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Not the Daughter but the Mother of Order

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"For always in thine eyes, O Liberty!
Shines that high light whereby the world is saved;
And though thou slay us, we will trust in thee."
John Hay.

On Picket Duty.

The Malden "Headlight" accuses the editor of Liberty of bad generalship in placing his heaviest guns "on picket duty."

Professor Huxley says that "extinguished theologians lie about the cradle of every science, like strangled snakes beside that of Hercules."

Talmage says that "God is not an Anarchist." Of course not. Being the source and strength of all hierarchies, how could he be an Anarchist? Is he not the king of kings, the lord of lords, the tyrant of tyrants, the despot of despots, the boss Boss? The very nature of his office prevents him from being an Anarchist. To become an Anarchist God would have to resign.

George W. Smalley, the London correspondent of the New York "Tribune," despicable flunky though he be, occasionally says a good thing, for which we are disposed to give him credit. For instance. "The 'Spectator,' which mixes theology with mundane matters in a bewildering way, has a review of Mr. Swinburne's 'Tristram of Lyonesse,' that surpasses all known performances in this kind. The reviewer 'feels that all the highest poetry of the world is realized in Christ, and that without Him poetry would be an illusion that might almost drive the mature mind to desperation.' Well, Homer had a mature mind, so had Æschylus and Sophocles and Virgil, and it has not heretofore been considered that their poetry was an illusion, or that they were driven to desperation for want of an influence which had not yet been felt in the world."

The recent labor demonstration in New York City was a mammoth and portentous affair. The masses are beginning to feel their strength, and will soon exercise it. Even the cowardly press of New York is compelled to treat them a shade more respectfully than has been its custom, though its criticisms upon them are as stupid as ever. Even Mr. Prentice Mulford, usually a brilliant writer and naturally sympathetic with every progressive effort, writes a column of commonplace in the New York "Graphic" to show that laborers personally are no better than capitalists, and would oftentimes be more tyrannical if they had the power. Very true; but what's the use of telling people what they already know? Mr. Mulford's argument may be of some value against the State socialists, who clamor for power, but against the Anarchists and those of Anarchistic tendencies it is altogether without pertinence. The warfare of labor is not against men, but institutions; not against persons, but privileges; not against selfishness even, but against theft and the power to steal. And the power to steal with impunity is a purely legal power. Take it away, and neither laborer nor capitalist (who then will be one) can play the tyrant or the thief; whatever their desires may be. This is the idea that is more and more animating the industrial agitation, and is sooner or later sure to prevail. Evidence of its growth was seen at New York in the popular favor and enthusiasm with which the Anarchistic utterances of Henry Appleton of Providence were welcomed on the occasion referred to.

Walt Whitman's "Fleshly Pieces."

If the "fleshly pieces" of Walt Whitman's "Leaves of Grass" suggest to the Boston "Commonwealth" simply "beatific adorations of the great gift of maternity," as its September 2d somewhat appreciative notice of the new edition says that they did, why does it advocate their curtailment or omission from Whitman's published works?

Its reasons — 1, that, "with the limitations of our civilization," "the intent of the author can easily be misunderstood by very excellent people, and wholly perverted by the depraved;" 2, that "they offend large sections of the community and furnish prurient curiosity with food for lascivious thought" — are somewhat like the wolf's excuse for devouring the lamb,— *viz.*, that he defiled the brook, though his drinking place was below the one frequented by the wolf.

If American civilization be narrow and bigoted, the "Commonwealth," by employing such arguments, aids to constrict and throttle it yet more, instead of enlarging and perfecting it. It joins the wolfish pack,— the Comstockian crew,— and urges that excellent people's misunderstanding (in other words, their ignorance) of an author's meaning and depraved persons' perversions of his poems are sufficient reasons for the curtailment or omission of those poems. Such policy, if adopted by all authors, would reinaugurate the age of popular ignorance and priestly tyranny. A better course, it seems to us, would be to widely circulate Walt Whitman's complete works throughout the country, and if the ignorance of excellent people is so crass, and the lasciviousness of depraved people is so foul, as to require an annotated edition for the enlightenment of the one and the purification of the other set of readers, then let such an edition be published with ample notes and pictorial illustrations.

The apostle Paul wrote that "to the pure all things are pure" (Titus 1:15) and that "all things in themselves are clean" (Romans 14:20). Jesus told the synagogue attendants of his day, what is equally applicable to many church-goers of our day, especially to the promoters of Comstockian purity itself a heterogeneity of superstition, deceit, and cruelty, that "outwardly they appeared righteous, but inwardly (*i. e.*, in their thoughts and purposes) they were full of hypocrisy and iniquity" (Matthew 23:28), and advised them to develop more kindness and love to their unfortunate fellow beings, or, as the new version of Luke 11:41 renders the passage, "give for alms those things which are within, and behold all things are clean unto you."

