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The exact nature of John Millar's contribution to the Scottish Enlightenment remains the subject of much contradictory discussion. If David Hume contributed the philosophical basis for a naturalistic 'science of man' as well as a sceptical rebuke to Whig narratives of English history, which Adam Smith turned into a theory of jurisprudence that would instruct enlightened men in the principles of government and legislation, it is not immediately clear in what direction Millar took the intellectual heritage of the two men he held as his main inspirations. Duncan Forbes initially analysed him as a direct heir to Smith's 'scientific' Whiggism, but he has since been described, at various times, as an inspiration for nineteenth-century materialist theories of history, as a 'precursor' of modern sociology, as a theorist for the political agenda of the radical petty bourgeoisie, and as an old-fashioned civic republican.¹ While Knud Haakonssen has recently reasserted a picture of Millar as the philosophical heir to Smith's science of a legislator, by and large scholars have tended to focus less on Millar's theories of jurisprudence than on the reformist slant of his political, social and historical thought.²

In this historiographical landscape, the two anonymous pamphlets that have sometimes been attributed to Millar play a central role. This is because they have usually been taken to illustrate Millar's ideological stance, and to strengthen the case for an interpretation of Millar centred on his political engagement. We have thus 'reached a point where our understanding of Millar is decisively based upon his anonymous works and his political involvement'.³ Yet the 'Letters of Sidney' remain little read, and the 'Letters of Crito' even less so. When they are cited, it is almost exclusively to illustrate Millar's sympathy for the reformist agenda in the 1790s. The aim of this essay, then, is to put the two pamphlets in broader perspective, by presenting the political context for their publication, the evidence for and against Millar's authorship, and reassessing their contents' significance for our interpretation of Millar's other writings. This could seem a somewhat artificial enterprise, given that the two pamphlets are linked together by their joint status as Millar's possible anonymous works rather than by coherent themes or arguments. Whether or not they are directly Millar's, they illustrate, indeed, two different facets of his thought and teachings. The 'Letters of Crito' present a classically Foxite critique of Pitt's ministry and Britain's war against revolutionary France, while the 'Letters of Sidney' put forth a more theoretical defense of property reform based upon a Smithian theory of justice. Taken together, however, the pamphlets offer insights into the

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¹ Hans Medick and Annette Leppert-Fögen, 'Frühe Sozialwissenschaft als Ideologie des kleinen Bürgertums: John Millar of Glasgow, 1735-1801', in *Sozialgeschichte Heute: Festschrift für Hans Rosenberg zum 70. Geburtstag*, ed. by H.U. Wehler (Göttingen, 1974), pp. 22-48; William Christian Lehmann, *John Millar of Glasgow 1735-1801: His Life and Thought and His Contributions to Sociological Analysis* (Cambridge: Cambridge University Press, 1960); Michael Ignatieff, 'John Millar and Individualism', in *Wealth and Virtue: The Shaping of Political Economy in the Scottish Enlightenment*, ed. by Istvan Hont and Michael Ignatieff (Cambridge: Cambridge University Press, 1983), pp. 317-43; Duncan Forbes, "'Scientific" Whiggism: Adam Smith and John Millar', *Cambridge Journal*, 7 (1954), 643-70.

² For a demonstration that the core of Millar's political thought always remained Smithian and jurisprudential, see Knud Haakonssen, *Natural Law and Moral Philosophy: From Grotius to the Scottish Enlightenment* (Cambridge: Cambridge University Press, 1996), p. 180.

³ Haakonssen, *Natural Law*, p. 157.

political discussions taking place in the Scottish Foxite Whig circles that surrounded Millar in the 1790s and illustrate the more polemical, less politically prudent tone that Millar could use privately. Both pamphlets also provide a snapshot of the various ways in which the theories of the Scottish Enlightenment could be used by Millar and his circle of friends and students to interpret the political context of the mid-1790s, as the French Revolution was transforming the political language of its English and Scottish contemporaries.

1. John Millar and Scottish Whiggism

The influence of Adam Smith was decisive in all aspects of Millar's career and writings. Having chosen to study law instead of the ministry at Glasgow, Millar audited Smith's classes in logic and moral philosophy from 1751, forming a lasting friendship with his teacher. It was Smith, along with Millar's former employer Lord Kames, who secured for him the regius chair of civil law at the university of Glasgow in 1761. Millar was successful in his chair, and his energetic teaching style and modern curriculum made him popular with the university's students. He taught three courses on Roman law, one of which was in fact turned into a presentation of Smithian jurisprudence, and a course on Scots law which was later divided into two distinct courses on public law (these were his lectures on government). At the end of his career, he also introduced a course in English law. Among his students were many future prominent reformers. John Maitland (later Lord Lauderdale) was a 'resident student in his home' who became 'his favourite pupil' and a close friend. They remained in 'frequent and unreserved communication', and Millar often visited him in the summer.⁴ Millar also remained in touch with William Adam, the manager of the Whig party finances after 1788 and an ally of Fox.

Millar's political thought was directly derived from Smith's moral philosophy and theory of jurisprudence. Building upon both Hume and Smith's work, Millar rejected contract theories, and argued that the legitimacy of governments arose from their ability to protect the natural rights of their citizens. Therefore, the standard for their legitimacy was the assessment of their 'utility', understood as the protection of said natural rights. While this remained a constant feature of human society, governments and societies did vary over time and space, which explained the existence of a principle of authority that built legitimacy upon men's propensity to respect the established authority.⁵ The Smithian foundation of this political theory remained stable throughout Millar's life, in spite of substantial changes in his views of contemporary parliamentary politics.⁶

Nevertheless, two distinctive features of Millar's political thought can be highlighted. First, he always remained much less interested than Smith in the moral philosophical foundations upon which his political thought was built. Secondly, Millar was more

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⁴ John Craig, 'Account of the Life and Writings of John Millar, Esq.', in *The Origin of the Distinction of Ranks, or, An Inquiry into the Circumstances which give rise to Influence and Authority in the Different Members of Society*, ed. by Aaron Garrett (Indianapolis: Liberty Fund, 2006), p. 56.

⁵ For Smith's discussion of the principles of authority and utility, see Adam Smith, *Lectures on Jurisprudence* (Indianapolis: Liberty Fund, 1982), pp. 318–21.

⁶ Ignatieff, 'John Millar and Individualism', p. 328.

optimistic in the belief that the role of the utility principle would grow with the progress of society, and that the principle of authority would slowly become unnecessary in modern civilised nations.⁷ Millar particularly highlighted the middling classes' rising interest in government, which he analysed as the direct cause of the progress of the utility principle. This sometimes led him to redeploy republican languages and arguments, and eventually fuelled his growing interest in democratic and property reform.⁸

While Millar has been described as the political theorist of the 'petty bourgeoisie', as a 'social scientist seeking to validate artisanal radicalism', and as a latter-day civic republican in the tradition of the Commonwealthmen, Forbes' early characterisation of his political stance as an example of Smithian 'scientific' Whiggism thus retains considerable strength. Forbes' concept was later reworked in terms of 'sceptical' Whiggism, which shifted the focus of enquiry towards Hume and Smith. Like both Hume and Smith, Millar disdained the Whig myth of ancient liberty, and understood liberty as the product of the rise of modern commercial society, rather than as the preservation of a mythical gothic constitution.⁹ He was worried by what he interpreted as the ever-growing power of the executive, but this was not because he challenged the traditional sources of political legitimacy: rather, he believed that the 'principle of utility' would naturally become the dominant principle of legitimacy in commercial society, and that the progress of society should be allowed to run its course without interference by kings or power-hungry ministers. John Craig, Millar's nephew and biographer, thus noted that 'Millar, who had always considered government as instituted for the good of the people, and who had been accustomed to examine all political institutions by this criterion alone, treated with the utmost contempt all assertion of metaphysical Rights, inconsistent with practical utility.'¹⁰

Far from encouraging broad social reform, Millar limited his reformist aspirations to a purely political concern for maintaining the constitutional balance between executive and legislative achieved in 1688. In fact, Millar's 1760s and early 1770s lectures indicate that he was not originally advocating any sort of franchise extension: in his view the existing property qualifications were already too generous, and he wondered whether the inclusion of petty tradesmen 'descended too low to the dregs of the people'.¹¹ He took a stand against the Wilkites and the Liberty riots of the 1760s, against the Commonwealthmen's traditional calls for a triennial parliament, and followed the Rockingham Whigs when the American war broke out. In short, he believed that the current parliamentary settlement ensured the right balance between executive and parliamentary powers, that it was still working well in spite of the boost to executive

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⁷ See also Mackintosh for a similar reinterpretation of Smith. James Mackintosh, *Vindiciae Gallicae*, in *'Vindiciae Gallicae' and Other Writings on the French Revolution*, ed. by Donald Winch (Indianapolis: Liberty Fund, 2006), pp. 1–165 (pp. 96–97). Because the moral theory underpinning *Vindiciae Gallicae's* discussion of politics was left inexplicit, the text remains, as Haakonssen underlines, 'philosophically ambiguous' – nevertheless, the core of Mackintosh's discussion of political legitimacy was clearly a reformist reinterpretation of Smith's discussion of the authoritative and utilitarian principles of government. Haakonssen, *Natural Law*, p. 265.

⁸ Ignatieff, 'John Millar and Individualism', p. 324.

⁹ Anna Plassart, "'Scientific Whigs'?" Scottish Historians on the French Revolution', *Journal of the History of Ideas*, 74 (2013), pp. 95–97.

¹⁰ Craig, 'Life of Millar', p. 69.

¹¹ Ignatieff, 'John Millar and Individualism', p. 327.

power provided by the recent imperialist wars, and that its stability was upheld by the modern make-up of British society.

