Tourism and the Development of the Modern British Passport, 1814–1858

Martin Anderson

> Happily and wisely, we required no passports . . . but in all continental states a different system prevailed.[1]

Today tourism is one of the world's largest industries, the economic benefits of which depend on the relatively free movement of millions of people. For tourists traveling to foreign countries, the document most closely associated with entering tourism's world of free movement is the passport. However, before they enter this free world, the governments through which boundaries the tourists will pass nearly always require them to submit to identity verification and security searches justified on various grounds such as crime, war on terror, health, and agricultural protection. By and large tourists endure such processes without much protest. Nevertheless, in order to protect the economic rewards they reap from tourism, most governments endeavor to make the checks the least onerous possible so as not to provoke the ire of tourists. Where security concerns diminish, some governments, such as the European Union, move in the direction of eliminating passports altogether as a requirement for travel. Behind such impulses is perhaps a humanist notion that, in an ideal world, humans would be able to travel as freely as they wished. A delicate balance exists between the demands of tourism and government actions to control movement, which may be seen as a bargain between tourists who agree to submit to nominal control checks and governments who otherwise agree to permit relatively free travel. This bargain is not of recent origin; its terms were broadly worked out in the nineteenth century in a struggle over the meaning of the British passport.

The history of the modern British passport begins with the expansion of foreign

Martin Anderson is assistant professor of history and director of graduate humanities at Dominican University in San Rafael, California. Peter Stansky and Paul Seaver are to be acknowledged for their support of this research, and Peter Stansky is to be thanked for his valuable comments on earlier drafts of the article.

[1] *Hansard's Parliamentary Debates*, 3rd ser., vol. 111, 14 May to 17 June 1850, 400.

Journal of British Studies 49 (April 2010): 258–282
 0021-9371/2010/4902-0008$10.00

travel for pleasure among Britons after the end of the Napoleonic Wars in 1814, though few Britons actually traveled on a British passport until the 1850s. Used mainly as a diplomatic document from 1814 through the 1840s, the British passport was transformed during the 1850s into a travel document of national identity issued to an individual, securing for the bearer a right to travel. Prior to the 1850s, British and European passports were not individual documents per se. While issued to a single individual, one passport might extend to several people, such as family members, servants, and even friends traveling in a single group. In addition, passports were not national documents so much as permission-to-travel documents.[2] As a result, most Continental governments issued passports to nonnationals. The transformation of passports from generic documents, as they were around 1814, to documents of individual national identity, as they were by the end of the 1850s, resulted from conflict between Britons traveling to the Continent, who expected to be allowed to travel nearly anywhere without significant hindrance, and Continental governments, who saw the passport as a means of controlling their subjects through greater identification, including national origin.[3]

The growth of tourism from Britain to the Continent between 1814 and the 1840s led to a struggle over the meaning of a passport. Continental governments saw the passport as a form of personal identification to aid in their efforts to extract obligations such as taxes and military service. Purported national origin eventually became the basis upon which Continental governments identified the individuals from whom they were entitled to demand such obligations. Controlling movement in order to prevent people from fleeing these obligations became a goal of most Continental governments in the first half of the nineteenth century.[4] Controls on travel were also seen as a means of preventing the spread of subversive ideas. Tourism, which sought to maximize travel, ran contrary to those efforts and produced the identity of the temporary, innocuous traveler, a threat to no one. Tourist identity did not supplant other identities individuals held but was a kind of auxiliary identity assumed only during the period one was traveling. Tourists saw the passport as a document intended to identify tourists as safe travelers and to free tourists from controls on their travel. In pursuit of their goals, Continental governments between 1814 and 1850 sought to include more identifying information in passports: national attribution, physical description, the bearer's signature, and travel destination. The British passport contained no such information, and Continental governments eventually began to request that the British government change its passport procedures.

The reform of the British passport in the 1850s was not an overt clash of political philosophies, but rather it reconciled the desires of tourists and the demands of the Continental governments. The significant increase of tourism between 1814 and the 1840s was largely unrecognized by both the British and Continental governments, but when tourism had established itself as a powerful economic force, few

[2] Andreas Fahrmeir, "Government and Forgers: Passports in Nineteenth Century Europe," in *Documenting Individual Identity: The Development of State Practices in the Modern World*, ed. Jane Caplan and John Torpey (Princeton, NJ, 2001), 220.

[3] John Torpey, *The Invention of the Passport* (Cambridge, 2000), 6–7. Torpey characterizes this as an effort by modern states to "embrace their citizens."

[4] Ibid.; and John Torpey, "Coming and Going: On the State Monopolization of the Legitimate 'Means of Movement,'" *Sociological Theory* 16, no. 3 (November 1998): 240.

governments could reject its demands for the right to free travel.[5] As an economic activity, tourism has several reinforcing structures, each profitable but mutually dependent. Travelers require lodging, food, and transportation. Sights to observe must be created and maintained. Guidebooks are required to lay out routes and to describe sights to see. Encouraging travel supports a travel-writing industry. Once local and national governments recognize the economic benefits of tourism, they can produce infusions of revenue by sponsoring special events, such as world fairs and exhibitions.[6]

It was British tourists themselves, traveling on foreign passports, who fought out the meaning of a passport with the Continental governments and carved out their right of travel. Finally forced to take up reform of its passport in the 1850s, the British government cast the reformed British passport as the symbol of the right to free travel, at least for Britons, as opposed to the symbol of the passport as a document of government oppression and control as prevailed on the Continent. Nevertheless, the British passport became a document of national identity as a concession to Continental governments. Tourists accepted reorganization of passports as national identity documents as long as they received free travel. The British government was able to disguise the fact that it yielded to the demands of Continental governments because the reformed British passport identified Britons as having freedoms, including the right to free travel, not held by the subjects of other states. This transition fit easily with a notion of Britishness opposed to a despotic Continental Other already inscribed into British identity by the 1840s.[7]

The overall result of this forty-year struggle was the formation of a tourist identity that tended to promote a form of unity throughout Europe that operated alongside other emerging forms of identity that promoted divisions and confrontation. In a curious way, tourists were aided by the very Continental governments against whom they struggled. If reactionary against political threats, the Continental governments were often tolerant of cultural developments.[8] In addition, Continental governments would not have considered denying their aristocratic members the right to travel. Continental governments were after subversives, not tourists, and so acknowledged a safe traveler identity. Although tourism produces an observed "Other," the long-term consequence of tourist activity is to produce a shared consumer activity that dampens antagonistic identities, where imagined national and ethnic characteristics and differences become mere costumes donned briefly for the wonder and amusement of tourists and then are cast aside until the next performance. Just as becoming British did not entirely supplant other identities, becoming a tourist likewise does not require giving up one's national identity.[9] The identity of the harmless tourist traveler, fashioned by the end of the 1850s with the passport as its badge, facilitated the growth of mass tourism in the latter half of the nineteenth century and survived the world wars of the first

[5] I use tourism as a historical phenomenon in the same sense that E. P. Thompson described class, something "unifying a number of disparate and seemingly unconnected events, both raw material of experience and in consciousness" (E. P. Thompson, *The Making of the English Working Class* [New York, 1966], 9).

[6] The Great Exhibition of 1851 is an example; it was quickly copied by Napoleon III with the Paris Exhibition of 1855.

[7] Linda Colley, *Britons: Forging the Nation, 1707–1837* (London, 1992), 6.

[8] Michael Rapport, *Nineteenth Century Europe* (New York, 2005), 60.

[9] Colley, *Britons*, 6.

half of the twentieth century to emerge in post–World War II Europe as perhaps one of the most recognizable forms of cooperative global activity.

The story of the early development of this tourist identity is not told in political works, political movements, public calls for action, or the speeches of politicians. There were no intellectuals or politicians promoting tourism. Consequently, reconstruction of the development of British tourism in the early nineteenth century comes from guidebooks published for tourists; their travel accounts, published and unpublished; and their constant stream of correspondence to the Foreign Office about obtaining a passport, the value of the British passport, and problems encountered while traveling. Not until the 1850s did the crescendo of the struggle between British tourists and Continental governments reach a level that compelled Parliament to take notice.