The propriety of publicly delineating or discussing sexual matters is an unsolved problem. To philosophers, physicians, physiologists, artists, liberals, and perceiving people, such agitations of thought suggest no impurity, because impurity is not in their mind. Knowledge has cleansed their souls. But the Comstockian criterion of sexual purity,— *viz.*, sexual ignorance (oftentimes misnamed innocence) — is an erroneous, a false standard. Like a misguiding beacon light, it has betrayed and wrecked countless multitudes of honest men and women, of confiding youths and maidens, and been a hideous and cruel obstruction to the development of sexual science. It is a proverb that what is one man's meat is another man's poison. Theodore Parker said to the Calvinist who sought his conversion; "Your god is my devil." Equally true is it that Comstockian purity (if the juxtaposition of these two words be not too severe a strain on the English language) is nauseous to many gentle, intelligent, and pure-minded people.

The subtle and constant attempts made by pietists to thrust it upon the community by speeches, sermons, and tracts, may be all fair in a free country. But it is a selfish and tyrannical procedure, by threats, fines, and imprisonments, to exclude from circulation in the mails or in the shops, under any pretence, publications and literature which are not modelled in accordance

with pietists' notions of morality and religion. Such works they are not obligated to read, and, if they do not read them, they certainly are not poisoned by them. But there are other people in the community to whom such works are meat and drink, and they are as much entitled in a free country to their literary meat and drink as are ascetics to their black bread and sour beer. The legitimate function of American government is to protect every citizen in all his rights, including that of reading and circulating any books, orthodox or heterodox, moral or immoral, that his taste inclines him to, and not to propagate or exclude any special system of manners or religion.

To argue against the normal or any use of a thing, because that same thing may also be put to a bad use, is poor logic, even though bolstered, as the "Commonwealth" seeks to support its position, with the authority of Mr. Emerson's opinion. No evidence exists that the Author of the universe, in his operations, acted on the principles commended by the "Commonwealth." He did not curtail nor wholly omit the distinctions of sex, lest they should "offend large sections of the community, and furnish prurient curiosity with food for lascivious thought." The Bible writers, in their narrations, did not ignore the "fleshly pieces," lest they should "be misunderstood by very excellent people, and wholly perverted by the depraved." Less hypocritic and more truthful, peaceful, and happy would human society be, if the virile potencies of God and Nature were better known and more religiously appreciated. But this future Edenic state it is vain to hope for on earth, so long as legislatures incorporate and public sentiment sustains vice-suppressing, starched societies and other gangs of shallow-minded, cruel prigs, in their machinations against free thought and personal liberty.

Hyde Park, Mass.

A. E. G.

A War Catechetically Analyzed.

[New York Graphic.]

Question — Do nations go to war nowadays?

Answer — No; their rulers do.

Q. But what does the nation do?

A. The fighting and the paying.

Q. How many men were directly concerned in making the trouble between England and Egypt?

A. Possibly half a dozen lords and bankers.

Q. And the remainder of England's millions?

A. Follow their leaders, and have very little to do or say in the matter.

Q. And what is the war all about?

A. A debt.

Q. Owed by all the Egyptians to all the English?

A. No; owed by a few fast Egyptians to a few English money lenders.

Q. Anything else?

A. Yes; desire of a few Englishmen to run Egypt on high salaries.

Q. What interest has Mrs. Dustepanne, lodging-house keeper, No. 14 Tottenham Court Road, London, in all this row?

A. Not a pennyworth.

Q. Who is Mrs. Dustepanne?

A. One of her majesty's ten thousand loyal and loving subjects engaged in keeping lodgings.

Q. Had Smith, the grocer, No. 15 Museum Street, or Jones, the publican, next door, or Brown, the baker, No. 7 Bishop's Gate Street, any hand in the killing of the two hundred men, women, and children during the bombardment of Alexandria?

A. None at all.

Q. Yet all these are —

A. English taxpayers, English people, and parts of the English nation.

Q. What is the part of the English fleet and army now to Egypt?

A. That of the overbearing bully who clubs the weaker party at the command of his employer.

Q. Who, then, in reality fired the guns which killed the two hundred men, women, and children in Alexandria?

A. A few conceited English lords and grasping moneylenders.

Q. And Sir Garnet Wolseley and Admiral Seymour with army and fleet are —

A. Bald policemen in uniform in the service of the strongest party.

Q. And what will the English parson do next Sunday?

A. Pray for the success of her most Christian majesty's most Christian army and navy in Egypt.

Q. And what will happen to the apostolic-desended clergy-man of her most Christian majesty's Church of England if he does not so pray?

A. He will lose his place and his pay for preaching the religion of peace and good-will to men.

> "A free man is one who enjoys the use of his reason and his faculties; who is neither blinded by passion, nor hindered or driven by oppression, nor deceived by erroneous opinions." — Proudhon.

Our First Volume and Our Next.

