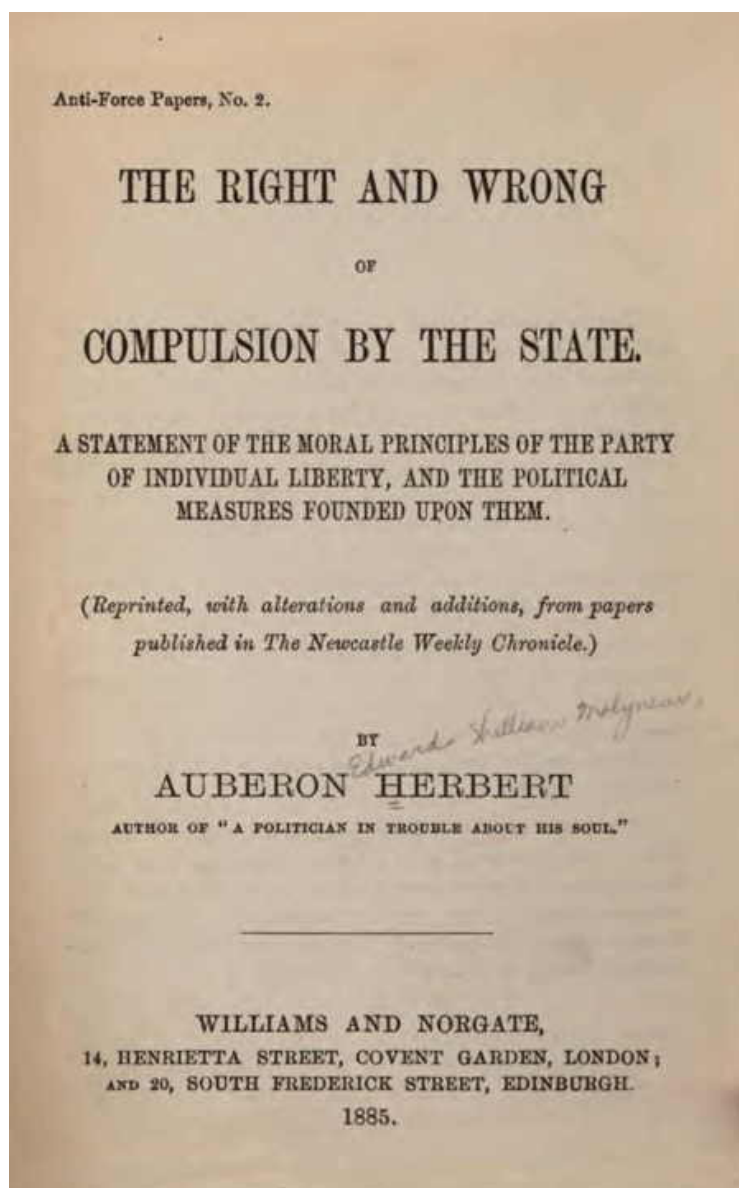


AUBERON HERBERT,
*The Right and Wrong of Compulsion by the
State (1885)*



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Editor's Introduction

To make this edition useful to scholars and to make it more readable, I have done the following:

1. inserted and highlighted the page numbers of the original edition
 2. not split a word if it has been hyphenated across a new line or page (this will assist in making word searches)
 3. added unique paragraph IDs (which are used in the "citation tool" which is part of the "enhanced HTML" version of this text)
 4. retained the spaces which separate sections of the text
 5. created a "blocktext" for large quotations
 6. moved the Table of Contents to the beginning of the text
 7. placed the footnotes at the end of the book
 8. reformatted margin notes to float within the paragraph
 9. inserted Greek and Hebrew words as images
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"But whenever I find my dominion over myself not sufficient for me, and undertake the direction of my neighbour also, I overstep the truth and come into false relations with him. I may have so much more skill or strength than he, that he cannot express adequately his sense of wrong, but it is a lie, and hurts like a lie both him and me. . . . This undertaking for another, is the blunder which stands in colossal ugliness in the governments of the world. . . . I do not call to mind a single human being who has steadily denied the authority of the laws on the simple ground of his own moral nature."-Emerson.

"We wish to give society a *member* and we make a *tool*; we wish to have a free *fellow-workman* in the great business of life, and we create an enslaved and passive *instrument*; we destroy the man within him, so far as we can do so by our arrangements, and are guilty of an injury both to him and to society."-Fichte.

"A political victory, arise of rents, the recovery of your sick, or the return of your absent friend, or some other favourable event, raises your spirits, and you think good days are preparing for you. Do not believe it. Nothing can bring you peace but yourself. Nothing can bring you peace but the triumph of principles."-Emerson



[1]

TO THE WORKMEN OF TYNESIDE.

I DEDICATE this small book to you with full knowledge that the creed which is taught in it demands at your hands greater sacrifice and self-denial than at the hands of any other class in Society. And yet it is a sacrifice and self-denial that without fear or hesitation I ask you to accept. I know that for those who do, the full reward shall come. I know that no man can serve Liberty for conscience-sake without finding in himself that which will make his life richer and happier ; I know that he cannot reject Liberty, and grasp at power for his own advantage, without growing weak where he might have been strong, without in the end despairing where he might have rejoiced, without hating those of his fellow-men as enemies whom he might have loved as friends. The creed of Liberty does not offer what the politician offers. She neither offers to perform State services, to take land from some and transfer it to others, or to place ever-increasing burdens of taxation upon the shoulders of the rich. She does not offer to shower down upon any man gifts that are not of his own making and winning. All those who hunger for such gifts she can only bid, with scorn upon her lips, to go elsewhere. But if you wish to have much that now entangles and impedes you in your advance swept from before your feet, to escape from the customs and systems that have benumbed your consciousness, to discover [2] the true free, fearless, unhindered Self, that for each man shall recreate the world in which he lives, to cast aside your own weaknesses and passions and hatreds, to live in friendliness and charity with all men, whilst you resolutely tread your own path and fight your own fight, to look on all life with truer, juster, and calmer eyes, to see a meaning steadily unfolding itself through that which has too often been to you as a mere dream of pain, and with this clearness of vision and distinctness of aim to feel the joy and strength that are in you strengthened, and the moral purpose ennobled, — these things you shall find in Liberty, and in that rejection of the government of man by man which, is the great lesson that she teaches to-day.

A. H.

THE RIGHT AND WRONG OF COMPULSION BY THE STATE

[3]

[Section I.][↩](#)

We need not look for better words, than those used by Mr. Herbert Spencer, [1] to describe the aim [4] which we place before ourselves, as the party of Individual Liberty. That aim is to secure "the liberty of each, limited alone by the like liberty of all." Let us see clearly what we mean. Each man and woman are to be free to direct their faculties and their energies, according to their own sense of what is right and wise, in every direction, except one. They are not to use their faculties for the purpose of forcibly restraining their neighbor from the same free use of his faculties. We claim for A and B perfect freedom as regards themselves, but on the one condition that they respect the same freedom as regards C. If A and B are stronger either in virtue of greater physical strength or greater numbers than their neighbor C, they must neither use their superior strength after the simply brutal fashion of those who live by violence, to tie C's hands and take from him what he possesses, or after the less brutal but equally unjust fashion, to pass laws to direct C as to the manner in which he shall use his faculties and live his life.

I will explain yet more fully what I mean. Under a system of the widest possible liberty, [5] each man thinks and acts according to his own judgment and his own sense of right. He labors as he will, making such free bargains as he chooses respecting the price and all other conditions that affect his labor; he is idle or industrious, he spends or he lays by, he remains poor, or he becomes rich, he turns his faculties to wise and good account, or he wastes possessions, time and happiness in folly. He is, be it for good or evil, the owner and possessor of his own self, and he has to bear the responsibility of that ownership and possession to the full. On the one hand he is free from all restrictions placed on him by others (except the one great restriction that he, too, in all his doings shall respect the like liberty of all men), and on the other hand he is dependent in everything on himself and his own exertions. He must himself meet and overcome the difficulties of life. Just because he is a free man, he must carry his own burden, such as it is, and not seek to compel others to bear any part of it for him. The really free man will neither submit to restrictions placed on himself, nor desire to impose them on others.

And here, it may be, you will ask,

"Is it wise or right for men to claim so full a liberty? Is it not better for men not wholly to own and possess themselves, but to live under conditions which may save them, at all events to some extent, from their own folly and wrongdoing?"

To which question I first answer that to live in a State of liberty is not to live apart from law. It is, on the contrary, to live under the highest law, the only law that can really profit a man, the law which is consciously and deliberately imposed by [6] himself on himself. As Emerson has said, "If any man imagine that this law is lax, let him keep its commandment one day."

Second, I answer that you will not make people wiser and better by taking liberty of action from them. A man can only learn when he is free to act. It is the consequences of his own actions, and the consequences of these same actions as he sees them in other persons, that teach him. It is not by tying a man's hands that you shall make him skillful in any craft,

especially that difficult one of living well and wisely. It is true that by tying his hands you may, as long as your knots happen to hold fast, prevent his committing a murder or taking what belongs to someone else; but do not for a moment believe that in so doing you have made a better or more intelligent man of him. That can only come to pass, when, being a free man, he learns to choose the right for its own sake, and for the sake of the peace and happiness that, as he will slowly perceive, honest and wise conduct brings to him. It is impossible for us to make any real advance until we take to heart this great truth, that without freedom of choice, without freedom of action, there are not such things as true moral qualities; there can only be submissive wearing of the cords that others have tied round our hands. There cannot be unselfishness and generosity, there cannot be prudence and self-denial. For example, there can be nothing unselfish in a parent sending his child to school, because the law obliges him under penalties to do so; there can be nothing prudent and self-denying in a workman not getting drunk, [7] because he cannot go into a public house and buy liquor. If a man is to be a really good parent, or a really thoughtful and self-directing man, it must not be because by law or by some other brutal force method you have tied his hands, but because of an inner sense in himself as to what is right, which he respects and obeys; and this inner sense tends only to survive in the free man. Nobody can say, as regards the man who has never been allowed to exercise a free choice, what are the real motives that direct him. It may be habit or submission to authority; it may be ignorance or superstition; it cannot be the free intelligent preference for what is right or wise, for he has always been in subjection to a power outside him, and has never looked the good and the evil fairly in the face, as a free man responsible to himself alone. His virtues, if we are to give them this name, are but the virtues of the cloister. His own self has never yet been brought into council, has never even been born into real life.

Third, even if you believed that you could make men wise and good by depriving them of liberty of action, you have no right to do so. Who has given you a commission to decide what your brother man shall or shall not do? Who has given you charge of his life and his faculties and his happiness as well as of your own? Perhaps you think yourself wiser and better fitted to judge than he is; but so did all those of old days—Kings, Emperors, and Heads of dominant Churches—who possessed power, and never scrupled to compress and shape their fellow-men as they themselves thought best, by means of that power. You [8] can see as you read the story of the past, and even as you look on the world at present, what a mess the holders of power made of it, whenever they undertook to judge for others, whenever they undertook to guide and control the lives and faculties of others; and why should you think that you are going to succeed where they failed? On what reasonable ground should you think so? Why should you suppose that you have suddenly in this our generation grown much better and wiser and more unselfish than they were? We have probably all of us the same or nearly the same share of human nature as they had. These rulers, whether of the past or present time, under whose mistakes the world has so terribly suffered, in many cases were not bad men; they were simply "clouded by their own conceit," blinded by the unquestioned belief that some men may exercise power over other men. They did not see that the individual freedom of each man is the highest law of his existence, and they thought, often honestly enough, that it was in their power to give the mass of men happiness if they could only have the restraining, and molding, and fashioning of them after their own ideas and beliefs. And the worst of it is that still in these democratic days we are all thinking the same thing. We are fast getting rid of Emperors and Kings and dominant Churches, as far as the mere outward form is concerned, but the soul of these men and these institutions is still living and breathing within us. We still want to exercise power, we still want to drive men our own way, and to possess the mind and body of our brothers [9] as well as of our own selves. The only difference is that we do it in the name of a Majority instead of in the name of Divine Right. Radicals and Republicans, as we call ourselves, we too often remain Catholics, Infallibilists and Absolutists in temper.

Perhaps at this point you will interrupt me to say,

"Ah! but here is the whole difference. Today it is the people who govern themselves. It is no longer Emperors and Churches who decide and issue decrees. It is the majority of the people who impose restrictions on themselves, who approve the laws, and construct the systems they live under."

If so, I must reply to you that your majority has no more rights over the body or mind of a man than either the bayonet-surrounded Emperor or the infallible Church. The freedom of a man to use either his faculties or his possessions, as he himself wills, is the great moral fact that exists in independence of every form of Government. It is the moral law that, as we may believe, the Great Mind—in which we may trust, though we can neither know nor understand it—has placed as the foundation of human society, as the one necessary condition of all social happiness, to represent to us in the moral and intellectual order what gravitation represents to us in the physical order. We can see, when once our eyes have been opened to see clearly, that there is no other method by which it is possible to conceive of a man as arriving at his perfect development; that there is no other means by which he can even cease to be his own unrelenting tormenter. For think what human society must necessarily be without this law of individual liberty? [10] If this law has no real existence, if the individual has no rights, then the larger or more powerful part of a nation may force upon the smaller or weaker part of a nation what they will. According to the ideas that prevail at the moment, they may dictate their religion or their philosophical creed; they may regulate their occupations, their labor, their amusements, their possessions; they may permit or refuse to permit them to marry; they may leave their children to dwell in their homes, or drag them away to be trained in State barracks. There is no matter, from the highest and most vital matters of life to the lowest trifle, that the stronger, the more aggressive, the more presumptuous-minded part of a nation may not decree and organize for the weaker part and compel them to observe, if this claim of some to direct others is once sanctioned. And if this be so, if this rule of the majority is the true rule for the guidance of the race, if each human being has in himself no rights of self-ownership, if to be the most numerous party in the State is to all effect to be the slave-owning portion of the nation—the portion which holds all others subject to its own ideas of what is best—think of the wretched future that by some cruel destiny would be reserved for all time for all men. In this case the possession of power would necessarily confer upon those who gained it such enormous privileges—if we are to speak of the miserable task of compulsion as privileges—the privileges of establishing and enforcing their own views in all matters, of treading out and suppressing the views to which they are opposed, of arranging and distributing all property, of regulating all [11] occupations, that all those who still retained sufficient courage and energy to have views of their own would be condemned to live organized for ceaseless and bitter strife with each other. In presence of unlimited power lodged in the hands of those who govern, in the absence of any universal acknowledgment of individual rights, the stakes for which men played would be so terribly great that they would shrink from no means to keep power out of the hands of their opponents. Not only would the scrupulous man become unscrupulous, and the pitiful man cruel, but the parties into which society divided itself would begin to perceive that to destroy or be destroyed was the one choice lying in front of them. How true it is that the great evils under which men have suffered have always been those of their own invention; that man has been and still continues to be his own tormentor!

And here, perhaps, again you will say to me,

"You are conjuring up mere phantom dangers. We are only inclined to give power to the majority for some things, not for all. There are many matters in which we would recognize the right of the individual to judge and to act for himself; while we allow society, organized as a whole, to decide such other

matters as we are all pretty well agreed should be so decided."