Millar also followed Smith in consistently presenting inequality of private property as a natural and positive feature of modern society: the possibility of property accumulation represented an unparalleled incentive for men to innovate and improve, and thus to increase the wealth of their nation. Smith did, however, find much to condemn in Britain's division of land property as well as in the legal structures that protected the status quo. He expressed strong criticism of the principles of entail and primogenitures. Natural justice, Smith argued, allowed everyone to dispose of their property as they wished and to bequeath it to whomever they wished upon their death – but not to dictate its new ownership after death.¹² In addition, the principles of entail and primogeniture were socially and economically harmful, because 'The interest of the state requires that lands should be as much in commerce as any other goods.'¹³ The accumulation of landed property in the hands of a few families, who had neither the inclination nor the skill to improve agriculture, artificially maintained an undeserving aristocracy in possession of great landed estates, while hindering the enterprising individuals who would otherwise naturally rise to the top of society and trade land as they traded manufactured goods.¹⁴ Consequently, Smith called for this anachronistic feudal system to be replaced by a more efficient productive system based upon free trade of land. The virtuous example of such an organization was provided by American society.

Millar repeated Smith's arguments in favour of property inequality, his call for the free trade of land and his critique of land-owning aristocracy.¹⁵ The system of entails was criticised as an attempt to control the equalizing mechanisms of commerce, which, in modern societies, would otherwise naturally foster more exchanges and more equal distribution.¹⁶ This was a classic Whig position: it was agreed that too great disparities in inequality were a source of economic and social evil – but in English Whig discourse the argument primarily applied to France, and not to Britain. Thus Millar still maintained in 1787 that British society was much less unequal than most European societies, and that the mechanisms of progress were indeed allowed to play out in Britain.¹⁷

While Millar's early political stance mirrors closely that of Smith, Ignatieff has shown that the American War marked the beginning of a process that saw him drift away from his teacher's moderate Whiggism. This is because old critiques of imperialism, standing armies and war financing were revived during the war, fueling Millar's concerns about the increasing powers of the executive. These concerns were amplified again with the ministerial crisis of 1784. In December 1783 the King strong-armed Parliament into defeating Fox's India Bill, and upon Fox's resignation proceeded to ignore Parliament's

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¹² Smith, *Lectures on Jurisprudence*, p. 69.

¹³ Smith, *Lectures on Jurisprudence*, p. 70.

¹⁴ 'Great improvements', he wrote, 'are seldom to be expected from great proprietors', whose income is consumed by the pursuit of luxury, and who do not possess the energetic spirit of innovation that characterizes men of trade. Adam Smith, *The Theory of Moral Sentiments* (Indianapolis: Liberty Fund, 1982), p. 387.

¹⁵ John Millar, *An Historical View of the English Government, from the Settlement of the Saxons in Britain to the Revolution in 1688* (Indianapolis: Liberty Fund, 2006), p. 724.

¹⁶ John Millar, *Historical View*, pp. 725–26.

¹⁷ John Millar, *Historical View*, p. 725.

successive motions of non-confidence to his newly-appointed Prime Minister, William Pitt. Millar interpreted these events as a 'highly illegal' imposition of executive power, and as an example of the power of corruption on the electorate. This pushed him to radicalise his politics, and convinced him 'of the necessity of henceforward founding National Liberty on a much more general diffusion of political power'. Subsequently, his government lectures explicitly supported triennial Parliaments and the enfranchisement of every male 'with as much property as a good labourer can earn by his daily labour'.¹⁸

This is not to say, however, that Millar's political thought shifted decisively towards radicalism, or towards a civic republican language of virtue and corruption. In 1787-8 he still lectured that universal suffrage without property qualification was a destructive idea that would 'indirectly promote aristocracy': 'the dregs of the people have no opinion or principle in political matters. They would sell their votes for what ever they would bring.'¹⁹ It is true that Millar had inherited elements of a civic humanist language from seventeenth-century republicanism and from a Harringtonian discourse that held that individual property and moral virtue were essential to the maintenance of political liberty; it is also true that he continued to display concerns for virtue, in as much as he feared that commercial society would corrupt familial bonds. Yet in the same lecture, he asserted that 'Personal safety, and *liberty* [were] more to be valued [than property]' in any system of government: virtue and democracy were less important than the protection of individual rights and liberties. While his concern for virtue was often phrased in the language of civic humanism, it also remained limited to the private sphere. When it came to the public sphere and political matters, Millar's approach was clearly jurisprudential rather than moralising. He maintained that a commercial society basing its institutional framework on the principle of justice could establish a legal order which maximised individual liberty.²⁰

Like many British Whigs, Millar quickly expressed enthusiastic support for the French Revolution, which 'rivetted [his] attention, and, in its early progress excited his fondest hopes.'²¹ Writing on 16 February 1790, in reaction to Burke's anti-French outburst in Parliament on 9 February, he described Burke as 'an enemy to the reform of the parliamentary representation'. He lamented the opinions '[p]oor Burke ... [had] imbibed', and did not see 'how he [could] be vindicated'.²² In the following months he became closer to Scotland's emerging reformist movement, which was strongly tied to English radicalism.²³ On 14 July 1791 he is listed as co-chairman of a meeting of the 'Friends of

¹⁸ Cited in Ignatieff, 'John Millar and Individualism', pp. 328-29; Craig, 'Life of Millar', pp. 62-63.

¹⁹ John Millar, 'Lectures on Government', University of Glasgow, MSS Gen. 291, f. 17.

²⁰ John Millar, 'Lectures on Government', MSS Gen. 291, f. 17. On the debate about Millar's supposed 'preference for "virtue" over "justice"', for "free government" over "regular government"' after 1784, and about his concern for morality within the private sphere of the family, see Ignatieff, 'John Millar and Individualism', pp. 331-32; Haakonssen, *Natural Law*, pp. 168-69.

²¹ Craig, 'Life of Millar', p. 68. On Millar's reception of the French Revolution, see Anna Plassart, *The Scottish Enlightenment and the French Revolution* (Cambridge: Cambridge University Press, 2015), pp. 49-56, Emma Macleod, 'Revolution', in *Scottish Philosophy in the Eighteenth Century. Volume 1: Morals, Politics, Art, Religion*, ed. by Aaron Garrett and James A. Harris (Oxford: Oxford University Press, 2015), pp. -361-403 (pp. 385-89).

²² John Millar to Samuel Rose, 16 February 1790 (letter No. 45).

²³ In 1792, the number of Scottish reform societies went from a handful in September, to up to a hundred at the end of the year. Bob Harris, *The Scottish People and the French Revolution* (London: Pickering & Chatto,

Liberty' at Glasgow. In April 1792, his student and friend Lord Lauderdale was part of the group of young advanced Whigs who helped Charles Grey found the Society of the Friends of the People. Millar, along with Thomas Reid, joined the society in Scotland.²⁴ Millar remained steady in his support for French principles, volunteering a sum of money to a subscription to pay off Fox's debts in May 1793 and indicating that he would be willing to 'go a good deal further [than the sum] if necessary'.²⁵

In late 1791 or early 1792, Millar updated his regular 'Lectures on Government' with a special lecture dedicated to the French Revolution.²⁶ Consistent with the focus of Millar's historical and jurisprudential thought, the lecture focused on France's institutional reforms, but also interpreted the French Revolution as a step in the growing ascendancy of the principle of 'Utility' over that of 'Authority': the last lines of the lecture concluded that the Revolution had done much 'to extend the principle of utility as the foundation of Government'.²⁷ The same lecture not only celebrated the abolition of primogeniture in France, but also drew a direct link between equalization of landed property and liberty, as he asserted that 'Liberty cannot be secured in a very large state, but through the medium of a democracy', and that 'To prevent the accumulation of great Estates is essential to democracy'.²⁸

From 1793, revolutionary violence and the beginning of war against France forced many Whigs to renounce their previous support for the Revolution. Millar, however, always remained fiercely critical of the war led by the Pitt ministry. In September 1793 he is reported to have drawn up a petition 'to end the present war', which boasted 40,000 signatures and was presented by Lauderdale.²⁹ In January 1795 he wrote despairingly to William Adam that 'the ministry can obtain no peace which they dare propose, and therefore choose to flounder on a little longer, so as probably to get a little deeper in the

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2008), pp. 77, 102. On the Scottish radical movement, see also Elaine McFarland, *Ireland and Scotland in the Age of the Revolution: Planting the Green Bough* (Edinburgh: Edinburgh University Press, 1994); John Brims, 'The Scottish Democratic Movement in the Age of the French Revolution' (unpublished PhD thesis, University of Edinburgh, 1989); John Brims, 'The Covenanting Tradition and Scottish Radicalism in the 1790s', in *Covenant, Charter and Party: Traditions of Revolt and Protest in Modern Scottish History*, ed. by T. Brotherstone (Aberdeen, 1989).

²⁴ Knud Haakonssen and John W. Cairns, 'Millar, John (1710-1796)', *Oxford Dictionary of National Biography* (Oxford University Press, 2004).

²⁵ John Millar to William Adam, 25 May 1793, NRAS 63, Box 9, Kinrosshire: Blair Adam Papers. Cited in Plassart, *The Scottish Enlightenment and the French Revolution*, pp. 50-51. Meikle, *Scotland and the French Revolution*, p. 71. Wood, 'Reid, Thomas (1710-1796)'.

²⁶ The lecture is dated 1788, but the date cannot be right, as Millar describes in the lecture the details of the constitution of September 1791. One passage in particular suggests that the lecture may have been written as late as August 1792, when Millar remarks that 'for certain gross violations of his duty, [the King] is held to have abdicated.' This could refer to the events of 10 August 1792. John Millar, 'Lectures on Government', University of Glasgow, MSS Gen. 290, f. 36.