Though something more than a year old in point of actual time, Liberty today, reckoning by the number of its issues, closes the first year of its existence. That is, the present issue is the last of its first volume. The circulation which it has attained is small compared to that of many other journals, but wonderfully large considering its extreme radicalism, its outspoken tone, and its limited resources. Moreover, its circulation is literally world-wide, and the growing influence which it exerts is, we doubt not, far beyond that of any other journal in existence having double or quadruple its number of readers. Circumstances have compelled us to publish

somewhat irregularly during the past few months, but we do not expect this to continue. *The first issue of the second volume will appear October 14*, after which we shall greet our readers at regular fortnightly intervals. Subscribers, meanwhile, can make our path much easier by prompt renewals. They will be notified promptly of the expiration of their subscriptions, and are expected to respond at once. And, if each of our subscribers will get us three new ones within the next three months, we will agree, on our part, to double the size of the paper without adding to its subscription price. After that it will be comparatively easy to develop into a weekly that shall be second to no radical journal in the world, able to command the cooperative aid of the bravest and best writers in all countries. Come, friends! let us all join in the good work, till the prevalence and power of our little paper shall have achieved Universal Liberty, Equality, Fraternity, and Solidarity!

A Critic Converted.

During the earlier months of Liberty's existence articles were showered upon us from all quarters raising the same objection to our advocacy of the abolition of the State that was recently urged by B. W. Ball in the "Index," and answered at some length in our last issue. One and all of these critics failed so utterly to perceive our real attitude that we deemed it inadvisable to abandon even temporarily our offensive attitude toward the State in order to assume the defensive against blows struck so wildly by the State's apologists. But, to avoid even the semblance of unfairness, we laid aside one of the communications — perhaps the most lucid of them all — with a view to its appearance in our columns at the first favorable opportunity. That opportunity has arrived in a most unexpected manner, as we shall explain further on. Meanwhile here is the letter itself, the signature to which will be recognized by many as that of a well-known writer for the Liberal press:

> *To the Editor of Liberty:*
>
> Dear Sir,— You say that the State is the chief curse of humanity, the mother of human woes. As I understand, you do not mean the State that now is, with its imperfections, against which I suppose almost all advanced liberals and radicals are set, but you mean the State as it *essentially* is. That is, you are opposed to any and every form of the State. You would not have such an instrumentality at all, but are in favor of "Anarchy,"— that is, no rule or government *founded upon force*. You believe in order, but in a natural order as the natural result of the fullest liberty granted to every individual.
>
> We here strike upon the really most fundamental question of the day,— namely, shall we have a State? or shall the State go with the Church into the limbo of fools as a good-for-nothing institution?
>
> I write this letter in order to state my own position, and to learn yours. I have the profoundest sympathy with the ideas you express in regard to human liberty, while at the same time we have, I think, a different view of the ultimate usefulness of the State.
>
> As I understand the State, I am in favor of its preservation, but I would limit its functions.

I am just as much opposed to "Order," as you define it, as yourself, and just as much in favor of "Disorder." With all my heart I believe in that "disorder which is the flowering of the most beautiful passions and the grandest self-sacrifices."

I accept your philosophy of right and wrong, and the definition of these terms.

Now, to the question what is the State, and shall we have a State?

By the term State, I understand the *organized physical force of humanity.*

In the past this organized force has been used for various purposes, religious, moral, legal, and social, and has been, no doubt, the source of immense wrong.

But can we afford either now or at any time to put it aside altogether, and rely upon a natural order proceeding from perfect liberty?

I am utterly opposed to the State having anything to do in regard to religion or morals. Every one should have the freedom to develop his own life in any religious or un-religious or any moral or im-moral way that he sees fit. I suppose that on this point you and I will perfectly agree.

But there is a point where individual free action must stop; and that is the individual free action of another. As Victor Hugo says, my freedom is limited by the freedom of every other. Now, suppose I, by physical force, invade the rights of another, by what power am I to be restrained?

If I am regardless of moral appeals, but persist in the physical invasion, must I not be restrained by physical force?

If the physical force of the one I oppress is not strong enough to resist me, then should he not appeal for redress to the physical force of others?

And should he appeal to a rude, unorganized, tumultuous, lynch-law force or to an orderly force that proceeds to the vindication of his rights by rules and regulations? That is, should he not appeal to a State?

I do not see any way out of this conclusion. Perhaps you do. If so, I should like to find it out.

Of course there would be no need of a State if every one would thoroughly respect the rights of those with whom he comes in contact; but this will not be the case. There will be physical invasions of rights, and how are you to meet these invasions except by a responsive physical force?

There seems to be this fundamental weakness in the assumption that there should be no State. The church is not a necessity, and can be removed out of the way; but the State is a necessity, and therefore we must labor, not for its destruction, but for its reformation.

A man six feet high with broad shoulders and big fists robs me of the result of my honest day's work, which I wish to give to my children. What shall I do? Submit day after day? If he smite me on one cheek, turn to him the other also, and let him pound me all he will? I am utterly opposed to any such "Christian" doctrine. I believe that it is one's most solemn duty to maintain his rights.