I answer that when you use such words you are deceiving yourselves. You will find your position an impossible one. There never can be agreement amongst men as to what these things are. One person will wish to regulate the mass of men in matters of religion; another in education; another in philosophy; another in art; another in matters of trade; another in matters of labor; another in matters of contract; another in matters of amusement. One person will desire to regulate the people in a few matters, and give freedom in many; another to give freedom in few and regulate in many. There is no possibility of permanent human agreement in the matter, where once you have ceased to stand on any definite principle, where once you have sanctioned the use of force for certain undefined needs of the moment. And observe well what you are doing. Under this plea of the needs of the moment you are sanctioning not only the right of some men to coerce others, but their right to decide how and when and for what purposes they shall coerce others. It is the power holders, freed from any general principle that controls and directs them, who have to decide as to the limits and application of their own power. For who else can do so? You have given this right of using power into their hands because they are the majority. You must also give this other right of determining and defining the application of power into their hands, for there is nobody else to whom you can give it. Nor is it reasonable to say that we may trust to the general good sense that exists amongst all men not to abuse the power that is thus placed in their hands, and not to stretch its limits to a dangerous and unjust extent. When power is once given, it becomes impossible, in the absence of any general principle or fixed standard, to say what is dangerous or unjust; because the danger and injustice are involved in the very idea and the very fact of [13] some men—be they the many or the few—possessing undefined power over others. I would urge upon all those persons who hold this careless language—that power may be justly used by the majority for some purposes and not for others—that they have no right to sit down and take their bodily and mental case, until they have distinctly and definitely settled in their own selves what are the purposes for which they are prepared to allow force to be used and what are the purposes for which they are not. Until they have done this, until they have found some law by which they can distinguish the right from the wrong use of power, by which they can justly satisfy not only their own minds but the minds of others, they are simply leaving in suspension the greatest matter that affects human beings; they are like men who start to make their passage over the wide seas, without chart or compass, and hopefully remark that the look of the waters, the face of the sky, and the direction of the wind will at any special moment tell them what course they ought to steer.

II↩

Do not let us flinch from probing this matter of compulsion to the core. If you really think that for some purposes we may rightly compel men, and for other purposes we may not, you are bound to arrange your perceptions on the subject and discover what is the dividing line between "the may" and "the may not." It is unworthy not to take your true position in this great matter—that of a human [14] being whose reason can put all the facts of this world in order and subjection to itself, can become their intelligent regulator, by strenuously and resolutely seeking out the principle or law which underlies them—and simply to wait, as a slave instead of a master, to be swept in whatever direction the forces that are round you may happen to take. Let us grasp the great truth clearly. No man is acting consciously and with distinct self-guidance, no man possesses a fixed goal and purpose in life, until he has brought the facts of his daily existence under the arrangement of general principles. Until he has done

this, the facts of life will use and command him; he will not use and command them.

I would therefore beg you to reject with scorn that idle and unmeaning creed, which is so much in fashion today, of refusing to seek for general principles, and hoping to extract from the circumstances of the moment the right way of dealing with them. Think how utterly absurd is such a proposition. How could any astronomer conquer any problem submitted to him if you first told him he was not to trouble himself with the general principles of astronomy—if he was not to make use of the laws of gravitation, of inertia, or its derivative, centrifugal force? How could a physician hope to deal successfully with a case if he was told first to lay aside all the general principles of health and disease; the laws affecting the temperature and the nutrition of the body; the circulation; the general course of the disease, its accompanying and its resulting dangers? Both astronomer and physician possess their power, such as it is, simply in virtue [15] of the laws which, as they have discovered, are invariably behind the facts. Facts not reduced to law can be of no practical service either to astronomer or physician. How can a politician dream that he exists in a different world from the physician and astronomer, and that it is given to him to use the facts which concern his trade, without understanding or caring to understand the laws of which they are but the expression?

We must—it is absolutely necessary—seek for law, or general leading principles, in politics. Until that is done there can be nothing rightly done; and the first great law which we have to seek out, is the law which determines the right of men to exercise power over each other. Have men any right to this power? If they have it, do they possess it for all matters? If not for all matters, for what matters? and in this last case how are we to tell what these matters are?

Now I do not hesitate to say that this question stands in importance far before all other questions which the human race has to answer. Indeed if we could see clearly, we should see that the decision of all these other questions is wrapped up in this one great decision; for I know of no question that would not be settled in one fashion by a free race and in another by a State-regulated race. But apart from this influence on character, which freedom and State-regulation must respectively exercise, the answer which every man finds it in his soul to make to this great question, "By what title do men exercise power over each other?" must decide for him the general course of his own life. In one of the two rival armies, which stand fronting [16] each other today, as they have always done, and between which there never has been and never can be enduring reconciliation, whether he wills it or not, he has to take his place. All his hesitations, and inconsistencies and clever adjustments of opinion will not save his being enlisted in the one or the other cause. He must strike his blow and spend his small grain of life service either on the side of Force, that is, of strong Governments and interfering departments, of protection and regulation, of uniformity and system, of socialism and life divided between rulers and ruled, between slave owners and slaves; or on the side of Liberty, that is, of self-dependence and self-responsibility, of free thought, free religion, free enterprise, free trade, of every free moral influence that grows where force is not, of all those countless individual energies and countless individual differences that arise where men are not constrained to live in imitation of each other, and of that natural selection that eventually preserves every improved form in other mental or material things, where these individual energies and individual differences are allowed to clash freely together. In other words every man has to decide for himself, as his creed in life, whether men are to be made happier by a system that rests on and believes in coercion, or a system of self-directed agencies and moral influences; whether their continual cooperation throughout life is to be voluntary or to be imposed; whether each is to take charge of his own existence and happiness, or those who can count most votes on their side are to take upon themselves, like a universal Roman Catholic Council, to decide in what collective happiness consists, [17] and administer it for

the rest of the world. For strange as it may sound in some ears, these are the only two rival forces, the only two rival creeds that exist in the world. And whichever it is, Liberty or Force, that is to emerge as conqueror from the great struggle, by that one will the minds of men, their hopes, their fears, their pleasures, their pains, their beliefs and their systems, be molded and shaped.

And now let us look a little more closely into the rights of the individual. I claim that he is by right the master of himself and of his own faculties and energies. If he is not, who is? Let us suppose that A having no rights over himself, B and C, being in a majority, have rights over him. But we must assume an equality in these matters, and if A has no rights over himself, neither can B and C have any rights over themselves. To what a ridiculous position are we then brought! B and C having no rights over themselves, have absolute rights over A; and we should have to suppose in this most topsy-turvy of worlds that men were walking about, not owning themselves, as any simple-minded person would naturally conclude that they did, but owning some other of their fellow-men; and presently in their turn perhaps to be themselves owned by some other. Look at it from another point of view. You tell me a majority has a right to decide as they like for their fellow-men. What majority? 21 to 20? 20 to 5? 20 to 1? But why any majority? What is there in numbers that can possibly make any opinion or decision better or more valid, or which can transfer [18] the body and mind of one man into the keeping of another man? Five men are in a room. Because three men take one view and two another, have the three men any moral right to enforce their view on the other two men? What magical power comes over the three men that because they are one more in number than the two men, therefore they suddenly become possessors of the minds and bodies of these others? As long as they were two to two, so long we may suppose each man remained master of his own mind and body; but from the moment that another man, acting Heaven only knows from what motives, has joined himself to one party or the other, that party has become straightway possessed of the souls and bodies of the other party. Was there ever such a degrading and indefensible superstition? Is it not the true lineal descendant of the old superstitions about Emperors and High Priests and their authority over the souls and bodies of men?

Let us look again at it from another point of view. You say a majority has a right to decide all questions. You perhaps do not like my words when I say, "to own the souls and bodies" of all who are outside that majority, but that is what is really meant; for once accept the doctrine that the bigger crowd is supreme over the smaller crowd, and you will find, as I have already said, that it is impossible to draw a line to limit the authority which you thus confer. But, now, let me ask this question. If the fact of being in a majority, if the fact of the larger number carries this extraordinary virtue with it, does a bigger nation possess the *right to decide* by a vote the destiny of a smaller [19] nation? Such an exceedingly artificial matter as an invisible boundary line between two countries cannot suddenly deprive numbers of the sacred authority with which you have clothed them. Inside a country the bigger crowd is possessed of all rights, the smaller crowd is disfranchised of all rights; why not also outside a country? They are queer rights these, which appear and disappear, after the fashion of the supple articles which a conjurer orders into and out of existence.

Let us follow this same consideration a little further. A mass, as Mr. Spencer insists, can only possess the qualities that are possessed by its units. A mass of salt can only possess the qualities which are in the particles of salt. You deny the rights of the individual to regulate and direct himself. But you suddenly acknowledge and exaggerate these rights as soon as you have thrown the individual into that mass which you call the majority. Then you suddenly discover that men have not only rights to own themselves, but also to own their fellow-men. But where have these rights come from? By what hocus-pocus, by what magic have they

been brought into existence? A man who makes one of the exactly equal half of a crowd has no rights, either as regards himself or as regards others; if he makes one in that part of the crowd which is larger by the tenth or the hundredth or the thousandth part, then he is clothed with absolute powers over himself and others. Did Central Africa ever produce a more absurd superstition?

Perhaps, however, you may say,

"We do not pretend that a majority have any rights over their [20] fellow-men. Still it is convenient to place power in their hands, and convenient not to define that power, but to leave the matter to be decided by their good sense."

Well, I am glad we have brought it to that point. You think then that convenience is the highest law in life. You think it convenient that one part of men—if larger in number—should own the souls and bodies of the rest of men. You think it convenient that there should be slave-owning, and that there should be no attempt to say where this slave-owning begins and where it ends. You think it convenient that all the old rights, freedom to think, to speak, to act, to possess, to labor, or to rest, shall be enjoyed at the discretion of those who today or tomorrow may climb to power. If those who have so climbed look with favor upon these rights, well and good; let the people enjoy them. If they look on them with disfavor, as inconvenient to the social whole, let them be abandoned as fashions that have ceased to be. We have plainly gone wrong in ever thinking that in the rights themselves there was anything sacred. Everything that men have striven for and suffered for, generation after generation, everything that the noblest men have placed before life itself, is to count for nothing in our more enlightened age, if the majority of the day or the morrow think that we can do better without it. There is nothing sacred except the convenience of the larger crowd dictating to the smaller crowd. Whatever is sacred in the world is to be found clinging to *the skirts* of the majority, is born with the [21] majority, and dies with the majority. Please not to think that I am exaggerating in saying this. There cannot possibly be two supreme laws. Either the will of the majority or the rights of the individual are the highest law of our existence; one, whichever one it is to be, must yield in presence of the other. Now the question is, which is to be supreme? Which is to give way? Do not suppose that by any skillful arrangement you can ever reconcile the two as equal powers, or succeed in paying allegiance to both. You might as hopefully try to merge the two opposite poles into one; to be a believer in infallibility, and a soldier of free thought at the same time. Men once dreamed that the State could be a temporal and not a spiritual power. They can now see that they were only deceiving themselves by words. They can now see that wherever you exercise power over a man, whether it be in the matter of his education, or his labor, or any occupation of his life, you are as much constraining, molding, and forming him, you are as much his owner and possessor, as if you taught him a catechism and required him to accept a Thirty-nine Articles. The nature of man is indivisible; you cannot cut him across, and give one share of him to the State and leave the other for himself.

Now, perhaps you will turn round on me, and say, "Well, then, we understand you at last. Men have no rightful title to exercise power over each other. There can therefore be no Government and no laws. The murderer and the thief are both to ply their trade unchecked, because [22] men have no title to form a Government and make laws.

I will answer as plainly and truthfully as I can. I do not think that it is possible to find a perfect moral foundation for the authority of any Government, be it the Government of an Emperor or a Republic. They are all of the nature of a usurpation, though I think when *confined within certain exact limits*, of a justifiable usurpation. I see that each man is, by virtue of that wonderful self which is in him, the owner of certain faculties and energies. I see that he, and none other, has the rightful direction and control of these faculties and energies.

They are vested in him as an inseparable, inalienable part of himself; and I can see no true way in which they can be taken forcibly from him and owned by another. But I see that the exercise of these energies and faculties depends upon the observance of the universal law that no man shall by force restrain another man in the use of his faculties. The men who do so restrain their neighbor, who, being stronger than he is, break into his house, tie his hands behind his back, take from him what belongs to him, or compel him against his own consent to do certain actions, are men who disallow this universal law, and therefore lose the rights which they themselves possess under it. I can see in presence of such acts of physical violence that men are driven to band themselves together, and to form what are called Governments, to restrain those who violate this law, and who, having disregarded it in the case of others, can no longer *themselves* claim to live under its protection. But [23] it is also necessary to see plainly that Governments, if they are to possess any moral justification whatever for their actions, can only use power over those who have thus lost their own rights; and that the justification which underlies this use of their power is solely that of self-preservation. Now, self-preservation is a plea of great authority, but an authority strictly limited by certain conditions. It justifies an action that is wrong in itself (as the employment of force) only because of the wrong which has been already committed in the first instance by some other person. I may preserve my life by taking the life of him who has attacked me, but I have no right to preserve my life by taking the life of him who is innocent of all wrongdoing toward me. And this is the position of all Governments. Just as the individual has rights of self-preservation, as regards the special man who commits a wrong against him, so has a Government—which is the individual in mass—exactly the same rights, neither larger nor smaller, as regards the whole special class of those who employ violence. We can justify the use of force by a Government, its interference with the energies and faculties of those men who have themselves interfered with the energies and faculties of others, on the ground of our common self-preservation; but we cannot justify on this ground any interference on its part with the energies and faculties of innocent men, I mean, of those who have remained within their own rights. When Governments do so act, when they interfere with the energies and faculties of innocent men—as the fact of their being a Government cannot [24] possibly place them in a different position from individuals as regards the universal laws of right and wrong—they simply join themselves to the already swollen ranks of the users of violence and the despisers of rights; and they lose all true title to be obeyed or respected by men. I would therefore say that where men commit acts of violence against each other, there lies in us all, whether, acting on our own behalf, or organized into a society, on the ground of self-preservation, the right to resist violence by violence; and that the most convenient form of such resistance is to make a Government, elected by the whole people, the instrument of our resistance; but just as individually, for the sake of our own self-preservation, we have no right to sacrifice in any particular an innocent man, so also must the action of a Government, which is merely built up from individuals, be bounded by exactly the same limits. It cannot aggress upon the rights of any innocent man; it can only restrain aggression upon such rights.

III ←

The man who believes in strong Governments, and looks with a favorable eye upon Socialism, may now say to me,

"It is this very question of force that justifies us in what we are doing. We want to diminish the use of force in the world. The rich unscrupulous man is in reality the man who uses force, and it is the exercise of force on his part that we

are seeking to restrain by force on our *part*. The capitalist who uses force toward his [25] work-people, compelling them to accept his terms, is as much to be restrained by force, in our opinion, as the man who helps himself by violence or fraud to the property of other people."

To which argument I must reply that, notwithstanding your protestations against force, you are acting so as to establish force as the universal law of the world. When we propose to use force against the capitalist because he forces his work-people to accept certain terms, we are confusing the two meanings which belong to the word force. We are confusing together direct and indirect force. Where I directly force a man, I say to him, "You shall do a certain thing, whether you consent in yourself or not to do so." Thus, if I tie a man's hands and empty his pockets, or if I pass a law saying that he shall not enter a public house, or that his child shall be vaccinated or educated, or that he himself shall only labor eight hours a day, or shall only labor for the State and not for a private employer, I am using direct force against him. I say to him, "Whatever your own opinion is in these matters, whether you give or withhold your mental consent to the act that is in question, I require that the act shall be done." But when a capitalist says, "I offer employment on such terms," or a workman says, "I will only work on such terms," neither of them is employing direct force against the other. The employer may be indirectly forced to accept the workman's offer, or the workman may be indirectly forced to accept the employer's offer; but before either does so, it is necessary that they should consent, as far as their own selves are concerned, to the act that is in question. And this [26] distinction is of the most vital kind, since the world can and will get rid of direct compulsion; but it never can of indirect compulsion, however much the growth of better influences may humanize and modify it. Direct compulsion, by whomsoever exercised, is only a remnant of that barbarous State when Emperors and dominant Churches used men according to their own ideas. Indirect compulsion is a condition of life to which we have always been, and always shall be, necessarily subject; it is inseparably bound up with our joint existence in the world. The richest and most powerful man lives under indirect compulsion as well as the poorest and feeblest. To use words which I have used elsewhere, "We may according to our character apply this indirect compulsion of each other kindly or harshly, scrupulously or unscrupulously; but from it there is no escape possible for us any more than from the atmosphere that surrounds us, both as regards compelling and being compelled. All life is subject to it. No man does and no child is born without in some way affecting the mass of indirect or conditional compulsion which weighs upon each of us individually."

