Modern Government and its True Mission
A few words for the American crisis.

Josiah Warren
1862

The “United States” are no longer united — “The union” is broken — The great “American experiment” is checked and we have silently drifted under military despotism! and, instead of being a “self governing” people, every one’s person and property are at the mercy or discretion of five or six military commanders—no two of whom can reasonably be expected to have the same settled policy or any policy founded on any principle or generally understood and accepted basis; and “security of person and property” (the professed object of all governments) is annihilated, and confusion and violence already reign supreme in the land proclaimed to be the lead of the political world!

Is this all that eighty nine years of proclamation of the rights of man and expenditures in their behalf can bring us? Are the hopes of the intelligent and humane to sink below this darkening horizon and become lost in endless night, or is there some friendly star that keeps watch over human destiny, and that
invites us to keep our eye steadily on its beneficent light as a guide out of our bewildering labyrinth of political fallacies?

This is not the time for elaborate exposures of error, nor for those philosophic analyses which demand time, security and calmness; but it is, most emphatically the time for put forth whatever will check the wide spread and wanton destruction of persons and property that characterises our time, and for proposing anything which has a natural tendency towards the professed object of all governments. I therefore come at once to the assertion (and I make it with all due deference to other judgments) that our present deplorable condition, like that of many other parts of the world, is in consequence of the people in general never having perceived or else having lost sight of, the legitimate object of all governments as displayed or implied in the American “Declaration of Independence.”

Every individual of mankind has an INALIENABLE right to Life, Liberty and the pursuit of Happiness and it is solely to protect and secure the enjoyment of these rights unmolested that governments can, properly be instituted among men. In other terms, Self Sovereignty is an instinct of every living organism; and it being an instinct, cannot be alienated or separated from that organism. It is the instinct of Self Preservation—the votes of ten thousand men cannot alienate it from a single individual, nor could the bayonets of twenty thousand men neutralize it any more than they could put a stop to the instinctive desire for food in a hungry man.

The action of this instinct being involuntary, every one has the same absolute right to its exercise that he has to complexion or the forms of his features, to any extent, not disturbing another: and it is solely to prevent or restrain such disturbance or encroachments that governments are properly instituted. In still shorter terms, the legitimate and appropriate mission of governments is the defense and protection of the inalienable right of Sovereignty in every individual.

But what is it that constitutes encroachment?
Suppose my house to be on fire and I seize a pail of water in the hands of un passer by, without waiting to explain or ask leave—this would be one degree of encroachment but perhaps the owner would excuse it on the grounds of its necessity. Suppose a man walks into my house without waiting for leave—it may or may not disturb or offend me, or constitute a degree of encroachment. If I find that he has no excusable errand, and require him to retire and he refuses, this would be a degree of encroachment; which, I might meet with a few words and might need no government to assist me. If he proceeds to rob the house, I may have reason to think that he is driven to desperation by having a starving family and I may not resort to violence, or I may perceive that he is a wanton and reckless robber or filibuster and that this is an unnecessary encroachment, which, in defense of my own rights as well as the same rights in others, I am justifiable in resisting; and if I have not sufficient power to do so without endangering myself or property, I will call for help:—this help, whether in the form of police or an arms, is government, and its function is to use force to prevent him from using force against me and mine; it interferes, with my consent, to prevent interference with my sovereign right to control my own:—its mission is “intervention for the sake of non-intervention.”

If he has already got possession of my purse, I should want him to be compelled, without any unnecessary violence, to give it up; and, perhaps, to compensate the police; and, till I had learned better, I might have approved of his being confined in prison till he had done this, and compensated me for being disturbed; but there are objections to proceeding to these complicated measures. There is no principle (generally) known by which to determine what constitutes compensation!—He could not get properly compensated for his work, which might be a greater injustice to him than he had done to me; and it would inflict on his innocent father, mother, brothers and sisters, his wife and children and all his friends incalculable injustice and
suffering and this would be no compensation to me: besides, I (as a citizen of the same world,) am a partner in the crime by not having prevented the temptation to it.