Travel in Europe emerged from the Grand Tour of the eighteenth century, which was ended by the French Revolutionary and Napoleonic Wars, to early tourism from 1815 through the 1850s, to the development of mass industrial tourism by entrepreneurs such as Thomas Cook from the 1860s to World War I, with a brief recovery in the interwar period, followed by the mass global tourism that has developed since the end of World War II.[10] The development of British tourism's firm hold on the Continent in the years immediately following the end of Napoleon's empire in 1815 is a story that still awaits full explanation. But this article will focus on tourism's impact during this period on the passport, the document most closely associated with modern tourism.[11]

Surprisingly, the history of the passport in the nineteenth century has scarcely been undertaken.[12] Nearly all significant work on nineteenth-century passports dates from the late 1990s and early 2000s and has been produced by John Torpey

[10] Historians who have written on aspects of this are Jeremy Black, *The British and the Grand Tour* (London, 1985), substantially revised as *The British Abroad: The Grand Tour in the Eighteenth Century* (New York, 1992); John Pemble, *The Mediterranean Passion: Victorians and Edwardians in the South* (Oxford, 1987), and *Venice Rediscovered* (Oxford, 1995); Ian Ousby, *The Englishman's England: Taste, Travel and the Rise of Tourism* (Cambridge, 1990); Maura O'Connor, *The Romance of Italy and the English Political Imagination* (New York, 1998); and Robin Jarvis, *Romantic Writing and Pedestrian Travel* (New York, 1997). Most of these works have appeared since 1991, when Eric Leed urged fellow historians to consider that travel "was a central rather than a peripheral force in historical transformations." See Leed, *The Mind of the Traveler* (New York, 1991), 4–5, 18; John Towner and Geoffrey Wall, "History and Tourism," *Annals of Tourism Research* 18 (1991): 1, 73. There is a vast literature on tourism in the fields of anthropology and sociology. Some noted works are Dean MacCannell, *The Tourist: A New Theory of the Leisure Class* (New York, 1976); Dennison Nash, *Anthropology of Tourism* (New York, 1996); John Urry, *The Tourist Gaze* (London, 1990); and John Urry and Chris Rojek, *Touring Cultures* (London, 1997).

[11] Stuart Semmel, "Reading the Tangible Past: British Tourism, Collecting, and Memory after Waterloo," *Representations*, special issue, no. 69 (Winter 2000): 10. Semmel provides part of the story by explaining attempts to sustain the memory of Waterloo through the site of the battlefield as tangible evidence of the past.

[12] Leo Lucassen, "A Many-Headed Monster: The Evolution of the Passport System in the Netherlands and Germany in the Long Nineteenth Century," in Caplan and Torpey, *Documenting Individual Identity,* 235. Martin Lloyd's *The Passport: The History of Man's Most Travelled Document* (Phoenix Mill, 2003) is a very readable, brief, general history of passports.

and a group of sociologists working on the issue of the growth of state power.[13] Torpey is primarily interested in the features of the modern state, and his work focuses on Continental states, both revolutionary and absolutist, such as the French Revolutionary governments, the French Restoration government, and the Austrian and Russian governments.[14] Torpey argues that Continental governments in the post-Napoleonic period used the passport as a document to control their subjects and as a means of seeking to monopolize movement in general.[15] However, the British government made no such effort. From 1814 through the 1840s, the British passport was primarily a diplomatic document. Passports were not required for internal travel or for Britons to enter or leave Britain. Although a British passport existed as early as 1710, the Foreign Office did not keep a permanent record of passports issued until 1795.[16] Between 1795 and 1814, on average, only two to three hundred British passports were issued annually, mainly to diplomats and military personnel, who received them gratis.[17]

In 1814 the Foreign Office passport was printed in French on a large single sheet of quality paper.[18] Passports were issued under the name of the current foreign secretary, and a new numerical series was started when a new foreign secretary came into office. The passport provided the name of the bearer but did not describe the bearer or have a space for the bearer's signature. More than one person could be covered by a single passport. Reflecting the aristocratic notion of deference to persons with social status, servants and family members (often described only as such) were usually included on the passport of a single (generally adult male) individual. While the date the passport was issued was given, no time limit was stated. Passports did not indicate whether the bearer was a British subject.

Passports were granted by the Foreign Office only to "persons known to the Secretary of State or recommended to him by some person of known respectability."[19] This narrow definition of respectability in effect limited British passports to the aristocracy and the small number of upper gentry who had worked their way up the social order to some level of recognition and reflected the eighteenth-century view that deference was due to persons of higher rank. In this respect, the British passport was not so much a travel document as a document identifying the bearer as one entitled to deference. The Foreign Office maintained that these criteria, or "precautions" as they referred to them, insured that passports would be issued only to respectable persons so that no abuses could occur.[20] The fee for a British passport was a prohibitive £2.7.6., including a 5 shillings stamp tax imposed since 1797. As a result, except for those in government service, who

[13] There is a significant body of work on passports since the 1919 international treaty regarding them following World War I; most of it relates to their legal features and international relations. A good example is Mark Satter, *The Passport in International Relations* (Boulder, CO, 2003). For the impact of World War I on passports, see John Torpey, "The Great War and the Birth of the Modern Passport System," in Caplan and Torpey, *Documenting Individual Identity*, 256–70.

[14] Torpey, *Invention of the Passport;* Caplan and Torpey, *Documenting Individual Identity.*

[15] Torpey, *Invention of the Passport*, and "Coming and Going," 240.

[16] Memo to Palmerston from Conyngham, 20 March 1851, The National Archives (TNA): Public Record Office (PRO), Foreign Office (FO) 612/8.

[17] Passport Register, 26 June 1795 to 16 September 1822, TNA: PRO, FO 610/1.

[18] Foreign Office passports were printed in French until 1851.

[19] Memo from chief clerk, 22 July 1831, TNA: PRO, FO 612/3.

[20] Memo from chief clerk to Palmerston, 17 May 1831, TNA: PRO, FO 612/3.

received passports gratis, only aristocrats and upper gentry could afford one. From 1814 into the 1840s, the Foreign Office made no significant effort to alter its passport rules or to change the fee. The British passport remained primarily a diplomatic document or a convenience for the aristocracy when they traveled abroad. Even if the British passport could be seen as a document of surveillance and control, it was not often felt to be so.

Exhausted by nearly twenty-five years of constant warfare in 1815, Europe stood ready to reorganize for peaceful existence. At the Congress of Vienna, the victorious rulers, determined to prevent any further revolution, sought to anchor that peace by reinforcing monarchies and religion, those social and political structures of the eighteenth century they most esteemed.[21] In order to enforce social order, many Continental governments began to expand and consolidate the fragmentary passport regulations they had inherited from the eighteenth century. Controlling the movement of their subjects and foreigners was seen as a means of preventing social disorder.[22] However, in the years immediately following 1815, the British government did not attempt to control movement within, into, or out of Britain and, therefore, did not make any significant alteration of its rudimentary eighteenth-century passport rules. Under those rules, British passports had been used primarily as diplomatic documents for members of the British government on official business or for traveling aristocrats, so they were rarely issued.

Neverthless, the number of passports increased in peacetime. In 1802, the year of the Peace of Amiens, 1,673 passports were issued; in 1814, 985 were issued, 865 after Napoleon's abdication in April.[23] British travelers took advantage of peace to go abroad, mainly to see Paris, which had been closed to British tourists in each case for a decade. In 1815, 690 passports were issued, reflecting Napoleon's convenient defeat at Waterloo at the beginning of the tourist season in June 1815 after his 100-day adventure and a general consensus that the period of warfare stretching back to 1792 was over. As a result, between 1815 and 1830, the number of passports issued per year averaged around five hundred, of which between one-third and one-half were issued for official business.[24]

Between 1793 and 1814, Britons had become great travelers for pleasure within Britain.[25] Although conditions in Britain in 1814 may be characterized as "free travel," most Continental states did not allow free internal or external travel and had passport systems designed to control the movement of their subjects.[26] Passport regulations allowed the police to watch over resident populations as well as strangers and foreigners. In France, foreign travelers were required to present their passport to local authorities.[27] The potential consequences of not having a passport were arrest or being turned back.[28]

[21] Rapport, *Nineteenth Century Europe*, 55.

[22] Torpey, *Invention of the Passport*, 6–7.

[23] Passport Register, 26 June 1795 to 16 September 1822, TNA: PRO, FO 610/1.

[24] Passport Register, 21 September 1822 to 3 September 1841, TNA: PRO, FO 610/1 and FO 610/2.

[25] See, generally, Ousby, *The Englishman's England*.

[26] Torpey, *Invention of the Passport*, 4–7.

[27] Printed form entitled "Regulations Required by the French Government to be Observed by Foreigners in France," n.d., TNA: PRO, FO 612/4.

[28] *Ordonnance Concernant Les Etrangers à la ville de Paris, 19 Novembre 1831, Article IX*, box D B/302, Archive de la Préfecture de Police, Paris.

