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THE STATE AND THE INDIVIDUAL FROM  
THE STANDPOINT OF ECONOMICS AND POLITICAL SCIENCE.

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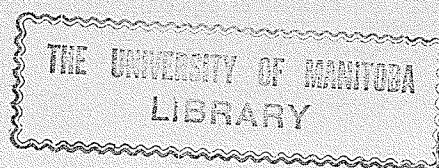
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## THE STATE AND THE INDIVIDUAL.

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THE STATE AND THE INDIVIDUAL FROM THE STANDPOINT OF  
ECONOMICS AND POLITICAL SCIENCE. \_ \_ \_ \_ \_

I N T R O D U C T I O N:

It may be in place to preface this essay with a few remarks concerning the definition of the State.

It must be accepted as an axiom that the State is something considerably more than the Government, even when the latter is <sup>~</sup><sub>^</sub> stretched to its widest extent so as to include the legislative, executive, and judicial authorities of a country all taken together. Thus the "State of Great Britain and Ireland" means something more than Parliament, the Cabinet, the Law Courts, and the King all taken together. It embraces the whole nation or nations who inhabit the British Isles, to say nothing of the Colonies, along with the entire territories over which the King holds sway. It is evident to the student of the growth of constitutions that the State is something greater than the mere governing authority. When William III displaced James II from the throne, the government for the time being fell, but the State of England remained as before.

The State, rightly understood, is nothing more than organized society, and, on the other hand, no society can exist without the organization which binds it into a State. To adopt an algebraic form of definition, the State is equal to society plus a constitution, a body of positive

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laws, and a regular government.

"The marks," says Professor Hall "of an independent state are, that the community constituting it is permanently established for a political end, that it possesses a defined territory, and that it is independent of external control". The word would seem, then, to cover the whole of an organized and independent society, its territory, and every individual under its jurisdiction.

An excellent definition of the State is contained in Professor Henry Sidgwick's Elements of Politics (p.211). "I shall mean by a State what I have also called a Political Society; i.e. a body of human beings deriving its corporate unity from the fact that its members acknowledge permanent obedience to the same government, which represents the society in its collective capacity, and ought to aim in all its actions at the promotion of their common interests."

Thus the necessary elements which go to form a fully matured modern State may be shortly given as (1) a group of individuals, (2) a specific territory, (3) an efficient organization giving effect to its sovereignty, and (4) independence. If all the nations of the globe formed a federal or a still closer union with one another, bringing the whole of humanity under the sway of one system of law, backed by an executive authority as efficient as that which enforces municipal law, political science would require to



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stretch its definition of a State so as to include the world with all its inhabitants, and all its continents and seas. Let us hope that the League of Nations is the foreshadowing of such a future state of humanity.

Starting from the fact that the State is necessarily composed of individuals whose nature is moulded by the whole community, it seems plain that a perfect comprehension of the State would involve a knowledge not only of its own aims and destiny, but also of the essential characteristics of all its members, and the nature of the relations between the two. Now, the solution of all these problems lies in the analysis of the relations between the State and its individual citizens. In making this analysis I shall begin with:

Part I.

The Idea of Individual Liberty in the History of English Political Thought.

(A) Hobbes. (1588 - 1679)

Hobbes' theory was, briefly stated, as follows:

Man is essentially selfish and therefore the state of nature - i.e. the time men live without a common power to keep them all in awe - is a state of war and such a war as is of every man against every man. In such a condition of things there is no place for industry because the fruit thereof is uncertain; no commerce; no account of time; no arts;

Hobbes:

no letters; no society; and "the life of man solitary, poor, nasty, brutish and short". To this war of everyman against everyman this also is consequent, namely, that nothing can be unjust. The notions of right and wrong, justice and injustice, have the<sup>re</sup> no place. When there is no common power, there is no law, whe<sup>re</sup> no law, no injustice. It is consequent also to the same condition, that there can be no property, no dominion, no "mine" and "thine" distinct; but only that be every man's, that he can get, and for as long as he can keep it. The passions that incline men to peace are fear of death; desire of such things as are necessary to living; and a hope by their industry to obtain them, and reason suggested convenient articles of peace. These articles are called "The Laws of Nature".

The right of nature or *jus naturale* is the liberty each man has to use his own power for the preservation of his own life; and consequently of doing anything which he conceives to be the best means to that end. In the state of nature every man has a right to everything, even to one another's body. But this is inconsistent with security; and consequently it is a precept or general rule of reason "that every man ought to endeavour peace as far as he has hope of obtaining it; and when he cannot obtain it, that he may seek and use all helps and advantages of war". The second part of this rule contains the sum of

Hobbes:

the right of nature: "by all means we can to defend ourselves"; while the first part of the rule contains the first and fundamental law of nature :- "to seek peace and follow it." From this, in turn, is derived the second law of nature; that a man be willing, when others are - as far as he deems necessary for peace and self defence - to lay down his natural right to all things and be contented with so much liberty against other men as he would allow other men against himself.

From this springs the Social Contract. To escape/ the fear and danger ever present in the state of nature, men agreed, says Hobbes to submit themselves to a common authority in whom were united the natural rights of all. The power thus created was the sovereign whose authority was absolute. The sovereign having been no party to the contract could not, according to Hobbes, break it; nor could the subjects reclaim rights which they had irrevocably transferred. However much the sovereign might abuse his power he was entitled to obedience; and there was no right of revolution on the part of the subjects since that would mean a breach of the original contract both towards the sovereign and towards each other. The dissenting subject has always the right of self-preservation, but in that case he reverts to a state of nature or war. He is an outlaw and anyone who

Hobbes:

can may destroy him. Again: the obligation of the subjects to the Sovereign lasts no longer than he has power to protect them.

The duties of the Sovereign, according to Hobbes, include protection of his subjects against foreign enemies and against internal disturbances; deciding on the question of war or peace; levying the necessary taxation; interpreting the law in case of dispute; and suppression of opinions which he considered inimical to public order and <sup>good</sup> government. On the supremacy of the Sovereign in spiritual as well as temporal matters Hobbes lays special stress. Erastianism was of the very essence of his doctrine i.e. the subordination of the church to the state.

From the modern standpoint the main criticisms of Hobbes' doctrine are as follows:

In the first place Hobbes professes to find the need for absolute government in human nature itself as shown in primitive society. But, as a matter of fact, in Hobbes' day the historical method and the study of origins was unknown. Hobbes' sketch of the state of nature with its war of everyman against everyman is purely imaginary, and had never anything at all corresponding to it in real life. Hobbes recognized only the two extremes; anarchy and absolutism, and does not seem to have

Hobbes:

known that immemorial custom was the precursor of formal law, and that it was equally powerful. He was right when he pictured the life of the savage as anything but noble, and his day as anything but a golden age of innocence and virtue. But he did not and could not know that even in the rudest and most primitive communities, there are to be found the elements of social life and social morality. For him the unit of primitive society was the individual whereas it was really the family.