²⁷ The beginning of the lecture states, under the heading 'Causes of the late French Revolution': 'Submission to Government proceeds from two principles. 1. Authority 2. Utility – From the former, a Sovereign is regarded as having a Right like that of Property to govern upon his own account. From the latter he is considered as an officer, entrusted with certain powers for the benefit of the Community.' John Millar, 'Lectures on Government', MSS Gen. 290, f. 34, f. 46.

²⁸ John Millar, 'Lectures on Government', MSS Gen. 290, f. 40, f. 38.

²⁹ Lehmann, *John Millar of Glasgow*, p. 74.

mud.'³⁰ In 1798 he protested the Glasgow faculty's vote of a £300 sum 'to the defence of Great Britain'.³¹

Millar remained equally unmoved in his political stance. The posthumous additions to his *Historical View* offer a long commentary on the sources of political legitimacy, which again repeats his Smith-inspired belief that the general 'progress of arts and commerce' favours the 'Whig' principle of utility over the 'Tory' principle of legitimacy, because it fosters the gradual progress of opinion and the advancement of philosophy. Since the late seventeenth century, '[t]he mysteries of government have been more and more unveiled; and the circumstances which contribute to the perfection of the social order have been laid open.' As knowledge spreads, the power of authority fades and is replaced by the urge to better understand and improve political institutions.³² Consequently:

The fashion of scrutinizing public measures, according to the standard of their utility, has now become very universal; it pervades the literary circles, together with a great part of the middling ranks, and is visibly descending to the lower orders of the people.³³

Millar points to the French Revolution as the direct effect of this process in France. Until recently, 'the despotism, which had long been deeply rooted upon the neighbouring continent, checked the progress of political speculation'. But the nation finally 'awoke', and philosophy 'triumphed at length over ancient customs'. While Millar was no enthusiastic democrat, he nevertheless maintained that a new balance between the principles of utility and authority in favour of the former had been long overdue in France.³⁴

Millar's positive reception of the French Revolution has been analysed in a variety of ways. He was looked upon by many of his contemporaries as a radical agitator, a dangerous man who was responsible for pushing his students to adopt subversive reformist positions. Forbes, conversely, didn't see Millar's open support for the Revolution as illustrating a more radical or even reformist political stance than that of Smith, but rather interpreted it in terms of temperamental differences ('he had nothing of Smith's retiring nature').³⁵ Ignatieff may be closest to the truth when he argues that Millar's rejection of property levelling, atheism and absolute democratic 'rights' kept him in line with the Foxite Whigs of the 1790s.³⁶

It is perhaps Millar's image as a radical influence on Scotland's youth that has proved most pervasive, however, because it resonates with Scotland's well-known climate of fear of 'jacobinism' in the 1790s – a period in which Smith's links to subversive French

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³⁰ John Millar to William Adam, 4 January 1795, NRAS 63, Box 12, Kinrosshire: Blair Adam Papers. Cited in Plassart, *The Scottish Enlightenment and the French Revolution*, p.113.

³¹ Lehmann, *John Millar of Glasgow*, p. 51.

³² 'The blind respect and reverence paid to ancient institutions has given place to a desire of examining their uses, of criticising their defects.' John Millar, *Historical View*, p. 805.

³³ John Millar, *Historical View*, p. 805.

³⁴ On Millar's Smith-inspired discussion of authority and utility, see Plassart, *The Scottish Enlightenment and the French Revolution*, pp. 51-54.

³⁵ Forbes, "'Scientific Whiggism'", p. 668.

³⁶ Ignatieff, 'John Millar and Individualism', pp. 323-4.

philosophy rendered him suspect to the establishment, and which saw even moderate figures such as Dugald Stewart accused of being too close to French philosophy and 'French principles'.³⁷ This is certainly how Millar, whose lectures had already been long considered a source of radical subversion for the children of the Scottish establishment, was viewed by his contemporaries. In his memoirs, Alexander Carlyle wrote that shortly after his appointment, Millar had

begun to Distinguish himself by his Democratical Principles, and that Sceptical Philosophy, which young Noblemen and Gentlemen of Legislative Rank carried into the world with them, From his Law class, and many years afterwards, particularly at the Period of the French Revolution, Displayd with Popular Zeal, to the no Small Danger of Perversion to all those under their Influence.³⁸

Carlyle's assessment was not entirely unfounded: Millar was a charismatic and passionate teacher, and several of the young Scotsmen he had taught and 'perverted' indeed went on to become vocal supporters of democratic reform in Britain and of the French Revolution. Millar's subversive reputation was only enhanced by his active support for the Revolution. In London political circles, he was identified as the intellectual influence behind the reformist politics of Lauderdale, Landsowne and others. In Scotland, he inspired the radical politics of Thomas Muir and of his own son James Millar, who was forced to emigrate to the United States in 1795.³⁹ The future founder of the *Edinburgh Review* Francis Jeffrey was forbidden to attend Millar's lectures by his Tory father, who nevertheless later 'blamed himself for having allowed the mere vicinity of Millar's influence to corrupt and ruin his son'.⁴⁰

Yet, while in Jeffrey's words Millar 'did not perhaps bear any great antipathy to the name of "Republican"', he remained far from embracing radical or democratic principles. He was still a devout supporter of Fox (whom he met in London in 1792), and Jeffrey reminisced further:

there never was a mind, perhaps, less accessible to the illusions of that sentimental and ridiculous philanthropy which has led so many to the adoption of popular principles. He took a very cool and practical view of the condition of society; and neither wept over the imaginary miseries of the lower orders, nor shuddered at the imputed vices of the higher. ... [he] looked with profound contempt at those puerile schemes of equality that threatened to subvert the distinctions of property, or to degrade the natural aristocracy of virtues and talents.⁴¹

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³⁷ Emma Rothschild, 'Adam Smith and Conservative Economics', *The Economic History Review*, 45 (1992), 74–96.

³⁸ Alexander Carlyle, *Anecdotes and Characters of the Times* (London: Oxford University Press, 1973), p. 252.

³⁹ For a nuanced assessment of Millar's influence on Muir, see Ronnie Young, 'Thomas Muir at Glasgow: John Millar and the University', in *Thomas Muir of Huntershill: Essays for the Twenty First Century*, ed. by Gerard Carruthers and Don Martin (Edinburgh: humming earth, 2016), pp. 112–140.

⁴⁰ Henry Cockburn, *Life of Lord Jeffrey* (Philadelphia: Lippincott, Grambo & Co., 1852), vol.1, p. 15.

⁴¹ Francis Jeffrey and Charles Cooper, 'Millar's "View of the English Government"', *The Edinburgh Review*, 3 (1803), pp. 154–181, (p. 158).

Millar's personal networks remained clearly Foxite Whig rather than radical. He frequently visited his former student and close friend Lord Lauderdale, as well as William Adam. In August 1800, a few months before his death, he still enthusiastically approved of Christopher Wyvill's efforts to rally reformers behind Fox.⁴² It is his ideological and personal links to Foxite Whiggism, and to the leaders of Scottish opposition Whiggism, that support the possible existence of a link between Millar and the pamphlets published in the *Scots Chronicle*.

2. The Pamphlets

The Scots Chronicle

The first issue of the *Scots Chronicle* appeared on 1 March 1796, and the paper continued to appear twice a week, usually on Tuesdays and Fridays, until 1801. Ostensibly an independent publication aiming to 'diffuse useful and accurate information among the people of Scotland ... [without the] effusions of party passion or prejudice'⁴³, it was in fact founded with the aim of becoming the voice of Whig opposition in Scotland.

In the 1780s, a Scottish branch of opposition Whiggism had begun to play an active part in politics and won around 15 parliamentary seats at the general election of 1784.⁴⁴ The rise of Scottish Whiggism, however, was brutally halted by the post-1789 crackdown on reformist activities. Government pressure against reformist and 'seditious' activities was especially violent in Scotland, and compounded by the political influence of Henry Dundas. The Dundas administration used its influence to attack the men known for opposition to the administration, as exemplified by the Faculty of Advocates' vote to depose Henry Erskine as Dean in January 1796, and crushed Scottish radicalism in a series of infamous trials which resulted in the deportation of five Scottish 'martyrs', including Thomas Muir.

While reformist politics all but collapsed in Scotland after 1793, English reformism was in only marginally better shape. Fox had been able to maintain something resembling party unity after his very public falling out with Burke in 1791, but the Portland Whigs' defection in 1794 had left the Whigs so divided and Fox's faction so small that it could wield no significant influence in Parliament or government. The Scottish Whigs were divided along the same faultlines as their English counterparts after 1789, and several had distanced themselves from Fox long before Sir Thomas Dundas led the group of Scottish 'Portland Whigs' to support the Pitt administration in 1794. Unsurprisingly, the 1796 General Election was a resounding victory for Dundas, with Scottish opposition Whigs securing only 2 MPs out of 45 seats.

In this difficult context for Scottish Whiggism, the survival of opposition politics in Scotland was largely dependent on the members of the Faculty of Advocates, especially

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⁴² See Millar's letters to Wyvill (letters 67-72).

⁴³ Cited in W.J. Couper, *The Edinburgh Periodical Press: Being a Bibliographical Account of the Newspapers, Journals, and Magazines Issued in Edinburgh from the Earliest Times to 1800*, 2 vols. (Stirling: Eneas Mackay, 1908), II, p. 213.

⁴⁴ Emma Vincent Macleod, 'The Scottish Opposition Whigs and the French Revolution', in *Scotland in the Age of the French Revolution*, ed. by Bob Harris (Glasgow: John Donald, 2005), pp. 79-98 (p. 82).

lawyers such as Henry Erskine and Archibald Fletcher who continued to defend radical booksellers and activists. As in the rest of Britain, press was the other major weapon of political opposition. The leading opposition paper in England, the *Morning Chronicle*, was widely circulated in Scotland, and Scottish newspapers such as the *Edinburgh Monthly Intelligencer* and the *Glasgow Advertiser* were also a source of reformist views.