In the years immediately following 1815, however, a form of "free travel" existed on the Continent because passport regulations were unevenly enforced.[29] There was some reticence to demand paperwork from British travelers since Europe was fragmented with several newly organized states, many beholden to the British. Initially French regulation was lax as northern France was occupied by British troops until 1818. A traveler never confronted with a demand to produce a passport could travel without one. Not used to passports at home, it was not unusual for British tourists not to think of obtaining one before leaving Britain for the Continent. Of the thousands of British tourists who visited the Continent in the decades after 1814, few had a British passport. Travel books and journals of journeys taken to the continent in 1814 often record difficulties encountered when a British tourist was challenged to produce a passport. One traveler to the Netherlands wrote, "I found great difficulty in getting permission to proceed further, having in my haste forgotten to procure a passport in London."[30]

Britons soon learned they could avoid problems by obtaining passports from the foreign embassies in London. Knowledgeable travelers such as Henry Wansey, who visited Paris in June 1814, obtained a French passport: "The commissioner of the Police presently appeared, and demanded our passports. These we had procured in London of the Comte de la Chartre, without any other expence than a fee of three shillings to his clerk for the two."[31] The vast majority of Britons traveled on foreign passports. A survey conducted by the Foreign Office in 1850 showed that, in 1847, 10,168 passports were issued to Britons by the French ambassador.[32] The number of British passports issued in 1847 was 785.[33]

The limited number of British passports issued did convey to their holders a sense of superior social status, more than just permission to travel. Richard Boyle Bernard, a member of Parliament, obtained a British passport before traveling to the continent in July 1814. Upon arriving at his hotel in Paris, he wrote: "I found the people of the house very civil and attentive, and produced my passport from the Secretary of State's Office, signed by Lord Castlereagh, to satisfy them that I was no avanturier, a very numerous class here."[34] Bernard accepted the idea that a British passport established respectability and superior social status, all that was required to travel freely. Production of his passport distinguished him from lower-class people with suspect motives for traveling. However, in order to leave Paris and travel to Switzerland, he was required to obtain a counter-signature from the French foreign secretary: "I therefore attended at the office for foreign affairs, and obtained the signature of the Prince of Benevento in addition to the signature of our own distinguished minister, Lord Castlereagh. . . . These affairs being arranged, so as to permit my passing without molestation through the interior of

[29] Ibid.

[30] George Wilson Bridges, a member of the University of Oxford, *Alpine Sketches comprised in a Short Tour through parts of Holland, Flanders, France, Savoy, Switzerland, and Germany during the Summer of 1814.* (London, 1814), 3.

[31] Henry Wansey, *A Visit to Paris in June 1814* (London, 1814), 7 and n*.

[32] French ambassador to Palmerston, 17 September 1850, TNA: PRO, FO 612/6.

[33] Passport Register, 4 September 1841 to 18 July 1850, TNA: PRO, FO 610/3.

[34] Richard Boyle Bernard, *A Tour through some parts of France, Switzerland, Savoy, Germany and Belgium during the summer and autumn of 1814* (London, 1815), 23.

France."[35] The counter-signature Bernard obtained was in the nature of a visa. He did not perceive that his British passport was superfluous, as a French passport obtained in London would have obviated the need for a counter-signature.

Bernard's experiences in Switzerland and Germany show the confusion caused by the influx of travelers to the various new states of Europe. At Berne, Bernard's passport was demanded, "but more in compliance with old regulations, than from any mistrust of us," and nothing came of one of his party having forgotten his passport.[36] Of Geneva he wrote: "Their present government is not absolutely arranged." There he was given permission to reside in exchange for surrendering his passport, which was the procedure in many cities.[37] Traveling through Germany produced passport exhaustion as the numerous states required production of passports every few miles.[38]

Authors of popular guidebooks advised travelers not to bother with a British passport. Louis Tronchet's 1814 *Picture of Paris* provided the following guidance: "London passports are not necessary. This information may be relied on, notwithstanding all the various reports to the contrary."[39] Mariana Starke, who authored the first guidebooks published by John Murray, wrote in her first postwar guide: "Travellers who go from London to Paris, usually apply for passports to the French Minister. . . . These passports are obtained without any expense, except a trifling gratuity to the minister's servant."[40] The source of Starke's information was the French government's *État général des postes*. This book was so popular in Britain that in 1816 Samuel Leigh published an English translation entitled *The Post-Roads in France*. The book confirmed that an ordinance of the king, issued in May 1814, had reaffirmed older passport regulations, which required travelers to produce passports to post-masters.[41] In 1815, Edward Mangin traveled by public diligence from Dieppe to Paris, where it was discovered that he did not have a passport. He was required to procure one in order to stay. He accurately perceived this to be part of an internal police system: "These vexations of strangers &c are to be attributed to the prevailing excellent system of police in this country."[42]

James Simpson traveled to Waterloo and Paris in 1815 with a Foreign Office passport and managed to avoid any difficulty until he attempted to leave the country. At Rouen, the police discovered that "my passport was not countersigned by Talleyrand or the British Ambassador."[43] The French government required British passports to be counter-signed before granting permission to leave the country, and Simpson was detained. Without a counter-signature, Simpson had no proof he was entitled to leave France. He took advantage of the British troops occupying France to borrow a uniform and left disguised as an officer.

[35] Bernard, *Tour through France, Switzerland*, 85–86.
[36] Ibid., 155.
[37] Ibid., 175 and 177.
[38] Ibid., 253.
[39] Louis Tronchet, *Picture of Paris being a Complete Guide to all the Public Buildings, Places of Amusement, and Curiosities in that Metropolis* (London, 1814), v.
[40] Mariana Starke, *Letters from Italy*, 2nd ed. (London, 1815), 379.
[41] *The Post-Roads in France* (London, 1816).
[42] Journal of Edward Mangin, Bodleian Library, Oxford, MS. Eng. Misc. e.608, 101.
[43] James Simpson, *Paris after Waterloo, Notes taken at the Time and hitherto unpublished, including a revised edition—the tenth—of a Visit to Flanders and the Field* (Edinburgh, 1853), 273.

As they reestablished themselves after Napoleon's final defeat in 1815, the monarchies and states of Europe were determined to prevent new outbreaks of revolution. Austria, Prussia, Spain, and France, as well as smaller states, such as the Netherlands, the Swiss Cantons, members of the German Confederation, Portugal, the Kingdom of Sardinia, and the Kingdom of Two Sicilies, all had to face questions about their security. Many fell back on an internal passport system as a means of policing their suspect subjects. Consequently, beginning in 1816, British tourists had to work their way through a labyrinth of enforced passport regulations. They responded by increasing their claims of exemption from annoyance by identifying themselves as tourists: harmless travelers entitled to hospitable treatment. A passport became the document that identified them as such.

In 1816, France began to enforce regulations requiring the registration of lodgers at hotels and inns.[44] Mayors in rural communes were instructed to ensure that innkeepers kept a register of all guests, native or foreign.[45] The purpose of the register was to allow the police to keep track of the movement of strangers, and sample registers were provided by the government. Similar laws were enforced throughout Europe, and thousands of Britons left their names in such registers in the coming decades. John Scott recorded of his stay at Bruges: "When supping at the hotel here, our host came in with a book, in which he is compelled to enter, every day, the name, age, profession, and domicile, also the place coming from, and the place going to, of each of his guests. The list is sent every twenty-four hours to the police. I found it full of recorded particulars of a host of my countryfolks, of each sex, and every age, profession, residence, and condition, all on the swarm for Brussels."[46]

In 1816, Percy and Mary Shelley, who were traveling to Geneva to visit Byron, were surprised to find strict passport enforcement, which they had not encountered during their trip in 1814. They had neglected to obtain passports, and in Paris they "were detained two days for the purpose of obtaining the various signatures necessary to our passports, the French government having become much more circumspect since the escape of Lavalette."[47] Such incidents reinforced Louis XVIII's fears regarding the instability of his regime and led him to more vigorously enforce passport controls. Despite their experience in Paris, the Shelleys found that passport regulations were not uniformly enforced. Having traveled from Paris to Dijon through Poligny, intending to go to Geneva, they discovered "our passport, however, was for Gex and we were told that we could not change its des-

[44] *Instruction pour l'exécution de l'Ordonnance relative aux personnes logées en garni dans les Communes rurales,* 21 Mai 1816, box D B/302, Archive de la Préfecture de Police, Paris.

[45] Ibid.

[46] John Scott, *Paris Revisited in 1815 by way of Brussels* (London, 1816), 39. See also John Pye-Smith, "Journal of a Tour on the Continent, Vol. 1," Bodleian Library, Oxford, MS. Eng. Misc. e.1376–6, 18–19.

[47] Mary Shelley, *History of a Six Weeks Tour* (1817; Oxford, 1989), 85. The incident to which Shelley referred was the dramatic escape of Count Lavalette, who had been postmaster-general to Napoleon but retained his position after his abdication in 1814. He assisted in Napoleon's return and was then convicted of treason and sentenced to death in 1815. In January 1816, while she visited him in prison, Lavalette's wife exchanged clothes with him, and he escaped from France with the aid of a British officer who provided him with a false passport. See *Memoirs of Count Lavalette Adjutant and Private Secretary to Napoleon and Postmaster-General under the Empire* (London, 1894).

tination; but all these police laws, so severe in themselves, are to be softened by bribery, and this difficulty was at length overcome."[48]

A more ordinary British traveler was Dr. John Pye-Smith, who traveled to the continent in 1816 on a French passport obtained from the French ambassador in London. At Calais he experienced a cursory passport examination: "An officer of government demands our passports; but, both in this matter & in the examination of our packages at the Custom House (la Douane), we experienced nothing rude or uncivil."[49] Like most tourists, he accepted perfunctory intrusion over passports, but as he traveled on he became annoyed "waiting at this office to have our passports examined, a process which we have to undergo at our entrance into every town."[50]

Pye-Smith recognized that the system could never be as encompassing as the government sought, and on one occasion he noted with amusement that a passport examiner whose duty was to judge the genuineness of passports appeared not to be able to read.[51] He also recognized that strict enforcement of passport regulations would be resisted in a world open for travel:

> If the law of passports were executed in all its strictness, it would be a sure method of fostering dissatisfaction in the people & apprehension in the government: it, would be exceedingly troublesome & difficult for the officers to execute it & it would be intolerable to the people that neither natives nor foreigners could take a journey even to the next town without such useless loss of time & parade of formalities. The leniency, therefore, with which the law appears to be at present executed, grows out of the almost necessary circumstances of society; and the government will act a wise part by indulging & even promoting it & eventually abolishing the regulations altogether.[52]

While Pye-Smith underestimated the efforts of the shaky aristocratic states of Europe to control their subjects, he made a claim that civil society should not tolerate more than nominal restrictions on travelers by invoking "society" in opposition to arbitrary harassment of travelers. By noting that intrusions would interdict foreign travel, he forecast that civil governments would have to make exceptions for tourists. Thus, the early nineteenth-century British tourists strove for a bargain. In return for the right to travel, they would behave apolitically if they were civilly treated and exempted from all but nominal verification of their identity. Pye-Smith's vision of a formally recognized right to relatively unrestricted travel lay in the future, but loose enforcement of regulations pertaining to travel early in the century produced an illusion of "free travel" because of the deference extended to tourists.