In the second place Hobbes' theory of the contract as the way of escape from the imaginary state of war is itself imaginary. Progress toward a more complex political organization came about not because primitive conditions were intolerable but as the result of new wants, desires, and aptitudes, originated perhaps by intercourse with other communities. Hobbes concentrates too much attention on the instinct of self preservation to the utter neglect of its complement - the co-operative instinct. Hobbes' theory of absolute government, like all similar theories rests upon a low view of human nature. Man is taken to be neither a moral nor a political animal.

The idea of the social contract did not originate with Hobbes. His originality is found in the special form he gave to the contract, namely, an agreement among the

Hobbes:

subjects by which they are absolutely and forever bound, while the chosen sovereign, being no party to the contract is left absolutely free. This interpretation which Hobbes gives to the Social Contract is the vital point in his argument. As a matter of fact, Hobbes does not himself consistently adhere to his own conception of the Social Contract. Thus where he treats of the family and slavery, we find that he has slipped into the other idea of the Contract as one between sovereign and subjects and not between subject and subject.

Turning to Hobbes theory of Absolute Sovereignty, his position is that sovereignty is unlimited and undivisible; that there is and must be one and only one authority in the state, and that the power of that authority is absolute, not to be limited by appeals to the laws of nature or to Conscience or the Church.

This theory of sovereignty was adopted by Austin and has found practical expression in the British Constitution.

Hobbes was in error in his contention that there is and always must be a sovereign in every state. In the middle ages, for example, there was no sovereignty in Hobbes' sense, for power was divided between Church and State, the King and his feudal Barons. Experience too has shown that Hobbes was



Hobbes:

in error in holding that mixed government involves anarchy. Orderly government is only possible where men agree to respect the authority of the law as the command of the organ whose interpretation and rendering of the General Will they have agreed to recognize. That organ may be a King, or Parliament, or House of Commons, or the whole people voting in some manner agreed on; but whatever it is its sovereign authority must be respected.

The weakest part of Hobbes' system is that it allows to the state no positive function. Its one and only duty is the maintenance of order. This may be described as the Policeman theory of the state. Hobbes, while he thus accepts Aristotle's maxim that the state comes into being that man may live, yet ignores Aristotle's sequel that the state continues in existence to promote noble living.

(B) LOCKE (1632 - 1714)

Locke's "Essay on Civil Government", 1690, is a classic in the history of political theory. It has been described by Sir Frederick Pollock as "the most important contribution ever made to English constitutional law by an author who was not a lawyer by profession". He says there is nothing to be compared to it until we come to Bagehot's "English Constitution".

Though of permanent value in the development of the Theory of the State, it was, like Hobbes' "Leviathan" suggested by the circumstances of the time. Just as the "Leviathan" is an indictment of the Long Parliament, so the "Essay on Civil Government" is a defence of the action of the "Convention Parliament".

#### Locke's Argument on Political Power.

At the close of Chapter one, Locke defines political power thus: "Political power, then, I take to be a right of making laws with penalties of death, and consequently all less penalties for the regulating and preserving of property, and of employing the force of the community in the execution of such laws, and in the defence of the commonwealth from foreign injury, and all this <sup>is</sup> only for the public good." The last clause "and all this is only for the public good", gives, as Pállock says, the keynote to the whole essay. Its point is this: that rulers hold their powers, whatever the legal form, on conditions of the nature of a trust and not by an absolute right founded on grant covenant or otherwise. Thus if the conditions are not fulfilled the power is liable to be forfeited.

The success of Locke's method is shown by the fact that his doctrine quickly obtained a dominant position and held it for nearly a century. Locke, like all political theorists for a long time before and after him, professes to found his

Locke:

his system on natural law, i.e. on rules of conduct which the unaided light of reason can discover as generally applicable to man as a rational being. The mediaeval assumption still prevailed, namely, that there is a law of nature, and, that when ascertained, it is supreme. Hobbes, and all the writers of the time appeal to laws of nature as immutable and eternal; but the laws of nature recognized by one writer were often quite unlike, or even inconsistent with those recognized by others; and Locke does not restrict the obligations imposed by the laws of nature to the relations of man.

But, while Locke, like Hobbes, felt bound to begin with the state of nature, this state represents for him a perfectly conscious abstraction - a convenient postulate or assumption for reasoning, rather than an attempt to reconstruct the actual origin of society. He simply supposes the absence of positive <sup>institutions</sup> ~~instructions~~ and considers what a man's rights would have been in such a case. He is at one with Hobbes in holding that all men are equal by nature in the sense that every man is entitled and bound to seek self preservation. But whereas Hobbes held a state of nature was a state of war, Locke holds that every man is bound to preserve other men, being his fellow creatures and fellow servants, "when his own preservation comes not in competition".

Locke:

Every man has natural power, judicial and executive until such powers are regularly constituted.

Locke admits that this doctrine of the executive power is open to the objection that it is unreasonable for men to be judges in their own cases since ~~all~~ self love will make men partial to themselves and their friends; while on the other side ill nature, passion, and revenge, will carry them too far in punishing others; and he says that civil government is a proper remedy for such inconveniences; but he reminds the objectors that absolute monarchy fails just in this respect since the absolute monarch, beloved of Hobbes, remains in a state of nature with respect to his own subjects, and is therefore judge in his own case. Moreover, there is a plain difference between a state of nature and a state of war. Some men have confounded them but they "are as far distant as a state of peace, good will, mutual assistance and preservation, and a state of enmity, malice, violence, and mutual destruction are from one another". In short: in the state of nature there may be a precarious peace and political authority is instituted to avert the risk of a state of war - not to put an end to a state of war necessarily existing. This is evidently intended by Locke as a fatal blow at Hobbes' theory and it carries with it the denial of his position that the worst of governments is always preferable

Locke:

to the State of Nature.

Slavery is the result of conquest in a state of war. The natural liberty of man is to have only the law of nature for his rule; while the liberty of man in society is to be under no other legislative power but that established by common consent in the commonwealth. Freedom is not the absence of all rule; but is to have a standing rule to live by, common to everyone of that society, and made by the legislative power erected in it, as opposed to subjection to an arbitrary will like a conqueror's.