Now let us see the mischief that arises when you make the existence of indirect compulsion a ground for employing direct compulsion. First, when you do so you at once destroy the immense safeguard that exists so long as one man cannot be compelled to accept another man's view as regards his own life or happiness—that is to say, that the person who knows most about his interest and cares most about it—I mean the man's own self—must give his consent to every action that he does; and you establish a [27] system, founded on very puzzle-headed ideas, under which each man is not to be his own special guardian, but is to be put instead under the guardianship of (say) 10,000,000 of his countrymen and countrywomen. Second, observe, that in opposing such indirect force, as is tyrannously used, by the weapon of direct force, you fall into the same mistake as those do, who try to repress a crime by methods more brutal than the crime itself; or as those do who would forcibly repress teaching, such as that of the Roman Catholic religion, because they believe that the claim to possess infallibility tends to an intolerant use of power, whenever power and this claim happen to be joined in the same persons. But could such people have their way, they would immensely increase the intolerance that exists in the world by inducing all the tolerant—as well as the intolerant—persons to fight for their opinions by intolerant means. In exactly the same way he who uses direct force to combat indirect force only restrains one injury by

inflicting another of a graver kind, places the fair-minded people as well as the unfair-minded people on the side of oppression, and, by thus equalizing the actions of the good and bad, indefinitely delays the development of those moral influences to which we can alone look as the solvent of that temper that makes men use harshly the indirect power resting in their hands. Do we wish to make men juster in their daily intercourse with each other? We shall certainly not succeed by acting more unjustly in return, for however unjustly a man may use the indirect power that he possesses, his injustice will always be surpassed by those who violate [28] the universal rights of men by applying force directly. [2]

And now let us glance at another aspect of the question that must always discredit the use of force. Let us look at the machinery that is necessarily called into play, when you propose to give power to a majority, and make it supreme over individual rights. Consider what kind of a thing a majority is, by what means and in what way it is brought into existence. Look closely at any election that takes place, and see the process of management by which parties are got and held together. Try to separate yourself and your own interests from what is going on: climb if only for a few minutes to a height from which you can look critically and impartially at the ignoble and selfish scramble beneath you. Examine with a jealous eye the professional manipulation that goes on, the appeals made to this or to that section of the people, according as most votes are to be gained, the gross lesson of selfishness [29] that is taught where the people are openly told to obtain the direct personal advantages that they desire by a skillful use of their votes, the personal ambition of the men who gain influence by making speeches that "go from the teeth outward," and by publicly lending themselves to causes which had remained untouched and uncared for by them till Doomsday, but for the politician's reward of popularity and influence which is attached to them. Remember that every politician has something to gain by his opinions, and that without and apart from these opinions he can rarely keep his place or succeed in his occupation. Very few men out of the whole number of us are strictly honest and truthful, but the politician has far greater hindrances in these respects than other men. He is bound to think as his party thinks; he is bound to think in such a way that he shall get a sufficient number of votes to give him the seat or the influence that he desires. He has mortgaged his own judgment and his own sense of what is right to the oppressive necessity that he shall be in agreement with others. If you who have the bestowal of a seat in Parliament in your hands, wish to be told what will please you, what will be in accordance with personal interests, with daily wants, with class hatreds and those prejudices that have grown with your growth and strengthened with your strength, if this is what you really desire, and what you honestly think will be the most conducive to your mental welfare, then I say, go in confidence to the first politician who is asking you to send him to Parliament, and feel assured that you will probably get from him all that you desire. If you wish to hear but the echo of your own voices, and see but [30] the reflection of your own thoughts, and have no desire to be led out of and away from your own selves, imperfect as they must be, go and seek the politician. But if you have nobler desires than this, if you desire to see this world and its great conditions placed before you in their true light, if you desire to judge the questions that affect the future of society from a higher and truer standpoint than personal interests and the vote by which they may be secured, refuse to listen to any man as a guide who derives his success from simply pleasing you. The lips of such men are too smooth to help you in that which is the real struggle of life, the great search after truth. It is hard enough in this world to find anywhere those who are bravely searching for the truth simply for its own sake. Those who enter upon the search at all generally do so with the preconceived idea that the truth when they find it will be in exact agreement with their own personal wants and interests, and will conveniently supply them with a fresh stock of arguments on behalf of the causes to which they are already wedded. And although our own personal advantage may not wholly possess us, still there are plenty of snares and pitfalls left in our nature and in our inherited passions to hinder us from faithfully pursuing the search. We are, indeed, only too often destined to find that attainment is denied to us, even after long

effort and long discipline of ourselves; but yet something—perhaps much—will be gained when we have learned to distinguish between the false guides and the true guides, between those whose success in life depends upon thinking in the same plane and in the same direction with ourselves, [31] and those who are steadily desirous above everything else to be true to the light that is within them. Here and there you will find a man engaged in public life who, with courage to stand alone, strives to keep undimmed both for himself and others this inner light. Wherever and whenever you get such a man, stand by him and strengthen him. Do not let him be trampled underfoot by the impatient crowd of those whose opinions are shaped for them by the petty traffic of the hour, and who would have all others such as they are themselves. Remember that in the midst of the selfish scramble that we call politics, such as it is today, you may rarely hope to find a man with iron enough in his character to let him keep a true and dauntless self within him. The politician, as you may see him on any day, and at any hour, is a man bound by his own necessities. It is difficult for him to be anything but a retailer of borrowed convictions and imitated enthusiasms. In frankness I must say that it is in great measure your own doing. You make him your creature—and therefore worthless to you from every higher point of view—just because you are always requiring of him to preach the gospel of your own immediate interests.

IV. [↩](#)

And now, if these principles, as I have tried to set them before you, are true; if men have no rightful claim to possess any sovereignty over the bodies and minds of each other; if that sovereignty only belongs to the man's own self; if the attempt to have and to exercise power over each other has [32] been the most fruitful cause both of the past and the present misery of the world; if force has never permanently bettered and never can permanently better any of us, but only unfits us for our struggle in a world, where we must depend for our success, sooner or later, at some point or other, notwithstanding all ingenious systems of external protection, upon the selves that are within us, upon our own choice of what is right, and our own power to abide by that choice; then what is the practical aim we must put before ourselves in politics, what measures and what form of Government will give the truest expression to these convictions?

First, we must establish a system of complete liberty under which no set of men should endeavor to force upon other sets of men their own view of what is right, as regards social conduct or fashions of living, as regards religion or education, as regards trade or labor of any kind, as regards amusements or occupations. The system must be a system of such complete freedom, of such perfectly free enterprise, free trade, and free action in all things, that under it, in industrial matters, men will be entirely content to further their own interests by means of their own efforts and their own voluntary and self-directed associations; and content in social matters to obtain acceptance for their views by such moral influence as each is able to gain in the universal moral conflict. There must be the complete renouncement of force—that force which all the present Governments of the world employ without hesitation—as the instrument by which the condition of men is to be improved; and in its place the [33] following out and perfecting by voluntary means of that good, whatever it may be, which seems to each man or each group of men the truest and highest. Second, Governments recognizing that the only justification for their existence is to be found in the acts of violence and fraud committed by men against each other, and in the right of self-preservation in presence of such acts, must employ the force which they possess for the one and single purpose of repelling force. They must simply defend the person and property of all persons from attacks by whomsoever they are made. Private and personal property must be fully and

completely recognized, whether it be the property of the rich or of the poor man. We must close our ears to the careless and unthoughtful denunciations of property, and see that without the fullest recognition of property there can be no real liberty of action. It is idle to say in one breath that each man has the right to the free use of his own faculties, and in the next breath to propose to deal by the power of the State with what he acquires by means of those faculties, as if both the faculties and what they produced belonged to the State and not to himself. Private property and free trade stand on exactly the same footing, both being essential and indivisible parts of liberty, both depending upon rights, which no body of men, whether called Governments or anything else, can justly take from the individual. Let us never yield to the superstition of magnifying the Governments of our own creation. While we concede the power to Governments to protect every man in his person and in his property from the attacks [34] of other men, rather than leave this power in the hands of men individually, let me repeat that it is a mere survival of old forms of thought to suppose that there is any odor of divinity about whatever form of Government it may be—Imperial or Republican—that we set up. In presence of the necessities caused by human wrongdoing, under the plea of self-preservation, as the means of preventing aggressions upon liberty, we may pass laws and carry them into effect against those who disregard the rights of others, and in doing so we may commit no wrong against such men, seeing that they themselves have violated the universal covenant of rights. But let us, for the sake of keeping undimmed our own perceptions of what is true, frankly admit that the laws, passed in Parliament and administered in courts of justice, are really and essentially in the same class as those acts of earlier days, by which men with their own hand provided for their own safety. The act of Parliament may be as necessary for self-preservation in our time as the steel shirt, or the stone walls of the castle, or the body of armed retainers was in the Middle Ages, but both are expressions of force, both are the instrument of the strongest, both in a strict and true sense are outside morality, which only has to do with the free choice and the free action of men.

V. ↩

I will now sketch the practical measures by which, as it seems to me, we could give the best [35] effect to a system of the widest possible liberty; our great object being to secure the limitation of services undertaken by the Government. These services should be limited,

(A) To the defense of men and women in their persons and property by means of a legal system which should be as simple, inexpensive, speedy and equitable as it can be made by a far greater concentration of public attention upon it than is possible in our present condition of over-legislation in all directions; (B) to the defense of the country and its dependencies from all enemies: and the carrying on of diplomatic intercourse with other nations.

The definition of offenses against person and property is so all-important a matter, that I must ask your attention to it before going further. It is a subject that will require very full and searching discussion, undertaken from the dominant point of view of a man's rights over himself and his faculties; and it is only wise to expect that some of the practical conclusions which we arrive at today, may, after fuller consideration, require modification. With a sense of many difficulties I offer my contribution to this discussion.

As the foundation of all morality is respect for the free choice and the free action of others, the essence of a true offense against person or property seems to be the violent interference with a man's faculties, the constraining of his will and actions. By constraining the will and actions, I mean either that a man is prevented (by physical coercion) from doing

those actions which he is physically and morally competent to do; or that [36] his will is constrained (without any acquiescence on his part) so that as a consequence his actions are constrained. I believe that no act should be treated as a legal offense unless such act is of a nature to constrain the will and self-dependent actions of another person. [3]

Let us take some instances. If I tie a man's hands, and take from him his purse, I evidently constrain both his will and his actions. If I sell a man a loaf professing to be made only of wheat, and in reality made partly of potatoes, I constrain his will so that his actions are constrained. My fraud is force in disguise. He intends to buy and consume a loaf made of wheat; and I, *against his own consent*, induce him to buy and consume a loaf made partly of potatoes. My conduct to him is nearly the same practically as if on his way home from market I had taken the loaf from him; the only difference being that in the case of the robbery I should have constrained both his will and his [37] actions; in the case of the fraud I only constrained his will—his will being to buy a wheaten loaf—with the effect of constraining his actions.

If I let my sewage drain itself into another man's well, I thereby commit a damage upon his property by poisoning the water and making him incur the risk of illness. Now, a man's property is the result of the exercise of his faculties; is an inseparable part of himself and his faculties: and therefore, whenever his property is injured, his faculties are interfered with, and his will about himself, his faculties, his actions, and his property, constrained.

It is the same if I pour out noxious vapors into the air. The air which is polluted must be either private or public property, and in either case (I am supposing that the noxious vapors are created in the immediate neighborhood of others, and not in the center of my own ground) I have injured that which does not belong to me and have interfered with and constrained the faculties of those who are obliged to breathe the poisoned air against their own consent.

Let us take another instance of greater difficulty, on which I should only wish to write with reserve and suggestively. Can we look upon a case of really injurious libel, for example, where one man publicly and untruly accuses another man of being a thief, as a case of constraining a man's actions? I answer doubtfully, yes. Suppose I placed false weights in an honest tradesman's shop, and informed the police that he used them, I should certainly be constraining his will and actions. He having acted and wishing to act honestly would be publicly [38] presumed to have acted dishonestly. I should, so to speak, have taken his own actions from him and substituted other actions. It is the same when, being in truth an honest man, I have libeled him by a public statement as a dishonest man. By my untruthful accusations I have taken his own actions from him and substituted other actions for them. I have, as it were, changed the weights behind his counter and publicly declared that he uses false weights. [4]

If this is a true view of the nature of the offense of libel it is evident that the present law requires alteration, since untruth must in all cases be a necessary part of the offense; as it is the untruthful statement which, against the man's will, takes from him his own actions and substitutes others in their place.

Lastly, let me glance at another class of actions, which are a matter of local rather than central Government. You may ask me, "Ought not such a thing as riotous or indecent behavior in the streets to be punishable; and if so, on what grounds?" To which I can only reply that we must not confuse those offenses which are rightly punishable by the law of self-preservation, because they are aggressions by one man upon the faculties and actions of another man, with offenses which are committed in disregard of regulations laid down by those who are holders of property. Those who own the streets, whoever they may be—private

owners, companies, or municipalities—may in virtue of such owning lay down such regulations as they think right, just as the directors of a railway company issue directions as to where men [39] may smoke or not smoke. These regulations may be unwise and vexatious, but there is no element of wrong contained in them, because they are the conditions under which a certain thing is allowed by its owners to be used. But let us be careful neither to assume ownership, where it does not rightly exist, as the result of acquisition under a free system, nor to create it by any act of force. No municipality should have the right to seize property, and then for such property make such public regulations as it chooses. The moment that it takes property by force, and sets itself above the rights of individuals, its action assumes the character of a very dangerous and unjust monopoly. In the case where it acquires property, either by purchase or by free concession, it may, like any other private owner, make such regulations as it chooses; and so long, as it is not clothed with greater powers than the individual, a guarantee of a certain kind exists that these regulations will not be oppressive on account of the opposition and competition that could be and would be called out in consequence. Given a free people accustomed to voluntary combinations, and I doubt if there is much cause for fearing the oppression of any associated body, if only no extraordinary powers have been given to it. The resources which created it, can generally call its rival or its superior into existence. [5]

[40]

The real danger begins where any body of persons, central or local, are armed with powers (I always except the powers necessary to protect person and property) which exceed those of the individual. Then we prepare for ourselves a formidable source of oppression, from which, as time goes on, it becomes more and more difficult to escape. The question of local government, as it stands now, is a very complicated one, municipalities having already taken possession of many things by force; and it will require much careful thought before we can see the best way of harmonizing the old conditions of force and the new conditions of liberty. One thing, however, is plain. No further powers should be allowed to municipalities to take property compulsorily of any kind or for any purpose, or to compel any citizen to consume either its gas or its water or any other product against their will, or to raise any kind of rate compulsorily. The services it renders must be voluntarily rendered and voluntarily accepted. We shall gradually find our way out of the tangle, in which we are at present, by steadily insisting that (with the one exception) no body of persons is to be clothed with powers exceeding those of the individual; and by remembering that no momentary convenience can compensate for the mischief which arises from our manufacturing little gods almighty, whether in the shape of town corporations or central parliaments.