In Britain, the passport system that existed in 1814 remained more or less in place through the 1840s. The British government remained uninvolved with the growing tourist phenomenon. As long as passports could be obtained by Britons from foreign ambassadors in London, there was no reason for the British government to reform its passport system. Later guidebooks continued to advise

[48] Shelley, *Six Weeks Tour*, 92.
[49] Pye-Smith, "Journal, vol. 1," 3.
[50] Ibid., 15.
[51] Ibid., 16–17.
[52] Ibid., 18.

against a British passport. *The Traveller's Oracle*, published in 1827, observed: "Before the traveller sets out, it is indispensable for him to procure a passport, which is to be obtained (gratis) by applying at the house of the French Ambassador. . . . It is perfectly unnecessary to apply at the Foreign Office."[53]

In November 1830, Lord Palmerston began his first term as foreign secretary, a position he would hold for sixteen of the next twenty-one years, until he last resigned from the Foreign Office in December 1851. Palmerston thus represented the British government regarding passport issues for a significant period. As such, Palmerston might have developed a deliberate policy about passports and travel. However, his involvement in these issues as foreign secretary was largely reactive, and his positions were mainly pragmatic and reflective of an aristocratic view of an elite acting to protect and manage the people.[54] In 1831, during his first term as foreign secretary, Palmerston recognized that there was a large disparity between the number of Britons traveling abroad and the number of British passports issued. He discovered that the difference was accounted for by the fact that most Britons traveled on foreign passports. Reflecting a kind of protonationalism, Palmerston thought that Britons might prefer a British passport, but his involvement in this then-minor aspect of the Foreign Office's business so early in his tenure resulted from restlessness and energy intruding into the activities of every crevice of the department rather than a considered philosophy. In May 1831, he ordered an investigation into whether a fee reduction from £2.7.6. might increase passport applications.[55] He was informed that passports were issued without charge to public officials and that, since the French ambassador issued passports to ordinary Britons gratis, a small reduction in the cost of the British passport was unlikely to produce greater demand for them.[56] In reference to the origin of the passport fee, he was advised that:

> The Secretary of State's fee of £2.2.6 has existed from the date of the earliest records in the office. It constituted formerly the principal emolument of the Secretary of State & those under him. . . . It was not thought necessary to hold out any new facilities from Englishmen going abroad; & there was probably some desire to spare to the office the increased labour of granting so many passports & the increased responsibility in consequence of the precautions which are necessary to guard against their being granted to improper persons—by whom British passports which now enjoy a high degree of consideration might be frequently misused abroad.[57]

The 1797 5 shillings stamp tax still applied, so the total fee remained £2.7.6. There were no written regulations regarding the conditions upon which passports were issued, and the chief clerk reported that passports were issued only to persons personally known to the secretary of state or recommended by some person "of known respectability."[58]

[53] William Kitchiner, M.D., *The Traveller's Oracle* (London, 1827), 193.

[54] For a recent assessment of Palmerston's character, see Paul Ziegler, *Palmerston* (New York, 2003). Ziegler concludes that "Palmerston was not a deeply thoughtful intellectual with a profound vision of the future," 131. See Peter Mandler, *Aristocratic Government in the Age of Reform* (Oxford, 1990), 19–21, on aristocratic trusteeship in the early nineteenth century.

[55] Memo from Palmerston to chief clerk, 16 May 1831, TNA: PRO, FO 612/3.

[56] Memo from chief clerk to Palmerston, 17 May 1831, TNA: PRO, FO 612/3.

[57] Ibid.

[58] Memo by chief clerk, 22 July 1831, TNA: PRO, FO 612/3.

By 1830, remuneration of Foreign Office employees by fees had been abolished, and the passport fees were put into a fund for expenses of the department. When Palmerston suggested a reduction in the fee to 10 shillings, the clerk pointed out that, given that French passports were free, the only result would be to lessen the fund, which raised only about £500 annually in any event. Further, the 5 shillings stamp tax could not be reduced without an act of Parliament. Faced with such difficulties, Palmerston abandoned the idea of a reduced fee. Early reform of the passport may have been nipped in the bud by Palmerston's tendency to overwork his staff.[59] The clerk's reference to "the increased labour" if more passport applications were generated may have been more than bureaucratic lethargy but resistance to extra work not justified by any real policy consideration.

Early on, Palmerston also confronted a Continental demand for more identifying information in British passports. In 1835 the newly formed Belgian government requested that identifying details be added to British passports. Palmerston expressed indignation against the "passport system," claiming it was "repugnant to English usages."[60] While he forced withdrawal of the demand by pointing out the loss of tourist trade to the Belgians, given the limited number of people qualified to receive a Foreign Office passport, Palmerston was likely more concerned with the affront to British elites than to the ordinary British traveler.[61] The incident also probably afforded Palmerston a chance to stand down the government of a new country, rather than to facilitate free travel for ordinary Britons.

There continued to be some demand for British passports because of the belief that they afforded "special protection." The impressive official wording of the passport certainly suggested protection from the government: "We [blank for name of British Secretary of State for Foreign Affairs] . . . request and require in the Name of Her Majesty, all those whom it may concern to allow [blank for name] to pass freely without let or hindrance, and to afford [blank for pronoun him/her] every assistance and protection of which [blank for pronoun he/she] may stand in need."[62] This is powerful language suggesting preexisting arrangements or understandings. In fact, the passport did not guarantee any special protection, especially to individuals without personal social status. The Foreign Office presented two faces on the point, one claiming protection when it wanted to promote itself and one denying protection when confronted with an actual demand for action. In 1827, a Mrs. Whitfield, who intended to travel to Buenos Aires with her daughter, inquired about the protection afforded by her passport as she was concerned about the state of war between Buenos Aires and Brazil. The Foreign Office advised: "Passports from this office are merely certificates of the respectability of the Bearers as British subjects, and are by no means intended to secure any peculiar privileges to the possessors either in case of blockade or in any other extraordinary circumstance."[63] The Foreign Office's description of the passport as a mere certificate of respectability was a direct denial that the document committed the British govern-

[59] Jasper Ridley, *Lord Palmerston* (London, 1970), 108.

[60] Ibid., 362. See also Derek Taylor, *Don Pacifico: The Acceptable Face of Gunboat Diplomacy* (London, 2008), 132.

[61] Ridley, *Lord Palmerston*, 362.

[62] There are many examples of this language on passports. This is from one issued to Alfred Credson on 17 May 1852, TNA: PRO, FO 655/3.

[63] Planta memo, 19 January 1827, TNA: PRO, FO 612/2.

ment to any form of protection for British travelers. It was assumed that the holder's "respectability" would secure fair treatment from foreigners.

However, when it was in its interest, the Foreign Office maintained that its passport conferred special protection. On 17 April 1840, Christopher Peters, who had gone to Russia on a business trip, wrote to the Foreign Office requesting a refund of the fee he paid for a British passport because he learned he could have obtained a Russian passport from the Russian consul in London for 6 shillings. His employer had deducted the difference from his salary.[64] Palmerston denied his request because "a special exception cannot be made in favour of any private individual who may prefer the protection of a Passport from his own government to one from a Foreign Authority."[65] The Foreign Office implied that its passport provided extra protection not afforded by foreign passports, though exactly what that preferred "protection" was went unstated.