Locke next proceeds to establish a natural right of property antecedent to political institutions. He says that natural reason tells us that men, being once born, have a natural right to their preservation, and consequently to meat, drink, and such other things as nature affords for their subsistence; while Revelation shows that God had given the earth to mankind in common. Hence, he says, it seems to some a very great difficulty how any one should ever come to have property in anything. Locke's solution of the problem is that appropriation is the reward of labour. Now every man has a property in his own person and thus in his labour. Hence a man acquires a right of property in that which he hath mixed his labour with, since by so doing he has removed it from the common state nature had placed it in, and annexed to it something that is his own, and that excludes the common right of other men, at least where there is enough

Locke:

and as good left in common for others.

Criticism of Locke.

The assumption that "every man has a property in his own person", seemed perfectly safe and natural to Locke, but it is not good law. A man's rights to personal safety and reputation are not marketable or transferable, and are to be clearly distinguished from ordinary property rights. Again, Locke's attempt to extend the principle of occupation or first occupancy so as to make it the sole basis of property is the ingenious device of a non lawyer. On Locke's own premises it is not clear how the law of nature justifies anyone in appropriating more than is necessary for the support of himself and his family. It is quite clear that Locke sees the difficulty but he hardly meets it. Property cannot be made secure by natural right alone, and Locke goes on to argue that men have entered into civil society for their comfortable, safe, and peaceable living, one amongst another, in a secure enjoyment of their properties, and a greater security against any that are not of it. The will of the body politic, when formed, is determined by the will of the majority. But, as a matter of fact, the study of the early history of societies shows that a majority vote has not been generally recognized in these early societies. The difficulty



Locke:

The difficulty of securing nominal unanimity has been overcome by various devices, including fiction and force in varying proportions.

It is quite clear that on Locke's principles the society has no right to force any unwilling individual to become a member of the state. It has merely the right of self protection against him. The essential point is that a body politic is formed by consent, and the essential term of the compact is that every member gives up his natural, judicial and executive power to the community; not to an irresponsible, absolute, sovereign; and in the person of every new member this consent is tacitly, if not explicitly, given; for no one can claim the benefits of settled government except on the terms on which they are offered. In this connection, Locke goes so far as to assert that a child is born a subject of no country or government, and is free to choose allegiance for himself at the age of discretion. As Pollock points out no modern lawyer would agree with Locke on this point.

(C) Bentham (1748 - 1832)

"Bentham was primarily neither a utilitarian<sup>if</sup> moralist nor a philanthropist: he was a legal philosopher and a reformer of the law." The object of his lifelong labours

Bentham:

was to remodel the law of England in accordance with utilitarian principles. These labours were crowned by extraordinary success, though the success was most manifest after the end of Bentham's life. This is Bentham's title to fame. For well nigh sixty years, that is to say to two generations, Bentham preached the necessity, and explained the principles of law reform. He began his career as an unknown youth whose ideas were scouted by men of the world as dangerous paradoxes; he ended it as a revered teacher who numbered among his disciples lawyers and statesmen of eminence, and had won over to his leading ideas the most sensible and influential of English reformers.

Bentham has nothing of the historic spirit. The wisdom of our ancestors is to him but "the infantile foolishness of the cradle of the race". And if he ever wishes to conserve the past at all, it is only that we may learn by its follies, blunders and crimes. As Maine says, "no geniuses of an equally high order so completely divorced themselves from history as Hobbes and Bentham".

Bentham left economics to the free play of natural forces, but claimed law and politics as the sphere of scientific regulation. He advocated two principles. On the one hand, he advocated the principle, which belongs chiefly to the economic field, of the right of each man to pursue his own interest; on the other hand he urged, in the

Bentham:

political sphere, the right and duty of the State to secure the greatest happiness of the greatest number.

When he taught that the aim of law as of life was to promote the greatest happiness of the greatest number, he meant by happiness no far-fetched conception of well-being, but that combination of an honest and industrious life with the enjoyment of modest wealth and material comfort, which is felt to be an object of desire by an ordinary Englishman. He spoke the language of his countrymen, and the men of the middle class whom he addressed understood his meaning.

Amongst all the phrases he assails there is none which more moves him to denial and derision than "the natural rights of man". Bentham meets the theory of the natural rights of man with the flat denial that man has any natural rights whatever. What man has by nature is inclinations, desires, expectations. These he has in lavish abundance. Nature has seen to that. But of all the rights of man, rights to life, liberty, property, man has not one, not even the elementary right to life, till he has received it at the hands of Law. For it is Law alone, that defines what are the natural inclinations in whose satisfaction it is for the public good that the citizen ought to be protected, as it is likewise Law that defines what are the

Bentham:

natural inclinations which ought in the public interest to be repressed if need be by prison and gallows. "Rights properly so called are the creatures of law properly so called; real laws give birth to real rights" - this is the pith of Bentham's teaching about rights.

Every person is in the main and as a general rule the best judge of his own happiness. Hence legislation should aim at the removal of all those restrictions on the free action of an individual which are not necessary for securing the like freedom on the part of his neighbors.

This dogma of laissez faire is not from a logical point of view an essential article of the utilitarian creed. A benevolent despot while admitting that the proper end of scientific legislation is to promote the greatest happiness of the greatest number, might contend that the mass of his people, owing to ignorance and prejudice, did not understand their own interests, and, that as his subjects were not the best judges of the conditions which constituted happiness, it was his duty to enforce upon them laws, which, though they might diminish individual liberty, were likely nevertheless to ensure the well-being of his people. But, though laissez faire is not an essential part of utilitarianism it was practically the most vital part of Bentham's legislative doctrine, and in England gave to the

Bentham:

movement for the reform of law, both its power and its character. At the time when Bentham became the preacher of legislative utilitarianism the English people were proud of their freedom, and it was the fashion to assert, that under the English constitution no restraint, which was not requisite for the maintenance of public order, was placed on individual liberty. Bentham saw through this cant, and perceived the undeniable truth that, under a system of ancient customs modified by haphazard legislation, unnumbered restraints were placed on the action of individuals, and restraints which were in no sense necessary for the safety and good order of the community at large, and he inferred at once that these restraints were evils.

Bentham assaulted restraints imposed by definite laws. Mill carried the war a step further, and, in his treatise on Liberty, denounced restraints on the action of individuals imposed by social habits or conventions. This struggle for personal liberty, which means much more than mere resistance to obvious oppression gave to early Benthamism its whole spirit and life as a militant creed.