[41]

I cannot here enter fully into the many complexities that surround this special question; nor can I here undertake to show that, as in the case of the central Government, so also in the case of local governments, compulsory powers have proved and must always prove a curse and not a blessing. The compulsory powers of municipalities have made it easy to carry out any great work for a town without difficulty or loss of time, but great works are a poor compensation for other serious evils. Great debts have been accumulated; the burden of rates has become grievous to be borne; possession of power has become a matter of political party, with all its innumerable evils; great monopolies are beginning to occupy the ground—and let it be remembered that all systems, once authoritatively adopted, stand in the way of new discoveries and improvements—jobbery is said to exist; the divine right of some to direct the manner in which the resources of others shall be used has more and more become a fixed national idea; and we have all, poor and rich alike, been prevented from learning the fruitful lesson of voluntarily combining to supply our own special wants in our own special fashions. It is enough for our purposes here to say that until the great principle of *no compulsory*

powers is carried out we cannot hope to discover the best form of local management. Where an existing body is clothed with compulsory powers there can be no real competition between other forms and itself. To discover what is really in the interest of men, there must be free competition between all systems; and free competition there cannot be where one system can enforce its own methods, and keep all rivals out of the field.

[42]

VI.↩

And now, before leaving this part of the subject, I will only glance at a large class of actions which, on the principles laid down, ought not to be treated as punishable offenses, that is which have not the one element which rightly makes a punishable offense—I mean they constraining of those actions of a man which are both within his own physical competence, and within his own moral competence, as far as the rights of others are concerned. Thus, there is no true authority in any person, or body of persons, to punish a man for getting drunk (setting aside offenses committed when drunk), or for indulging in vices in which, if others are concerned, they are concerned with their own consent; there is no true authority in any body of persons to say to a man "You shall only be allowed to make a contract concerning yourself and your labor in the form in which I direct you." [6] We can see at a glance that all such punishments or constraints are usurpations of power; are the mere forcible carrying [43] out of their own views by those who happen to be the strongest; are, so far as they aim at bettering a man, examples of that legislation for the man's good against his consent which Mr. Mill so warmly denounced. His words ought never to be forgotten:

"That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because in the opinion of others to do so would be wise or even right. There are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him; but not for compelling him, or visiting him with any evil in case he do otherwise."

We may now proceed to glance at some of the political measures which are implied in the limitation of State services. [7]

2. Class A—Removal of burdens of taxation

Examples—Abolition and reduction of State departments, and officials. Abolition of pensions after life of the present holders. Abolition of all custom and excise duties and assessed taxes, and establishment of complete free trade in all things. All Government revenues (whether central or local) [44] to be derived from *voluntary, not compulsory payments*. Payment as early as possible of national debt by sale of all such ecclesiastical property as may be adjudged to belong equitably to the nation, by sale of other national property, and by special fund raised by voluntary contributions; with mortgage of remaining national property to holders of debt, until payment is completed.

Voluntary taxation. Apart from the argument of convenience, which unfortunately governs us in so many matters, it will be difficult, I think, to find any real justification for the compulsory levying of taxes. The citizens of a country who are called upon to pay taxes have done nothing to forfeit their inalienable right over their own possessions (it being impossible

to separate a man's right over himself and his right over his possessions), and there is no true power lodged in any body of men, whether known under the title of Governments or of gentlemen of the highway, to take the property of men against their consent. The Governments which persist in levying taxes by force, simply because they have the power to do so, will one day be considered as only the more respectable portion of that fraternity who are to be found in all parts of the world, living by the strong hand on the possessions of those who are too weak to resist them.

The more this question of taxation is considered, the more clearly I believe will the mischief of the present system come to light. So long as the political faction in power can decree the levying of what taxes it likes, it is unreasonable to hope that either the organized or the unorganized oppression of men by each other can ever be brought to an [45] end. The conception of our true relations to each other is poisoned at an ever-flowing spring. Once give to me, or to any other man, the power to carry out our own ideas, and those of the majority to which we happen to belong, at the expense of all who are in the minority and who disagree with those ideas, and there and then the hateful State of oppressors and oppressed is necessarily established. There can be no true condition of rest in society, there can be no perfect friendliness amongst men who differ in opinions, as long as either you or I can use our neighbor and his resources for the furtherance of our ideas and against his own. The present power to levy taxes compulsorily seems to me the inner keep, the citadel of the whole question of liberty; and until that stronghold is leveled to the ground, I do not think that men will ever clearly realize that to compel any human being to act against his own convictions is essentially a violation of the moral order, a cause of human unrest, and a grievous misdirection of human effort. Of the immediate ill effects, of the waste, of the extravagance, of the jobbery, that are all born of the compulsory taking of taxes, I will not speak here. The first and greatest question is whether to help oneself to one's neighbor's property by force is or is not morally right.

In writing thus, I ought to say that on this point my view is, as I have reason to believe, opposed to the views of Mr. Herbert Spencer, without whose teaching scarcely any part of this paper could have been written. But I know so well his loyalty to truth, that I can differ from him almost without regret, feeling well assured that his [46] one anxiety is that the truest application should be given to the principles he has laid down, and not that any special view of the moment as regards those applications should prevail. Even when we are convinced that his principle of "the widest possible liberty" is the true foundation principle of all human society, we must expect that differences will arise as to the truest application of the principle. Time, free discussion, and the aroused interest of many minds in love with liberty, will bring us to the right goal at last. [8]

Class B—Abolition of monopolies and restraints which prevent the people from gaining the full benefits of free trade

Examples—Abolition of all legislation creating a monopoly in the liquor traffic; of State regulation of the professions of law and medicine, with its resulting monopoly in each case; of legal impediments restraining the free sale of land; of the State post office and telegraph services. Such changes in the law of libel as would allow the freest discussion to accompany all the developments of free trade, while leaving men responsible for the truth of their statements.

Monopoly in the Liquor Traffic and monopoly in the Professions. — See special papers now preparing.

Changes in law of libel. It is the necessary complement of a free trade system and of open competition that the most perfect freedom of discussion should take place as regards all that [47] comes into the market, and all methods of carrying on business. It is in the vital interest

of the people that they should learn to appraise at his real worth every seller in the market, and to understand every method of carrying on business; and this they can only do well by the habit of free discussion and of free interchange of ideas. No Government inspection is of the least real use in this matter. It is but a mockery and delusion, disguising from the people the urgent necessity of watchfulness, a better understanding of their own interests, and in some cases of defensive associations to secure the full advantage of free trade. The free trade system demands by its very nature a higher order of intelligence on the part of the people, and this intelligence cannot be developed unless the people can discuss freely, as well as buy and sell freely. At present the law of libel is of such a nature and is so mischievously interpreted, free criticism with all its valuable influences is so much hindered, that, to take a familiar example, a writer like Mr. Ruskin cannot speak without risk to himself of Mr. Whistler and his "paint pot."

Class C—Abolition of services done by the State, which if performed by those immediately concerned would result in:

1. Greater independence of character, and greater sense of justice as regards placing burdens upon the shoulders of others.

2. Greater intelligence, enterprise, and fitness for voluntary association.

Examples—Abolition of all State education, established Churches, poor laws, of State inspections, [48] and regulation of factories, mines, railways, ships, etc.

State education and Poor Law. It should be observed that when taxes were converted into voluntary contributions, the great objection that now applies especially to such services as State education and Poor Laws—the injustice of *compelling* some to pay for others—would be removed, and when once that was the case, a State education or Poor Law system might be continued in certain places and under certain circumstances for a period, so as to give time to the people of each district to organize their own systems of dealing with these great matters. But apart from the objection to compulsory taxation, we have to perceive that no universal system directed by an external and often remote authority can continue healthy or capable of continuous and sustained improvement. There is therefore a great need that State direction should gradually give place to the voluntary associations of men, working in their own self-chosen groups, and competing against each other to discover the best methods.

Class D—Abolition of restraints which give a character of infallibility to the State, replace the judgment of the individual as regards his own conduct and duties by the judgment of the State, and by the sterilizing effect of physical and external force prevent the development of self-protecting qualities and the transforming influences of moral force.

Examples—Repeal of laws enforcing vaccination; [49] directing the compulsory removal of the sick; imposing regulations as regards the labor or education of children on the whole class of parents (any person, whether parent or not, physically injuring a child either by overwork or in any other manner, should be punishable in ordinary legal course); attempting either to prevent or to impose certain opinions, such as the exaction of political or religious oaths from members of Parliament (oaths which led to the nationally disgraceful exclusion of Mr. Bradlaugh); impeding and harassing those who believe in or would examine the facts of spiritualism; enforcing a special observance of the Sunday; suppressing brothels; giving the police power to arrest women on the charge of prostitution, or, as regards the people, powers of other harassing interference; forbidding vivisection; restricting the stage and other amusements of the people; restricting or forbidding the liquor traffic; preventing divorce at the desire of either husband or wife; or enabling Government (whether central or local) to take property compulsorily.

As regards this class it should be observed that the thing in question may be in the judgment of many of us a wrong thing, and yet at the same time one which ought not to be forbidden by the arbitrary power of the State. Speaking for myself personally I object strongly to vivisection, so far as it involves serious pain to animals, both on moral grounds and on grounds of public interest. On moral grounds I do not think we ought to purchase advantages—granting that they are advantages—at the price of deliberately inflicting great suffering; and on grounds of public interest I think (as I think Dr. [50] Anna Kingsford and others have pointed out) that experiments on animals delay and impede improvement in the methods of observing human disease. They lead us in the wrong direction. I do not doubt that there is an utility of a certain class in vivisection, that experiments have been of service in confirming views already held, and that they often furnish simple and direct illustrations of such views; but in the general interest of society the method seems to me highly undesirable. It is against the public good that our doctors should train themselves to depend upon experiments upon animals. That which we desire for them is keener perceptions and more human sympathy with disease; and these qualities, as I believe, will not be fully developed until we have systems of closer observation of disease than those which exist at present, while at the same time I doubt if these qualities are reconcilable in human character with the reckless school of experiment which has grown up on the continent, and but for the present protests might grow up in this country. And yet, holding these views, I can find no true authority for enforcing them upon those who hold the opposite views in exactly the same good faith as myself. It is a matter of conscience on both sides, and must be left to be decided by discussion, and not by State decrees. Our effort, therefore, should be to persuade the anti-vivisectionists to abandon all agitation to obtain the passing of a prohibitory law. Such a law will be but of the smallest use to them, for it will not be respected or obeyed by the medical profession, and by its harshness it will still more unite the profession in their support of [51] vivisection. That which we have to do is to create a State of freedom, as regards the profession itself, which does not now exist, as the only sure means of enabling the strong public feeling that has been called out against vivisection to produce a practical result. At present the profession holds to all intents a close position, which it is proposed to make by law still closer. If the regulation of the profession is left in their own hands, if only those can enter it who have passed through courses of teaching arranged and given by themselves, and through examinations of which they hold the control, so long the teachers will mold the taught, and the efforts of the antivivisectionists will be without any lasting result. In this case the simply professional view will dominate the profession, perhaps all the more strongly on account of the opposition outside. The profession must be thrown open, it must be made absolutely free, leaving to each medical school to choose and to follow its own course and methods. In such a case anti-vivisectionists would either get some of the hospitals with their schools of teaching into their own hands, or create new ones, and the matter would be brought to a practical test whether the more human and humane methods are or are not in the long run the best for men. There is no profession which seems to me to be greater or nobler in itself than that which is concerned with human healing, but I am convinced that its interests cannot and will not coincide with those of society, so long as any legal power or any kind of monopoly is left in its hands. Monopolies have always bred interests that diverge from those of society. It has been so with the church in all [52] ages; it is so today with the professions of law and medicine; just as it also is, to pass to a lower level, with the trade of liquor selling.

Laws compelling the education of children. Here again the end is good, but the means are not good. Parents who are simply treated as so much material and summarily directed by a law to educate their children can never rise to an intelligent sense of their duties. Our wants, our family and social obligations, are our great moral educators in the world, but they can only do their work so long as we preserve free minds to listen to the moral appeal. The moment we begin to satisfy these wants by the machinery of external compulsion, all the

good that would come to us from making the free effort is lost. He who voluntarily sacrifices his own interests to send his child to school is on the road to raise himself and the society to which he belongs, but he who simply pays mechanical obedience to a law, condemns himself—and all others, as far as his influence is concerned—to drowse on forever with unawakened senses. *See* appendix.

Laws attempting to prevent vicious habits. All coercive interferences with vice end disastrously. They drive it out of the daylight into secret places, where it assumes lower and more degraded forms. They produce great hypocrisy, for none of us is sufficiently virtuous to act as the persecutor of others in these matters. They often inflict great cruelty by putting power into the hands of unfit instruments, a power, for example, so much dreaded in Paris that women have many times destroyed themselves rather than fall into the hands of the police. And, last, like all other employments of [53] force, they prevent the growth of moral influence.

Laws regulating or forbidding the liquor traffic. There is much to be said on this subject. I can only say here that to forbid this traffic by law will be to destroy almost at a blow the moral energies which have been called out by the great evil of excessive drink. There has been a splendid energy developed by the anti-drink party, which, with all its effects upon character, would be wiped out of existence whenever they begin to compel instead of converting the people. If there is any man who should pray and vote and fight against the permissive bill, it is the man who believes in abstinence. We ought to save the teetotal party from itself, as wise men would save a church from itself that asked to be turned into an established church and to be allowed to wield the power of the State. — *See* special paper.

Free divorce. Our marriage laws are another example of a good end sought through bad means. We have strong ground for believing that permanence in marriage relations is a mark of a higher civilization and higher type of character. But do not let us forget that the outward union must be based upon the inward union. If union be only the result of external authority, or pressure of any external kind, or obedience to fashion, it possesses no real value, it becomes a mere superstition, a fetter. There can be nothing which so lowers our view of marriage as the belief that, for the imagined good of society, two people, whose lives and aims are inharmonious, should by some sort of external [54] coercion be bound together; as if society had ever been benefited by sacrificing the individual. Here, as everywhere else, freedom must be our guide. In all great matters of human feeling, not only the higher forms, but even the conception of the higher form, can only be reached through freedom. We bind men and women in order to save them from temptation, and we presently find that the effect of our binding is to make them slavish, mercenary, and untruthful in character, and to paralyze the upward tendency to good that exists in every free society.— *See* special paper.

I ought to add that some matters mentioned in Class D belong rather to the department of local than to central Government; such as, powers entrusted to the police.

Class E—Abolition of restraints placed upon some for the benefit of others.

Examples—Abolition of all special contracts forced upon either employers or employed, or landlord and tenant, in the interest of either party.

Class F—Constitutional and administrative changes.

Examples—Abolition of privileges depending on birth. Abolition of the House of Lords; conversion of monarchy after present reign, and in course of time, into Republic of simplest type. Manhood and womanhood suffrage. Ballot permissive individually. Proportional representation. [55] Reference of measures passed by Parliament for ratification by the people, on demand of a certain number of Members, according to the Swiss plan. Separation

of Indian and Home armies. Abolition of military life in barracks by placing soldiers on same footing as police. Commissions gained by service in the ranks, and as volunteers, and as result of special (qualifying, not competitive) examinations. Great development of volunteer system.