With all these considerations against pursuing him farther I think it the best present expedient to put up with the restoration of my purse, as he gains nothing to tempt the continuance of the business.

The word expedient may look loose and unsatisfactory: but, among all the works of mankind there is nothing higher than expedients.

The instinct of self-preservation of self-sovereignty is not the work of man, but, to keep it constantly in mind as a sacred right in all human intercourse, is highly expedient.

Perceiving that we can invent nothing higher than expedients, we necessarily set aside all imperative or absolute authorities, all sanguinary and unbending codes, creeds and theories and leave every one Free to choose among expedients: or, in other words, we place all action upon the voluntary basis. Do not be alarmed—we shall see this to be the highest expedient when ever it is possible.

It is only when the voluntary is wantonly encroached upon, that the employment of force is expedient or justifiable.

It appears, however, that no rule or law can be laid down to determine beforehand, what will constitute an offensive encroachment—what one will resist another will excuse, and the subtle diversities of different persons and cases, growing out of the inherent individualities of each, have defied all attempts at perfect formulising excepting this of the Sovereignty of every individual over his or her own; and even this must be violated in resisting its violation!

I have said (in effect) that the present confusion and widespread violence and destruction result from a want of appreciation of this great right of Individual Sovereignty and its defence by government.
A COUNSELLOR.

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I now proceed to illustrate and prove this by considering what would be the natural consequences of bearing these two ideas all the time in mind as the regulators of political and moral movements, and holding them as it were, as substitutes for all previous laws, customs, precedents and theories.

First, then, while admitting this right of Sovereignty in everyone, I shall not be guilty of the ill manners of attempting to offensively enforce any of my theoretical speculations, which has been the common error of all governments! This itself would be an attempted encroachment that would justify resistance.

The whole mission of coercive government being the defense of persons and property against offensive encroachments, it must have force enough for the purpose.—This force necessarily resolves itself into the Military, for the advantages of drill and systematic co-operation: and this being perhaps the best form that government can assume, while a coercive force is needed, I make no issue with it but only with the misapplications of its immense power.

Adhering closely to the idea of restraining violence as the mission of government or military power, if this sole purpose was instilled into the general mind as an element of education or discipline, no force could be raised to invade any persons or property whatever, and no defence would be necessary.

If the Declaration of Independence or this sacred right of Individual Sovereignty had been commonly appreciated a year ago in the "United States" they would not now be disunited — None of the destruction of persons and property which has blackened the past year would have occurred, nor would twelve hundred thousand citizens now be bent or destroying each other and their families and homes in these states!

Every individual would have been "Free" to entertain any theory of government whatever for himself or herself and to test it by experiment within Equitable limit an issue would be raised only where this sacred right was denied, or against any who should have undertaken to enforce any theory of
government whatever upon any individual against his or her “consent”. The frank and honest admission of this “inalienable” right, would even now, change the issue of this present war and carry relief and protection to the invaded or oppressed, and war or resistance to the oppressor only, whether he were found on one side or the other of a geographical line. Mere theorists say that “the laws of nations decide that “a state of war (between two nations) puts all the members of each, in hostility to each other”: and that “the laws of nations justify us in doing all the harm we can to our enemies.” We need no death warrant from “authority” against these barbarian theories—the very statement of them becomes their execution.

Every person being entitled to *sovereignty* there can be, consistently, no limits nor exceptions to the title to protection in the legitimate exercise of this sacred right, whether on this side or the other side of the atlantic, and whether “in a state of war or not: and, as soon as we take position for this universal right for all the world, we shall have all the world for us and with us and no enemies to contend with! Did Military men ever think of this? Did governments ever think of it?

The whole proper business of government is the restraining offensive encroachments, or unnecessary violence to persons and property, or enforcing compensation therefor: but if, in the exercise of this power, we commit any unnecessary violence *to any person whatever or to any property*, we, ourselves have become the aggressors and should be resisted.