(D) Mill (1806 - 1873)

*Mill's conception of liberty.*

Mill gives to liberty the merely negative sense of absence of restraint - "being left to oneself". He says

Mill:

"all restraint <sup>qua</sup> restraint is an evil". It is true enough that restraint without reason is an evil, but this is not what Mill means. The context of his work "On Liberty" shows that he objects to restraint of any kind, be it with or without reason. If we reflect, however, we see that it is only by restraint that anything is accomplished in the world. Liberty in its true sense - political liberty for which men have struggled <sup>throughout</sup> ~~thruout~~ the ages - is not the mere negative abstraction of "being left alone", not mere absence of restraint, but freedom from arbitrary, illegal, unjust restraint, implying on its positive side subjection to law which the individual recognizes as law, in the making of which he has some voice either directly or indirectly thru his representatives or trusted rulers. Freedom is freedom under the law. With the progress of society man comes more and more under social influences - he becomes more and more a political animal. Liberty is unmeaning apart from society. In its positive sense it means rational liberty - liberty under the law, liberty in communion with fellow man. It thus implies the Sovereignty of the law as distinct from the Sovereignty of the individual. Liberty in the merely negative sense is not true liberty, but "license" which in practise means the tyranny of the strongest.

Mill gives what appears to be a more positive definition



Mill:

of liberty when he says "liberty consists in doing what one desires". But this would seem to justify restraint on one to prevent his doing what you know will prevent the attainment of his ultimate end or desire e.g. success in life or salvation. Desire is an ambiguous expression. Thus the Inquisitor may feel justified in torturing the heretic in the name of liberty. In this way we reach a conclusion the exact opposite to that which Mill has in view and his defense of liberty becomes on this line of reasoning an apology for despotism.

It is clear that in its <sup>negative</sup> ~~regulation~~ sense of absence of restraint, liberty is merely a means and not an end in itself; and it is because of the supreme importance he attaches to individuality that Mill lays such stress on liberty or absence of restraint as a means of attaining that end.

That liberty cannot be made an absolute end in itself is borne out by the theory on which all education proceeds, for otherwise why should society inflict education or discipline of any kind on an unwilling child - and what child is not unwilling, more or less, to learn? The State educates the child before it makes him free.

Mill's reconciliation of individuality, or self, and government, or law, is found in his fourth chapter: "of the Limits of the Authority of Society over the Individual." His general position is stated in Chapter one thus: "The

Mill:

sole end for which mankind are warranted individually or collectively in interfering with the liberty of action of any of their number is self-protection. 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 sufficient warrant. The only part of the conduct of any one for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign."

In these sentences is contained Mill's complete solution of the problem he set himself in his Essay on Liberty, namely, to find a definite settled principle of government action applicable to all circumstances, times, and countries. He professes to find the absolute criterion he is in search of in "self-protection". This seems at first sight to possess the qualities of certainty and simplicity - the two things needed in ~~see~~ a good working criterion. On closer examination both of these quickly vanish. It breaks down when applied to any of the difficult questions that arise in practice. The best way to watch its collapse is to follow Mill himself in its application to a few practical cases. We are surprised to find that

Mill:

this "one very simple principle", which we are told in one page is "entitled to govern absolutely the dealings of society with the individual", is declared in the very next page not to apply at all to a numerous and important class of cases. "It is, perhaps, hardly necessary to say that this doctrine is meant to apply only to human beings in the maturity of their faculties." The simplicity of the one principle has already vanished, and the certainty is following fast; for it is extremely difficult to determine what "maturity of faculties" means, and still more difficult to judge in whom it resides.

The complexities only increase when the inquirer passes from a consideration of the various classes of individuals to whom the rule applies, to an enumeration of the kinds of actions which it regulates. The application of the criterion of self-protection leads to the rule that neither the society nor the State has a right to interfere as long as a man's "conduct affects the interests of no person besides himself". A new difficulty here presents itself, which Mill clearly enough perceived. "The distinction here pointed out," he says, "between the part of a person's life which concerns only himself, and that which concerns others many persons will refuse to admit." He states the difficulty fairly enough but never answers it.

Indeed, there is no part of a man's life which concerns

Mill:

only himself: with every advance in science comes a deepening sense of the solidarity of the race to strengthen the conviction that there is no action, however private, of any man which exclusively affects himself. No one can even breathe without affecting currents of air which may bear germs of disease fraught with death to others. To be perfectly safe from hurt by our neighbors is impossible. Any measure might be justified on the ground of self-protection.

#### Mills Conception of Individuality.

Mill quotes with approval Humboldt's saying that the "end of man is the highest and most harmonious development of his powers to a complete and consistent whole". But the context shows that Mills conception of individuality is the purely negative and abstract notion of unlikeness - diversity of one man from another. This diversity he regards as in itself a good thing - an end to be pursued for its own sake. Thus he emphasizes the connection which he takes to exist between originality and eccentricity. Individuality, genius, fulness of life, completeness of development, in his view, is to be sought in a jealously guarded inner self; whereas modern philosophy regards it as the outcome of "the varied play of relations and obligations in society". Because the original genius often appears eccentric, it does not follow

Mill:

that eccentricity is either originality or genius. As Sir J. F. Stephen says, "originality consists in thinking for yourself and not in thinking unlike other people". But if we accept Mill's view - if eccentricity is the type of the fully developed self, if monotony and uniformity are the unfailing characteristics of a community in which the sense of obligation and subordination to law prevails - then it follows that law is a curtailment of human nature and self government a contradiction in terms.

Bosanquet (1848 - )

Liberty as the Condition of Being Ourselves.

Individuality does not consist in an isolated self, and liberty does not consist in freedom to act as we choose in vacuo. Nor is the average or ununiversalized self or individual the real self or the real individual.

Real individuality involves something distinct; a consciousness of self; reality of substance in ones self; and position among others. This involves definite achievement and expansion which can only take place in a positive, affirmative, relation to others.

Thus the real self or individuality is beyond the sensitive self, the private self, and we find ourselves only as we identify ourselves with the real self.

Liberty is therefore the essential quality of human

Bosanquet:

life. It is the condition of being ourselves. It is not a status quo to be maintained but a condition relevant to the practical recognition of the continuous sway of the real or ideal self. Anything which tends to the continuous sway of the real self is a factor in freedom. Hence we may be forced to be free. Hence obedience to a system of government may be freedom. True government may be the expression of the self we are not, but want to be, and thus are potentially.

Phases of the Idea of Liberty.

(1) The Juristic Phase.

This is absence of restraint. The juristic meaning of liberty is that it consists of absence of constraint and that perfect liberty is the absence of government as habitual constraint by others.

(2) The Political Phase.

This might be expressed as the rights of citizenship. These rights are positive; they contain a certain determinate security for the positive exercise of activities affecting the welfare of the social whole. Some such security is always understood to be ~~included~~ involved in the notion of political liberty.

Positive Connection Between Juristic and Political Liberty.

The connection between juristic and political liberty should be observed at this point. It is merely an example of



Bosanquet:

what we shall find throughout, that the apparently negative has its roots and its meaning in the positive, and, in proportion as its true nature becomes evident, its positive aspects become explicit. There is no true security for juristic liberty apart from political liberty; and it has constantly been the infraction of juristic liberty that has been the origin of the demand for a share in highly positive political duties and functions.