Conversion of Monarchy into Republic. This change is one that should not be forced upon a large and unwilling minority; but should be made with great consideration for those who, as the result of many past generations of inherited opinions, are strongly monarchical in feeling. The present queen has fulfilled her duties too faithfully toward the people not to make us heartily wish to see the undivided allegiance of the people remain with her until the end of her reign. It is possible that when the change takes place the appointment of the then reigning sovereign, as president for life, with no rights of succession, may greatly soften the resistance that must be expected to accompany this break in our national life.

Class G—Ireland.

Ireland to choose its own Government. The N.E. part to stay with England if it wishes to do so. Loan to be raised by Irish Government to buy out at fair prices such landowners as desire to leave the country.

[56]

Class H—Colonies, India, Egypt, and Foreign Countries.

Closer drawing together of mother country and colonies for purposes of foreign policy and defense. In every case either a loyal and vigorous discharge of the obligations resting upon us, or a frank renunciation of such obligations. It is of importance that confederation should be constructed on such principles that any colony may withdraw from it in the future, should it desire to do so. We have no right to fore-judge the future for these new and growing countries. India to be ruled with a view to its own approaching self-government, without any attempt at developing its civilization according to British ideas and through taxation imposed by British force. No Government expenditure to be incurred except that which is necessary for preserving peace and order. Egypt to choose her own form of Government under our protection for a time. Arabi and the exiles to be immediately released.

Abroad a strictly nonaggressive policy. Our own assumed interests not to be placed before the rights of any people. Support of principle of international agreement in distinct and defined cases; but no wholesale placing of our national judgment and action in the hands of unknown keepers. Influence of the nation to be steadily but peacefully thrown on the side of those struggling for independence, and against annexations made in disregard of the will of the people.

Local or municipal Government. The local governments to exercise such powers of defending [57] person and property, and of preventing the molestation of one individual by another, as may be given to them by general Acts of Parliament. To have no powers of compulsorily taking of property, of levying a compulsory rate, or of compelling any person to take water, gas, etc., whether provided by the municipality or by a company. To have powers to regulate property of which they are the owners; provision being made (on the *ad referendum* principle) for submitting any regulation to those possessing the local franchise. If municipalities are to be owners of property (for example, of the streets), the impartiality and tolerance of these regulations must in a great measure depend upon the constant vigilance and love of liberty of the citizens; and it would probably be better for the central government to impose no hard and fast rules upon local Governments as regards the management of property that is in their hands, but leave to the people in each district the duty of watching over their own liberties. Great battles for individual liberties have to be fought at present in

the municipalities. All attempts to restrict rights of meeting and rights of procession, whether of the Salvation Army or of any others; to enlarge the powers of the police, to harass the people in their homes, to make sanitary matters an excuse for arbitrary regulations must be steadily and unflinchingly resisted. The *ad referendum* principle should be at once demanded by those locally governed as regards the provisions of local acts.

And now I have completed this slight and imperfect sketch of the measures which seem to be necessary to make liberty the foundation stone for men in [58] all their dealings with each other. I can well believe that to many persons these proposals must seem of a wide and sweeping character. If they do, it is because they are so little accustomed as yet to the idea of liberty that they are like those who prefer the prison cell to the free sky. They have been so long bound hand and foot by State systems; they have been so long confined by rulers and churches, by sects and the narrow customs of the society in which they have lived, that they can only think of one part of men as placed in guard over the other part, and forever engaged in driving and compelling them to do what is right and reasonable and what their own interests demand. They can only think of improvements as presented to them by Government officials, or of evils as warred against by police penalties. Innumerable Education Acts, Factory Acts, prohibitive liquor laws, sanitary decrees, form the joyless horizon with which most men bound the future of the human race, and are the materials out of which they construct their melancholy ideas of progress. If we can only have more prohibitions, more penalties, more departments, more Ministers, more burdens of taxation, and more government of man by man, then, as they fondly believe, we shall at last begin to enter upon the long delayed millennium.

One further matter deserves brief attention. I would point out that none of the proposals that I have made are arbitrary in their nature. If they were arbitrary, if they were simply created out of the fancy either of myself or of any other man, they would not be worth the paper on which they are written. They are, as I believe, the necessary [59] deductions from the great principle—that a man has inalienable rights over himself, over his own faculties and possessions—and those, who having once accepted this principle, who having once offered their allegiance to Liberty, are prepared to follow her frankly and faithfully wherever she leads, will find, unless I am mistaken, that they are irresistibly drawn step by step to the same or to very similar conclusions. But perhaps once more you question if the principle itself is true? I affirm again that it is not only true, but that it cannot be challenged. If it is not true, what principle do you offer in its place to build upon? The principle that some men, according to their numbers, ought to own and possess the selves, the faculties and property of other men? But your justice and your good sense at once condemn that principle as absurd. It means, not order, but eternal anarchy and strife for the world. If then, you once agree with me in accepting this principle as the foundation law of human society, you will gradually feel yourselves constrained to lay aside all such special ideas and prepossessions as spring naturally from your personal or class interests, and instead of carving and clipping Liberty, as you have hitherto done, to bring her to the image of your own minds, you will resolutely set yourselves instead to bring your creeds, your wishes, your efforts, into harmony with all her requirements. We must lay aside fanciful and merely speculative judgments of our own, and in each case simply seek for the truest and most faithful application of our principle. The worthlessness of ninety-nine out of a hundred human actions and opinions, in political life, arises [60] from their arbitrariness. There are but very few men who loyally submit themselves to a great principle. We shall find many who will be willing to accept our principle in general terms, and yet will flinch from its universal application, because they want a saving clause inserted for some favorite institution of their own, either on behalf of a Church, or of education, or labor laws, or poor laws, or some form of nationalization of land or other property, or laws affecting marriage, or the observance of Sunday, or the regulation of the liquor traffic. To all such men I can only say you cannot serve a great principle, and yet

hope to drive your own little bargain with it, about some object of your special affections. You must be brave, and meet bravely the sacrifices which all great principles impose. Remember the loyalty of a student in science. Men do not accept gravitation as a principle, and yet claim that there is a special point at some special latitude at which its action is suspended. It may seem hard to you to give up the external protection which you at present enjoy for some darling interest or cause, to which your best energies are honorably given, but you will learn in time to see that if the great principle justifies itself anywhere, it justifies itself everywhere. All State protection is protection by external physical force, and those who choose the protection of external physical force must renounce the protection that depends upon qualities developed in the self and by the moral forces of freedom. Between these two kinds of protection, that from without and that from within, there is no alliance possible; for the one—whichever it be—fails [61] and dwindles as the other grows and gathers strength.

VII.↩

And now to conclude. With the exception of certain short notes attached to the legislative proposals, I have on purpose almost entirely confined myself in this paper to speaking of the fundamental moral wrong that is committed, where some men coerce other men, where some men forcibly and by means of the State power construct systems for the rest of men to live under. As regards the many practical evils that result from thus making other men accept our views of religion, or of education, or of the relation of labor and capital [remember that the wrong we commit in these cases is twofold, caused both by our prescribing the systems under which others shall live, and by our taking compulsorily from them, in the shape of taxes, the means by which such systems are supported] I must leave this branch of the great discussion for another occasion. I can merely point out here that all uniform State systems, excluding difference, excluding competition, mean a perpetual arrest at the existing level of progress. So long as great Government departments (over which, be it observed, from the very exigencies of administration, the mass of the people can never have any real control) supply our wants, so long shall we remain in our present condition, the difficulties of life unconquered, and ourselves unfitted to conquer them. No amount of State education will make a really intelligent nation; no amount of poor laws [62] will place a nation above want; no amount of Factory Acts will make us better parents. These great wants which we are now vainly trying to deal with by Acts of Parliament, by prohibitions and penalties, are in truth the great occasions of progress, if only we surmount them by developing in ourselves more active desires, by putting forth greater efforts, by calling new moral forces into existence, and by perfecting our natural ability for acting together in voluntary associations. To have our wants supplied from without by a huge State machinery, to be regulated and inspected by great armies of officials, who are themselves slaves of the system which they administer, will in the long run teach us nothing, will profit us nothing. The true education of children, the true provision for old age, the true conquering of our vices, the true satisfying of our wants, can only be won, as we learn to form a society of free men, in which individually and in our own self-chosen groups we seek the truest way of solving these great problems. Before any real progress can be made, the great truth must sink deep into our hearts, that we cannot in any of these matters be saved by machinery, we can only be saved by moral energy in ourselves and in those around us. Progress, *or the education of men by the wants of life*, can have nothing to do with passing Acts of Parliament; except so far as we pass them to break old fetters that still bind us. If civilization could be given by any Government, as a royal present to a nation, the world had long since been civilized. One short session would be enough to decree all the new systems of education, and all the new dwelling-houses, [63] and

all the new grants of land, and all the new penalties against vices, that are wanted. But at the end of it all the nation would be like a man who had dressed himself in a new suit of clothes. The man himself under all the new outward appearances would remain the same; only perhaps more hindered than before by the misleading belief that in some real way his clothes had transformed him. Civilization has never yet and never will be simply made by the fiat of those who have power. It must be slowly won by new desires arising in us individually and taking effect in new efforts. The common sense gained in daily life is quite sufficient to teach us that any number of brand-new splendid institutions cannot and do not alter men. To believe that they do we must go back to the fairy tales of our childhood. Nor does it require unusual intelligence to perceive that the real force of England has lain in the energy, the enterprise, the independence, the power of acting and thinking alone, that have belonged to the English character, and that it has not been her governing machinery, but these forces of character that have won for her the great peaceful victories of industry at home and of colonization abroad. These qualities form the true stores of her greatness and success, but they are qualities that are only produced by freedom in our life and constant responsibility for our actions. They cannot coexist—it would be contrary to the very nature of things—with great State systems and great governing departments, under whose direction men from day to day are controlled and cared for; I doubt if they can even long survive in presence of two powerful and [64] highly organized political parties, whose members, giving up the attempt to see for themselves what is right and true, are content to act in a crowd and to follow their leaders in blind struggles to gain ascendancy over each other. These are the things which, as our political Marthas will presently learn, are not needful to a nation. We need not have great State departments, or great State systems, however splendid in their external appearance, we need not each of us be enlisted in a great army called Conservative or Liberal. But what is needful is that man should have a free soul in a free body; that he should hate the creeds of force and of regulation, that he should ever be striving to make his mind independent of the opinions of others, that he should ever be training it to form its own judgments and to respect its own sense of right. For a nation whose units are determined to keep their bodies and minds free, all progress is possible. For a nation whose units are willing to place their bodies and their minds in the keeping of others, there are no hopes of growth and movement. It is only reserved to them to fall from one depth to another depth of State slavery, while they live in the mocking dream that they are moving onwards and upwards.

There is very much more to be said as regards this matter of State power and State interference with the lives of men. I ought to point out the extravagance and bad management of State departments. It is not often that we see people spend the money that belongs to others either quite honestly or quite intelligently, and State departments are no exception to the rule. I ought to point out the jobbery and the stupidity [65] that so often cling to State undertakings; the unfitness of the agents that Governments are obliged to employ; the necessarily bad methods, whether by competition or official nomination, of selecting them; the unfitness of the universal systems which are applied to all parts of a nation, to those who ought by the very law of their being to be differing from each other, and yet are forced to be alike; the dull, heavy routine into which these undertakings fall within a few years after they have been commenced and have ceased to attract public attention—a routine only broken by the spasmodic revolutions in their management to which they are subject, when some flagrant abuse brings them now and again under the public eye. I ought to point out how reckless in all countries becomes the rivalry of the great political parties which hope to obtain the good things that go under the name of office; the increasing deterioration of the people when invited on all hands to judge everything from the one standpoint of their own immediate advantage; the inconsistency of what is said and done by each party, when acting as Government or as Opposition, and the hypocrisy that is begotten while they serve their own interests under the cloak of the interests of the people. I ought to point out how heavy and sore a discouragement for labor is the load of taxation, that is thrown upon the nation to

support all the grand institutions, which politicians love to look at as their own handiwork; and I ought to show that the really successful nation in the industrial competition that is now springing up so fiercely between all nations will be the one that has fewest taxes, [66] fewest officials, and fewest departments to support, and at the same time possesses the greatest power in its individual units to adapt themselves readily to the industrial changes that come so quickly in the present day. I ought to show you that all that encourages routine, dislike of change, dependence upon external authority and direction, is fatal to this habit of self-adaptation, and that this self-adaptation can only come where the free life is led. I ought to show that all great uniform systems—clumsy and oppressive as they must always be in their rude attempt to embrace every part of a nation—clumsy and oppressive, for example, as our education system and our Poor Law system are—are always tending (sometimes in very subtle and unsuspected ways) to stupefy and brutalize a nation in character; and, as far as the richer classes are concerned, to destroy those kindly feelings, that sympathy for the pains of others, and that readiness to help those who need help, which grow, and only can grow, on a free soil. If by official regulations you prescribe for me my moral obligations toward others, you may be sure that in a short time my own moral feelings will cease to have any active share in the matter. They will soon learn to accept contentedly the official limit you have traced for them, and to drowse on, unexercised because unrequired, within that limit. Indeed, I believe that if you only taxed us enough, for so-called benevolent purposes, you would presently succeed in changing all the really generous men into stingy men. Again I ought to show how all great uniform State systems are condemned by our knowledge of the laws of nature. It has been [67] owing to the differences of form that come into existence that the ever-continuous improvement of animal and plant life has taken place; the better fitted form beating and replacing the less-fitted form. But our great uniform systems, by which the State professes to serve the people, necessarily exclude difference and variety; and in excluding difference and variety, exclude also the means of improvement. I ought to show how untrue is the cry against competition. I ought to show that competition has brought benefits to men tenfold—nay, a hundredfold—greater than the injuries it has inflicted; that every advantage and comfort of civilized life has come from competition; and that the hopes of the future are inseparably bound up with the still better gifts which are to come from it and it alone. I ought to show, even if this were not so, even if competition were not a power fighting actively on your side, that still your efforts would be vain to defeat or elude it. I ought to show that all external protection, all efforts to place forcibly that which is inferior on the same level as that which is superior, is a mere dream, born of our ignorance of nature's methods. The great laws of the world cannot change for any of us. There is but one way, one eternally fixed way, and no other, of meeting the skill, or the enterprise, or the courage, or the frugality, or the greater honesty that beats us in any path of life, whether it be in trade or in social life, in accumulating wealth or in following knowledge, in opening out new countries or in conquering old vices, and that way is to develop the same qualities in ourselves. The law is absolute, and [68] from it there is no appeal. No Chinese walls, no system based upon exclusion and disqualification and suppression, can do this thing for us; can bring efficiency to a level with inefficiency, and leave progress possible. I ought to show how far more flexible, adaptive, and efficient a weapon of progress is voluntary combination than enforced combination; how every want that we have will be satisfied by means of voluntary combination, as we grow better fitted to make use of this great instrument; whether it be to provide against times of depression in trade and want of employment, of sickness, of old age; whether it be to secure to every man his own home and his own plot of ground; or to place within his reach the higher comforts and the intellectual luxuries of life.