> Well then, shall I fight the intruder on my own hook? But he beats me because he is stronger than I, and holds me to the earth and I am helpless. What then? Am I forever at his mercy? No, I have the right to appeal to society round about me and ask for its protection, its physical aid, and I declare that it is the duty of society to furnish that aid; and, if it does not furnish that aid, then it is guilty of a huge injustice, against which the human heart revolts.
>
> Society must render protection to every member; and how can it render this protection except through the instrumentality of a State?
>
> Please direct your attention to this one point, and answer it promptly:
>
> *How are physical invasions of individual rights to be restrained?*
>
> Samuel R. Putnam.
> New York City.

To this excellent argument we should take no exceptions, if the State were what Mr. Putnam supposes it to be. In our answer to Mr. Ball we granted fully the right of individuals *and associations* to resist invasion. But the State is not a voluntary association for purposes of defence and protection. Were it so, Liberty would have no quarrel with it. The State, in its very nature, is a *compulsory* institution whose real purposes (whatever its pretensions) are offence and invasion; an institution to which all are forced to belong and which all are compelled to support. Mr. Putnam's argument, then, does not touch us in the least. But, even if it did, he would need no answer now. One of the early subscribers to Liberty, he has read it faithfully and to good purpose; so that, at first our critic, he is now our convert. Within a very few weeks he has publicly answered his own criticism. This he has done in the twenty-eighth chapter of a serial story called "Golden Throne," written by him for George Chainey's publication, "This World." We have not read the story as a whole, but, glancing over "This World" of July 8, our eye struck the passage referred to, and we at once resolved that the time had come to print Mr. Putnam's letter and allow him to reply to it himself. From this reply, which now follows, it will be seen that, in the enthusiasm of his new faith, he outstrips his teacher in opposition to the use of force.

> Our little party were happy, in spite of all their misfortunes. They were on a lonely shore in the midst of the mighty sea. It was seldom visited by man, and they might remain for years without a chance to escape. They saved as much as they could from the ship, which took its time about going to pieces as it swung upon the rocks. There was enough food to last them for several months, and no doubt they could find many means of support on the island itself. Most of their mechanical instruments were preserved; and they had the material for rude shelters. All went to work with a will. There was no lamenting. So long as they lived, so long would they make out to enjoy themselves.
>
> "Here, we can build the republic of Plato," said Paddie. "Here, we can have Utopia, a model society. We are released from the world and all its cares and perplexities. We have no traditions to bind us. We can live the ideal."
>
> "Wouldn't it be a good plan to draw up a constitution?" said Charlie.

“Perhaps so, though I am not much in favor of a paper government. We can build up a state after our own fashion.”

“I hate rules and regulations,” said the captain; “but, whether we need them or not, they may invest our society with a little more dignity.”

“Let us women try it for once. We have had no chance yet,” said the captain’s wife. “There are only two of us, and we shan’t quarrel. It won’t be long, if you men manage matters, before one half will have to study law to keep the other half in order.”

I second the motion,” said Blanche. “I don’t propose to submit any longer. We start new now, and I begin by snapping my fingers in the face of the divine right of man.”

“Do it, and I’ll stand by you. You shall have your own way,” said Charlie. “You shall vote as early and as often as you wish.”

“On both sides too, if I like,” said Blanche.

“So much the better. I shall have a chance then,” said Will.

“We will call a meeting at early candlelight,” said Paddie. “We haven’t any meeting-house yet nor candles, but yonder grove will make a good temple. Now for supper.”

The meal was soon over, and the evening light flashing with gold spread through the beautiful forest and glittered afar out upon the tossing sea. Beneath the verdant canopy, the jolly company gathered to see what might be done toward the formation of a model republic.

“I have taken the liberty,” said Paddie, “to draw up a few resolutions as a starting-point for our portentous undertaking. We now occupy a remarkable position in history. Let us be worthy of it. We are undisturbed by any of the precedents of the mistaken past. With boundless hope, we look forth into the future. We have the stored wisdom of the ages for our guide, besides our own untrammeled reason. We wish to build a state that shall be a joy to those who come after us, that shall be a monument of human ingenuity. In the first place let it be distinctly understood that we will have no church with state. The church is an individual matter, and all can suit themselves; they can have whatever style they wish. They can worship or not worship, according to the dictates of their own conscience. We want something simply for human convenience, by which we can live happily together and obtain the most from our mutual endeavor. Is not this the mind of all?”

There was a universal assent.

“This point then is settled. Now for business! I have omitted the ten commandments. They have done their work, and we do not need them. I shall lay down as the fundamental principle of our new commonwealth the eleventh commandment, which is the sum and substance of them all, so far as they are true; namely, resolved first and last, always and afterwards, that everybody shall mind his own business.”

There was a unanimous murmur of approval to this proposition.

“You’ve hit it! “said the doctor. “That’s the wisdom of the ages. It’s an improvement upon every form of society so far.