Nevertheless, Scottish opposition Whiggism was at its lowest ebb when the *Scots Chronicle* was launched in March 1796. Tellingly, the idea of founding the paper was not born in Scotland itself: it was formed from London, by a group of Scottish opposition Whigs residing there, in the run-up to the general election of May 1796. Connected with the foundation of the paper were men who were about to pay a heavy political price for their hostility to Pitt's ministry: the Earl of Lauderdale (who subscribed £100) would not be re-elected as a Scottish representative peer, in large part because of his opposition to the war; General Norman Macleod, also an open critic of the war who had consistently supported Fox in Parliament since 1791 would also lose his seat in the House of Commons, and Sir John Henderson, who was campaigning for the seat of Stirling Boroughs, would lose to a Pittite candidate. The launch of the paper foreshadowed Lauderdale's new political strategy after the loss of his seat: in the rest of the decade, he attempted to wield political influence outside of Parliament, through the press and his own economic writings.

The paper's editor was John Morthland, a young advocate who, like John Millar, had been a member of Scottish Friends of the People until the spring of 1793. The founders of the *Chronicle* went to great pains to conceal his true identity, to protect him from backlash against the paper's outspoken reformist views. The secrecy surrounding his identity was no mere paranoia. The paper had few public supporters, with Sir William Murray berating it to Robert Dundas as 'that damn'd Democratic paper' and Dundas's propagandist William Brown writing that the paper appeared to him 'as much calculated as any other to set the country in a flame'.⁴⁵ Even the Whig Cockburn later remembered it as having 'raved stupidly and vulgarly, and as if [its] real object had been to cast discredit on the cause they professed to espouse'.⁴⁶ The paper sustained 'official and unofficial harrassment', which saw its distribution disrupted, Morthland denied credit by the Bank of Scotland despite a guarantee from Lauderdale, and advertisers discouraged.⁴⁷ Most worryingly, after the publication of a letter in 1797 criticizing the conduct of the authorities during anti-militia disturbances which had led to several deaths, a libel action was laid against its printer Johnston, as well as against Morthland. As Morthland was threatened with dismissal from the Faculty of Advocates, he argued that he was not the paper's editor but merely its occasional legal adviser. John Lawder and Robert Paul (clerks at the printing office) successively played the role of figureheads for the paper, and Johnston claimed at one point to be its editor, but it was eventually established in court that 'John Morthland was at the first establishment of that newspaper the only

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⁴⁵ Harris, *The Scottish People and the French Revolution*, pp. 69–70.

⁴⁶ Henry Cockburn, *Memorials of His Time* (Edinburgh: Adam and Charles Black, 1856), p. 88.

⁴⁷ Harris, *The Scottish People and the French Revolution*, p. 70.

ostensible proprietor, conductor, and editor thereof'.⁴⁸ This strategy of concealment allowed the case to drag for a few years, until 1802 when it was lost by the *Chronicle*.

In spite of this challenging context, the *Scots Chronicle* achieved a considerable amount of success, and established itself as the main public source of Whig opposition in Scotland, most notably campaigning relentlessly against the war. Thus, as encapsulated by Bob Harris, the *Scots Chronicle* exemplifies 'not only the continuation of a generally repressive political climate in Scotland in the 1790s, but also its limitations'.⁴⁹

The question of authorship

The letters of 'Crito' and 'Sidney' were published in the *Scots Chronicle* in the summer and autumn following the General Election of 1796, immediately after the crushing loss suffered by the Scottish Whigs. The first hint that one or both of the pamphlets may be by Millar's hand is the account of Craig, who informed his readers in his 1806 biographical account that Millar had published 'one or two anonymous pamphlets, on such political questions as he thought important to the public welfare'. Craig added that he would not 'particularize' these pamphlets, 'because what he never acknowledged, even to his acquaintances, I do not feel myself at liberty to divulge'.⁵⁰ The pamphlets were largely forgotten in the following century, until two accounts from the university of Glasgow attributed the 'Letters of Crito' to Millar in the early twentieth century.⁵¹ In 1960 William Lehmann believed there was 'scarcely any doubt' concerning Millar's authorship of 'Crito', and was the first writer to suggest that the 'Letters of Sidney' may also be Millar's.⁵² Hans Medick and Annette Leppert-Fögen in 1974, and Vincenzo Merolle, in his 1984 edition of the 'Letters of Crito' and 'Letters of Sidney', have taken up Lehmann's suggestion to argue for Millar's authorship of both pamphlets. The 'Treatise of a Merchant' was appended to 'Sidney' when the letters were republished in pamphlet form in 1796, with the reprinted pamphlet's dedication to Lord Lauderdale by 'the author' strongly suggesting a common anonymous author for both works.

The authorship of 'Crito' is widely accepted. The origin of 'Sidney' is more disputed, with a number of arguments evoked in favour of Millar's authorship. Lehmann cites the fact that 'nothing ... speaks clearly against it', similarities with Millar's own style of writing, the pamphlet's references to Harrington, its dedication to Lauderdale, and the fact that

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⁴⁸ Cited in Couper, *The Edinburgh Periodical Press*, II, p. 215.

⁴⁹ Harris, *The Scottish People and the French Revolution*, p. 70.

⁵⁰ Craig, 'Life of Millar', p. 54.

⁵¹ Millar's authorship of the 'Letters of Crito' was taken as fact by John Hepburn Millar (no direct relation of Millar's), in 1912 lectures delivered at the university of Glasgow, where he taught Scottish literature as well as teaching law and history at Edinburgh. John Hepburn Millar, *Scottish Prose of the Seventeenth & Eighteenth Centuries: Being a Course of Lectures Delivered in the University of Glasgow in 1912* (Glasgow: J. Maclehose and Sons, 1912), pp. 248–50. In 1927, the same attribution was made by the solicitor David Murray in his recollections of life at Glasgow University Old College. David Murray, *Memories of the Old College of Glasgow* (Glasgow: Jackson, Wylie and Co., 1927), p. 227, note 1.

⁵² Lehmann, *John Millar of Glasgow*, p. 404.

its anonymous author knew of a new testament law just passed in France.⁵³ Medick and Leppert-Fögen rely on the fact that passages of 'Sidney' are also found in Craig's *Elements of Political Science* which, they argue, is largely paraphrase, if not plagiarism, of Millar's lectures.⁵⁴ Merolle's case for authorship rests on thematic evidence (especially the fact that 'Sidney' reproduces arguments on primogeniture and succession found in Millar's Glasgow lectures⁵⁵), and on a number of textual similarities between the pamphlets and Millar's *Historical View* and *Origin of Ranks*.⁵⁶ Both Lehmann and Merolle dismiss the importance of the text's admiring acknowledgement of Millar's lectures, arguing that it constitutes a 'camouflage' strategy.⁵⁷

An alternative possibility, defended by Ignatieff and Haakonssen, is that 'Sidney' may have been written by a student of Millar's, most likely his nephew and early biographer John Craig. Craig was the son of a Glasgow merchant who had married Millar's sister; he enrolled at the University of Glasgow to study under Millar in 1778. He does not seem to have been particularly politically active in the 1790s, but remained close to his uncle, and became one of his literary executor after his death, editing the posthumous 1803 edition of the *Historical View* along with Millar's son in law James Mylne (professor of moral philosophy at Glasgow), and writing a biographical introduction to the fourth edition of the *Origin of Ranks* in 1806. He later published works on political science and political economy, drawing particular inspiration from Millar's published works and lectures in his 1814 *Elements of Political Science*.⁵⁸ The first elements linking Craig to 'Sidney' go back to contemporary times: Haakonssen mentions one copy of 'Sidney' bearing the handwritten inscription, 'By John Craig, Esq.' A copy owned by David Constable (son of the Edinburgh publisher Archibald Constable) also indicated John Craig as the author when it was sold at auction in 1828.⁵⁹

Most of the previous arguments in favour of Millar's authorship can be countered by following the suggestion of Craig's authorship. The similarities with the style and contents of Millar's own works seem natural, if one takes seriously the pamphlet's acknowledgements to Millar's lectures.⁶⁰ Similar acknowledgements are found in Craig's *Elements*. The references to Harrington would have been expected not only from Millar himself, but also from any of his students.⁶¹ The views put forth in 'Sidney' are indeed

⁵³ Lehmann, *John Millar of Glasgow*, pp. 404–405.

⁵⁴ Medick and Leppert-Fögen, 'Frühe Sozialwissenschaft', p. 24.

⁵⁵ Vincenzo Merolle, 'Introduzione', in 'Letters of Crito'; e 'Letters of Sidney' / John Millar; a cura di Vincenzo Merolle (Rome: Giuffrè, 1984), pp. 1–28 (p. 19).

⁵⁶ Merolle, 'Introduzione', pp. 15–21.

⁵⁷ Merolle, 'Introduzione', p. 19; Lehmann, *John Millar of Glasgow*, p. 404.

⁵⁸ John Craig, *Elements of Political Science*, 3 vols. (Edinburgh: James Ballantyne & Co., 1814); John Craig, *Remarks on Some Fundamental Doctrines in Political Economy* (Edinburgh: Archibald Constable & Co., 1821); Lehmann, *John Millar of Glasgow*, p. 151. For biographical information on Craig see Merolle, pp. 7–8, note 22; Thor W. Bruce, 'The Economic Theories of John Craig, A Forgotten English Economist', *The Quarterly Journal of Economics*, 52 (1938), 697–707 (p. 697).

⁵⁹ Haakonssen, *Natural Law*, p. 156, note.

⁶⁰ See especially John Millar, 'Lectures on Civil Law' (Glasgow, 1798), pp. 119–218, Glasgow University Library; John Millar, 'Lectures on the Institutions of Civil Law', 1794, pp. 79–123, Edinburgh University Library. For a summary of Millar's law lectures see William Christian Lehmann, 'Some Observations on the Law Lectures of Professor Millar at the University of Glasgow (1761–1801)', *The Juridical Review*, 1970, 56–77.