And here let me point out that the money competition of the world, against which men so often thoughtlessly declaim, furnishes the soil, out of which that marvelous system of insurance against the physical evils of life has grown and is growing. Apart from profits and active competition in business, Benefit Societies and Trades Unions would find no profitable

investment for their funds; and those, therefore, who would destroy or restrain the free movement of capital are destroying the bird that lays the golden egg. But the matter goes far beyond the range of what exists at present. No man can foresee today the full development in the future of the system of insurance. If it is allowed to grow naturally, without disturbance from the politicians, without impediment of any kind, in response to the wants that are calling it into existence, it is possible that [69] in a certain number of years a man, without taking on his shoulder any great burden, may find himself sheltered, as far as shelter is possible, from much the larger part of the world's material troubles. But this development of voluntary protective organizations can never take place unless trade becomes wholly free, having ceased to be half strangled by taxation and official interferences, and unless personal enterprise and voluntary associations of all kinds are allowed to mutually stimulate each other to the full, so as to produce the richest results. Under such a competition we must at the same time expect evils and frauds to show themselves, but we need have no nervous misgivings on this account. The practical intelligence of the people, continually developed by a free system, will discover the fitting safeguards. We must remember that the world is still very young, as regards the application of voluntary combinations for supplying our wants. It is only in the last few years that voluntary association has begun to disclose its great powers for good; and we have no right to expect that we shall suddenly become efficient masters in the use of so new and so great an instrument. Many high qualities in ourselves are required before this can be the case. You can regulate a mass of half-men half-slaves under Government systems, under enforced association, almost when you choose, and as you choose; but it is only free men, with the qualities of free men, that can take their place in voluntary associations. When once our eyes are opened to this great matter, we shall see, perhaps with some indignation, that those who are [70] constantly striving to extend the area of Government management, and to make men do by compulsory association what they could learn to do by voluntary association, are pronouncing the doom of the race, and condemning it to perpetual inefficiency.

Passing on from the subject of trade to that of private property, I ought to show how freedom of action and inviolability of private property are inseparably bound up together. It is a great misfortune that property, especially land, is at present largely massed in few hands. Our need is that every man should be the owner of property; that the whole nation, and not a class, should be landowners. But strong as is our desire to see a state of things in which wealth will be far more widely distributed than it is at present, we must not sell ourselves into the politician's hands, and, taking the bribes that he offers, act unloyally to the principle of liberty and to all that it enjoins us. Make the people free from the many bonds that impede them—whether they are the indescribably mischievous legal complications surrounding land, that we have inherited from long ago, or the modern stupidities in the shape of compulsory agreements between landlord and tenant, just created (these share in the same vice as the old legal complications, since they tend to fix farms at their present size, by attaching a sort of tenant-right payment to each), release trade of every kind from regulation by the State, throw off the crushing burden of taxation, renounce the blinding and wasteful political struggle for power over each other, face the great truth and act on it, that in self-help, in the moral influences of [71] example, of sympathy, and of free discussion, in leaving invention and discovery unimpeded to take their own course and to earn their full reward, and, above all, in voluntary protective associations of every form and kind, lies the method of progress; and you will find that with the outburst of intelligence and moral activity, which will come as we turn our faces resolutely toward freedom, that wealth and property will distribute themselves more widely and more deeply than by any revolution which either Mr. George, or those who succeed him, or imitate him, or outbid him, may be able to bring about. There are none of the good things of life, from the highest to the lowest, that will not come to the people when once they gain the clearness of mind to see the moral bounds that they ought to set to the employment of force, when they gain the loyally steadfast purpose to employ their energies

only within such bounds. But by the wrong weapons and wrong methods nothing truly worth having can be won. The actual property gained by acts of expropriation would not be worth to them one-hundredth part of the property gained in a free market by free exertions, for the highest value of property results from the qualities of character that are developed in the gaining of it; and the moral curse that clings to all such acts would prove itself undying. If freedom of life, freedom to use one's faculties for the acquisition of property, and freedom of trade, are great moral truths, then each act of expropriation would lead us further and further into irretrievably wrong directions. We should pass from one period to another period of misdirected effort. Force would [72] beget force; intolerance and suppression would beget children after their own image and temper; until at last the burden placed by men upon themselves would become too grievous to be borne. Do not accept any words of mine in this matter. Let every man steadily think out for himself what the conditions of life must at last become when giving way to the temptation of rearranging existing property by the power of the majority, we place ourselves on the side of force, take it as our guide, and make it the regulator of all those things that most nearly touch our existence. Let every man follow out for himself in his own mind the growth of the system of force, until at last such perfection of it is attained, that no limb of his own body, no part of his own mind, no object within his household can be said to be wholly and entirely within his own direction, wholly and entirely his own. But further into this matter I cannot here go. There are many more points that belong to this vast and interesting discussion to which I ought to ask your attention, but they must all be reserved for other occasions. The leading intention in this paper has been to show — apart from all those practical evils which are the children of force— that there is no moral foundation for the exercise of power by some men over others, whether they are a majority or not; that even if it is a convenient thing to exercise this power, in so apparently simple a form as that of taking taxes, and for purposes which are so right and wise and good in themselves, as education, or the providing for the old age of the destitute, there is no true authority which sanctions [73] our doing so; and therefore that the good which we intend to do will ever be perverted into harm. I have tried to show that this question of power, exercised by some men over other men, is the greatest of all questions, is the one that concerns the very foundations of society. Indeed, you will find, as you examine this matter, that all ideas of right and wrong must ultimately depend upon the answer that you give to my question, "Have twenty men— just because they are twenty—a moral title to dispose of the minds and bodies and possessions of ten other men, just because they are ten?" Is the majority morally supreme, or are there moral rights and moral laws, independent of both majority and minority, to which, if the world is to be restful and happy, majority and minority must alike bow? I invite you to give the deepest, the most honest, and the most unselfish consideration to this matter, and I bid you believe that no creed, religious or philosophical, no political party, no social undertaking will enable you to deal rightly with life unless you fairly grasp, with a grip from which there can be no escape until the answer is won, this great question, "By what right do men exercise power over each other?"

Endnotes

[1] It is to Mr. Herbert Spencer's clear and comprehensive sight that we owe so much in this matter of liberty. Mr. Mill was an earnest and eloquent advocate of individual liberty. He was penetrated with the leading truth that all the great human qualities depend upon a man's mental independence, and upon his steady refusal to let a church, or a party, or the society in which he lives think for him. His book on Liberty remains as a monument of a clearer sight, a higher faith, and nobler aspirations than those which exist at the present

time, when both political parties compete with each other to tread their own principles underfoot, and to serve the expediency of the moment. But Mr. Spencer has approached the subject from a more comprehensive point of view than Mr. Mill, and has laid foundations on which, as men will presently acknowledge, the whole structure of society must be laid, if they are to live at peace with one another, and if all the great possibilities of progress are to be steadily and happily evolved. We owe to Mr. Spencer the clear perception that all ideas of justice and morality are bound up in the parent idea of liberty—that is, in the right of man to direct his own faculties and energies—and that where this idea is not acknowledged and obeyed, justice and morality cannot be said to exist. They can only be more shadows and imitations of the realities. I should advise all persons to read Mr. Spencer's *Man Versus the State, Introduction to Sociology, Social Statics, Data of Ethics*, and *First Principles*. I ought perhaps to add here that I have reason to believe that Mr. Spencer disagrees with the conclusions regarding taxation, which I have drawn from his principles. I have discussed this question of taxation shortly in the last chapter of a little book called *A Politician in Trouble About His Soul*, published by Messrs. Chapman & Hall, and would beg to refer any persons who may be interested in the subject to what I have said there. I hope soon to have ready a special paper dealing with this matter.

[2] Note: It must be borne in mind that the unfailing distinction between direct and indirect compulsion, as I have employed the words, is that in one case (indirect compulsion) the person in question gives his consent, in the other case (direct compulsion) his consent is not required from him. It is no answer to say that the weakness of men is such that their own consent is a mere form. Our effort in all cases must be to build up sufficient strength in the man so as to make his consent a real thing. To treat men as if their own consent were of no value or concern, is to treat them as the church in old days, the Emperor, the slave owner, the Force Socialist have all treated or proposed to treat them—mere clay to be molded by some external process, not as individuals with separate minds and wills of their own. "*The surest plan to make a man, is think him so.—J.B.*"

[3] NOTE: I ought perhaps to give an example of acts within and not within a man's competency. Let me suppose that I grow lettuce to sell at market. If another man, envious of my success, destroys my lettuce, injures my cart or horse with which I go to market, he physically coerces me and prevents my doing an action—taking the lettuce to market—which I was physically and morally competent to do. Let me now suppose that another neighbor, also observing my success, grows better lettuce than I do, and, by selling them at the same or a lower price, takes my customers away from me, can he also be said to have wrongly constrained my actions, since I am no longer able to sell my lettuce? No, certainly not; since the sale of my lettuce was not an action within my own competence. It depended upon the minds of my customers; and thus, though I may be suffering, no wrong has been done against me by my successful rival.

[4] I think it right to say that I do not feel satisfied with the reasoning used on this page as regards libel. The question is whether a real offense is committed by A against B, by his having influenced the mind of C? I think it possible that another generation, bolder and more clear-sighted than we are in matters of liberty, may sweep away the law of libel altogether, and leave to each man the task of vindicating himself before the tribunal of public opinion. I should like to hear the subject fully discussed.

[5] Note. — As regards the grave inconveniences that result where common property is held on a compulsory and not on a voluntary basis, see "*A Politician in Trouble about his Soul*," p. 276. All common property on a compulsory basis has this inherent defect, that two parties tend to be formed, and to intrigue against each other for the management of it. Under a perfectly free system this defect is reduced to its smallest proportions; under a

compulsory system it becomes an evil of the first magnitude.

[6] I do not wish to disguise the fact that the question of enforcing contracts is a most difficult and complicated one. The enforcing of contracts is in many cases the determination of the ownership of property; and unless such contracts were enforced, a man might obtain on loan his neighbor's property and refuse to return it. But it is possible, I think, that the State may greatly narrow its sphere of enforcing contracts. The springing up of voluntary courts of law outside the State courts points in this direction. This last experiment would be, I suspect, a far more fruitful one if these courts did not ask for State enforcement of their decisions. They should rely on their own conditions for this enforcement, and on refusing access to those who, they had reason to believe, might not abide by the decision.

[7] Some small part of the following matter, relating to political measures, is given in Anti-force paper no. 1, published by Women's Printing Society, Great College Street, Westminster.

[8] I would again refer to "A Politician in Trouble about his Soul," p. 268 ; but I hope soon to have a special paper ready on the subject of taxation.

[74]

APPENDIX.

I HAVE included in this appendix a letter published in *The Newcastle Chronicle*, on the subject of education ; a letter published in *The Times*, on the Factory Acts; and a few notes on the subject of land and of unemployed labour. It is needless to say that they only touch the surface of these great matters, on which so much has to be said. A few slight changes have been made in the letters.

DO OUR FORCE-SYSTEMS STUPEFY AND BRUTALIZE?[↗](#)

TO THE EDITOR OF THE WEEKLY CHRONICLE.

Sir, — Mr. Hall, who apparently believes strongly in the State, does not seem to understand why I talk of great systems "stupefying and brutalizing a nation," and yet I think a little consideration of the matter might have led him on to the track.

The management of a great business for a whole nation involves a great and complicated machinery. As the machinery comes into existence, there grows up in all great central departments the habit of [75] multiplying regulations and building up codes, until the department becomes the depository of a knowledge that altogether evades public comprehension, and is safely lodged, as a sacred possession, in the breasts of the officials alone. Our State education is but one example of this inevitable tendency. I will almost undertake to say that in the good town of Newcastle you will not find a dozen men, unless in some way practically connected with school work, who really understand our present code or have given their attention to the many serious questions involved in it. When this divorce between public intelligence and the directing department has existed for some time, the people begin to be accustomed to see a great system in operation in their midst, settled and worked for them in all its main lines by an office, morally, if not physically, some hundreds

of miles away, and presently, with very few searchings of heart and very little intelligence exercised, they simply accept it, and let themselves and their children be moulded by it into — a something which they don't exactly understand, and about which in the pressure of life they don't find time to ask many questions. They are *stupefied* by the system, just because so little is required of them, mentally or practically, as individuals. They are stupefied by it just as men have been stupefied by a great church, or a great military system, or a great social fashion. They are stupefied by it, because whatever a man does or does not do, whether he spends half his day in thinking about education, or never thinks about it from one year's end to another, the thing goes on just the same of itself, like a clock that [76] only wants winding up once in the year. The group of gentlemen up in Whitehall issue the same kind of decrees, the same kind of inspectors come and go, the same kind of examinations are held, and as the result his children will be what we are pleased to call educated — a word in which each man must read his own meaning, whether it be overstimulated, over-crammed, over-pressed, or wisely developed in body and mind. It is a thing altogether outside him, partly outside his comprehension, wholly outside his practical direction. Now for those who are either Catholics or Force-Socialists, who tend to believe in system, who believe in salvation-by-system apart from the individual intelligence, such a state of things may be satisfactory; but for those of us who believe that that only profits a man which he has to care for with his own mind and his own hands, as regards which he really possesses some directing power and some personal responsibility, which would remain undone except for his desires, and except for those desires being translated into active energy, these systems suggest the long drowsiness of benumbed faculties, rather than the active preferences, the strong convictions, the good and wholesome strife of real life, where men know what they are doing and care to be doing it.

But it may be replied, "Have we not our local elections? do we not choose our own board of managers? do we not, through their agency, choose our schoolmasters? do we not rate ourselves? and have we not settled for ourselves the question of compulsion?"

I grant readily that it is a great gain to escape [77] from centralization, even so far as this; but if you are pleased to have escaped so far, why not go boldly on your way, and escape still further? Although some few things have been placed in your hands, still a great system has been forced upon you which you are obliged mechanically to carry out. I say mechanically, for how much thought has the English people given to the principle on which the present system of education is constructed? Lately a certain number of persons, roused by very significant facts, have begun to suspect how unwisely and how dangerously the system has been constructed. It is a system that puts the gaining of a certain sum of money (the central grant) in the first place, and our care for the minds and bodies of the children in the second. We may differ in our opinions as to what are the actual facts of to-day as regards over-pressure, — that is a matter of dispute, — but I maintain that our system of education is so radically and demonstrably unwise in its main conception, that it is a mere question of time as to when the mischief will be sufficiently developed so as to force itself even upon official eyes. You cannot make schools — placed under the necessarily slight supervision of the school boards — depend in large measure for the payment of their expenses upon the wholesale passing of children through examinations; you cannot make the teachers depend, directly or indirectly, upon the same sources, without turning away attention from the effect which education is having on the minds and bodies of the children, and subordinating this, the one great all-important consideration, to which everything else should have [78] been subordinated, to the earning of money. If a man could only laugh in these matters, he would be tempted to laugh, — bitterly enough, perhaps, — at the course which the State, in the un wisdom of its force-methods, has followed. It regulated the labour of children by its Factory Acts (of the defects of which I cannot speak to-day) in order presently to invent a system of its own, so contrived that it should especially aggravate the great danger of the

present day, the tendency to nervous disease ; a system that, just because its effects are so much more subtle, so much less easily perceived, so much less exposed to the wrath of public opinion, so effectually disguised in the cloak of a great public advantage, that it may possibly prove in the end far the greater of those two rival evils, — I mean, over-pressure in work and over-pressure in education. And how comes it to pass that this system, under which, as many of us affirm, great though unintentional acts of cruelty are done, can endure as it does endure? Just simply because those framed it, who have not to live under it ; and those live under it, who had not the framing of it. Just simply because, being a State measure, the localities accept it in the superstitious spirit of to-day, as if it were a minor revelation from Heaven. Its principle has never been submitted to them. The English people have never been called upon to vex their minds or disturb their intelligence by questioning or considering it. It was settled for them years ago in Parliament. It is to-day worked for them from Whitehall. Unfortunately, if the principle be, as I myself believe, utterly and detestably wrong, the costs of [79] the mistake will not be paid by those who have invented and worked the machine, but by those whose approval and consent has never been looked upon as a valid part of the business, and within whose scope of action and responsibility the measure never was placed. The penalty will be paid in the after happiness of the children.