In 1846, the Foreign Office limited its use of the term "protection" to that which might be offered by "friendly governments" so as not to commit itself to any specific intervention. During the war between the United States and Mexico, in reply to an inquiry regarding protection against Mexican ships with Letters of Marque to seize American ships, Under-Secretary Henry Unwin Addington wrote: "Passports granted by the Secretary of State are merely Certificates of respectability of the Bearers of them as British subjects, and as such entitled to protection from the Authorities of all friendly countries: but they are by no means intended to secure any peculiar privileges to the possessors in the case of their being captured at Sea on board enemy's ships, or of finding themselves otherwise compromised by any Extraordinary circumstances whatsoever."[66] Although Britain was not at war with either Mexico or the United States, the Foreign Office was unwilling to commit to protecting any British traveler caught up in the conflict. The Foreign Office's equivocation regarding the level of intervention possession of a passport committed the government to provide on behalf of an individual traveler represents its recognition of the quandary the question presents. On the one hand, the Foreign Office did not wish to suggest its passport was worthless; on the other hand, it recognized it really could not commit itself to certain types of aid before the fact for political reasons and likely in recognition that it would lack the power to enforce certain promises in any event.

From 1814 through the 1840s, the Foreign Office's detachment from the concerns of ordinary travelers left this problem to be resolved between British tourists and the Continental governments, but by the mid-1840s, tourists' notions of "free travel" contradicted the efforts by Continental governments to control movement. The solution was to recognize tourists as a group generally excepted from stringent restrictions on their movements. Aristocratic or notable individuals had been entitled to privileged treatment by reason of their personal status, but as more travelers came from the middle class, it became necessary to distinguish tourists from other travelers, particularly laborers and the economically disenfranchised. Tourists demanded privileged treatment and were unwilling to travel on sufferance like the poor. Paper identification, represented by the passport, provided a means of iden-

[64] Peters to Palmerston, 17 April 1840, TNA: PRO, FO 612/4.
[65] Foreign Office to Peters, 25 April 1840, TNA: PRO, FO 612/4.
[66] Draft of letter to be sent by Addington, 24 September 1846, TNA: PRO, FO 612/5.

tifying tourists. The aristocratic states of Europe maintained a facade of civilized behavior and were willing to extend to tourists the right to travel more or less freely once their harmless identity was established. This system worked when Britons traveled on passports obtained from foreign ambassadors who could verify their respectability. British travelers themselves did not object to a hodge-podge passport system if passports from France, Sardinia, Prussia, the Netherlands, and British consuls were readily obtainable.

The willingness of continental states to acknowledge special status for British tourists with Foreign Office passports was based on an assumption that Britain undertook some steps to vouch for their good behavior. Problems over British passports often arose from their use by individuals engaged in conspiracies against European monarchies, a practice made simple by Britain's lax passport procedures. In the 1840s, a British passport still did not describe the bearer or affirm that they were a British subject. The primary qualification remained that "they were known to the Secretary of State." European governments began to demand greater identification of holders of British passports, including identification of the bearer, the bearer's signature, time limitations, nationality of the bearer, and the names of all persons traveling on a single passport. From 1814 through the early 1840s, British passports provided none of this information, which Continental governments required to control their subjects. The Foreign Office was slow to respond to foreign demands to reform its passport into a national document issued only to British subjects. Through the 1840s, it used the shield of "respectability" to justify its passport procedures.

The narrow eligibility for a passport is evidenced by the case of Benjamin Stodart. On 19 April 1844, Stodart presented a letter of recommendation from the Provincial Bank of Ireland to the Foreign Office in support of his application for a passport.[67] Stodart's application was denied because "the signature of Mr. Marshall [the bank official] was not known at the Foreign Office."[68] They suggested he obtain a signature from a director of the bank. Stodart, incredulous at the denial, wrote back: "Are you so particular as all that? I think you might do it yourself, you are paid for it."[69] Stodart represented the new type of citizen; he had wealth and had visited the greater part of Europe but was unknown in aristocratic circles. The aristocratic nature of the Foreign Office did not serve such people well. Stodart expected perfunctory bureaucratic treatment of his application, having a more middle-class perception of how government should operate.

That the Foreign Office was out of step with developments in travel by the 1840s is reflected in guidebooks. Francis Coghlan's popular 1844 *Hand-book for Central Europe or Guide for Tourists through Belgium, Holland, the Rhine, Germany, Switzerland, and France* stated: "The first business previous to visiting the continent is to obtain permission, i.e., a passport from the ambassador or consul of the country you may wish to visit. . . . It is perfectly unnecessary to apply for a passport at the Foreign Office, unless indeed you labour under the vague impression that it will save you trouble, this is not the case, the people of the Foreign

[67] Letter from Provincial Bank of Ireland to foreign secretary, 19 April 1844, TNA: PRO, FO 612/5.
[68] Memo by clerk, 20 April 1844, TNA: PRO, FO 612/5.
[69] Memo by clerk to file, TNA: PRO, FO 612/5.

Office may tell you so, but it is a mistake."[70] Many Britons of lesser status and means traveled abroad by the 1840s, and Coghlan's criticism of the Foreign Office reflected dismay of such people over the fee for a British passport, coupled with disappointment that, despite a perhaps natural assumption to the contrary, a passport from their own government was of no value, though the Foreign Office continued to insist otherwise even though it was clearly not true. Coghlan saw the Foreign Office's attitude as patronizing, an increasingly unacceptable attitude for the government to take toward its citizens.

By the mid-1840s, it was clear that the British passport had several deficiencies. The document itself was in French, contained no description of the bearer, was not signed by the bearer, and had no time limit. Palmerston, in an effort to clarify the procedure for obtaining a Foreign Office passport, directed that "Regulations Respecting Passports" be published for the first time on 1 December 1846.[71] The thirteen points in the document covered several questions that had previously arisen and contained many concessions to the complaints of Continental governments, including stating the nationality of the bearer. Section 3 read: "Passports are granted only to British subjects, or to such foreigners as may have been naturalized by Act of Parliament or received Letters of Denization: in this latter case, the party will be described in the Passport as being either a naturalized British subject, or a denizen, as the case may be." Nevertheless, Palmerston's plan retained the aristocratic nature of eligibility for a British passport: "Passports are only granted to persons who are either known to the Secretary of State or recommended to him by some person who is known to him; or upon the written application of a Banking Firm established in London."[72] The qualifications included a slight expansion of the previous criteria for granting passports to include those who could obtain a recommendation from a London banker.

Limiting passports to British subjects was a concession to Continental governments who asserted national authority over their subjects. In the past, foreign nationals had obtained British passports and then returned to their native lands and claimed British citizenship in an attempt to evade state obligations such as conscription and taxes. Nationality became a bedeviling problem as naturalization and intermarriage between Britons and foreigners became more common. In exchange for the right to extract obligations, governments implied protection to their citizens. In theory, Britain would protect British citizens from the unlawful seizure of their persons or property by another state. However, to legitimize its own claims, the British government had to recognize the right of other states in the persons of their subjects and therefore cooperated in efforts to prevent the use of passports to provide false identities.

The Foreign Office completely denied protection if naturalized subjects were seized by authorities in their country of origin. Section 9 of Palmerston's proposed regulations provided: "A Passport does not afford any protection to a foreigner—

[70] Francis Coghlan, *Hand-book for Central Europe or Guide for Tourists through Belgium, Holland, the Rhine, Germany, Switzerland, and France* (London, 1844), x.

[71] Foreign Office, printed form entitled "Regulations respecting Passports," 1 December 1846, TNA: PRO, FO 612/5.

[72] Ibid.

being a naturalized British subject or denizen—against the laws of his native country." The Foreign Office conceded state political control over individuals by nationality.

As the fee and eligibility requirements remained unchanged under the 1846 regulations, most Britons still did not obtain British passports. This did not impede tourism, as foreign ambassadors in London continued to issue passports to British subjects, generally without charge. As to the degree to which the British government would actually act to protect British subjects abroad, the 1846 regulations disclaimed any protection. Section 8 stated: "A Passport is merely a certificate of the respectability of the bearer as a British subject, and entitled as such to the protection of all British Authorities abroad; but it is not to be considered as carrying with it any right or claim to any peculiar privileges whatever."[73] Abroad, travelers found that "protection of all British Authorities abroad" was often limited to shelter and nominal financial assistance from consuls. By no means was a passport a commitment by the government to intervene against foreign powers.

One continuing problem with British passports was the need for counter-signatures or visas. Sections 10, 11, and 12 of the 1846 regulations attempted to clarify the confusing situation on the Continent as to passports and visas:

10. The Austrian, Russian, and Neapolitan Missions in London will not grant Passports to British subjects; nor will the Austrian or Neapolitan Mission visa any Passports held by British subjects, except such as have been granted by the Foreign Office.
11. It is moreover required by the Russian and Neapolitan Missions, as an indispensable condition to their affixing their visa to a Passport, that the names of all the parties, members of the family as well as the servants, shall be inserted in the body of the Passport.
12. The Bavarian and Belgian Governments do not require that Foreign Office Passports should be *visa*'d by their Missions in London.[74]

Some governments did not require visas, while other governments, such as France and the Netherlands, continued to issue their own passports.