⁶¹ Haakonssen, *Natural Law*, p. 156, note.

repeated in Craig's *Elements of Political Science* (Book 2, ch. 5), but this seems more likely to suggest that both texts were by Craig, who would have first written 'Sidney', and later reproduced some of the text in his own *Elements*. In addition Haakonssen has shown that, contrary to Medick's assessment, the *Elements* are no mere paraphrase or plagiarism of Millar.⁶² Finally, one could argue that the admiring acknowledgement of Millar's lectures as a source for 'Sidney' would be a rather strange sort of 'camouflage', if Millar was indeed the author of the pamphlet, since it still ascribes a large part of responsibility for its controversial contents to Millar.

While the evidence available suggests the 'Letters of Sidney' were more plausibly written by John Craig, we will likely never be able to ascertain the exact degree of Millar's involvement in the pamphlet. This should not, however, diminish our interest in the text: whether or not Millar wrote it, it remains that the argument derives directly from his Smith-inspired teachings on justice and jurisprudence.⁶³

The 'Letters of Crito'

The first letter from 'Crito' was published in the *Scots Chronicle* two days after the first General Election returns on 25 May 1796, and publication was then staggered throughout the summer following the election, and preceding the first meeting of the new Parliament on 27 September 1796. It is unclear why the author chose 'Crito' as a pseudonym – a close friend of Socrates, Crito is traditionally portrayed as a practical thinker, little inclined to philosophical abstraction. Perhaps this was an oblique reference by Millar to his foray into political and parliamentary debates, in contrast to his and Smith's usually more abstract philosophical and historical work. The 'Letters of Crito' were, indeed, an unapologetically Whig political pamphlet, dedicated to Fox and calling for '[the dismissal of] those Ministers whose pernicious measures have produced our present calamities'. The pamphlet presented a comprehensive justification of the Foxite Whigs' positions since 1789, arguing that they had been right to welcome the Revolution, that the war against France had been unjust and unwise, that it had precipitated the violence of 1793, that it had been waged for the benefit of the Crown and ministry's growing influence, and that the safest course of action for Britain would be to declare peace and reform its own institutions to ensure the protection of the principles of 1688 against similar encroachments in the future.

The pamphlet opened by presenting a Whig defence of the French Revolution couched in the language of Smithian philosophy. The Revolution, Letter 1 stated, had been a happy surprise for many observers. Its direct cause was the general progress of knowledge, which had become diffused amongst the body of the people, and advanced the principle of utility at the expense of the principle of authority. This assessment parallels the opening of Millar's lectures on government, which list as the main cause of the French Revolution the 'advancement of Philosophy', leading to the adoption of the

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⁶² Knud Haakonssen, 'Natural Justice: The Development of a Critical Philosophy of Law from David Hume and Adam Smith to John Millar and John Craig' (unpublished PhD thesis, University of Edinburgh, 1978), chap. 4.

⁶³ Haakonssen, *Natural Law*, p. 170.

'principle of utility'.⁶⁴ The Revolution did not originally abolish monarchy, Letter 2 pointed out, but rather replaced France's absolute monarchy with a system of limited monarchy, which nevertheless frightened the absolute monarchs of Europe.

The focus of 'Letters' then shifted to a Foxite analysis of the British reception of the French Revolution. In Letter 3, 'Crito' blamed the reception given to the Revolution in Britain on the habitual national jealousy of British observers accustomed to claiming superiority in politics, and introduced a main theme of the 'Letters' as well as of the Foxite opposition: the Revolution was interpreted by some as being threatening in Britain, he argued, because it inspired its British observers to seek reform for 'some very flagrant abuses, which, in the course of time, have crept into our political system' - especially corruption, patronage and the existence of rotten boroughs.⁶⁵ 'Crito' repeated an argument already found in James Mackintosh's celebrated defence of the Revolution, the 1791 Whig pamphlet *Vindiciae Gallicae*: urgent reform of the House of Commons was needed, in order to avoid a similar scenario of popular revolt in Britain.⁶⁶ Parliamentary reform, Letter 4 went on, was opposed by those who benefitted from the current abuses. The contention that the current ministry was 'interested in preserving those abuses, which put it in their power so easily to overrule elections, and so effectually to defeat all the efforts of opposition', and '[would] not willingly relinquish any part of the undue influence acquired by the crown', was a classic expression of the Foxite Whigs' post-1784 grievances against Pitt.⁶⁷ It was the ministry's interest in safeguarding the abuses that had crept into the Constitution, it was argued, which incited Tory commentators to misrepresent all British reformers as radicals keen to introduce French principles into English politics.

'Crito' then moved on to the subject of the war, and attempted to establish the true reasons, and consequences, of the continental powers' aggression against France. Letter 5's account of the Pillnitz coalition rephrased a theory most forcefully expressed by the reformer Benjamin Vaughan in his 'Letters, on the Subject of the Concert of Princes, and the Dismemberment of Poland and France, By a Calm Observer' (first published in 1792-3 in the Whig *Morning Chronicle*): Austria and Prussia had launched a 'despotic crusade' in the cause of absolutism, with the covert aim to stifle liberty in the whole of Europe.⁶⁸ When the 'neighbouring potentates' had seen that the French Revolution was not collapsing of its own accord, 'Crito' argued, they had 'united in the common cause of despotism', and concluded the treaty of Pillnitz, binding themselves to overturn the government of France and root out democratic principles.⁶⁹ Brunswick subsequently invaded France in the summer of 1792, with the aim to restore the king and partition both France and Poland. It was this invasion, in Crito's view, which had disrupted France's heretofore remarkably peaceful and moderate revolution, by heightening

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⁶⁴ See Smith's discussion of the principles of authority and utility. Smith, *Lectures on Jurisprudence*, pp. 318–

21. Millar, 'Lectures on Government', MSS Gen. 290, f. 34.

⁶⁵ 'Letters of Crito', printed below pp. 000-000, p. 000.

⁶⁶ Mackintosh, *Vindiciae Gallicae*, p. 150.

⁶⁷ 'Letters of Crito', p. 000.

⁶⁸ Emma Vincent Macleod, *A War of Ideas: British Attitudes to the Wars against Revolutionary France, 1792-1802* (Aldershot: Ashgate, 1998), p. 97. Vaughan was an employee and advisor of Lord Shelburne in Paris during the Anglo-American peace negotiations of 1782-83.

⁶⁹ 'Letters of Crito', p. 000.

sentiments against the king and making him suspected of supporting the enemies of France. Letter 6 described the internal consequences of the invasion of France, starting with an admiring description of French armies 'exalted to a pitch of heroic enthusiasm, which rendered them superior to all the nations of the earth'.⁷⁰ Another consequence had been the political violence that had flared up since late 1792: the Whigs' theory of a 'despotic crusade' accounted for this by arguing that 'the despots of Europe had harassed the Revolution into perversity'.⁷¹ Indeed, Crito explained, 'such was the unhappy situation of France, that an absolute submission to the executive government was become indispensibly necessary'. Therefore the liberal and moderate Girondist faction was overwhelmed by the 'boldness and vigour' of the Jacobins' popular faction which aimed to 'equalize the different ranks', and whose leader, Robespierre, was 'perhaps the only person in France capable of defending France against its enemies'. Thus, the horrors of 1793 must be blamed on 'the hostile powers who threatened France with inevitable destruction'. 'The enemies of the *first revolution* ... were in reality the authors of the *second*.'⁷²

As it discussed Britain's involvement in the war, the pamphlet delved further into Foxite conspiracy theories and argued that the ministry's official justifications for war concealed darker motives. The British ministry, Letter 7 suggested, had been hoping that the confederation of Pillnitz would overthrow the French government with no need for British help. The invasion having failed, however, they resolved to join the war against France. While there was at this time, 'Crito' asserted, no substantial radical agitation in Britain, the ministry pretended to think differently, and successfully propagated the idea that the lower classes were being inspired by French politics and French spies to overthrow the government, level ranks and establish a republic. This was, Letter 8 continued, because the ministry's decision to wage war against France needed to be justified in the eyes of the public. 'Crito' once again leaned on Foxite arguments to accuse the ministry of playing up unsubstantiated threats of radicalism and 'levelling' to gain public support. Going to war against a foreign power, he added, was hardly likely to change the minds of British radicals in any case, as persecution rather tends to reinforce beliefs.

The alarming progress of French armies, and the necessity to defend Britain as well as the Balance of Power, 'Crito' continued, was another argument put forward in justification of the war.⁷³ This argument however lay itself open to the charge of hypocrisy, since the same men who voiced it had closed their eyes to the previous partition of Poland.⁷⁴ In addition, Crito reminded his readers that French foreign policy had been peaceful before Pillnitz, and that the war had been an act of unprovoked

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⁷⁰ 'Letters of Crito', p. 000.

⁷¹ Vincent Macleod, *A War of Ideas*, p. 97.

⁷² 'Letters of Crito', p. 000.

⁷³ Pre-emptive war in defense of the national territory and the principles of the Balance of Power were the main arguments put forth in justification of the war by Pitt's government. See William Pitt, 'French Ambitions and the Liberty of Europe (Feb 1, 1793)', in *The War Speeches of William Pitt the Younger* (Oxford, 1940), pp. 24-51.