(3) The Philosophical Phase.

This might be expressed as being oneself in the fullest sense. It involves being saved from the constraint of our unorganized or disorganized selves. We call ourselves free when we constrain appetite and passion but never when passion or appetite usurps supremacy. The reason we say we are free when we obey the ideal self is that the ideal self expresses best what it is in us to be - what we truly want to be.

Bosanquet's Principle of the Hindrance of Hindrances.

All the state can as state do is remove obstacles or destroy conditions hostile to the realisation of its end - the best life. When force is opposed to freedom, a force which repels that force is right. The state is right in forcibly hindering hindrances to the best life. To do this it must act positively. It must however stop at negating what negates. It must not directly promote the common good by force. Man cannot be made moral by force. The state can

Bosanquet:

remove hindrances only as they are seen to be hindrances to a life struggling for expression. The force applied to an individual must be such as obviously opens to him greater possibilities. It should enforce action on the individual only when it is better that the act should be performed from any motive than not to be performed at all. The state can by force hinder hindrances only. It may thus, however, liberate intellectual and moral energy which act positively in the medium of the best life. It must be held true that building universities, houses for working men, and regulating wages, conform to this principle. They are a kind of middle term between mere hindering of hindrances and actual stimulation of mind and will. The state however cannot force their being charged with mind and will. Every law must be judged by the degree in which it liberates life.

This teaching seems to contradict the doctrine already held that we can be forced to be free and that law and order represent the higher self. This, however, is not the case. We recognize the social system under which we live as expressing the highest life. But each possesses phases of nature which may be regarded as out of harmony with that highest life. Here, force, producing external actions, may hurt or help the highest life.

(E) Spencer (1820 - 1903)

From early youth Spencer had been interested in physics. He had loved air pumps and electrical machines; he had even been a practising engineer for some years; and he had not loved or pursued the study of language or literature. He was thus free from the "bias" towards custom and tradition; he was thus driven towards natural causation and natural law. It was in this way that he came to give his book the title of "Social Statics".

His defect, however, was that he read hastily and gained a number of rapid impressions, and he often absorbed ideas in the course of conversation. Not having read systematically, he thought that he was original, while all the time he was at the mercy of hastily impressions gathered in reading or in talk.

Spencer's conception of private rights has certain peculiarities. He disbelieves entirely in any right of private property in land, because it contravenes the law of equal freedom, which demands equal access to the land. That law postulates public and national ownership of the soil; but such ownership once granted, there may and must be private property in its products, not only because the producer has mixed his labour with the products, but because he has hired the soil for a consideration from the community, and has thus obtained a right which is valid "because he obtained

Spencer:

the consent of society before expending his labour". Revolutionary as he is in his treatment of property, he is still more revolutionary in his treatment of the family. Premising that all command or government is in its nature barbarous, and that the free individual is, as it were, the only civilised institution, he attacks the "subjection of women" nearly twenty years before Mill, and goes far beyond Mill in attacking the subjection of children. Not only should women receive the vote, but, in an ideal system of social statics, the family as an organisation of life and a discipline of character should disappear, and the law of equal freedom should be extended to children, whose rights are co-extensive with those of adults, and should not be nullified by parental coercion.

Spencer's account of the function of the State is mainly an account of what the State ought not to do. It ought not to regulate industry; it ought not to establish a State-Church; it ought not to attempt colonisation. It ought not to give poor relief, or to undertake the care of public health; for in both ways it defeats the operation of the law of natural selection - a law which Spencer thus seems to have grasped already in 1850, some eight years before Darwin and Walla ce communicated their papers to the Linnasan Society. Nor, again, must the State give education; The child has

Spencer:

no right to it - for he can exercise his faculties without it; and the parent on the other hand has a right to buy all his commodities - his child's education as much as his milk - by free purchase in an open market uncontrolled by any monopoly. Finally, the State must not institute a public mint, or work a postal system, or erect a lighthouse. It has, in a word, no business to interfere with the wise severity of nature's discipline, which makes us better when we do things for ourselves, and - what is more - makes the things which we do for ourselves better done than those which the State does for us.

In his Essay on The Social Organism, Spencer insists that society is like an organism because it "grows and is not made", and he points the moral that it should be left "to grow" under the free play of social influence, and not "made", or rather checked and hindered, by governmental regulation. There are the organs of the governmental system, which serve for external <sup>action</sup> ~~action~~; there are the organs of the industrial system, which serve for internal life. Thus government exists externally for war, and internally for the enforcement of contracts. It has no further *raison d'être* or function. It must leave aside positive regulation; it must specialise exclusively in negative regulation in order to discharge efficiently its one and only function. This is what Spencer means by "specialised administration".

Spencer:

The Man versus the State starts from and ends in Natural Rights. Natural rights, after all, are the solid core of Spencer's thought. The reasons lie deep. They are to be found not only in those particular influences of his early life, but also in the elementary fact that Spencer was an Englishman, and that Englishmen cannot easily get away from a belief in natural rights. Two causes have contributed to this national characteristic, the one, religious, the other economic. The one is Dissent; the other is the doctrine of laissez-faire. It is little wonder, in the light of these facts, that the idea of natural rights should have been continuously, if often unconsciously, cherished by generations of Englishmen.

Spencer's philosophy of rights may be summarised in two contradictory propositions. (1) My rights, and all my morality, are positive and natural forces, springing from the *aviditas vitae* and the love of self-assertion which I possess in common with all animate existence. (2) Since I am a man, living in the presence of my fellows, my rights are negative and ethical ideas, in the sense that they are not the fruit of self-assertion, but demand at any rate so much self-~~asser~~renunciation as will lead me to respect the rights of my fellows. If we abandon this self-contradictory hypothesis, and start from a will towards the good which I have in common with all other men, and in virtue not

Spencer:

of my animality, but of my humanity - if we hold that rights spring from this moral good, peculiar to humanity, but common to humanity - then we see that rights are always positive in the sense that they rest on our nature as moral beings and on its impulse to assert itself as such, and that they are always just for that reason ethical; and we can also see that they involve a social organism, because the good which is their source is common, and can best be attained in common.

Spencer's criterion of liberty is to be found in the number of restraints imposed on the individual by government. In the *Man versus the State* (p.15) he says: "The liberty which a citizen enjoys is to be measured, not by the nature of the governmental machinery he lives under, whether representative or other, but by the relative paucity of the restraints it imposes on him". Now, this is to take an artificial and mechanical view of liberty, and to determine the degree of freedom or of bondage by merely adding up the sum of restraints irrespective of their character. It is, however, the nature and not the number of these restraints that is the important point. To obey the uniform laws of a rational government is freedom, whereas, to be at the mercy of the capricious dictates of a Nero is slavery. Freedom, when understood in a positive sense, is not lawlessness.