By the late 1840s, the growth of tourism led Parliament to investigate the possibility of reform of the Foreign Office passport. Initially it was thought that all that was needed was a reduction in the fee. On 27 May 1850, the House of Commons debated the passport fee but soon ranged into fundamental issues that brought into question the need to overhaul the entire passport system. Opening the debate, Viscount Mahon questioned whether "a system which was of old standing . . . was not susceptible of great improvement." He praised the wisdom of Britain's lack of passports: "Happily and wisely, we required no passports from our fellow-subjects travelling from one part of the kingdom to another, nor from foreigners who landed upon our shore; but in all continental States a different system prevailed. They required a passport from British subjects." He felt Britain could either refuse to take part in granting passports as "foreign to our habits" or "if we did grant them, let us do so under a proper and intelligible principle." He recognized that the Foreign Office fee was a barrier. "The result was that, of the thousands or tens of thousands of British subjects proceeding yearly to the

[73] Ibid.
[74] Ibid.

Continent, only an insignificant number obtained passports from the Foreign Office, being deterred by the expense."[75]

The radical MP John Arthur Roebuck decried passports entirely: "He wished to see the system abolished altogether, and that the English nation would set the example to the rest of Europe, by declaring she would grant no more passports. England should proclaim the non-necessity of them, and declare that every man who travelled did so under the safeguard of the law, and that wherever he went, as a subject of England, the power of the law protected him, so that he consequently required no passport. They were not necessary, for the rogue and the evil-designed could ever have one." Faced with the inevitability of passports, another MP "did not think it was consistent with the dignity of England that her subjects should travel under foreign passports." Palmerston did not favor any change that would require more work: "The consequence would be, that a greater number of clerks would be required there; indeed, a considerable addition would be needed he was not sure that it would be productive of any very material advantage. No British subject who at present went abroad was in want of a passport . . . he did not think it would be desirable to alter the present system."[76]

Nevertheless, the Commons decided in favor of reform, and in September 1850, in order to institute appropriate change, Palmerston wrote to the ambassadors of France, Netherlands, Belgium, and Prussia to determine how many passports their ambassadors had issued to Britons in the preceding three years.[77] The replies revealed that something in excess of twelve thousand foreign passports (except for in 1848) had been obtained annually by British subjects. Palmerston then reported that he was of the opinion that "it would be expedient to reduce that fee from £2.7.6 to seven shillings and sixpence."[78] Palmerston's recommendation was accepted, and in February 1851, the fee was reduced to 7 shillings and 6 pence, including the 5 shillings stamp tax. The result was a dramatic increase in British passports: 7,039 were issued in 1851. The largest previous number was 1,801, issued in 1838.[79] In addition to the fee decrease, passports were to be printed in English, and, in May 1851, the passport form was amended to include space for the bearer's signature.

Palmerston now had passports in general researched, and on 16 March 1851, he instructed his chief clerk: "Let me know by Thursday when passports were first granted in England and what has been the course and variation of practice in regard to them."[80] It was discovered that the first record of a passport given was 23 September 1710, but that the origin of the British passport was not so readily ascertained: "The various International and commercial works and legal and historical works in the Foreign Office, have been perused; but little or no information can be gathered from them respecting the origin or progress of the passport system in the country. With respect to passports, generally it is observed in the 'Lex Mercatoria' by Beawes; that 'Passports are commonly granted to Friends, and safe conducts to enemies.' . . . A passport . . . is a security given by the King."[81] The

[75] *Hansard's Parlimentary Debates*, 3rd ser., vol. 111, 14 May to 17 June 1850, 400.
[76] Ibid., 402–3.
[77] Palmerston to foreign embassies, 4 September 1850 (draft), TNA: PRO, FO 612/6.
[78] Palmerston to treasury, 28 November 1850 (draft), TNA: PRO, FO 612/6.
[79] Passport Register, 21 September 1822 to 3 September 1841, TNA: PRO, FO 610/2.
[80] Memo from Palmerston to chief clerk, 16 March 1851, TNA: PRO, FO 612/8.
[81] Memo from Lennox to Palmerston, 20 March 1851, TNA: PRO, FO 612/8.

influx of British travelers to the continent in 1851 armed with Foreign Office passports created problems because they often did not have a visa, something previously unnecessary because most Britons held foreign passports. In response to the use of Foreign Office passports, some countries enforced their visa requirements more strictly. Increasingly, the Foreign Office was forced to intervene on behalf of travelers. In April 1851, travelers complained to the Foreign Office that, after years of neglect, the Belgian authorities were enforcing their regulations regarding passports and turning British tourists back.[82]

The Foreign Office wrote to the British Ambassador in Belgium:

> It would be far more satisfactory if the Belgian Govt, a free and Constitutional Govt were to tell us, sans phrase, that F. O. passports were exempt in Belgium, . . . , from the necessity of being visa'd. . . . The Belgians need have no fear that our Passports are given indiscriminately to all applicants: on the contrary, not a Bull gets a Passport at the F. 0. who cannot produce a friend to vouch for him & his good behaviour: and surely the Belgians don't want to torment Englishmen like the Austrians and the other Despotic People abroad.[83]

Continental governments feared being overrun by an undistinguished mass in which subversives might hide. Yet, the Foreign Office clung to the claim that its procedures prevented this possibility as it granted passports only to respectable people. However, interference with travelers was seen as "despotic." No civilized government could have a legitimate objection to tourists.

In response to problems with visas, Palmerston investigated the visa policy of all foreign states. He perceived that certain governments imposed visa regulations as arbitrary restrictions: "It is evident that the authoritarian govt [Prussia] has been exciting all the Continental govts over which it has any influence to impose every obstruction to the free movements of British subjects on the Continent." As a champion of liberty, Palmerston invoked "free movement" as a right, especially for Britons, and considered enlarging access to British passports. He wrote, "I am inclined to think that it will be necessary for the purpose of counteracting these impediments that a still greater facility should be given to British subjects for obtaining Foreign Office Passports than the new regulations give. That the fee should be reduced to five shillings & that Passport should be given to almost everybody who applies for them."[84]

The passport debate in the Commons in the early 1850s coincided with a challenge to Palmerston in Parliament over his handling of the Don Pacifico case. Pacifico, by birth in Gibraltar a nominal British subject, had a dubious property claim against the Greek government for losses stemming from a riot in 1847. In 1850, Palmerston had taken up Pacifico's claims against the Greek government. Palmerston did so on the grounds that Pacifico was a British subject, having been born in Gibraltar, though Palmerston's motive was to confront the corrupt Greek government.[85] Palmerston's use of the British navy to blockade Athens in order to force the Greek government

[82] Memo to Palmerston from Howard de Walden, British consul in Belgium, 5 May 1851, TNA: PRO, FO 612/8.

[83] Conyngham to Howard, 10 September 1851 (draft), TNA: PRO, FO 612/8.

[84] February 26 Palmerston memo on 25 February 1851 correspondence from Prussian ambassador regarding Prussia's visa regulations, TNA: PRO, FO 612/8.

[85] David Brown, *Palmerston and the Politics of Foreign Policy 1846–1855* (Manchester, 2002), 102.

into conceding to Pacifico's demands was seen as heavy-handed, and Palmerston faced a motion in the House of Commons condemning his actions. In his defense, he gave his famous *Civis Romanus sum* speech to the Commons on 25 June 1850, claiming that, in cases of injustice, the British government did indeed have the right to intervene on behalf of British subjects abroad.[86] This speech received wide publicity, and ordinary British travelers could not be blamed for believing that, as a Briton, the government would indeed support them in any grievance they might have against a foreign government arising during their travels.[87] This bellicose Palmerston contrasts with the pragmatic Palmerston, who only a month earlier in the debates over the passport system had defended the passport system and the right of foreign governments to regulate travel within their own borders. Neither did he support a "British" passport per se, despite his supposed support of Britishness. To potential tourists, the pragmatic Palmerston was obscured by the public image of Palmerston as the protector of British interests.[88]

Part of the reforms in 1851 was an implied promise by the government that a British passport afforded travelers protection from abuse, or at least many Britons thought so, as shown by the case of William Phillips. On 25 March 1851, Phillips complained to the Foreign Office that he had been stopped at the Prussian border because his passport was not visaed: "To this I of course demurred, stated to them that my Passport bore your Lordships signature, commanding them to show me all proper respect, afford me every assistance and not only not to impede me themselves but not to allow any one else to do so."[89] After a threatened fistfight, Phillips was allowed to proceed. Phillips reported with indignation that Englishmen with Foreign Office passports without visas were turned back while Englishmen with foreign passports were allowed to proceed. He assumed the Foreign Secretary would respond to this insult. The Foreign Office was reluctant to intervene and weakly replied to Phillips that "every Government is entitled to make what regulations it pleases as to the formalities under which Foreigners are to be admitted. . . . As you appear to have been aware of those regulations, Lord Palmerston is of the opinion that you cannot with justice make a complaint."[90] Confronted with the limits of government power, Palmerston conceded that the British government could not intervene on behalf of every tourist and could not take the position that other governments did not have the right to make their own regulations.

One source of friction between Britain and Continental governments was Britain's reception of political opponents of European states, such as the Hungarian nationalist Louis Kossuth. In their frustration, these states often retaliated against British tourists. The Foreign Office kept information regarding these incidents:

> A letter in the *Allgemeine Zeitung* states that English travellers in Germany are likely to suffer for the reception M. Kossuth has met with in England. The correspondent says, "In the capital of a southern state, much visited on account of its treasures or art, travelling Englishmen have recently been subjected to more than usual difficulties

[86] *Hansard's Parliamentary Debates*, 3rd ser., vol. 112, 25 June 1850, 380–444.