⁷⁴ Lord North's Tory government considered the partition of Poland as a 'curious transaction', but did not attempt to stop it. Horace Walpole, *Journal of the Reign of King George II from the Year 1771 to 1783*, 2 vols. (London: Richard Bentley, 1859), I, p. 166, note.

aggression against France, whose retaliation was therefore in accordance with the law of nations. Even if France had indeed been the aggressor, 'Crito' went on, war would still not have been Britain's more rational option: instead it should have offered a mediation that would have restored Europe to its former borders. Britain's refusal to negotiate, in spite of multiple French offers, demonstrated that the French invasions were indeed a mere pretext. Letter 9 continued to list the various justifications advanced for waging war against France, following the opposition's parliamentary tactic of mocking the ministers' inability to articulate specific aims for the war.⁷⁵ A third reason advanced by government supporters was the rise of French violence, and especially the prospect of violence against the royal family. But the real authors of this violence, 'Crito' repeated, were the framers of the treaty of Pillnitz. In any case, the safest course of action for the king would have been for Britain to intervene diplomatically to end the war peacefully. The fourth and last major reason given for the war against France had been the preservation of the Christian religion. Yet 'Crito' denied that the French people, beyond a handful of sceptic men of letters, were in fact hostile to religion. They were merely painted as such by 'religious alarmists' and by the French clergy, who fled France after its 'radical reform in the prodigious inequality of church livings'. While the corruption of the 'Roman Catholic superstition' was indeed challenged by the Revolution, no philosophical discourse could truly damage an enlightened system such as the Christian religion, whose societal utility and role in maintaining 'the bands of human society' could not be doubted.⁷⁶

In addition to these reasons, now shown to be 'futile' or 'absurd', Letter 10 mentioned two other reasons previously given, but later abandoned: first, the decree of the French Convention for opening the navigation of the Scheldt, widely mocked by the opposition Whigs as a particularly flimsy pretext for war, and second, the fact that the French had been the first to declare war. While technically true, this was argued by 'Crito' to be a specious argument, since Britain had made its hostility clear and refused all of France's attempts to negotiate. Letter 11 finally advanced what 'Crito' and the Foxite Whigs believed to be the real yet concealed object of the war: 'the preventing of a reform in our parliamentary representation ... [this] required a counter-revolution in France, by pulling down the new constitution, and restoring the ancient despotism.'⁷⁷ This put Britain in line with the continental alliance of despots, whose claim to wage war for the benefit of the Bourbon family concealed an even darker motive, 'Crito' suspected, in the form of a partition of France.

Having presented both 'the real, and the pretended objects of the war', 'Crito' concluded that the war was in fact both unjust, and impolitic. Letter 12 made a philosophical case for its injustice: the law of nature states that 'every independent state has an exclusive right to legislate for itself, and to settle its own internal governments.'⁷⁸ Utility also dictates to leave each nation to organise its own government, because every nation has its own best interests at heart, and is best acquainted with its own circumstances. The claims

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⁷⁵ Vincent Macleod, *A War of Ideas*, p. 97.

⁷⁶ 'Letters of Crito', p. 000.

⁷⁷ 'Letters of Crito', p. 000.

⁷⁸ 'Letters of Crito', p. 000.

put forth by the followers of Burke concerning Britain's right to interfere in defence of the rights of the sovereign and of the emigrants, of peace, of Christianity and morality, were not sufficient to entitle Britain to remodel a foreign government. Similarly, the claim that Britain had a right to protect its political system was simply irrelevant, since France in fact posed no threat to it. The war, Letter 13 asserted in a despondent tone not uncommon amongst Foxite Whigs (who often seemed to delight in highlighting every setback in the war), was also impolitic. This was primarily because it was highly unlikely to succeed, since France had become an 'armed nation', 'animated by an enthusiastic love of liberty, which, added to their discipline and military spirit, appears to render them invincible.'⁷⁹ Even supposing that Britain could prevail, supporting a restored French monarchy would necessitate a large, costly and dangerous standing army. The alternative would be to partition France, which would prove costly and politically dangerous for Britain. Therefore, all the possible outcomes of an already costly war were, in 'Crito's reasoning, harmful to Britain. The proper course of action should have been to remain neutral: Britain would then have carried out profitable trade, would have 'sheltered' the trade of other nations, and would have increased its wealth.

The pamphlet closed with 'Crito's prescription for Britain and the advice to conclude the war in the least damaging way possible. Letter 14 painted a dire picture of Britain's current situation: it was isolated, France was blocking British trade with neutral nations, and the British mood was despondent. The prospect of France soon concluding a peace with the emperor was about to bring new dangers: France would exclude British trade from foreign markets (this might not succeed in the long run, but would remain harmful to trade), it would attempt to conquer British colonies in the West Indies, and it would attempt to invade Britain. How to avoid such dire prospects, 'Crito' asked? The Foxite Whigs were already advocating a peace settlement, with the immediate goal of finally seeing Pitt's ministry fall. 'Crito' went one step further, as he argued that only political reform would secure a lasting peace. The French, he pointed out, would expect guarantees from Britain that its government was no longer 'inimical to their constitution': therefore, without reform in Britain, peace would only be temporary, 'to be broken as soon as Britain has recovered her exhausted resources'.⁸⁰ Not only a change of ministry, but also parliamentary reform, were prerequisites to peace with France.

Letter 15 developed the idea that a change of ministry was not only necessary for peace with France, but also for the preservation of the British Constitution. Following a classic Whig script that claimed to defend the purity of the Constitution against successive encroachments, as well as Smith's analysis of the 'funding system', 'Crito' argued that the principles of 1688 had been endangered by the rising influence of the Crown and mercantile interests that had led to never-ending wars in the eighteenth century. The American war had already been cause for much concern, but the crisis of 1784 showed that the system was broken beyond repair, that the influence of the Crown had become unstoppable and that 'a reform in the mode of electing the national representatives was indispensably requisite, for counteracting the effects of that great influence acquired by Ministers, and for maintaining the free exercise of those powers established at the

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⁷⁹ 'Letters of Crito, p. 000.

⁸⁰ 'Letters of Crito, p. 000.

Revolution.' 'Crito's chronology reflected the increasingly hostile view of George III and Pitt developed by many Whigs (including Millar) in the previous decade. In their view, reform had already been necessary before the French Revolution, but as the war against France had 'wonderfully extended' ministerial influence, it was now more necessary than ever.⁸¹

There is little in the 'Letters of Crito' that does not directly reflect the various arguments and theories put forward by the Foxite opposition between 1789 and 1796. Perhaps the most directly noticeable influence of Scottish philosophy is found in the first letter's reference to the general progress of society and reliance on Smith's theory of government legitimacy – two elements also found in Millar's public writings and teachings on the French Revolution.⁸² This, alongside Millar's well-known scorn for the encroachments on the constitution he believed Pitt had committed since 1784, his open lifelong admiration for Charles James Fox and continued commitment to Foxite Whiggism throughout the 1790s, make his authorship very plausible indeed. If the pamphlet is his, it adds little philosophical or political nuance to our current understanding of Millar, but it does offer interesting insights into one area of disagreement with Smith: Smith believed that professional armies were the hallmark of civilised nations and 'superior to every militia', and stated that 'men of republican principles' were wrong to believe them inherently dangerous for liberty.⁸³ Millar being a man of such principles (or at least more so than Smith), his distrust of standing armies was ingrained more deeply. He may have believed he had found a panacea in France's 'armed nation', which combined the skill and discipline of a professional army with an enthusiasm for liberty and national survival and was thus rendered near invincible.⁸⁴

Treatise of a Merchant

While the 'Treatise' was reprinted alongside the 'Letters of Sidney' in 1796 (presumably because they were authored by the same anonymous writer), it offers an economic critique of the war against France that brings it thematically much closer to the 'Letters of Crito'. The pamphlet was first published a few weeks before 'Crito's first letter, in the 12 May 1796 issue of the *Scots Chronicle* on 12 May 1796, and two months before 'Sidney' published his first letter. The dedication to Lord Lauderdale was both politically appropriate for a Scottish Foxite Whig newspaper, and timely, since Lauderdale had been establishing himself as a strong anti-war voice in the House of Lords.⁸⁵

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⁸¹ Letters of Crito, p. 000.

⁸² John Millar, *Historical View*, pp. 801–7; John Millar, 'Lectures in Government II', f. 34.

⁸³ Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, 2 vols. (Indianapolis: Liberty Fund, 1981), II, pp. 705–6.

⁸⁴ Smith had in fact observed that 'a militia of any kind ... which has served for several campaigns in the field' gained all the advantages of a professional army, which led him to predict that the American militia 'may become in every respect a match' for the British army. Smith, *Wealth of Nations*, II, p. 701.

⁸⁵ The speech referred to in the author's introduction was reprinted in 1795. James Maitland, Earl of Lauderdale, *An Address to the King, Moved in the House of Lords by the Earl Lauderdale, Friday, June 5, 1795* (London: J. Ridgway, 1795). See also James Maitland, Earl of Lauderdale, *Letters to the Peers of Scotland* (London: G.G. and J. Robinson, 1794).

The 'Treatise' was intended as a Smithian rebuttal to the idea that the war against France had not been detrimental to Britain's commerce. Smith had already shown that, while the people often 'feel scarce any inconveniency from the war', this was an illusion only benefitting the financiers funding national debt.⁸⁶ The 'Treatise' addressed the economic mechanisms behind the paradoxical appearance of health projected by British trade during the war with France: wars occasion large expenses, yet do not appear to significantly diminish the exports or imports of commercial countries. From this, the author regretted, some war apologists were concluding that war is consistent with national prosperity. The 'Treatise' thus went on to show that war was indeed detrimental to national commerce, and that the level of imports and exports was not an accurate measurement of prosperity. It did so by relying on the Smithian assessment that the whole annual produce arises from land, capital and labour. Since labour and capital both obviously decreased during war, it followed that the sum of national riches also decreased. Yet, the author noted, it appeared that foreign trade continued to flourish. This apparent commercial health was however an illusion: foreign trade and imports were both artificially inflated by the capture of commercial ships and war expenses. Therefore, while the exports and imports of Britain maintained an appearance of being little affected by war, '[o]f such a trade, national loss, not national prosperity, must be the certain consequence.'⁸⁷

The 'Letters of Sidney'

The letters of 'Sidney' overlapped with the publication of the letters of 'Crito', as they first appeared between 5 August 1796 and 29 November 1796. They openly announced their affiliation with reformist Whiggism, along with the author's deference to the heritage of seventeenth-century English republicanism. Like the 'Treatise', the pamphlet was dedicated to Lauderdale, but it opened with a citation by Harrington, and its purported author, the seventeenth-century English republican thinker Algernon Sidney was a 'Whig patriot-hero and martyr', singled out by Charles James Fox as a name that should 'be ever dear to every English heart'.⁸⁸ As a whole, the letters presented a rigorously-structured case for a political reform of Britain's excessive inequality of property. They argued that great inequality of property and levelling were equally damaging to society, and that modern Britain's striking levels of inequality needed to be gradually reduced through a reform of inheritance laws.