Spencer:

"The modern English citizen", says Professor Jevons, "who lives under the burden of the revised edition of the statutes, not to speak of innumerable municipal railroad, sanitary, and other bye-laws, is after all an infinitely freer as well as nobler creature than the savage, who is always under the despotism of physical want, far freer too than the poor Indian, who, though perhaps unacquainted with written law, is bound down by the most inflexible system of traditional usage and superstition."

Law and political freedom, rightly understood, are thus seen not to be mutual enemies, but rather necessary counterparts which cannot exist the one without the other.

Freedom is not the absence of the restraints, but rather the substitution of rational ones for irrational. Positive freedom implies the removal of all restraints that hinder the attainment of what is excellent. In a word, he is free who enjoys the opportunity of self-realization according to his highest nature as a rational being. Governments ought to grant freedom to each of their subjects to further his own development, and to help forward the good of humanity; but not to brutalize himself and others, or prove a danger to the stability, health or moral vigour of society.



## Part II The Sphere of the State and the Sphere of the Individual.

Coming now to the more practical part of this essay we shall see that the doctrine of Mill on Political Economy gives government far wider powers than that of Mill on Liberty, which has been already discussed. It might further be shown that each of these differs from the doctrine of Mill on Representative Government. Mill's mind was essentially analytical. He selected one abstract principle, such as Utility or Liberty, as the basis of each of his works, and kept that principle exclusively in sight throughout. Thus he rendered a priceless service to everything he touched. But unfortunately he left each abstract principle by itself, never performing the complementary task of synthesis, which is the chief duty of philosophy in reaching its ultimate goal by "<sup>thinking</sup> ~~thing~~/things together". As a consequence Mill too often puts abstractions in place of realities, while the conclusions founded on one isolated principle are at variance with those based upon another. The government, for example, could do many things under the Principles of the Political Economy which it would not under those of the Essay on Liberty.

Let us consider, then, (A) the Exceptions to Laissez-Faire or Cases in which Governmental Interference May Be Justified (with special Reference to Mill's Principles of Political Economy).

1. Cases in which the most interested is not the best

Mill:

judge of the matter, nor a competent judge at all.

Take the matter of education. Here it is easily seen that the uncultivated cannot be competent judges of cultivation. Therefore government may provide elementary education and make it compulsory. But if so it should also be free as the cost cannot always be paid out of the wages of unskilled labour. As Marshall says, "the improvement of education is a good national investment".

Government provision too has the advantage over private charity both in quality and quantity; but government must not claim a monopoly for its schools. This is "help towards doing without help". On the same ground - that the consumer is not always a competent judge of the commodity purchased, laws forbidding the adulteration of <sup>foods</sup> ~~goods~~ meet with general approval.

## 2. Cases of Persons Exercising Power over others.

In such cases, (e.g. in the case of lunatics, children, young persons, and lower animals) the person or creature most interested is less capable than others in judging for himself and is bound in the power of others. Freedom of contract here is freedom of coercion and in such cases government should provide protection against those who have the power.

In this connection it should be noted that the classing together of women and children is "both indefensible in principle and mischievous in practise". Women can not only judge for themselves but can also act for themselves. This

Mill:

is proven by the way in which the women so ably acquitted themselves in the recent Great War.

### 3. Contracts In Perpetuity.

The practical maxim of leaving contracts free is not applicable without great limitations in the case of engagements in perpetuity, e.g. marriage. Government should regulate such contracts and grant a release under certain circumstances.

Again, in the case of contracts supposed to be injurious to health, life, or morality, it is the duty of government to step in and prohibit or regulate such contracts. An example of such government action is to be found in the various Factory Acts which have resulted in a great improvement in the conditions of workers.

### 4. Cases of Delegated Management.

This has reference to the great class of cases in which individuals can only manage the concern by delegated agency, as in the case of Joint Stock companies.

The reasons in favour of leaving to voluntary associations all such things as they are competent to perform are as follows: the mischief of overloading the chief functionaries of government with demands on their attention, and diverting them from duties which they alone can discharge, to objects which can be sufficiently well attained without them; the danger of unnecessarily swelling the direct power and indirect influence

Mill:

of government, and multiplying occasions of collision between its agents and private citizens; and the inexpediency of concentrating in a dominant bureaucracy all the skill and experience in the management of large interests, and all the power of organized action, existing in the community; a practise which keeps the citizens in a relation to the government like that of children to their guardians.

But although, for these reasons, most things which are likely to be even tolerably done by voluntary associations, should, generally speaking, be left to them; it does not follow that the manner in which those associations perform their work should be entirely uncontrolled by the government. There are many cases in which a practical monopoly cannot be prevented from existing, e.g. the case of water, gas, and subway companies. But even in those cases which it is best to resign to voluntary agency, the community needs some other security for the fit performance of the service than the interest of the managers; and it is the part of government either to subject the business to reasonable conditions for the general advantage, or to retain such power over it that the profits of the monopoly may at least be obtained for the public. This applies to the case of a road, a canal, or a railway.

5. Cases in which Government intervention may be necessary to give effect to the deliberate and collective

Mill:

opinion of what is for the general interest.

"Penal laws exist at all, chiefly for this reason - because even a unanimous opinion that a certain line of conduct is for the general interest does not always make it peoples' individual interest to adhere to that line of conduct, e.g. hours of labour; disposal of Colonial lands; the prohibition of killing certain kinds of wild animals during certain periods of the year; restriction on the movement of cattle to prevent the spread of infectious diseases; regulations as to the time, place, and method of catching different kinds of fish.

The intervention of government is necessary to secure uniformity of action and abstinence in such and similar cases.

6. Case of Acts done on behalf of others e.g. Poor Relief.

The argument that individuals are the best judges of their own interests cannot be used in those cases in which the acts the government claims the right to interfere with are done for the interest of other people (e.g. the case of public charity). It is agreed that something must be done to relieve destitution. If this be left to private charity, the tendency will be for it to be too lavish in one place and too scanty in another. Besides, if the government provides subsistence for the criminal poor it

Mill:

will be manifestly putting a premium on crime if it does not do the same for the ~~an~~offending poor. Hence the necessity for the Poor Law which shall be framed on the general principle that while assistance is available to all a strong motive is left to everyone <sup>to do</sup> without it if he can.

7. Laissez-Faire does not provide to any adequate extent for utilities distant in time.

Mill justifies governmental control of colonization on the ground that in this case acts done by individuals, though intended solely for their own benefit involve consequences extending definitely beyond them, to the interest of the nation, or of posterity for which society in its collective capacity is alone able and alone bound to provide.