I heartily vote for that resolution. Heretofore, society has seemed to exist for the express purpose of meddling with everybody's affairs. I am glad to hear somebody say, Hands off! In fact, I think that is all the constitution we need; and we might as well adjourn and live up to that, and we shall be happy."

"That is all the constitution I propose," said Paddie. "I have only a couple of by-laws; and, if they are accepted, our model republic is complete."

"Out with them, but I am afraid you will spoil the dish."

"I guess not," said Paddie. "This is number one: *Resolved*, That, if one does not mind his own business, we will persuade him to."

"That's good," said the doctor: "it passes unanimously." Paddie continued: "*Resolved*, That, if one will not be persuaded, we will let him severely alone."

"Boycott him. Well, I agree to that," said the doctor, and so said the rest.

"*Resolved*, That, if one persist in meddling with the business of another, his ears shall be gently cuffed."

"That's where we differ," said the doctor: "that's going too far. It is an appeal to brute force. In order to enforce it, we must have a congress, and a court, a president, and standing army, and the police. I'm opposed to the bayonet. Trust in persuasion."

"Suppose you can't persuade, and one violently intrudes."

"That may be settled, when the time comes. But I am opposed to any declaration of war until necessary."

"I think the doctor is a little off," said the captain. "I am in favor of cuffing the ears, as a last resort. At any rate, it is a good thing for people to know that we can cuff their ears, if they deserve it."

"Yes, and so appeal to their brute natures," said the doctor. "It isn't right. We might as well go back to the old barbarism, and bang, and draw, and quarter. We'll have the old tyranny, the order built on fear."

"But, if we do not reserve the right to reprimand, then we cannot rule at all," said the captain. "Why insist beforehand that man is going to be bad, and so provide for his wrongdoing? We have nothing to fear. The genius of man is always sufficient to deal with evil, when it comes. Be as kind as nature: she attaches no penalty until she has been wronged. Both knowledge and happiness make for order: order without liberty is a curse. We are constantly in prison, in every state today where every man is treated as a thief and every woman as a beast."

"I think the doctor is right," said Paddie. "I don't believe in any rules and regulations founded upon cuffing. The true state must be founded upon persuasion, and nothing else. If that is anarchy, then anarchy let it be."

"I'll try it," said the captain. "I've never had to lick anybody yet, though somehow or other I've always hated to give up the right to. Maybe that's a superstition too. I shouldn't wonder if the state was just as absurd as the church."

"You've a twinkling of sense," said the doctor. "For my part, I stand outside of both. They will pass away. They belong to barbarism."

"I'll put it to vote as to whether we shall have any ear-cuffing," said Paddie.

"It's too bad," said Blanche. "We've had our ears cuffed so long, and now you won't let us cuff back. But never mind: I can well afford to vote for persuasion, and give my tongue a better chance."

"True again," said Charlie. "In the long run, it's the mightiest of sceptres."

"What a chance we'll have in the future!" said Blanche. "When the tongue rules, men will have to subside."

Paddie put the aer-cuffing question to vote, and it was discarded by a large majority.

"I don't see the use of any constitution now," said the captain. "If we can't enforce it, we might as well put it on the shelf. If we must only appeal to a man's good sense, what's the use of any written authority?"

"You are right," said Paddie. "Men think there's a magic to what is writ. It's all nonsense. So here goes the model State. By making it end in smoke, we'll smoke the pipe of peace forever."

Paddie lit the paper, and with a puff it vanished into the bosom of the night.

"Some may think this written truth has perished utterly, because they cannot see it, and handle it, and carry it in their pockets. But it is more living than ever, as all truth is when unseen. It dwells within the mind, the unwritten law of the universe. Gentlemen and ladies, from this time forth there is no state. All is anarchy."

Whatever might happen in other places, here at least there was no disorder. Everything went harmoniously along. Each did mind his own business, and there was no trouble.

The days flew by, full of eager and splendid life. The island amply supplied all their wants. Each one took care of himself, and lived independently. Yet there was noble, social life and helpfulness flowing from the fullest liberty.

And so the good work goes on. Mr. Putnam's story, we believe, is written for juveniles. When children are thus plainly shown the beauties of freedom, the generation of Anarchists cannot be very far off.

The Ballot-Box Craze.

Little Rhody! — wee sister on the map of this bogus Union of States! A few weeks ago her workingmen held their first great reunion at Rocky Point. It was a surprise to her politicians and spindle-souled oppressors. It was a grand affair,— this meeting of five thousand toilers with their champions and friends.

Among the speakers who were to edify the workingmen were Robert Blissert, P. J. Maguire, Dr. T. D. Stow of Fall River, Victor Drury, Post of the New York "Truth," and a sterling band of

coadjutors, some of whom manifested a truly religious devotion to principle that was indeed grand.