[87] Ridley, *Lord Palmerston*, 389.

[88] See Kenneth Bourne, *Palmerston: The Early Years, 1784–1841* (New York, 1982), 631, on the pragmatic aspect of Palmerston's policy making. See Ziegler, *Palmerston*, 55, on Palmerston's public image.

[89] Phillips to Foreign Office, 25 March 1851, TNA: PRO, FO 612/8.

[90] Foreign Office to Phillips, 29 March 1951, TNA: PRO, FO 612/8.

> with respect to their cartes de sejour and passports, even when the latter have been issued by the Foreign Office. . . . with so much civic sympathy for fugitives and conspirators—such as Mazzini, Ruge, &c.—agents of a dangerous character may be sent to the continent with English legitimations."[91]

Continental governments complained that British passports did not describe the bearer or even identify the bearer as a British subject. Passports were easily forged or used by another person.[92] In March 1852, in an attempt to prevent Austro-Hungarian subjects from obtaining British passports, the Austrian government issued regulations providing that Britons would not be admitted unless their passports stated they were British subjects. The Austrians enforced their will by turning away British tourists. A 17 May 1852 Foreign Office memo noted that passports must have the words "British Subject" on them or the Austrians would not admit the bearer.[93] The Austrians were not attacking tourists but rather acting to control their own subjects who were using the British passport system to aid in their intrigues against the Austrian government.

Within Britain, conflict arose over the right to a passport because many Britons felt citizenship alone should entitle them to a passport. A Foreign Office memo regarding a complaint by a Mr. Koppel demonstrated this feeling: "It would appear from this rejoinder from Mr. Koppel that he considers himself as having the right to the grant of a British passport, whereas, as is shown in the accompanying Report of the Queen's Advocate, 'the grant of a Passport is altogether a matter of grace and favour.'"[94] Despite its history of lax restrictions on travel, when directly confronted with the issue, the British government maintained its right to control the movement of British citizens. It was unwilling to concede that Britons were entitled by right of citizenship to a passport or that eligibility for a passport might be a matter for Parliament to decide. The Foreign Office retained its aristocratic notion of government by largesse.

Koppel's situation was complicated by the fact that he was a naturalized British subject. Under the Alien Act of 1844, foreigners could easily obtain a British certificate of naturalization. Foreigners who had no intention of residing in Britain used the law to obtain a British passport and then returned to their native countries, claiming British citizenship and protection. A Foreign Office memo expressed suspicions that foreign merchants in particular abused the system. Having no intention of living in Britain, they took advantage of the lack of a citizenship requirement to obtain a British passport, then claimed British citizenship against their own governments.[95] In order to prevent passports from being misused by foreign nationals, the Foreign Office began placing a one-year time limit on passports issued to "naturalized" British subjects to insure their return to Britain. Koppel argued that no such limit could be imposed because his certificate of naturalization "granted to me all the rights and capacities of a natural born British

[91] Undated newspaper clipping in file on harassment of Brisish travels on continent, TNA: PRO, FO 612/8.

[92] Undated memo in file, TNA: PRO, FO 612/9.

[93] Memo, 17 May 1852, TNA: PRO, FO 612/9.

[94] Memo by Conyngham, 3 June 1854, TNA: PRO, FO 612/9.

[95] Memo, 8 June 1854, TNA: PRO, 612/10; Memo, 12 December 1854, TNA: PRO, FO 612/10.

subject."[96] The government justified its position by relying on its right to deny a passport: "It may not be out of place here to remark that no person, be he a natural born or a naturalized British subject, is entitled to demand of the Secretary of State/ as a matter of right, the grant of a British passport, . . . The grant of a Passport is altogether a matter of grace and favour."[97] Regulations issued in March 1854 emphasized that, in the case of naturalized British subjects, passports could be issued for a "limited period only as the Secretary of State may think fit to assign to it."[98]

The imposition of conditions on British tourists (by now in the tens of thousands) by foreign governments, which interfered with their ability to move about freely, forced the Foreign Office into a course that supported a more general right to travel as one wished. A May 1854 draft note to the Portuguese government over problems with its visa requirement demonstrated the dilemma: "H. M.'s Govt are desirous that British subjects travelling abroad should pay entire respect & obedience to the Laws & regulations of the Countries which they visit, but they equally desire that British travellers should not be subjected to unnecessary inconvenience, delay & expense."[99] The increase in Britons with a British passport after 1851 led to a complaint by the Sardinian government conveyed by its ambassador:

> M. D'Azeglio said that his government appeared to have rather misunderstood the case, which he had however clearly set before them at the time when he suggested that as an act of friendship &c &c towards the English Government and People, the Foreign Office Passports should be placed in regard to Sardinian Visas upon the same footing as they then existed in regard to Bavarian and Prussian Visas. . . . They had an idea that Passports of different importance were issued at the Foreign Office. . . . some to Persons of distinction and some to the mass of the People at large; and . . . it was only in favour of the former Class of Passports that his Government fancied they were granting the privilege of exemption. . . . Moreover, that they had never contemplated such an extensive issue of Passports by the Foreign Office as that which now appears to exist.[100]

The objection of the Sardinian ambassador reflects an older belief that travelers came from a "respectable" social class. Continental governments were still struggling to reconcile themselves to extending privileged treatment to ordinary tourists.

The conflict between foreign governments asserting their authority and tourists demanding free movement was generally resolved by greater identification of those traveling on a particular passport. By 1854, Foreign Office regulations required that "the name of every man servant must be given in the Passport with the addition that he is either a natural born or naturalized British subject."[101] In 1855, the Austrian government began demanding that each person have a separate pass-

[96] Letter from Koppel to Foreign Office, 2 June 1854, TNA: PRO, FO 612/10.

[97] Memo by Conyngham, 19 June 1854, TNA: PRO, FO 612/10.

[98] Foreign Office, printed form entitled "Regulations respecting Passports," March 1854, TNA: PRO, FO 612/10.

[99] Draft letter from Foreign Office to Portuguese Government, 3 May 1854, TNA: PRO, FO 612/10.

[100] Memo of meeting of Conyngham with D'Azeglio, 27 June 1853, TNA: PRO, FO 612/9.

[101] Letter from Foreign Office to Sir William Temple, 15 December 1854, TNA: PRO, FO 612/10.

port except for related family members and servants.[102] This prevented friends and companions from traveling on the same passport as had been the old practice. These measures were not taken against tourists but designed to separate them out from criminals and revolutionaries. Traveler John David Hope noted a conversation he had with the Austrian police: "The same Police officers told me that the passport system was entirely ineffective as to preventing people crossing the frontier and only tormented respectable people—that it was more valued by the Austrians as a matter of internal policing, but they (the officers) thought the police would be better without it and the expence and labour were enormous."[103]

In March 1857, the Austrian government issued new passport regulations requiring greater identification of passport holders. Each passport had to state the bearer's Christian name and surname, occupation, residence, age, and religion. In addition, the passport had to indicate the object of the journey, have the bearer's signature, and state for how long it was valid.[104] The Austrian government enforced these regulations by refusing entrance to travelers whose passports did not conform. The Austrian government felt strict passport regulations discouraged criminals and political agitators from obtaining them. The possession of a proper passport itself became acceptable evidence that the bearer was traveling for a legitimate purpose such as tourism. Consequently, with these developments, passports began to replace the older system that relied on social status to provide safe conduct for travelers.

In 1858, final steps were taken toward making passports national as well as individual documents. The immediate cause was the Italian nationalist Orsini's attempt on Louis Napoleon's life on 14 January 1858. Apparently Orsini traveled in France with a Foreign Office passport issued to Thomas Allsop in 1851 and signed by Lord Palmerston.[105] Allsop was a barrister who also helped Orsini obtain bomb materials.[106] As it appeared that the plot was also hatched in Britain, the attempt led to a diplomatic crisis between France and Britain.[107] The French pressed Britain to take action against political refugees and reform its passport system by more rigorous criteria of who could receive a passport. Now prime minister, Palmerston responded to the French by supporting action against political refugees through a proposed "Conspiracy to Murder Bill." His opponents took the opportunity to cast him as kowtowing to a despot and failing to support liberty, and his government fell over the issue in February 1858.[108]

The French also pressed for reform of the British passport. To compel the British to comply, the French consul general stated that he would "abstain henceforth from granting Passports himself to British Subjects or allowing any of the Consular

[102] Letter from Austrian Consul in Turin, 25 August 1855, TNA: PRO, FO 612/12.

[103] Letter from John David Hope to foreign secretary, 28 July 1856, TNA: PRO, FO 612/13.

[104] Foreign Office translation of Austrian passport regulation, March 1857, TNA: PRO, FO 612/14. The file also contains a copy in German.

[105] Norman Wise Sibley, "The Passport System," *Journal of the Society of Comparative Legislation*, new ser. 7, no. 1 (1906): 26. Sibley addresses primarily the criminal aspects of misusing a passport. For a vivid description of Orsini's assassination attempt, see chap. 1, "Murder at the Opera," in Lloyd, *The Passport*.