Mill further says that colonization is the best affair or business in which the capital of an old and wealthy country can engage.

8. Cases in which important public services are to be performed, while yet there is no individual specially interested in performing them, nor would any adequate remuneration naturally or spontaneously attend their performance.

Here the persons who might render the service cannot secure the reward. Adequate means may not always be combined with adequate motives, e.g. erecting lighthouses, planting forests to improve climate, founding an infant industry, securing the immigration of labourers into a new country,

Mill:

scientific discoveries, <sup>technical</sup> and professional education. In such cases private enterprise cannot be relied upon as a sufficient stimulus to the performance of the most socially useful services, e.g. it would hardly give us a "Challenge Expedition". Connected with this is the question of providing by means of endowments or salaries, for the prosecution of the non popular branches of higher learning.

The above heads comprise, according to Mill, the whole of the exceptions to the practical maxim, that the business of society can be best performed by private and voluntary agency.

In closing the subject Mill says, "I have not thought it necessary here to insist on that part of the functions of government which all admit to be indispensable, the function of prohibiting and punishing such conduct on the part of individuals in the exercise of their freedom as is clearly injurious to other persons, whether the case be one of force, fraud, or negligence".

Let us now examine the (B) Limits to Governmental Interference or Evils Associated Therewith (with Special Reference to Mill's and Nicholson's Principles of Political Economy)

It does not follow that wherever Laissez-Faire falls short governmental interference is expedient; for even where

Mill and Nicholson:

the defects of Laissez-Faire are palpable and grave, they may still be outweighed by the various disadvantages ~~be~~ incidental to governmental management of industry. These drawbacks depend on part on political considerations, and vary very much with the constitution of the government in question, and the state of political morality in the country governed. There is 1 Danger of increasing the power and influence of government (a) for corrupt purposes, if we add to the valuable appointments at its disposal - given not by competition, nor even for fitness, but for political services, (and resulting in great abuses, as in the United States and Canada), on the occasion of a change of government - the spoil system:

(b) as an instrument of social despotism. There may be a tyranny by the masses as well as by classes. Democratic despotism is to be specially guarded against.

2. Danger that its economic functions will be hampered and perverted in the endeavour to gratify influential sections of the community - to catch votes. English history shows that political power has been used in behalf of those classes who had for the time being the greatest political power.

3. Danger of wasteful expenditure under the influence of popular sentiment - especially great where the political ~~pience~~ power of the "Have-Nots" over-balances that of the "Haves"; e.g. the eighteenth century Poor Law with its abuses



Mill and Nicholson:

of outdoor relief, or present expenditure on public works not needed.

4. Danger of overburdening the governmental machinery with work which can hardly be removed, though it may be partly obviated by careful organization and delegation of functions, since the central and supreme organ must supervise all. This leads to routine and red tape. There is delay in making new laws urgently required and delay in repealing others which have become a nuisance.

The progress of civilization continually imposes new functions on government, but since the capacity of the individual members who constitute a government does not increase with the same rapidity, the assumption of new functions should only take place when urgent necessity is proved: and relief should be sought in the abandonment of functions of relatively less importance. Accordingly, the presumption in favor of laissez faire, as the history of progressive society clearly proves, tends to become stronger and not weaker, as people dazzled by the success of some new form of governmental interference are inclined to imagine.

5. Since the action of government requires funds raised by taxation, we must reckon besides the financial cost of collection and any loss to production by particular taxes - the political danger of adding to a burden already impatiently borne. "The growing budgets of all modern societies have the

Mill and Nicholson:

tendency towards enlarging the sphere of the State as their ultimate cause." (Bastable)

6. When it involves the prohibition of private industry there is the irksomeness of restraint and the repression of energy and self help. Where private industry is fettered by regulations there is a certain amount of friction and economic waste besides the necessity for expensive precautions to prevent evasion. "Though taxation is not strictly speaking expense, it is certainly equivalent to the expense at which every man would be willing to redeem himself from it." (Adam Smith)

7. The work of government has to be done by persons who, even with the best arrangements for effective supervision and promotion by merit, can have only a part of the stimulus to energetic industry that the independent worker feels. The same, however, it must be admitted, is true of all hired labour and government can as a rule apply certain kinds of stimulus which private persons have not at command to the same extent, and can offer to faithful service more complete security and provision for old age. Still the loss in governmental service of self-dependence and therefore of elasticity and free initiative is very serious. These disadvantages are largely such as moral and political progress may be expected to diminish; but the danger of weakening

Mill and Nicholson:

the spirit of association by hasty state interference is not to be overlooked all the more that it is unobtrusive and cannot be properly weighed.

8. "Laws beget laws on the principle of formal justice." A people among whom there is no habit of spontaneous action for a collective interest - who look habitually to their government to command or prompt them in all matters of joint concern - who expect everything done for them, except what can be made an affair of mere habit or routine - have their faculties only half developed. <sup>Their</sup> ~~their~~ education is defective in one of its most important branches. "The business of life is an essential part of the practical education of a people." (Mill)

The only security against political slavery is the check maintained over government by the diffusion of intelligence, activity, and public spirit among the governed. A democratic constitution not supported by democratic institutions in detail, but confined to the central government, not only is not political freedom, but often creates a spirit precisely the reverse.

Let us now pass to consider the

#### (C) Defects of State Socialism.

Socialism is usually divided into two branches - Communism and Collectivism. The main difference is that the former tries to attain its ends on a voluntary or contractual <sup>vol</sup> basis, and is consequently only possible upon a limited scale; while the latter seeks to make its principles universal and compulsory through the legislative and executive powers of the

## SOCIALISM.

~~Hill and Nicholson:~~

State. These two branches are always closely combined in practise, though logically distinct.

### Socialism.

For the purpose of obtaining a rough and ready statement of the aims and uses of Socialism from the point of view of its average warm advocate, no better choice can perhaps be made than the exposition contained in *Merrie England*. Mr. Blatchford begins by dividing Socialism into practical and ideal.

"Practical Socialism," he says, "is so simple that a child may understand it. It is a kind of national scheme of co-operation managed by the State. Its programme consists essentially of one demand, that the land and other instruments of production shall be the property of the people, and shall be used and governed by the people for the people. Make the land and all the instruments of production State property; put all farms, mines, mills, ships, railways, and shops under State control, as you have already put the postal and telegraphic services under State control, and Practical Socialism is accomplished."

Socialists point out that if all the industries of the nation were put under State control, all the profit, which now goes into the hands of a few idle men, would go into the coffers of the State - which means that the people would enjoy the benefits of all the wealth they create. This then is the basis of Socialism, that England should be owned by the

Socialism,  
Hill and Nielsen:

English and managed for the benefit of the English instead of being owned by a few rich idlers and mismanaged by them for the benefit of themselves. But Socialism means more than the mere transference of the wealth of the nation to the nation. Socialism would not endure competition. Where it found two factories engaged in under-cutting each other at the price of long hours and low wages to the workers, it would step in and fuse the two concerns into one, save an immense sum in cost of working, and finally produce more goods and better goods at a lower figure than were produced before.

