſes are defined as well as limited.——And this has been moſt ſenſibly as well as ably ſtated by a great Judge, who, ſpeaking of this ſort of abſtract right, made uſe of theſe words—"For I freely declare, that ancient precedents, unleſs ſupported by modern uſage, in caſes of prerogative, have little weight with me." Nothing can be more true than theſe words of the learned Mr. Juſtice Foſter: and nothing can be more applicable to this ſtrange aſſertion in the preamble of this act. No ſuch right can be claimed by the King. No ſuch right, however it may have been part of the undefined prerogative in ancient times, can be exercited after the words of the ſtatute in the 25th of Edward the 3d, a ſtatute made in an epoch which I reſpect, becauſe the ſtatutes of that period were marked by their wiſdom, and by the principles of ſound