[106] Lloyd, *The Passport*, 5.

[107] Harry Hearder, "Napoleon III's Threat to Break Off Diplomatic Relations with England during the Crisis over the Orsini Attempt in 1858," *English Historical Review* 72, no. 284 (July 1957): 474–81. Hearder addresses primarily the French demand for action against political refugees.

[108] Ridley, *Lord Palmerston*, 479–82.

Authorities holding under him from doing so."[109] The French demanded greater identification of the bearers of Foreign Office passports. The under-secretary advised: "I explained to him the great difficulty there would be in adopting anything of this kind, and that, as a general rule, it would be loudly objected to by every Englishman in the Kingdom: he then hoped it might be possible to state on the Passport at least the age and height of the Bearer: but I gave him no encouragement to hope that anything could be done in this way."[110]

Louis Napoleon's obsession with the specious idea that passport controls were a key to securing his fragile power forced the British government to defend freedom of travel more vigorously. The British decided to continue to allow passports to be issued upon recommendations by mayors, magistrates, and justices of the peace, an expansion which had been undertaken in 1855 to meet the demand for passports to the Paris Exhibition.[111] In June, the French and Belgian governments announced they would no longer issue passports to foreigners. Sweden, Denmark, and Norway followed suit, as did Prussia and Austria. A Foreign Office memo on these developments noted that "it will therefore be seen that the power of granting passports is now much more restricted than what it was before."[112]

Faced with an inability of British subjects to obtain foreign passports, the Foreign Office made several changes in 1858. In March 1858, correspondence regarding passports was assembled and presented to Parliament.[113] Foreign Secretary Clarendon recognized that many Britons obtained foreign passports to avoid the Foreign Office fee, which at 7 shillings and 6 pence was still high. "I believe one motive of Englishmen going to Belgium in taking Belgian passports is, that they thereby save the payment of the Fee on Foreign Office Passports."[114] Chief Clerk Conyngham obtained information from the French consuls that they had issued 7,802 passports to British subjects in 1854, 15,332 in 1855 (the year of the Paris Exhibition), 9,390 in 1856, and 7,842 in 1857. Accordingly, Clarendon reduced the Foreign Office fee to 6 shillings in February, which included the 5 shillings stamp tax.[115] On 15 June, the fee was increased to 1 shilling, 6 pence, but Parliament reduced the stamp tax to 6 pence for a total fee of 2 shillings. The number of Foreign Office passports increased substantially from 11,394 in 1857 to 29,446 and 25,887 in 1858 and 1859, respectively. The effect of these reforms was to democratize the issuing of British passports, as they now became within reach of a larger number of Britons, and eligibility for a passport tended more toward mere British citizenship, rather the than the prior vague, discretionary standard of "respectability." However, any extension of free travel to Britons was short-lived as foreign governments gave up on reforming the British government and concen-

[109] Memo of meeting between Conyngham and French Consul Gaillard de Ferry, 30 January 1858, TNA: PRO, FO 612/16.

[110] Ibid.

[111] Correspondence Respecting Passports, 5 and 6 February 1858, and Regulations Respecting Passports, 23 March 1858, TNA: PRO, FO 612/17.

[112] Memo from British Foreign Office, 18 June 1858, TNA: PRO, FO 612/15.

[113] "Correspondence Respecting Passports, Presented to the House of Commons," 23 March 1858, TNA: PRO, FO 612/17. This document contains a copy of all the regulations issued between 1846 and 1854 as well as select correspondence highlighting problems over passports.

[114] Memo by Foreign Secretary Lord Clarendon, 30 January 1858, TNA: PRO, FO 612/16.

[115] Memo by Edmund Hammond, under-secretary, 3 February 1858, TNA: PRO, FO 612/16.

trated on their own laws. Although foreign governments no longer issued passports to Britons, they began to more vigorously insist on visas. This created new confusion and complaints and mobilized tourists to take up the defense of free travel and exert pressure to remove this new obstacle. Major General Fred Buller wrote to the Foreign Office that, as a French visa was good for only one year, the French regulation was just a scheme to extort money and he exclaimed that the French "render the passport nuisance more detestable & as annoying as they can."[116]

Tourists felt that new rules would interfere with their right to travel. A copy of an article published in *The Evening Star*, on 10 March 1858, on that point made its way into the Foreign Office files: "We must concede to other nations a perfect right to adopt whatever system of police they may conceive is the best calculated to guarantee society in their country against the influx of dangerous, or suspicious, characters from neighbouring States. That the passport system is utterly ineffective to accomplish this end has long been admitted, and the recent attempt at assassination in France furnishes only an additional proof of this fact. So long, however, as the French Government thinks it expedient to continue it, so long must British subjects, repairing to France, submit to the petty annoyances it entails." The article complained that even day visitors to French channel ports would have to obtain a Foreign Office passport. Further, Britons would now have to obtain a French visa every time they traveled to France. "Heretofore the visa of the French Consul, which is required on the passport of a British subject visiting France, and which entails a fee of four shillings and three pence, remained valid for a twelvemonth. Now it must be renewed on the occasion of every journey, no matter how brief the intervening interval." *The Evening Star* presumed the changes were "devised only as a means of multiplying the consular fees, all of which pass into the Imperial exchequer."[117]

The article also decried the Foreign Office's passport system: "Instead of affording travellers facilities for obtaining passports, by modifying the regulations under which they are obtainable, it adheres to the antiquated routine and red-tapeism characteristic of Downing-street." The article then criticized nearly every step of the Foreign Office procedure, including the stamp tax folded into the reduced 6 shilling fee. "Then the fee. Why should there be a five shilling stamp upon a passport? What is the object of it? . . . The fee is a constitutional abuse in England." Finally, the article invoked the economic power of tourism: "With regard to our French neighbours, there can be no question that they will be immense losers by the new regulations. . . . Let us take the case of Boulogne alone. We are within the mark when we say that a hundred thousand persons visit it every year, who remain from one day to a month and upwards, and who expend on an average, one pound sterling per head. Very few of this class will now repair thither, and Boulogne will be a hundred thousand pounds the poorer for their absence every season." The article went on to predict that Britons would remain at home and visit their own ports, and "John Bull and his family will, at least, enjoy the satisfaction of being cheated in their own country."[118]

In April 1858, the Foreign Office published regulations regarding all the changes

[116] Buller to Foreign Office, 7 June 1858, TNA: PRO, FO 612/19.
[117] *The Evening Star*, 10 March 1858, TNA: PRO, FO 612/17.
[118] Ibid.

to passport procedures in *The Times*. The regulations finally abandoned the old pretense of respectability as the criterion of eligibility for a passport and opened obtaining a passport to "any British subject who shall produce . . . a certificate of his identity, signed by any mayor, magistrate, justice of the peace, minister of religion, physician, surgeon, solicitor, or notary resident in the United Kingdom."[119] The British passport was thus transformed into a national document of individual identity for all Britons.

The power of tourism prevailed, and procedures for tourists were smoothed. The British reduced the stamp tax, and in September and October 1858, France and Belgium, respectively, withdrew their visa requirements.[120] In 1865, even Austria removed its barriers to tourist travel. On 6 November 1865, "in order to grant further facilities to the movement of people in my Empire," Franz Joseph abolished examination of passports at the borders of the Austro-Hungarian empire, though travelers still needed to present passports if requested to prove their identity, and the right to reestablish examinations was retained if "the security or the public order of the Empire may appear menaced by war, internal disturbances or any other events."[121]

The period between 1814 and 1858 saw a struggle between the Continental governments and British tourists. This struggle was played out through passport regulation. At the conclusion of the Napoleonic Wars, the fragile aristocratic regimes of Continental Europe turned to the passport as a way of maintaining their grip on power in the face of revolutionary forces unleased by the French Revolution and Napoleon. In this sense, the passport emerged as a symbol of police power in the nineteenth century. Nevertheless, the regimes did not attempt to prevent tourism, and they maintained a posture of civil hospitality to foreign travelers despite their continued efforts to control their own subjects through more passport regulation. Faced with unacceptable limits on their travel, British tourists compelled the British government to take up their demand for unhindered movement. The passport from this view took on a different meaning, not as a means of control, but as a personal document that identified the individual bearer as entitled to the privilege of free movement. The British passport took on an additional meaning as setting Britons aside as having particular rights to protection by reason of their national identity. By the end of the 1850s, the various reforms to the passport system instituted by the European governments and by the British Foreign Office had made the British passport a national document of personal identification that satisfied the demands of the Continental regimes and the need of tourism for relatively free movement. These reforms paved the way for even greater future expansion of tourism.

[119] "Passports Foreign Office Notice," *The Times*, 28 April 1858, 5.

[120] Letter from Belgian Minister Van de Weyer to foreign secretary, 21 September 1858, and memo, 25 October 1858, TNA: PRO, FO 612/20.

[121] Foreign Office notice, 21 November 1865, TNA: PRO, FO 612/30.