But Practical Socialism would do more than that, it would educate the people. It would provide cheap and pure food. It would extend and elevate the means of study and amusement. It would foster literature and science and art. It would encourage and reward genius and industry. It would abolish sweating and jerry work. It would demolish the slums and would erect good and handsome dwellings. It would compel all men to do some kind of useful work. It would recreate and nourish the craftsman's pride in his craft. It would protect women and children. It would raise health and morality; and it would take the sting out of pauperism by paying pensions to honest workers no longer able to work.

"Under Ideal Socialism there would be no money at all, and no wages. The industry of the country would be organized and managed by the State much as the Post Office now is; goods

### Socialism:

of all kinds would be produced and distributed for use, and not for sale, in such quantities as were needed; hours of labour would be fixed; and every citizen would take what he or she desired from the common stock. Food, clothing, lodging, fuel, transit, amusements, and all other things, would be absolutely free, and the only difference between a prime minister and a collier would be the difference of rank and occupation."

"I have now given you," Mr. Blatchford concludes, "a clear idea of what Socialism is. If I wrote another hundred pages I could tell you no more."

Much of this description is vague and unsatisfactory, but it gives on the whole a clear enough conception both of the scheme of reform of the ordinary practical Socialist and also of his motives for desiring the change.

The popularity of Socialism is increased from the fact that its adherents hold forth an almost immediate prospect of benefit from its adoption. The Collectivist believes that a government thoroughly imbued with socialistic theories, and above all with the socialistic interpretation of the laws of justice, will have sufficient power to overcome most of the economic evils of the present system and wisdom enough rightly to direct that enormous power. Human agency is to do everything by a strong system of regulation and control working outwards from a central sovereignty. If it can do this at all, why should

### Socialism:

it not begin at once? Thus near, if not immediate, prospects of relief are held out to the sufferers from present evils or to philanthropists who are willing to join its ranks.

It is perhaps useless to follow in detail all the charges which are brought against Socialism. All the evils that slavery brings are said to be bound up within it. Thus whatever view we take of the ultimate end of the State, it is said that Collectivism fails to attain it. Such a system is another name for despotism. For ~~if~~ all industry and commerce must be managed from a central authority which has to calculate and regulate everything, it follows that all deviations from the appointed and expected routine on which these calculations are based must be strenuously put down. The order of things established by the State must be maintained at all costs, and all opposing individual interests, wishes, or aspirations must be remorselessly brushed aside. Social, domestic, and individual life would lose all their elasticity and buoyancy were they robbed of all powers of initiation. Existence would become humdrum and monotonous, with all its spontaneity crushed out. With the elimination of the element of chance and also of the possibility of bettering one's material lot by one's own ~~existence~~ exertions, all hope and ambition would be eradicated as well. All the bustle, joy, and excitement of an active life where each man could make or mar his fortunes according to his ability and luck, would be blotted out. The monotony and fixity of

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everything would become unendurable. Men would cry out again for the old order of things with all its risks and difficulties.

One of the principal errors of Socialism, indeed, seems to be the unfounded belief that a host of officials, acting professedly for the good of all, will do better in the long run for the common good than if each man were allowed free play to act for himself and those dear to him. In the necessary distinction, however, between those who are officials and those who are not, class prejudices and interests would necessarily clash with the rights of individuals. The officials would be tempted to act for their own advancement. Only within the charmed circle of government employees would there exist possibilities of improving one's position by ability. Each man within the official army would naturally wish to ascend the scale: many of those excluded would seek admittance. Thus would quickly disappear that boasted equality which is claimed by Socialists as one great merit of their system.

The above statements are borne out by the unhappy experience of the Socialist Colony which was set up in Pangway in 1893 by William Lane, a restless writer, whose motto was "Socialism in our time". Through his eloquence and ability to draw mental pictures of an ideal state where only socialistic principles would prevail, Lane, in 1893, induced about four hundred professed socialists, mostly composed of the best workmen of Australia, to



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leave Australia for Paraguay where an advance party of Lane's prospectors had secured a grant of six hundred square miles of good land for the new colony. These socialists were received with open arms by the President and the land was granted free of duty and taxation. The country was well watered and crops could be raised in all seasons. All having put money into the common stock, 20,000 pounds, was at the disposal of the Socialist colony.

At Monte Video, after the first week dissensions arose and assistance to preserve brotherly love had to be obtained from the Paraguayan government. Skilled workers filled the air with complaints because placed on the same level with useless men. Mismanagement was so rife, disease of deadened energy so relaxing, that the colonists began to starve in the midst of plenty. Nothing was active but mutual distrust, greed, jealousy, and unkindness. Soon the stores were entirely depleted and the commonest necessities of life unobtainable.

In 1895 the Socialists turned to the British Consul for assistance. The Socialists' Colony was destroyed and every man was permitted to dispose of his own labour as he pleased. The tide then turned. Comfortable houses were built, cattle began to increase, each man lived on his own land, and all were satisfied, having got something which each meant to keep.

The above is a very brief sketch of an actual attempt to set up a Socialistic State where neither good men, nor good land, and sufficient capital, were lacking and which resulted

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in a dismal failure through the clash of socialistic principles and human nature.

History has furnished absolutely no evidence that Socialism as a scheme of government is either practicable or desirable.

The questions at issue between Socialists and the defenders of the present organization of society are vital ones. The two institutions which Socialists are forced by the logic of their position to attack most uncompromisingly - property and the family - are the very factors in modern civilization which all "orthodox" writers on social and political subjects combine to praise.

If we turn to any of the old-fashioned school of political writers, we shall find the two institutions of property and marriage, in the exact forms sanctioned by existing law, spoken of as the chief prerequisites, not only of all government, but of all morality as well. Sir James Mackintosh, for example, in his once famous essay on the "Law of Nature and Nations", declares, that "Almost all the relations and duties of human life will be found more immediately, or more remotely, to arise out of the two great institutions of property and marriage. Upon their gradual improvement depends the progressive civilization of mankind, in them rests the whole order of civil life. Around these all ~~are~~ our social duties will be found at various distances to range themselves".

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The vital nature of the warfare waged by Socialists against the foundations of existing society is thus brought into clear consciousness when it is realized that these two central institutions are the special objects of their attacks. Their hostility to all rights of private property is openly avowed as their chief merit; while willingly or unwillingly all communistic schemes have come into violent collision with the family.

E N D.

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