But who is to decide how much violence is necessary in any given case? We here arrive again at the pivot upon which all power now turns for good or evil—this pivot, under despotic institutions or *constitutions*, is the person who decides as their meaning. If one decides for all, then all but that one are, perhaps, enslaved—if each one’s title to Sovereignty is admitted, there will be different interpretations, and this *freedom to differ* will ensure emancipation, safety, repose, even in a political atmosphere! and all the co-operation we ought to expect will

suicides, of Slaveries and fraud, violence and suffering of all kinds, and shall have found appropriate and practical means of Preventing instead of punishing them, then the Military will be the fitting harbingers of security and messengers of peace, of order and unspeakable benefits where ever their foot steps are found; and instead of being the desolators of the world, they will be hailed from far and near as the blessed benefactors of mankind.

Those who may dissent from these views are, in that act exercising the “inalienable right” which has no exceptions; and they may perceive that they are thus assisting in the scientific inauguration of Equitable FREEDOM.

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In deference to the pressing exigencies of the time, I have endeavored to put forth, in the fewest possible words, thoughts which seem to promise the relief required by all classes, parties and Nations; and have not dwelt upon existing errors and wrongs—they, being sufficiently evident by contrast with the right, any prolonged attack upon them is unnecessary.

I have endeavored to show the sublime powers and dazzling beauties of an Absolute *Principle of right*, as a guiding star to our path, along with expedients entirely consistent therewith. If we have been more fortunate than our predecessor, it is owing to circumstances so peculiar that they may be excused for being less fortunate in their search after the “narrow path.” If we are self deluded, with all our best energies devoted to general benefit, we shall need all the forbearance that we exercise towards them.

The few simple but important ideas here presented, may become texts for future volumes. They are some of the results of a long life of trying experience and anxious study; and having submitted them to the understanding of others, I bow in profound reverence to the *Sovereign right* of Any Individual to accept or reject them.
for one or some, to exercise this right without violating the same right in others.—We will ask our Counsellors to examine Disintegration as the remedy!

We will ask them, what constitutes legitimate property?
We will ask them for the least violent mode of securing land to the homeless and starving.
Also, What would constitute the last reward of Labor?
We shall invite them to consider what ought to be the circulating medium or, Money?
How it happens that the producers and makers of every thing, have, comparatively, nothing?
And, we shall ask them for some mode of Adapting supplies to Demands—
For a better Postal system—
For a more Equitable system of buying and selling—
For a programme of Education in accordance with the Democratic principle.
And, we will them, What will be the use of Congresses, Legislatures and Courts of Law.
These are some of the subjects that must employ the best minds, if the “American Experiment” is not to prove a total failure—Not to say that the best minds have not been employed upon them, but that the required solutions were impossible without the aid of very recent, though very simple developments.

A Conservatory and Library will naturally spring up, where the records of the tribunal decisions and other contributions to public welfare will be preserved for reference and diffusion; and the world will begin to know its benefactors.

This Modern Military, as a Government, will be necessary only in the transitionary stage of society from confusion and wanton violence to true order and mature civilization. When the simply wise, shall sit in calm deliberation, patiently tracing out the complicated and entangled Causes of avarice, of robberies, of murders, of wars, of poverty, of desperation, of come from the coincidence of motives according to the merits of each case as estimated by different minds. Where there is evidence of aggression palpable to all minds, all might co-operate to resist it: and where the case is not clearly made out, there will be more or less hesitation:—Two great nations will not then be so very ready to jump at each other’s throats when the most cunning lawyers are puzzled to decide which is wrong!

Theorise as we may about the interpretation of “the constitution,” every individual does unavoidably measure it and all other words by his own peculiar understanding or concerns, whether be understands himself or not, and should, like General Jackson, recognize the fact, “take the responsibility of it” and qualify himself to meet its consequences. The full appreciation of this simple but almost unknown fact will neutralise the war element in verbal controversies, and the binding power of all indefinite words and place conformity thereto on the voluntary basis! Did any institution makers (except the signers of the “Declaration”) ever think of this?

It will be asked, what could be accomplished by a military organization were every subordinate allowed to judge of the propriety of an order before he obeyed it? I answer that nothing could be accomplished that did not commend itself to men educated to understand and trained to respect the rights of persons and property as set forth in the “Declaration of Independence”; and that here, and here only will be found the long needed check to the barbarian wantonness that lays towns in ashes and desolates homes and hearts for brutal revenge or to get office or a little vulgar newspaper notoriety.