It may be replied to me :

"If this reasoning is true, then the right thing is to break off all connection between the towns and the Education Department, and to leave each locality to do its own work in its own fashion. It should not be called on to administer a system which is ready-made for it by others, and on the wisdom or unwisdom of which it is not required to decide ; but if it is to educate the children, it should do so with a free intelligence and full responsibility for its actions. It should not go through the triennial farce of electing managers who manage nothing ; it should not be content, like the shadowy kings of to-day, to possess the mere symbols of authority ; it should refuse all public money with its accompanying restrictions ; be the master of its own house, and pay its own way."

Certainly, that is the right step, as a step; and unless localities had been bribed by the central grant of money, and stupefied by the effect of mechanically administering the system of others, they would before now have claimed independence of action. But other steps must follow. Thank heaven! there is a universal tendency in human nature that makes a man who has managed to get one leg in the right direction, presently, even if a little slowly, send his other leg after it. As soon [80] as the localities are free from the mischievous rule of Whitehall, they will begin to perceive how complex and many-sided a question education is ; how many experiments are needed; how valuable are the different views of different minds, and the different systems which are founded on them ; how only out of the peaceful contest of these many systems can the best system ever disclose itself, itself to be improved or superseded by succeeding systems; how sterile as regards improvements is all uniformity, even the uniformity of one district ; how barbarous is the plan of forcibly combining men of different aims and opinions in one body or party; how wasteful it is in the interests of the whole to efface the strong individuality of those who do not conform, and because they do not conform to the one existing pattern, are left standing idle with unemployed energies. It is stupid to suppose that the efforts of a minority to turn itself into a majority can ever give free play to a people who are really living and thinking. Wherever any force-system is established to administer a great human concern, necessarily only one minority can turn itself into a majority, and yet there should be an almost infinite number of minorities, for the invention and thought of man are almost infinite, when once they have come into possession of free minds and free bodies. And, meanwhile, as soon as the one minority — probably not the best minority, but the one that appeals to the most immediate interests — gains power over the whole, are all the other minorities to wait depressed and inactive, with no scope for their

energies? What can be more hopelessly wasteful [81] of that most valuable thing in the world, moral energy? We want every man possessed with an idea, not to sit down discouraged by the feeling that he must undertake the almost impossible task of converting the rigid ranks of an organized political party — whether it be the party of his own town or of the whole country — before his idea can be put in practice ; but straightway to proceed to gather round himself those who are in sympathy with him, and to give his idea practical form. At present we cannot measure the extent of human thought and invention. We can only see that they lie unemployed. The human mind refuses to think and invent, unless thought and invention can produce their practical results ; and until we escape from the thralldom of our uniform force-systems, all practical results are necessarily denied to us. At present, the almost infinite energy of individual conviction is suppressed. At present, to re-employ the old phrase, we create an intellectual solitude and give it the name of State education.

There are many other aspects of the question at which I cannot look now. To myself, compulsion in education — a measure to the abandonment of which I look forward as the whole question becomes far more fully and intelligently discussed than it yet has been — contains a large element of brutality. There has been much good and generous and patriotic intention enlisted on the side of national education ; but there has been mixed with it also a good deal of not very worthy motive. Men have been influenced by the idea that with education property would become safer; there has been a natural love of filling places and exercising [82] authority, and the never-absent belief in drilling the people ; there has been a good deal of timidity and time-serving as regards open and frank speech in a matter that lay so close to the hearts of the people as education; there has been a good deal of superficial enthusiasm in some persons about that which was not a fashion a few years ago, but is a fashion to-day ; and a good deal of desire to use the movement for party purposes, whether religious or political. Now, I own, even had all the motives in favour of State education been of the purest, my objection to compulsion, as checking the growth of a free desire amongst parents to make sacrifices to have their children educated, as in many cases over-riding home duties performed by children which may be of greater importance than regular attendance at school — for if school supplies one education, home duties supply another — and as forcing one part of the people to accept the standard of right of others, would remain unchanged ; but in presence of the very mixed motives that have assisted to create the state system of to-day, I look with a very considerable amount of indignation upon this special development of the force-creed. People get so accustomed to what they do every day, that they are shocked when a hard word is used about it ; but after carefully considering the other terms which our good English language has in reserve, "brutal "seems to me the right word for describing a system that offers one of the greatest blessings that men have to offer to each other under threats — as conquerors, themselves but just converted, once offered Christianity at the point of their sword — of the police-court, the distress officer, or the gaol. I know no more bitter [83] reflection upon our want of faith in the cause of education itself, and in our own moral energy, than that we should find ourselves thrusting education down the throats of the people as the Russian Government thrusts religion, and the German Government thrusts military service on their people.

Here I must stop. I can only say further that our first step in education must be decentralization, and getting rid of all compulsory clauses; our second must be taking education itself out of the hands of any one compulsorily elected board for the district — a board that necessarily misrepresents far more persons than it can possibly represent — and placing it in the hands of those voluntary groups, into which men will fall so easily and harmoniously, according to their views and sympathies, when once the abandonment of all coercive organization allows this natural arrangement of the human particles to take place. The day will come, as we shake our minds free from the old and stupid ideas about coercing each other, that we shall mock as much at the idea of State education, as we are now learning

to mock at the idea of State religion ; when even a municipal organization of education will seem to us as absurd and grotesque an undertaking as a municipal organization of religion. But some patience is wanted. We shall not suddenly wear out our inherited natures. We should not in the old days have bowed down before a State church, if our ancestors in a still older time had not worshipped the chief of the tribe; we should not have believed in State education, if we had not first believed in a State church. Meanwhile, [84] *ça ira* and *ça vriendra*. The great idea is afloat in the world that the widest possible liberty is the one thing worth living for ; that Governments as they exist are mere untitled usurpers of power; that bureaucracies, whether Imperial or Republican, are inventions of the Evil One; that great systems depress instead of raising, destroy instead of creating; that compulsory taxation is only another form of robbery; and that every institution, from basement to upper story, must be rebuilt upon the foundation that all men and women are the only true owners and directors of their own selves, their faculties, and the material outcome of their faculties, their property.

On some other occasion I will ask you to publish a letter on the subject of the land, and to let me face that great problem which lies before us. The land of this country has to be got into the hands of the small men ; and yet if it is to be rightly done, it must be done without building up the monstrous creation of State ownership, without adopting any of Mr. George's pleasant methods of taxation, without confiscation or coercion of any kind, without injustice to the present holders. Can this great thing be done? I believe it can, if our democracy in this day of their power are true to their higher instincts, if they are determined, as regards that power, to place the most rigorous limits on their own actions, and to interpret the law of justice and the law of liberty against rather than in favour of themselves. There will be plenty of counsellors to tell them, if they will only stoop to listen, that their wants are the true measure of what is right. Will they listen to the voices that have been ever poured, since the world began, into the ears of [85] power; or will they steadily resolve to be just before all things, even though to be just stands between them and the immediate satisfying of the real and great wants that are pressing upon them ?- — I am, very faithfully,

AUBERON HERBERT.

Ashley Amewood Farm, Lymington, Jan. 12.

TEN MINUTES AND AFTERWARDS.↩

TO THE EDITOR OF THE TIMES.

Sir, — Your reviewer, reviewing Mr. Spencer's valuable book, of "Man v. The State" with great sympathy and interest, seems to wonder why Mr. Spencer does not believe in and admire the Factory Acts. Surely to protect children against parents' greed of gain is and must be a right act ; it seems to be his instinctive thought, as it is that of so many other persons !

Will you let me point out one reason why these acts were and always will be, till they are swept away, a very mischievous, though a well-meant, stupidity? They are simply one among the many other unthoughtful attempts to make an official regulation take the place of the unselfish care of parents for their children. How absurd the whole thing seems as one looks quietly back on what took place ! Before any acts were passed, parents were supposed — and probably with great justice in many cases — to be overworking their children, selling their bone and muscle for the wages they received. The acts are passed, and then the air is [86] filled with congratulations on the immense progress made. Moloch shall not be worshipped any more ; the white slavery is over ; neither the manufacturer nor the parent shall draw an

unholy profit from the very life of the children. How hollow and untrue the whole thing was ! As if there would have been a single worshipper of Moloch, whether he was parent or manufacturer, the less on the morrow ; as if, by the mere idle method of holding some meetings, getting some votes together, and passing an Act of Parliament, one fibre in the nature of the Moloch-worshippers would have undergone change! I say deliberately the idle method, because here is the root of the whole matter. All these official reforms are essentially idle. Is the nation to be sober? Pass an Act of Parliament out of hand, and shut up the public-houses. Is it to be provident ? Pass an Act of Parliament and compel men to make provision for themselves. Is it to be intelligent ? Pass an Act of Parliament and harry the homes till every child is at school. Is it to consist of unselfish and devoted parents ? Pass a Factory Act, and tie the hands of the parent so that he can no longer sell his child's labour. Nothing is required of us but to hold some enthusiastic meetings, make some speeches, write some letters to *The Times* and scrape votes enough together, and then all these great things shall be done. Happy world ! How easily it is to be cured of its faults ! We now sink back contentedly into our arm-chairs for the rest of our life, enjoy the testimonials we received in the moment of enthusiasm, admire the statues that were gratefully raised to us, and re-peruse our [87] own speeches, as there remains little else for us to do in presence of the regeneration in human nature that our last batch of regulations has effected. In view of this modern plan of growing good in ten minutes, we disquieted ourselves very uselessly in past days about the amount of original sin in human nature and the ills and infirmities to which human flesh was heir. What fools men are not to enjoy perfect health, when Holloway's pills, Clarke's blood-mixture, and Eno's fruit-salts are to be had for the ordering; and what fools they are not to become sober, provident, intelligent, and unselfish, when all that is wanted is only to pass two or three Acts of Parliament to provide them -with the qualities wanted !

The word idle seems to me to suit the case with great nicety. Taking care of the people by Acts of Parliament seems to me very like the care of the mother for her child, who rings the bell at the Foundling Institution, places her child on the door-step, and then contentedly goes on her own way. Whatever may be the future of the child, it must be confessed that the trouble on her part is short and soon over. The long slow years of anxiety and watching that await other mothers will not fall to her share. It was all ended for her, fortunate woman, when she rang the institution-bell. In the same way the political philanthropist has learned to lay his burden in the same expeditious manner on other shoulders than his own. The world's troubles are to be easily thrust on one side according to his creed. A new law, a new office in some public department, a new batch of officials, will cure all human perversities, from the parent that [88] does not send his child to school down to the abandoned city sinner who outrages Mr. Dowsett's feelings by playing cards in the railway-carriage. Why should we tread any longer that toilsome road by which men have sought to better themselves and each other? Why paint a picture by hand, when you can do it so well by a chromo-lithographic process? Why exert ourselves to enlist the active moral forces of society on our side ; to work by sympathy, discussion, advice and teaching of every kind ; by personal contact ; by that wonderful force of example which makes every better kind of life a magnetic power among the lower kinds; by that softening of character and greater gentleness that diffuse themselves everywhere, whilst savagery of all kinds is melting quietly away, under the thousand silent influences of civilization; by raising and ennobling our own motives for helping each other, and, above all, by constant efforts to enlarge and increase our own powers of seeing clearly, so that we may understand what are the causes of the evils we see round us, and what are the conditions under which they can be successfully attacked? All this is simply superfluous in presence of the modern omniscient and omnipotent Act of Parliament. Think how much trouble, how many long years of slow conversion are saved by our present admirable process of compulsion. Charlemagne — not St. Paul or St. John — was the really enlightened Christian apostle. Be baptized, or — , is the one argument specially fitted for the souls of men. But, however excellent these compulsions may be for the first ten minutes, still every

ten minutes has its afterwards ; and let [89] me now ask, what is the after-fruit borne by these compulsions ? Let us take for granted that before the first Factory Acts were passed many children were overworked. There were two ways open for those to take who felt the wrong and wished to remedy it. There was the easy, rapid, and unfruitful parliamentary way; there was the way — slow, up-hill, but very rich in after-fruits — of appealing directly to the people to reform the thing for themselves. I know this last way would have been slow. I know that all those who wish to gather fruit before the tree is planted would have exclaimed, "And meanwhile the children are left to suffer." I know it would have required a personal devotion and belief in their work far greater than that which is necessary for conducting a parliamentary agitation, with its showy and rather sensational rewards ; but I also know that in the end the parent would not simply be rendering mechanical obedience to a law; I know that vigilant individual care and intelligent appreciation of the interests of their children would, as a consequence, have slowly grown to be a part of their character. How can these things ever grow into being, if by a compulsory law you make them as regards each special case in turn unnecessary? Did anything in this world ever come into being if you first rendered its growth superfluous? What is it that develops all the best qualities of human nature ? Simply the pressure upon us of those natural pains and penalties that make themselves felt in the absence of these qualities; then the intelligent perception that we are meant for our happiness to have these qualities ; then the strong [90] attachment to the qualities themselves that is developed in our struggle to gain them. But how can any of these things be if you step in between the man and Nature's way of teaching him with your hasty and ill-advised compulsions? The parent's treatment of the child, as regards his labour, would have been both to parent and child an ever-growing and ever-widening education, if you had only had a little more patience as regards learning Nature's ways, and a little less arrogance as regards your own.

And now see to-day the second chapter that is already following on the first. Over a long series of years we have been congratulating ourselves upon the philanthropy of these Acts and their excellent effect upon the people. A universal system of national education accompanied by compulsion has succeeded to the Acts as their logical complement ; and now to-day — thanks to the efforts of a few discerning people who have not simply followed a fashion in this matter — we wake to find that we are applying this system in such a hasty and reckless manner that we are injuring the very brains and bodies that we intended to benefit. Of course, the responsible office cannot see the mischief — what public office ever did see or understand the more subtle and less direct consequences of its actions? Of course, the great mass of parents that have let the education and management of their children slip practically out of their hands, that have measured their duties by an official regulation, that have allowed a group of worthy gentlemen at Whitehall to think and act for them, and have accepted so much public money for thus morally effacing themselves, [91] that, in a word, are drowsing while others care for and control the very greatest of their interests, have, just so far as they have done this, disqualified themselves from exercising a wise and intelligent discernment as to where the true loss and the true gain lie. How can it be otherwise ? All great State systems stupefy. Without dwelling upon the oppressive uniformity; the sacrifice of so many views to the one view; the stiff wooden parts ; the pedantries and complexities that accompany all attempts at official nursing of a nation ; the hard and fast regulations that turn grants of public money into a curse and not a blessing ; the moral deterioration that results from marrying together one of the noblest of all efforts, that of helping the children in the path of knowledge, with the meanest of all precautions, "Let us do it at the public expense," — leaving all this out of consideration, the one great fact remains, sufficient in itself to damn the whole thing, that where you have a national and universal system, there you necessarily have two political parties struggling for its management, and blotting out all individual choice and perception by the discipline — in an intellectual sense the brutalizing discipline — that each party for the sake of defeating its opponent learns to submit to. All discipline for fighting