As the fervid eloquence of Blissert filled the air, it caught up even the cold heart of loitering capitalists, partly hidden in the rear. It was a scathing indictment of soulless mammon and a brave, manly assertion of eternal rights. But, as the impassioned eloquence neared its crisis, the orator shouted: "And there is but one remedy for afflicted humanity, searching, God-given, omnipotent, that shall make us conquerors, and anchor our salvation on solid rock. *It is the ballot-box!*"

Then did the cheers go up. Then were the bulk of the agitators palled with the sublimity of the remedy. The organizer of the Knights of Labor was transfixed. The capitalist under the eaves of the hotel — quailed? Even the earnest and devoted Maguire raised his quivering hands and clapped lustily. Oh, how sublime!

We refer to this incident as typifying the astounding blindness which darkens the senses of even the foremost reformers, with rare, rare exceptions. The very swindle that alone makes the poverty and degradation of labor possible is held up for adoration and glorification in the very house of humanity's friends. It is this very ballot-box itself that only needs to be rolled off the neck of labor in order to put it into the arena of a fair fight with the oppressor. All these grievances of which the reformers complain were born in the very principle of despotism which creates the ballot-box and perpetuates it. The ballot-box itself, as an accepted assertion of the right of a majority to rule a minority, is the very despot that must first be cast out and buried. There is where the reformers still toddle in the very infancy of true reform.

We ask Messrs. Blissert, Maguire, Post, and the rest to go home first of all and settle these questions: Has the ballot-box any right to rule in natural justice? Is not the ballot-box in its incipient principle the negation of liberty? Is not the very beginning of privilege, monopoly, and industrial slavery this erecting of the ballot-box above the individual? Is not the ballot-box unscientific, antisocial, and a simple transposition of the equation of monarchy?

Until reformers can be brought down to this prime root of all subsequent evils, we shall continue to hear indefinitely such gushing laudation of this unmitigated humbug. The oppressor housed in ballot-boxes is the same deadly genius that lurks in the palaces. Friend Blissert can see the enemy when fortified in the palace, but, when disguised and packed in the ballot-box, he is thrown off his wits and glorifies the very arch-devil who has deluded him by a change of base. His fellow reformers are trapped by the same trick, and so this bottom swindle still runs rampant.

Study of the Anarchistic philosophy, as developed by the great Proudhon and actively propagated by the heroic Bakounine and his successors on both sides of the Atlantic would open a whole firmament of light to the gaze of these infatuated ballot-box champions if they would but read as they run. The few of us upon whom this light has dawned have a great work on hand with scanty resources, but Liberty proposes to fling its reminders in the face of the deluded reformers till they shall be made, one after the other, to halt and look squarely at the root of despotism. From the Anarchistic, the only logical point of departure, the ballot-box craze will soon become the silliest surrender of common sense imaginable. Don't neglect your primers longer, good friends!

During the recent Freethinkers' Convention at Watkins, N. Y., the following message was received by the president *pro tem.*, Mr. T. B. Wakeman, from C. C. McCabe, secretary of the

Board of Methodist Church Extension: "To the President of the Freethinkers' Convention: All hail the power of Jesus' name. We are building more than one Methodist church for every day in the year, and propose to make it two a day." Mr. Wakeman answered as follows: "To C. C. McCabe, New York: Let us hear less about Jesus' name, and see more of his works. Build fewer churches, and pay your taxes on them like honest men. Build better churches, since liberty, science, and humanity will need them one of these days, and won't want to pay too much for repairs." Had we been at Watkins, we should have proposed an addition to Mr. Wakeman's telling reply in those words: "Meanwhile we Freethinkers, disciples of the devil, who first put man on the track of knowledge against the will of God, who desired to perpetuate his ignorance, shall bend our energies to the realization ot the poet's lines:

> Wherever God erects a house of prayer,
> The devil always builds a chapel there."

Law and Authority.

III.

[Translated from "Le Révolté."]

We have shown in a preceding article how the Law is born of established customs and usages, and how it represented at the beginning a shrewd mixture of social customs necessary to the preservation of the human race with other customs imposed by those who use to their advantage popular superstitions and the right of might. This two-fold character of the Law determines its ulterior development in nations as they progress in civilization. But, while the kernel of social customs inscribed in the Law undergoes but very slight and very slow modification as the centuries roll on, the other portion of the laws develops, wholly to the advantage of the dominant classes, wholly to the detriment of the oppressed classes. It is with difficulty that any law whatever representing, or seeming to represent, a certain guaranty for the disinherited is from time to time extorted from the dominant classes. And even then such a law only repeals some preceding law enacted for the benefit of the ruling classes. "The best laws," said Buckle, "have been those repealing preceding laws." But what terrible efforts has it not been necessary to expend, what floods of blood has it not been necessary to shed each time that a question has arisen of abolishing one of the institutions serving to keep the people in chains. To abolish the last vestiges of servitude and feudal powers and to break the strength of the royal *camarilla* France had to pass through four years of revolution and twenty years of war. To abolish the least of the iniquitous laws bequeathed to us by the past requires dozens of years of struggle, and, as a general thing, they disappear only in times of revolution.