But what shall ensure propriety of judgment or uniformity or coincidence between the subordinates and the officers? I answer, Drill-Discipline, of mind as well as of arms and legs—teaching all to realize their true mission. The true object of all their power being clearly defined and made familiar, there would at once be a coincidence unknown before, and but
slight chance of dissent when there was, good ground for cooperation.

No subordination can be more perfect than that of an Orchestra; but it is all voluntary.

When we are ready to protect Any person or property without regard to locality or party, there can be no hostile parties or nations!—nothing to betray by treason!—Nothing to rebel against!— No party to desert to! Then, whose fault is it that there are persons called “Traitors,” “Rebels” and “deserters”? If it be true that the sole proper function of coercive force is to restrain or repair all unnecessary violence, then, the conclusion is inevitable that all penal laws (for punishing a crime after it is committed) except so far as they work to compensate the injured party Equitably, are, themselves, criminal! “The excuse is that punishment is “a terror to evil doers”; but those who punish, instead of preventing crime are themselves evil doers; and according to their own theory they should be punished and terrified; but the theory is false: consistently carried out, it would depopulate the world. Such are the fogs in which we get astray when we trust ourselves away from first premises and substitute speculative theories in their stead. Had our military been properly educated to know its true function and purpose, Elsworth [Elmer E. Ellsworth] would not have been shot for taking down a flag—the shooting of him did not restrain him nor did the shooting of Mr. [James W.] Jackson compensate Elsworth: but it caused Mrs. Jackson to become insane with grief, and has spread a hostile spirit to an incalculable extent among millions, which will descend to future generations—all of which originated in the denial to Mr. Jackson of his “inalienable right” to choose his own government!

To take down Mr. Jackson’s flag was one degree of encroachment but it was not necessary to shoot Elsworth for bad manners—failing to educate him or to prevent him, one party was as much in fault as the other. The barbarian habit of shedding blood for irreparable offences (as a “terror to evil doers”) same right, fully appreciated by all, will suggest the careful avoidance of all unnecessary disturbance which might prevent any one from hearing whatever he or she prefers to listen to. This sentiment, becoming familiar to all as a monitor, but little disturbance would occur—when it did occur, the principle itself would immediately prompt its appreciators to stop it with as little violence as possible.

Here, again, we need no other regulator for the most perfect order than this great Democratic principle!

With such counsellors ready to act, we should be immediately exempted from the necessity for any disagreeable personal disputations on subjects which so often lead to violence or lasting enmity between individuals and Nations! All of the doubtful and unsettled can at once be referred to the highest tribunal, with the assurance of obtaining the best decision that present attainments within our reach can furnish.

A subject of great or universal interest may be laid before all such tribunals in the world, and their decisions brought to every city, village and neighborhood and to every door; and the relief from all disturbing controversies would be felt at every fireside.

The sanction of such tribunals, to any enterprise for public benefit, would place its author or inventor fairly before the public for their patronage, instead of being left to starve for want of attention; while the absence or want of such sanction would put a sudden stop to the swarms of impostures and fallacies that now wear out the attention to no purpose, and render valueless the announcements of even valuable things: while, with such a sanction, the public might look at advertisements with some prospect of benefit therefrom.

This absolute right if Sovereignty in every individual, over his or her person, time and property is the only rule or principle known to this writer, that is not subject to exceptions and failures as a regulator of human intercourse. It is very often, however, impossible, in our complicated entanglements,
counsellors is thought desirable by any interested party, he or she can invite such as are thought to be most competent for the occasion, according to the subject to be considered.

These counsellors, while in session would constitute a deliberative assembly or advisory tribunal. It might consist of both sexes or either sex according to the nature of the subject to be deliberated upon.