'Sidney' opened his letters by arguing that Britain's great inequality of property was damaging at all levels of society, both in moral and economic terms. Letter 1 stated a paradox: the question of property was obviously important to the government and morals of nations, yet enquiries on the topic were not encouraged in contemporary politics. The Tories, 'Sidney' suggested, labelled all their opponents as 'enthusiastic

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⁸⁶ Smith, *Wealth of Nations*, II, p. 920.

⁸⁷ 'Treatise of a Merchant', printed below pp. 000-000, p. 000.

⁸⁸ 'Letters of Sidney', printed below pp. 000-000, p. 000. Jonathan Scott, 'Sidney, Algernon (1623-1683)', *Oxford Dictionary of National Biography* (Oxford University Press, 2004); Blair Worden, *Roundhead Reputations. The English Civil Wars and the Passions of Posterity* (London: Penguin, 2002), p. 122.

levellers', and misrepresented their demands for equality of rights as demands for equalisation of property.⁸⁹ The Whigs shied away from tackling the question, for fear of being painted as radicals. The stated aim of 'Sidney's' letters to the *Chronicle*, therefore, was to open a fair and reasonable discussion on the question and to diffuse the unsubstantiated fears that usually accompanied it. The following letters went on to list the disadvantages attached to inequality for the morals and happiness of the nation. Great inequality is disadvantageous to the rich, Letter 2 argued, because their minds and morals are weakened by constant indulgence; they have no reason to cultivate their reason or taste, and are therefore unable to appreciate the pleasures of the mind. Letter 3 went on to state that the happiness of the poor is of equal importance to society as that of the rich; even superior, since they are more numerous. Inequality of property causes unhappiness in the poor as they compare their hardships to the profusion of the rich. It also deprives them of the opportunity to educate themselves, leaving them with debauchery as their only relaxation. Borrowing a language used by both Smith and Millar, Letter 4 concluded that the destructive effects of inequality are not limited to very rich and very poor: they 'contaminate the morals of the whole nation', because in modern societies, the value of people is not measured by their intellectual or moral worth, but by their wealth.⁹⁰ Most importantly, in the author's view, the constant competition for wealth also undermined the springs of patriotic virtue, by turning all citizens into political sceptics. Letter 5 moved away from this moral perspective to detail the economic disadvantages of inequality, relying on Smith's critique of landlords to argue that inequality diminishes both the produce of land and of labour.⁹¹ Letter 6 further argued that inequality is hurtful to both commerce and population, because it prevents part of the produce of land and labour from being annually saved and added to the national capital, therefore diminishing the capital of the nation.

Having demonstrated that great inequality of property was damaging to Britain's economic, moral and political health, 'Sidney' went on to discuss schemes of property equalization. Letter 7 argued that, contrary to Tory propaganda, equalization of property had never been fully attempted, not even in Sparta or Rome. It was also not attempted, Letter 8 continued, in modern Europe, republican Switzerland, or Holland. Schemes of levelling during the English civil war only came from 'a few enthusiasts', driven by religious fanaticism rather than by political speculation. During the French Revolution, 'the word *equality* merely related to *political power* and *civil rights*, and ... it never was in the contemplation of those who formed these constitutions, to extend it to *property*.'⁹²

The more theoretical contents of Letters 9 and 10, which argued that levelling schemes were both unjust and contrary to the principle of utility, largely derived from Millar's lectures on civil law.⁹³ Millar's jurisprudence was based on Hume and Smith's notion of negative justice, and he considered the right of property as one of the natural rights (like

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⁸⁹ 'Letters of Sidney', p. 000.

⁹⁰ 'Letters of Sidney', p. 000. Smith, *Theory of Moral Sentiments*, pp. 61–62. See also Millar, *The Origin of the Distinction of Ranks*, pp. 238–39.

⁹¹ Adam Smith, *Wealth of Nations*, I, pp. 385–87.

⁹² 'Letters of Sidney', p. 000.

⁹³ John Millar, 'Lectures on Civil Law', pp. 119–218; John Millar, 'Lectures on the Institutions of Civil Law', pp. 79–123. Cited in Haakonssen, *Natural Law*, p. 158, note.

the right to self-defence) that preceded society. Similarly, Letter 9 demonstrated that justice does not depend on social utility; on the contrary, society and governments are constructed in order to protect natural rights, including the right of property. It is only later that these rights are strengthened by the consideration of their utility for society.⁹⁴ Like Millar, who took from Smith the notion that specific decisions of justice defer to an impartial spectator, 'Sidney' supported the statement that '[p]roperty is defended by the natural feelings of mankind' by referring to the feeling of disapproval 'which would naturally arise in the breast of a spectator' observing a man being deprived by another man of an object already under his power.⁹⁵ This was why any scheme of levelling would be unjust, and why no government or majority could possess the right to attack the private property that society was established to protect. Letter 10 further argued that all levelling schemes would necessarily be damaging to society. Labour would be suspended, as the formerly wealthy had never been accustomed to work, and the formerly poor would have no more incentives to improve their station. The nation, 'Sidney' concluded, would be reduced to poverty.

Having demonstrated that levelling was even more damaging than great inequality, 'Sidney' introduced his proposals for redressing Britain's inequality of property without injuring natural justice, via a reform of the rules of legal succession and testaments, and of the taxation system. Letter 11 stated that the principle of succession, as it derived directly from the right of property, was a just one. The institution of primogenitures however, Letter 12 went on, was not a natural inequality, and it was also unjust – 'Sidney' was here repeating Smith's critical account of primogeniture, and was not alone in relying on this critique to propose its abolition (similar suggestions were notably found not only in Millar, but also in *Vindiciae Gallicae* by the Scottish Whig James Mackintosh, and, later, in Dugald Stewart's lectures on political economy).⁹⁶ Going further than Smith, however, Letter 13 added that the right of making testaments was equally unfounded in natural law, because rights to property dissolve after death.⁹⁷ Abolishing the right to make testaments, Letter 14 suggested, would therefore be both just and useful. Since great inequality is destructive of both private happiness and public prosperity, Letter 15 concluded, the state has a right to use taxation to check its progress. Because the poor feel the weight of taxes more heavily than the rich, a just system of taxation would increase tax progressively according to the property of each contributor.⁹⁸

The pamphlet then detailed, as a seeming afterthought, two other reasons why inequality was harmful to society. Letter 16 identified war as the most important source of national

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⁹⁴ 'So far, then, from the Right of Property being the creature of civil society, we may truly assert that the defence of this right was one of the original ends of the social combination'.

⁹⁵ 'Letters of Sidney', p. 000.

⁹⁶ Smith, *Wealth of Nations*, I, pp. 383, 423. See also Mackintosh, *Vindiciae Gallicae*, p. 33; Dugald Stewart, 'Lectures on Political Economy', ed. by Sir William Hamilton, *The Collected Works of Dugald Stewart*, 8 (1994), p. 152.

⁹⁷ Smith acknowledged the difficulty, but in the end justified the right of testament with the principle of sympathy by a spectator for the deceased. Smith, *Lectures on Jurisprudence*, pp. 63–64. See also Knud Haakonssen, *The Science of a Legislator: The Natural Jurisprudence of David Hume and Adam Smith* (Cambridge: Cambridge University Press, 1981), pp. 110–11.

⁹⁸ See Smith's similar argument, and the distinction he makes between necessities and luxuries. Smith, *Wealth of Nations*, II, pp. 842, 869–73.

expenditure, building upon Smith's critique of the funding system to accuse mercantile interests of having 'a direct interest in war', and to 'fatten on the miseries of mankind'.⁹⁹ Patriotic feelings, 'Sidney' regretted, had been too weakened by inequality of property to prevent such mercantile wars. Inequality also increases crime, Letter 17 pointed out, because it corrupts morals and fosters jealousy. Thus, great inequality of property leads to the decay of public spirit and to political corruption.

Sidney finally recapitulated his proposals in Letter 18, all of them being 'demanded by the obvious dictates of natural justice'.¹⁰⁰ If enacted, he argued, opulence would become more generally diffused, the great body of the people would be better educated, the rich would be less exposed to moral vices, wealth would not be the only title to respect, and literature and the arts would be improved.

It is clear that the 'Letters of Sidney' are, at the very least, heavily inspired by Millar's historical writings and lectures on jurisprudence.¹⁰¹ Yet Ignatieff has argued that the correct attribution of Sidney is crucial to our understanding of Millar's political thought, because the letters are 'more Jacobin than any text which can definitely be attributed to Millar'.¹⁰² This is however a debatable point. 'Sidney's concern for public spirit and political corruption certainly echoed traditional Harringtonian republican ideals. Yet, as highlighted by Ignatieff himself, many of Sidney's arguments drew on sources previously used by Millar, including not only Harrington's *Oceana*, which according to the *Historical View* displayed 'an extensive knowledge of history, the most liberal views with respect to government [and] a thorough acquaintance with the true principles of democracy', but also Smith's critical analysis of commercial societies' admiration of wealth over virtue, and economic assessment of the costly idleness of great proprietors.¹⁰³ In addition, 'Sidney's specific proposals hardly advocated jacobin or republican 'equalization of property'.¹⁰⁴ In his view, property inequality was necessary and beneficial to society, but excessive inequality was harmful to national wealth and happiness. This merely reflected Smith's own stance, which favoured a reform of primogeniture and taxation for the same reason, arguing that 'the rich should contribute to the publick expense, not only in proportion to their revenue, but something more than in that proportion'.¹⁰⁵ In fact, the core of Sidney's argument remained an assessment of the cost of great inequality for the wealth and happiness of nations built upon a theory of property found in both Smith and Millar's lectures.¹⁰⁶ There is nothing in the 'Letters of Sidney' that contradicts, or substantially adds to, Millar's own opinions.