The socialists have already told over and over again the history of the genesis of Capital. They have described its birth from wars and spoliation, from slavery and serfdom, from fraud and modern exploitation. They have shown how it subsists on the blood of the laborer, and little by little has conquered the entire world. They have still to tell the same history concerning the genesis and development of the Law, and the popular mind, in advance, as usual, of the students, has already framed the philosophy of this history and is driving its essential stakes. Established to secure the fruits of pillage, subjection, and exploitation, the Law has passed through the same phases of development that Capital has passed through: twin brother and sister, they have gone

on hand in hand, both deriving their sustenance from the sufferings and miseries of humanity. Their history has been almost the same in all the countries in Europe. Only the details differ; the ground-work is the same: and to cast a glance over the development of the Law in France or in Germany is to know in their essential features its phases of development in most European nations.

Originally the Law was the national compact or contract. On the Champ de Mars the legions and the people ratified the contract; the Champ de Mai of the primitive communes of Switzerland is still a souvenir of that period, in spite of all the changes which it has undergone by contact with the centralizing civilization of the *bourgeoisie*. To be sure, this contract was not always freely consented to; even at that time the strong and the wealthy enforced their will. But at least they found an obstacle to their attempts at invasion in the popular masses, who often made their power also felt.

But, in proportion as the Church on the one hand and the nobility on the other succeed in subjecting the people, the right of legislation escapes from the hands of the nation into those of the privileged classes. The Church extends its powers; sustained by the wealth accumulating in its coffers, it mingles more and more in private life, and, under the pretext of saving souls, seizes on the labor of its serfs; it levies taxes upon all classes, and extends its jurisdiction; it multiplies offences and penalties, and enriches itself in proportion to the offences committed, for into its strong-boxes flows the product of the fines. The laws no longer bear relation to national interests: "one would suppose them to have emanated from a Council of religious fanatics rather than from legislators," observes a historian of French law.

At the same time, in proportion as the seignior, on his side, extended his powers over the laborers of the fields and the artisans of the cities, he became also their judge and legislator. In the tenth century, if there were any monument of public law, they were but treaties regulating the obligations, tasks, and tributes of the serfs and vassals of the seignior. The legislators of that day were a handful of brigands, multiplying and organizing for the brigandage which they practised upon a people becoming more and more peaceful in proportion as it devoted itself to agriculture. They turned to their account the sentiment of justice inherent in the people; they set themselves up as the judiciary, made the very application of the principles of justice a source of income, and passed laws calculated to maintain their domination.

Later these laws, collected by legists and classified; served as the basis of our modern codes. And yet we talk of respecting these codes, our inheritance from the priest and the baron!

The first revolution, the revolution of the communes, succeeded in abolishing only a portion of these laws; for the charters of the emancipated communes were for the most part only a compromise between seigneurial or episcopal legislation and the new relations created within the free Commune. And yet what a difference between those laws and our present laws! The Commune did not permit its citizens to be imprisoned and guillotined for reasons of State; it confined itself to expelling whoever conspired with the enemies of the Commune and levelling his house to the ground. For the most of the so-called "crimes and offences" it confined itself to the imposition of fines; the Communes of the twelfth century even recognized the principle — so just, though forgotten today — that the whole Commune is responsible for the misdeeds committed by each of its members. The societies of that day, considering crime as an accident or as a misfortune (it is so regarded even now by the Russian peasant), and not admitting the principle of personal vengeance taught by the Bible, understood that the fault of each misdeed rested upon the entire society. It needed all the influence of the Byzantine church, which imported

into the Occident the refined cruelty of the despots of the Orient, to introduce into the customs of the Gauls and Germans the death penalty and the horrible punishment; inflicted later upon those considered criminals; just as it needed the whole influence of the Roman civil code — product of the rottenness of imperial Rome — to introduce those notions of unlimited landed property which succeeded in overthrowing the communal customs of the primitive peoples.

We know that the free Communes were unable to maintain themselves. Torn asunder by internal wars between the rich and the poor, between the *bourgeoisie* and the serfs, they easily became the prey of royalty. And in proportion as royalty acquired new strength, the right of legislation passed more and more into the hands of a coterie of courtiers. An appeal to the nation was made only to sanction the taxes demanded by the king. Parliaments, called at intervals of two centuries at the good pleasure and caprice of the Court; "extraordinary councils;" "sessions of notables," where ministers listened reluctantly to the "grievances of the king's subjects,— such were the legislators. And later still, when all powers were concentrated in a single person who said, "I am the State," it was in the secrecy of the "Councils of the prince," at the whim of a minister or an imbecile king, that the edicts were prepared which subjects were required to obey under penalty of death. All judicial guaranties were abolished; the nation was the serf of the royal power and of a handful of courtiers; the most terrible penalties,— rack, stake, flaying alive, tortures of all sorts,— devices of the disordered imaginations of monks and madmen who sought their pleasures in the sufferings of the victims,— such were the characteristics of that epoch.