After deliberation, or, when ever any interested party feels ready to make up an opinion, let him or her write it down with the reasons for it, and present it to the counsellors for their signatures, and let go forth to the public, or to the interested parties. If there are several such documents, those having the signatures of counsellors most known to be reliable would have the most weight: but, in order to ensure any influence or benefit from either, let compensation come to the counsellors like that to Rowland Hill, in voluntary contributions after the benefits of the opinions have, to some extent, been realised.

After having thus brought the best experience and well balanced counsels to bear upon any subject without satisfying all parties, every person has a Sovereign right to differ from all the opinions of the tribunal while not invading or disturbing other persons or property.

When an issue has already been raised and no one of these decisions is acceptable to both parties, the decisions may be laid before the military (or government) to act at its discretion; selecting that course which promises the least violence or disturbance. If any member declines to act, his “inalienable right” to do so, being sacredly respected, would tend to confirm and illustrate the only principle that can regulate, at the very moment that it should regulate the action of the others!

To ensure the best order in such a deliberative assembly, no other subject than the one for which it is called, should be introduced without unanimous consent; as each has a sovereign right to appropriate his own time and to choose the subjects that shall occupy his attention: and a constant regard to the
which can reconcile the seeming contradiction between instinct and experience?

Can it be possible that one simple thought found in our own charter of rights, if introduced into military discipline would solve, not this great problem only but others of even greater magnitude!

A man cannot alienate his “inalienable right” of self preservation or Sovereignty by joining the military or any other combination—the assumption that this is possible has produced all our political confusion and violence and continue to produce just such fruits to the end of time, if the childish blunder is not exposed and corrected.

Admitting this indestructible right of Sovereignty in every Individual, at all times and in all conditions, one will not attempt to govern, (but only guide or lead) another; but we shall trust to principle or purpose for a general and voluntary coincidence and co-operation. Military officers will then become directors or leaders—not “commanders”—obedience will be all the more prompt because it is rendered for an object:—the greatest that can inspire human action, Resistance to all attempts at offensive and unnecessary governing or, encroachments upon ANY persons or property whatsoever. Then, every Man, Woman and Child in the world is interested in acting for and with such a government!

Our problem is theoretically solved!—But its brightness dazzles us and its sublime magnitude bewilders!—Let us take time!

Having one man as general over thousands, arises from the natural necessity for Individuality in the directing mind when numbers wish to move together; but it does not necessarily imply any superiority in judgment or motive in the director of a movement beyond those of the subordinates any more than the driver of an omnibus is presumed to know the road better than the passengers; they may all know the road equally well, but if all undertake to drive the horses, none of their purposes will voyage; and the first form of general society is yet to be developed that would not be liable to destruction from the instinctive “pursuit of happiness” without which, no society would exist.

Government, strictly and scientifically speaking, is a coercive force; a man, while governed with his own consent, is not governed at all.

Deliberative bodies, such as Legislatures, Congresses, Conventions, Courts &c. are not, scientifically speaking, branches of government. But, inasmuch as that force should never be employed without a deliberate reference to its legitimate object, and upon which, all available wisdom should be brought to bear, a Deliberative Council acting before or with the government, seems highly expedient, if not indispensable.

Moreover, there are subjects now before us and continually arising, on which, by timely forethought violent issues may be prevented from arising, and many most important subjects may be adjusted by counsel alone, without any appeal to force.

Such Counsellors should not be tempted by unearned salaries and honors, nor by compensation measured by the necessities or weakness and defenselessness of their clients, nor should they consist of those who, like editors of news, can make more money by wars and other calamities than they can by peace and general prosperity: but let the Counsellors be those who are willing to wait like tillers of the soil, for compensation according to the quantity and quality of their work—Let compensation or honors come in the form of voluntary contributions After but not before benefits have been realized.

It is therefore suggested that any person of either sex (who may coincide with this proposition) and who feels competent to give counsel in any department of human affairs, publicly announce the fact, as lawyers and physicians now do, or permit their names and functions to be made accessible to the public in some manner, so that who ever may need honest counsel on any subject may know where to find it. If a meeting of such
Such a Military force would be within but not under discipline. In other words, its “sabbath would be made for man—not man for its sabbath.”