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⁹⁹ 'Letters of Sidney', p. 000.

¹⁰⁰ 'Letters of Sidney', p. 000.

¹⁰¹ For a detailed list of similarities between Millar's writings and the 'Letters of Sidney', see Merolle, pp. 19–20.

¹⁰² Ignatieff, 'John Millar and Individualism', p. 323.

¹⁰³ Ignatieff, 'John Millar and Individualism', p. 323; John Millar, *Historical View*, p. 569.

¹⁰⁴ Ignatieff, 'John Millar and Individualism', p. 323. See Haakonssen's argument that the 'Letters of Sidney' are coherent with the rest of Millar's writings. Haakonssen, *Natural Law*, p. 170.

¹⁰⁵ Smith, *Wealth of Nations*, II, p. 842. For a recent account of Smith's critique of excessive inequality, see Deborah Boucoyannis, 'The Equalizing Hand: Why Adam Smith Thought the Market Should Produce Wealth Without Steep Inequality', *Perspective on Politics*, 11 (2013), 1051–70.

¹⁰⁶ See also Haakonssen's rebuttal of Ignatieff's contention that Millar's post-1784 writings, including Sidney, displayed a new 'preference of "virtue" over "justice"'. Haakonssen, *Natural Law*, p. 168; Ignatieff, 'John Millar and Individualism', p. 332.

It is, however, interesting to note that 'Sidney's cautious denial of any subversive intentions reflects both Smith and Millar's uncommon position within British Whiggism: their critique of primogeniture and entail put them at odds with the very Whigs who were using a Smithian language of political economy to counter the radical threat in the 1790s. It was, however, entirely in line with the position of another Scottish reformist Whig and reader of Smith – James Mackintosh, who wrote that 'though [inequality of fortune] be necessary, yet, in its excess it is the great malady of civil society.'¹⁰⁷

When it came to questions of property inequality and inheritance laws, the English Whigs much preferred relying on Malthus, who not only did not pronounce himself against primogeniture, but rather tended to criticise the excessive equality and subdivision of land in Ireland and France. They were, understandably, more comfortable with a discourse that positively interpreted British land distribution, and ascribed many of France's problems to its excessive equality.¹⁰⁸

In the 1790s, critiques of property distribution and inheritance laws such as those found in Smith, Millar and 'Sidney' firmly belonged to radical discourses, which is why Millar's friend Lauderdale always remained cautious to direct his own public critique of property inequality not at Britain, but rather at pre-revolutionary French society.¹⁰⁹ It was radical figures such as Price and Paine (who was in agreement with Smith regarding the superiority of America's system of inheritance) who called for the abolition of primogeniture in Britain, Paine's attack of the institution in the *Rights of Men* inspiring Burke's defence of the same institution in his *Reflections on the Revolution in France*.¹¹⁰

It is fair to say, in final analysis, that there is little in either the letters of 'Crito' and 'Sidney' or in the 'Treatise', that substantially adds to our understanding of Millar's philosophical theory. These anonymous works, whether or not they are directly Millar's, are of most value for illustrating his political reaction to the French Revolution, as well as the discussions taking place in his circle of friends and students in the following years. They highlight the existence of a Scottish Smith-inspired, reformist Whig defence of the Revolution that continued beyond Mackintosh's well-known intervention in the London pamphlet war. In this view, they help complement our picture of the various ways in which Millar's writings, and through them the heritage of Smithian philosophy, could be utilised in Britain's post-revolutionary political thought.

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¹⁰⁷ Mackintosh, *Vindiciae Gallicae*, p. 32.

¹⁰⁸ Donald Winch, *Riches and Poverty* (Cambridge: Cambridge University Press, 1996), p. 357.

¹⁰⁹ 'Great inequality of fortune, by impoverishing the lower orders, has everywhere been the principal impediment to the increase of public wealth', he asserted, while maintaining that Britain was a 'country, among the inhabitants of which property was more generally and universally diffused than any other'. Lauderdale attributed England's prosperity to the fact that British society had no unbridgeable gap between large and small farmers. Pre-revolutionary France, in contrast, was relatively poor because of the vast fortunes controlled by noblemen and the abundance of penniless tenant peasants. Lauderdale never extended his discourse to criticise economic inequalities in Britain, and became increasingly conservative with the years, campaigning for corn laws to maintain the pre-eminence of rural economy in his *Letter on the Corn Laws* (1814). James Maitland, Earl of Lauderdale, *Letters to the Peers of Scotland* (London: G.G. and J. Robinson, 1794), p. 102. His *Plan for Altering the Manner of Collecting a Large Part of the Public Revenue* (1799) did however propose substituting inheritance tax for income tax and reducing indirect duties.

¹¹⁰ Winch, *Riches and Poverty*, pp. 152–53.

In the political landscape of the 1790s, Scottish Enlightenment writings are primarily seen as inspiring Whig anti-radical discourses detailing the supposedly catastrophic consequences of the republican programme of property and social equalisation for England.¹¹¹ Yet, the letters of 'Crito' and 'Sidney' show, another strand of Smith's heritage was also passed on to post-1789 political discourse, via Scottish reformist Whig writers such as Millar, Lauderdale, Craig and Mackintosh.

One element of Scottish political philosophy that was reinterpreted by Millar and repeated in the 'Letters of Crito', Mackintosh's *Vindiciae Gallicae* and Dugald Stewart's lectures, before finding a new life in the utilitarian theories of James Mill, was the idea that the principle of authority would gradually fade away in modern societies, leaving the principle of utility as the sole source of political legitimacy.¹¹² Another such element was Smith's demonstration of the inefficiencies of great property inequality, including in Britain. While the English Whigs tended to use the language of political economy to counter radical demands for equalisation of property, the 'Letters of Sidney' leaned upon Millar's teachings to mobilise Smithian political economy and moral philosophy in the opposite way: while rebuffing the natural rights argument that every man is born with a 'birthright' to an equal share of the land, it argued that the current inequality of property distribution was both economically inefficient and morally damaging for the nation as a whole, and needed to be addressed through a reform of tax and inheritance laws.

The 'Letters of Sidney', like Mackintosh's *Vindiciae Gallicae*, used the Smithian language of political economy in a reformist way that Paine would not have disavowed. Indeed, Paine's republican agenda in the *Rights of Man* aimed to abolish primogeniture, reduce social inequality and establish a more virtuous electorate – all goals Mackintosh and Millar shared, in spite of their rejection of radical natural rights arguments.¹¹³ Very similar critiques of property inequality and suggestions for property reform were repeated a few years later by Dugald Stewart, and then by James Mill – a self-professed admirer of Millar.¹¹⁴ Thus, while Millar's possible anonymous pamphlets do not significantly challenge our understanding of his better-known writings, they do (whether

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¹¹¹ See however some radicals' use of specific Smithian arguments, for instance Paine's alarmist use of his critique of national debt. Thomas Paine, 'The Decline and Fall of the English System of Finance', in *The Writings of Thomas Paine*, ed. by Moncure Daniel Conway, 4 vols. (New York: G.P. Putnam's Sons, 1894), III, 286–312 (p. 287). For the shift of moderate reformism away from natural rights discourses toward the language of political economy, see Gregory Claeys, *The French Revolution Debate in Britain: The Origins of Modern Politics* (Basingtoke: Palgrave Macmillan, 2007), p. 69.

¹¹² Mackintosh, *Vindiciae Gallicae*, p. 134. For Dugald Stewart's opinion that the principle of authority was of 'trifling moment' in comparison to the principle of utility, see Stewart, 'Lectures on Political Economy', p. 22. James Mill opened his *Essay on Government* by stating that 'The question with respect to Government is a question about the adaptation of means to an end', the end being 'the public good' or 'the greatest happiness of the greatest number.' James Mill, *Political Writings* (Cambridge: Cambridge University Press, 1992), p. 3.

¹¹³ Winch, *Riches and Poverty*, pp. 40–41.

¹¹⁴ Mill's lifelong distrust of land-owning aristocracy and critique of inheritance and primogeniture was buttressed by Ricardo's rent theory, but his assessment of the moral and economic deficiencies of large land owners remained very similar to Smith's. James Mill, 'Aristocracy', *The London Review*, 1836, 283–306 (pp. 283–86). See Stewart's open reference to Smith as he criticizes the evils of property accumulation, entail and primogeniture. Stewart, 'Lectures on Political Economy', p. 152.

or not they are directly his) highlight his role as a transmitter of an alternative interpretation of Smithian political thought into the nineteenth century.

Note on the text

The 'Letters of Crito', the 'Letters of Sidney' and the 'Treatise' were originally published as individual letters to the editor in the *Scots Chronicle* between May 1796 and November 1796. Later the same year, the texts were republished in full: the 'Letters of Crito' appeared in two successive Edinburgh editions as well as one London edition; here the text used is that of the first Edinburgh edition. The 'Letters of Sidney' and the 'Treatise' were published together in a single Edinburgh edition, also reprinted here.

Apart from added prefaces by the authors (and editor in the case of Crito), there are no notable differences between the letters originally published in the *Scots Chronicle*, and the later 1796 editions.

Printer's errors have been silently corrected.