To the great revolution is due the credit of having begun the demolition of the scaffolding of laws left to us by feudalism and royalty. But, after having demolished some portions of the old structure, the Revolution gave the power of legislation into the hands of the *bourgeoisie*, which, in its turn began to build an entire new scaffolding of laws intended to maintain and perpetuate the domination of the *bourgeoisie* over the masses. In its parliaments it legislates at random, and mountains of laws accumulate with frightful rapidity, but what are all these laws at bottom?

The greater part have but one object, that of protecting individual property,— that is to say, wealth acquired through the exploitation of man by man,— of opening new fields of exploitation for Capital, of sanctioning the new forms that exploitation continually takes on as fast as Capital monopolizes new branches of human life, such as railroads, telegraphs, electric lights, chemical discoveries, the expression of human thought through literature and science, &c. The rest of the laws invariably have substantially the same object,— namely, the maintenance of the governmental machine which secures to Capital the exploitation and monopoly of the wealth produced. Judiciary, police, army, public teachers, financiers,— all serve the same god, Capital; all have but one purpose, to protect and facilitate the exploitation of the laborer by the capitalist. Analyze all the laws passed during the last eighty years,— you will find nothing else. The protection of persons, which is usually put forward as the true mission of the Law, occupies an almost imperceptible place; for, in our present society, attacks upon persons, inspired directly by hatred and brutality, tend to disappear. If any one is killed today, it is for the purpose of robbery and seldom from motives of personal vengeance. And if this sort of crimes and offences continually diminishes it is certainly not to legislation that we owe it: it is due to the humanitarian development of society, to our more and more social habits, and not to the prescriptions of our laws. Let them repeal tomorrow all laws concerning the protection of persons, let them cease tomorrow to prosecute offenders against the person, and the number of assaults arising from personal vengeance or from brutality will not increase by a single one.

It will be objected, perhaps, that in the last fifty years many liberal laws have been passed. But analyze these laws, and it will be seen that all these liberal laws and the whole radical programme may be summed up in these words: abolition of laws that have become troublesome to the *bourgeoisie* itself and a return to the liberties of the communes of the twelfth century extended to all citizens. The abolition of the death penalty, jury trial in all criminal cases (the Jury, more liberal than today, existed in the twelfth century), an elective magistracy, the right to try officials, the abolition of standing armies, the liberty of instruction, &c., all that is claimed as the invention of modern liberalism is simply a return to the liberties which existed before the Church and the King had stretched forth their hand over all the manifestations of human life. All these laws and this whole programme find expression in a single sentence: The penal and civil codes no longer have the force of law.

The protection of exploitation, directly by the laws concerning property and indirectly by the maintenance of the State,— such, then, is the essence and substance of our modern codes and the purpose of our costly machinery of legislation. It is time, however, to have done with phrases and look at these things as they actually are. The Law, which originally presented itself as a collection of customs useful to the preservation of society, is no longer anything but an instrument for the maintenance of the exploitation and domination of the industrious masses by the idle rich. Its civilizing mission has gone; it now has but one mission, the maintenance, of exploitation.

Such is the lesson that we learn from the history of the development of the Law. Is it on this ground that we are called upon to respect it? Certainly not. No more than Capital — the product of brigandage — has it any right to our respect. And the first duty of the revolutionists of the nineteenth century will be to make an *auto-da-fe* of all existing laws, as they will of property titles.

We shall see the truth of this still more clearly after we have shown the uselessness and mischief of the Law by submitting the various kinds of laws to the analysis of Reason.

The George Theory of Taxation.

Admitting the justice of compulsory taxation (which Liberty utterly denies), the following remarks upon it, submitted by Dr. E. F. Miller in a letter to the New York "Star," are strictly correct and highly important:

The doctrine in reference to taxation announced by George, which is, "that all taxes should be placed upon the land; that it is wrong to tax labor or production," or even "to tax luxuries," must be regarded as a grave error. If anything in this world should escape taxation, it should be land; if anything in this world should be taxed, it is luxuries, and property, or labor product. It seems to me that those who announce the doctrine that "all taxes should be laid upon the land" entirely ignore the true objects of taxation. As we understand the subject, the object of taxation is to support the Government. The objects of Government are to protect the lives and property and promote the best interests of the people. Who, then, should be taxed? Should not all who have lives and property to protect bear their share of taxation? Therefore every man, every laborer, every kind of property that needs protection should be taxed. The land needs no protection, but the people living on it do, and the products of labor placed upon it do also; therefore, tax the people and tax their property, but tax the land only as it becomes property that needs the protecting arm of the Government. To lay all taxes upon the land, and let other forms of property

go without taxation, would lay an increased burden upon the tillers of the soil that they could not and would not submit to. There is no class of people who work so many hours, or so hard and for so small a compensation, as the farmers. To increase their burdens would be an act of injustice that should not be entertained for a moment.

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Benjamin Tucker
Liberty Vol. I. No. 26.
Not the Daughter but the Mother of Order
September 16, 1882

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