If the true mission of the military or enforcing power is kept constantly in view, and made, as it were, the guiding star, scarcely any thing can go seriously amiss: and we need no other guide for the use of a governing force; nor will it answer to allow any theories or “precedents” to over ride this one supreme consideration.

Companies thus formed would do well to communicate with each other, which would be all the general organization required for a world wide co-operation.

Here would be a government to preserve, and not to destroy—to protect and not to invade—a government that can include the whole strength of the world—When might would be for the right, and no enemies to contend with!

The charms of music, the beauties of order, and of unity of dress and of movement in military displays, now so seductive to purposes of destruction and degradation, would entice to the highest and noblest objects of human ambition, which would never need a field of activity as long as wanton oppression (even of a single individual) has footing on the earth.

Thus fare we have considered the true function of government, and find that it has to deal only with offensive encroachments upon persons or property; like a volunteer guard on a wrecked vessel in the confusion of disaster, the phrenzy of hunger and the fear of starvation, to prevent unnecessary destruction of life or property. An expedient choice of evils, where there is nothing but evils to choose from.

Society has thus far, been only “a series of failures;” and is at this day a mere assemblage of wrecks, thrown against each other on a tempestuous sea without pilots, charts, rudders or compass.

The first ship has not been constructed that is not liable to be wrecked by the very element that moves it on a successful
ever ready police to protect each other and the gardens, fruits and other property around them, instead of being, as they often are, the Imps of disturbance and destruction. The height of their ambition being to play “soger” and fight somebody or destroy something.

This is our fault. — The Democratic idea, theoretically at the base of American institutions, has never been introduced into our military discipline nor into our courts nor into our laws, and only in a caricatured and distorted shape into our political system, our commerce, our education and public opinion.

Let this element be practically and consistently introduced especially in the military department and our country is saved:—Otherwise, it is Lost.

When a high degree of intelligence, great manhood, self government, close discrimination, real heroism and gentle humanity are known to be necessary to membership in our military corps, (or government) these qualities will come into fashion, and become the characteristics of the people; and, to be thought destitute of them and unworthy of membership in the military would cause the greatest mortification: while, to be known us a member in good standing would be an object sought as the highest honor.

Is all this in exact and scientific accordance with our first premises in the “Declaration of Independence”, or is it all a romantic dream?

If we have been correct in our reasonings, then we have found the clue to the true mission and form of Government—To the most perfect, yet harmless subordination—The reconciliation of obedience with Freedom—To the cessation of all hostilities between parties and Nations—To universal co-operation for universal preservation and security of persons and property. We have found a government, literally in the people, of the people, for the people—a government that is the people: for Men, Women and Children can take some direct or in di-
rect part in it. A ready police or army adapted to all demands for either— A self protecting “Party of the whole.”

A “Union” not only on paper, but rooted in the heart—whose members, trained in the constant reverence for the “inalienable right” of Sovereignty in every person, would be habituated to forbearance towards even wrong opinions, and different educations and tastes, to patient endurance of irremediable injuries, and a self governing deportment and gentleness of manner and a prompt but careful resistance to wanton aggression where ever found, which would meet with a ready and affectionate welcome in any part of the world.

Every intelligent person would wish to be a member or to contribute, in some manner to the great common cause.

No coercive system of taxation could be necessary to such a government! A government so simple that children will be first to comprehend it and which even they can see it for their interests to assist: and they would as readily play “soger” to prevent mischief as to do mischief.

With our minds’ eye steadily fixed on this great Democratic principle and object, let us immediately commence the agitation of the idea of forming companies of home guards on this principle.

Let any one who feels so disposed, take the first steps and invite the co-operation of persons sufficiently intelligent to comprehend the object, to form a nucleus—(The known habitual regard to the “inalienable rights” of persons and property would be the best title to membership) Then, commence Drill and Discipline; keeping in mind all the time, the kind of discipline required; which, would be partly in the form of lectures; talking as texts, the details of the destruction of persons and property going on all around us, and showing with how much less violence the same or better objects could have been accomplished: and, in the drill, giving some orders to do some unnecessary harm, on purpose to be disobeyed, in order to accustom the subordinates to “look before they leap” or strike!