purposes brutalizes in this sense. It deprives men of more than half their perceptions. And so it comes naturally about that, having adopted the very best means to make ourselves thoroughly stupid about education — first, by Factory Acts, and then by their logical completion, a universal State system — we now find ourselves face to face with dangers, the very [92] possibility of which, in our hurry to manufacture intelligence by State machinery, had never occurred to us. But this frightful and almost immeasurable evil of over-pressure, which is certainly not going to be charmed out of existence by any number either of indignant or persuasive minutes written with an undisguised odour of office about them by my friend Mr. Fitch, is not the only sign that you cannot make the State a parent without the logical consequence of making the people less and less fitted to direct their own nearest concerns. Some years ago we were startled by the reports of the ill-adapted food on which children in certain parts of the manufacturing districts were fed, or rather were not fed ; we were startled by the high death-rate of very young children in certain towns. Yet we might have known it would be so. These are. the necessary fruits of all such legislation as that of Factory Acts or of State education and compulsion, which forces on parents a certain view of their duty instead of leaving them, slowly and painfully though it may be, to learn it intelligently for themselves. Official regulation and free mental perception of what is right and wise do not and cannot co-exist. I see no possible way in which you can reconcile these great State services and the conditions under which men have to make true progress in themselves. At least, if you are to do so, you must first reverse Nature's methods. At present we live under the conditions which, unfortunately, seem likely to last our time or a little longer, that no great human qualities are developed where you take away the occasions for their development, that they do not grow [93] spontaneously and without pressure, that each action by which the good and the bad are compulsorily placed on the same level — for example, the selfish and the unselfish parent, or the drunkard and the sober man — tends in the long run to delay the emergence of the better type from amongst the inferior types. Every such kind of interference relieves the unworthy of the consequences of their actions, and takes from the worthy the occasions of acquiring, and preserving, and strengthening those qualities that are good and useful. In a word, so far as you are able to do it for the moment, you make goodness unnecessary; and as unfortunately the world was constructed on a plan which makes goodness an essential element in obtaining happiness, you are trying to go by one road, while Nature is trying to go by another. My two friends, Mr. Mundella and Sir W. Lawson, — both of them, against their will, architects of national incapacity, — may quarrel with my verdict on their work; but, quarrel or not, I must tell them that they are both doing their best, — the one to make temperance, and the other to make the intelligent care of parents for their children, an unnecessary part of human nature. They are both throwing all the power and influence that are in their hands on the side of the inferior type; they are both, so far as they can do it, preventing the development of the better type. They are both manufacturing virtues which are the mere imitations of virtues, sham products that, as time will tell them, will neither wash nor wear. Many men before them have tried a fall with Nature and her conditions, and have scarcely had the best of it. Nature in her irony often allows [94] us a ten minutes of seeming success when we go against her methods, and I doubt not that both Sir W. Lawson and Mr. Mundella will have a ten minutes of their own ; but then comes the after-time in which the bent bow flies back. I hope, as it does so, it may not hit any of my friends too violently in the face who have been so strenuously bending it down.

I am, very faithfully,

AUBERON HERBERT.

Ashley Arnewood Farm, Lymington.

THE LAND AND THE PEOPLE.↩

These papers have already extended to a greater length than I had wished, and I can therefore simply add some short notes on this great subject.

As regards the land, we stand in this position : we are suffering from the evil effects of having stupidly allowed during many years certain mischievous laws, which have the tendency to keep land in masses, to remain in existence. I need not go at length into these laws. It is sufficient to say that the great cause of mischief has been the power given to the owner at death to leave the same piece of land to as many persons as he chose in succession — a power highly artificial in its nature, and quite distinct from the simple right of leaving property, were it little or much, to the one person whom he might choose to name. The right of A to leave what he likes to B is a part of the just [95] rights of the individual. As he is the owner of the property in question, he clearly at death has more right to say to whom such property should go than any other man or body of men can have. But to say that the property should first go to B, then to C, then to D, then to E, was to empower the dead man to continue to impose after his death conditions on the living man, which is a wholly inadmissible claim. The effect of this artificial and improper power has been to prevent the life-owner selling, even if he wished to do so (a disability now in part remedied), and so to complicate titles as to cause a grievous impediment to the transfer of land.

For years and years the Liberal Party — an organization that has unfortunately come to think more about doing things which are popular at the moment than those which are right in themselves,— has suffered this evil monopoly to continue in existence. And now our sins are returning fast and thick to trouble us. It is as if we had tied up an important artery in the body, and expected the limb, which it ought to feed, to remain in health and vigour. The large masses of land have not been broken up and dispersed into many hands as they would gradually have done under a free system ; and so to-day we are brought face to face with revolutionary proposals to do by force what ought to be taking place slowly and gradually by healthy and natural means. I will not in this paper attempt to state the case against either the Socialists or Mr. George or Mr. Wallace. Their plans, in their different degrees, are all founded on the belief that we are going to make things better by beginning to pillage each other, and on the [96] more than Irish principle that it is wrong for the rich man to acquire land by purchase and inheritance, but right for the poor man to take it by force. I shall speak of these plans on another occasion. Those, however, who believe with me that, to prevent the oppression of any person, property must be always regulated by the open market and not by the force of the State, will scarcely want words of mine in the matter. I will therefore only consider at present the less heroic proposal that State force should be employed to take land, and State money to pay for it. In presence of such a scheme we must ask, why should the money be taken from some against their will to pay for others, — some of this money coming from those who will not share in the advantage, some from those who are opposed to the undertaking, some from those to whom the land belongs, and who therefore are to that amount paid for their land out of their own pockets ? Moreover, if it is bought, it should be bought at a fair price ; and the only fair price is that which a seller is willing to take and a buyer to give. But that price only exists where we employ the method of the open market.

The truth is that although the method is far fairer and more righteous than taking the land without paying for it, or paying for only some minute part of its value, it still is the method of force, and therefore the wrong method; the method, which destroys the true relations of men to each other; which divides the nation into two great divisions, — of those who strive to keep and those who strive to take ; which prevents the healthy solution of these great social

questions by voluntary methods ; which [97] creates the bribing politician and the bribed proletariat; which corrupts the great body of electors by teaching that they may use the strength of numbers to settle all great questions in their own interest ; the method, which once employed always opens the way to more naked and more violent forms of force, and, if persevered in, is at last destined to lead from the corrupt scramble of politics to the struggle of desperate men with weapons in their hands.

In all these matters let us remember the great and final object before us. Our object is to build up the rights of the individual, and to establish a system, founded on these rights, under which men shall not seek to pursue their own interests by using the strength which numbers give. Even in presence of great and pressing wants, our duty is to entreat the people to deny and restrain themselves, for the sake of that peaceful and progressive future of society, which can only be realized, on the one condition, that we have not taught ourselves to rely on force-methods, or fostered in ourselves the force-temper.

Let us now look at some few out of many other objections.

1. Land owned by Government and held under its direction, will be subject to all the oppressive rules and conditions which invariably follow Government management. It is sometimes proposed with a sort of mean cleverness to strip the landlord and yet keep him, — leaving one last garment upon him, — for the purpose of avoiding the evils of State management. But such a proposal will not succeed better in practice than in equity. If the State is to take land, it must [98] manage it as best it can; and of the badness of State management, as I hope to show on some other occasion, we have had some very striking examples. It is enough here to point out that our Education Codes and our Poor Laws are examples of that wooden character which belongs to all Government systems. It is idle to blame our officials. Even in private concerns, where personal interests produce a keener and more watchful temper, management often means hard and fast rules, customs that tend to ossify, and managers that spend a large part of their activity in eluding the intelligence of those for whom they manage. Government management always means this in a highly intensified form, for the following reasons; the scale is so infinitely larger; the rules are less adaptive; there is an unlimited purse to draw on, and therefore an absence of that excellent corrective, the fear of bankruptcy; the position of those who manage (owing to party organization) is less assailable, — those who are supposed to be the guardians of public morality being themselves indirectly implicated in the waste and wrong-doing ; whilst the interest of those on the outside is far less direct and less personal, and their knowledge of detail far less effective. Our object should be to reduce to the lowest point all Government management, so as to prevent its occupying a dominant and uncontrolled position ; and this can only be done by developing the free-trade system with its open market and free competition and habits of personal watchfulness.

2. The supplying of these wants by State force must always throw a dangerous power into the hands of [99] the politician. Where any leader or party offers to a large part of the people a gift either at the public expense, or at the expense of a special class from which the property in question is taken, there is a great temptation thrown skilfully in the way of the people to accept the bribe, and in return to give power to such a leader or party, irrespective of all other considerations. Bribes always lead to bad government, for those who take them are morally disqualified from exacting that henceforth only what is right and wise shall be done. The man who holds a gift in his hand ceases from that moment to be a resolute guardian of the real public advantage. We have had an instance lately. Had the people been less blinded by Irish Land Acts (Acts, in my opinion, which were not founded on either fair or wise principles, though the end in itself was good) and the popular professions of the Government, they would probably have been more vigilant in this wretched matter of Egypt, and saved Mr. Gladstone from the long succession of purposeless crimes that he has

committed. It will be well for us if the penalty for that want of vigilance is not paid presently in much blood and many tears.

3. Every want supplied by Government interference leaves the people with less confidence in themselves and less energy to satisfy the next want that arises.. Every want satisfied by voluntary association means greater confidence, energy, and experience on the part of the people for attacking the next want. Each want satisfied by our own exertions is to us as a battlefield where we acquire and strengthen the great qualities that are wanted for fighting our way successfully through life ; but a [100] want satisfied by an all-powerful machinery outside us, leaves us in character only where it found us.

4, Land or property of any kind is of value to a man just so far as it is a sign of his possession of those qualities, as industry, self-denial, steadiness of effort, which were necessary for its acquisition. Property acquired in the open market is the unfailing register of these virtues. Property transferred marks none of these things ; and it is often of little value to a man, because of the want in himself of the qualities that the gaining of property brings with it.

5. It will be wise to proceed experimentally in this matter, that we may discover the form of landholding best suited to the present wants of the small men. No government, whether local or central, is fitted for making experiments. They are obliged to adopt some system that is a compromise between different views, and will work with the least friction ; and such a system not being an affair of the open market, but surrounded by protective restrictions and disabilities, cannot change its form and adapt itself as new circumstances produce new wants. The present Irish legislation is an example. The restrictions and disabilities which have been placed round ownership are so great that no man can desire to become an owner. The country will be much impeded in its future development by being tied up by a system so complicated, that only about a dozen persons in the House of Commons seemed to be capable of fully understanding it. Well may we exclaim, "Heaven preserve us from the invention of Statesmen, when they depart from the principles of a man looking after his own [101] interests, and the free buying and selling of the open market."

Now, as a great many of us are agreed in very earnestly desiring to see the small men become owners of land, what is the right way of bringing this thing about?

1. As far as all legal complications are concerned, create at once a perfectly free and open land market. Construct a system for the immediate creation of guaranteed titles. It would, however, probably not be wise to compel registration of all future transactions in special courts, else there will exist no check to prevent the State system of transfer gradually becoming expensive and tedious, owing to those routine-forms which are sure to grow up. Make a provision for the redemption on the easiest possible terms of both tithes, so that there may be no compulsory burdens whatsoever attaching to the land. It is the annual burdens which destroy the prosperous cultivation of the soil. As Prince Bismarck confessed the other day, without seeing that he was pronouncing the condemnation of himself and his whole system, it is the weight of taxes that is driving the German peasant to emigrate. Prince Bismarck, in almost all his dealings, is the international lighthouse that marks the rocks to be avoided by other nations. With voluntary rates and taxes, tithes redeemed, and every article of consumption at the lowest price, we have good ground for believing that the English labourer will hold his own on the soil, when he once gets there, with happiness and prosperity.

2. Organize at once voluntary land companies in [102] every part of the country. Get those able business men, who are to be found in all our large towns, and who have a generous desire to assist a great public work, to direct ; and by placing the shares as low as 5s, bring a

great body of the labourers and workmen as partners into the concern. Let it be a means of uniting classes for a great object. Let land be bought at its present very low price, roads made, and lots sold off from one acre up to thirty or forty acres on terms of gradual repayment. I would appeal to the many men who are possessed of capital and business power, and who so often are influenced by a high public spirit, to undertake this great work. I am myself concerned in a very small experiment of the kind and would gladly send papers and information to those who wished it.

3. I think this movement might be made a means of once more spreading kindly feelings between classes in country and town alike and of uniting them in a common work. I would propose that all those who are friendly in every part of the country, landlords and labourers, capitalists and artisans, should join in a league to co-operate in spreading the movement and helping to remove the difficulties out of its way. A penny weekly subscription, in which would be included the cost of a penny fortnightly paper, describing what was being done, might link the whole movement together. My own belief is, that if deputations of labourers and others went to the landlords asking for facilities for buying land, or where they were unwilling to grant the sale, for letting it upon Lord Tollemache's system, that there are some at least — if not many-who would [103] be found ready to act generously in the matter. We must expect that the old superstition of the ring fence will not die without a struggle, but I feel that neither that nor any other fence will resist, if there be sufficient moral energy on the part of those of us who desire to help the small man on to the land. From the point of view of voluntary action, as against State coercion, everything would be gained for the future happiness of the nation — for happiness depends more upon kindly relations and kindly feelings than anything else — if poor and rich could be brought to work in friendly alliance for this great end. If it is done by force, it will divide us ; if it is done voluntarily, it will unite us. I can only say, "Let us try."

Work for the unemployed. — I am strongly and steadily opposed to all plans of State employment. Besides the old fatal objection that we have no right to compel some to pay for others, such works interfere with the regular labour market, they are badly supervised and badly conducted, and therefore tend to demoralize the men employed; they often keep labour collected at certain spots when it should be dispersed, discouraging the men from following and finding other work. But that men should be willing to work and not find employment, is a thing so sorrowful for every thoughtful person, that none of us should sit down and be content to leave such a terrible cause of suffering unredressed. It is again a case where a strong voluntary association should be formed. Such an association should undertake certain work, that would not be undertaken in the regular course of business; they should [104] pay wages considerably below the market rate (this is most important, so as not to disturb the labour market), but those who are employed should ultimately receive, in addition to the wages paid, certain shares in the completed work. These shares might be sold at public auction and the proceeds divided. Take for example the making of a cyclists' road (or the building of a workman's dwelling-house). Suppose £1000 has been spent in material and wages, at 25 per cent, below the current rate, and the road when finished was valued at 1600 £1 shares. So many of the £1 shares might be paid over to the labour, that had been employed, to make up such part of the 25 per cent, deduction as had been originally agreed on. I urge strongly in this matter, as in the matter of land, that powerful voluntary associations should be formed to deal with this great want. There are grave difficulties surrounding all work undertaken outside the regular labour market; but a voluntary association with its flexible arrangements can avoid evils and dangers far more easily than the State; and for every piece of work which it carries through, it would call out those priceless feelings of kindness and gratitude which no action of the State ever has called out or ever will do. Men quickly learn to look upon what is done for them by the State as a right, and grumble that what is given is not given in fuller measure. It is a common cry, "We do not

want charity, but State employment." State employment is charity, only with ail the healing grace left out of it. They both mean living upon what is contributed by others ; but in one case the contributions are given in [105] friendliness of heart, in the other case they are taken by force. In these days when the struggle is between liberty and socialism, I urge upon the richer classes to be very firm, as a matter of duty, in resisting all forms of State employment ; whilst I even more strongly urge upon them to undertake with all the energy and resources which they have at their command, those great voluntary undertakings which may add so much to the happiness and security of the workman's life. May this not be one of the great changes for good that is coming to us, that those who possess wealth and the power to direct it shall set themselves to employ capital, — yielding a fair return, — so as to fulfil many of those special wants that yet remain unfulfilled in the lives of the people?

Note to page 38. — I think it right to say that I do not feel satisfied with the reasoning used on this page as regards libel. The question is whether a real offence is committed bjr A against B, bjr his having influenced the mind of C ? I think it possible that another generation, bolder and more clearsighted than we are in matters of liberty, may sweep away the law of libel altogether, and leave to each man the task of vindicating himself before the tribunal of public opinion. I should like to hear the subject fully discussed.

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