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## Liberty Vol. I. No. 12.

Not the Daughter but the Mother of Order

Benjamin Tucker

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January 7, 1882

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January 7, 1882



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tomorrow, and thus through the whole alphabet many times in a year. In other words, interest necessitates failure.

If a man owns two good houses in Boston, he can live in one, and live on the man who lives in the other. Can that be just right? Look through all our cities, and see the land, the buildings, and the vast quantities of goods, on all which somebody is paying usury in the form of rent, profit, and interest. Another panic must settle a large part of those demands.

There are many reforms, improvements, and methods of education that demand our consideration, but we want money to work with. Isaac Butts, in the "North American Review" for January, 1873, said, in speaking of the various corporations: "They are wrongfully abstracting from the pockets of the people millions upon millions every month." This must be reformed *first*.

Then?

Apex.

## Theology in the Light of Sculpture.

Two little girls discussing theology in a sculptor's studio.

*First Little Girl.* — "We wasn't made out of clay like that."

*Second L. G.* — "Yes, we was."

*First L. G.* — "How do you know?"

*Second L. G.* — "The priest says so."

*First L. G.* — "How does he know? Was he there?"

*Second L. G.* — "Well, God was."

*First L. G.* — "How do you know that? You wasn't there."

*Second L. G.* — "Well, somebody was. Of course there was. Oh, ho, you silly girl! Of course somebody was."

*First L. G.* — "Maybe — but — I don't know as there was."

— The thread of conversation was here cut by a shower of rain, and the girls scampered home.

"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.

Macaulay was right. Liberty is her own physician, and cures her own ills.

A king once said: "I require a prudent and able man, who is capable of managing the State affairs of my kingdom." An ex-minister replied: "The criterion, O Sire! of a wise and competent man is that he will not meddle with such matters."

The sonnet to Liberty in another column was sent to us by that Veteran reformer, John M. Spear, of Philadelphia. Speaking spiritually, he tells us that Garrison wrote it. We prefer to attribute it to Mr. Spear himself. In either case it is a credit to its author.

Henry George has been the subject of our severe criticism, and is likely to be again. It gives us the more pleasure, therefore, to be able to say that, as correspondent of the "Irish World" from Ireland, Mr. George, so far as at present appears, is the right man in the right place. His letters give a better idea of the situation in that unhappy country than any that we have seen. Liberty's compliments to the Ford brothers on so valuable an addition to their staff!

Mr. W. S. Bell has issued new editions of his own "Outline of the French Revolution" and the Bradlaugh-Besant edition of Dr. Knowlton's "Fruits of Philosophy." The latter is interesting from having served as a test of the question of a free press in England, and the former valuable as a convenient and succinct compendium of the events that led up to, through, and away from the memorable era which marked a turning-point in human progress. These and other liberal works may be obtained by addressing Mr. Bell at 38 Upton street, Boston.

George W. Smalley, in support of a recent attempt on his part to belittle the influence of women in public life, cites the alleged fact that “the Irish cause has not perceptibly gained in popularity since Miss Anna Parnell and Miss Helen Taylor took to scolding Mr. Gladstone on the platform.” This suggests the inquiry whether any perceptible loss of popularity has been suffered by the Irish cause since Mr. Smalley “took to scolding” Mr. Parnell through the press. Will the flunkey who writes London letters to the New York “Tribune” measure his own influence by his own rule?

One more reformer who keeps a level head! Samuel Leavitt of New York has uttered his protest against the Henry George craze. In a recent lecture before the New York Somebody Club on the “Sense and Nonsense of Henry George’s Book” he poured some very hot shot into the theories of this suddenly popular philosopher, thus concisely summing up and thereby demolishing his defence of usury: “Lo and behold! because bees gather honey, and cattle increase, and corn grows while we sleep — because bountiful Mother Nature gives us something for nothing — therefore we are justified in extorting something for nothing from those of our fellow mortals who have not the same access to her fertile bosom that we have! And this from the great champion of free land!” Mr. George has gone up like a rocket; he will come down like the stick.

Among the Japanese there is nothing of the nature of a legal oath. Witnesses in courts are requested to tell all the particulars; but all the sanctions and penalties, divine and human, which among us are supposed to render an oath sacred, are totally wanting. There is no punishment whatever for bearing false witness. Sensible people, the Japanese! It would be interesting to know how much oftener they lie than we do.

The Land League appears to be spreading to the very ends of the earth. The native journals in India are beginning to republish Land League speeches, and in several of them in the Mahratta district a full translation of the “no rent”, manifesto is given. Extracts from Mr. Parnell’s addresses are quoted approvingly, and there is

no more. But it may be truly said that we can never get out of debt so long as usury prevails. Here seems to be an unsurmountable difficulty; but a lawyer of some note in this State told me that all this could be righted by less than ten lines of legislation. What we demand, and all we demand, is the abolition of class legislation.

Greenbacks do not constitute scientific money; for, while they stand to represent wealth, there is no tangible, actual wealth back of them to redeem them, in case the holders wish to realize, and close the transaction. For selling goods for money is only one-half of a transaction. All trade, let us remember, is exchanging goods for goods. But the point I wish to present here is this: while all credit money implies a debt, there is a vital difference between the greenback and the national bank note. The former does not constitute an interest-bearing debt; *the latter does*. Here we see hundreds of millions sucking interest from the productive portion of the people, for no good purpose and for no good reason. I hope and trust that the Greenback party soon become strong enough to remedy this matter.

Let us look at another class of interest-drawing debts, which can be easily wiped out. The people of any city can carry their city debt in their pockets in the form of credit money, just as well as to borrow the money and pay interest. Some of the Western cities are doing this. It is a hopeful indication.

Again, if the people can pay for all the railroads in the country every ten years and virtually give the same to the railroad corporations, can they not, pay for them *once* and own them, and thus stop all that drain of interest? But the great difficulty, after all, is to convince the live, active business man that interest is wrong in principle and bad in its results. The impossibility of meeting its demands ought to satisfy any thinking man that it cannot be right. One penny put at compound interest at six per cent would bankrupt the whole solar system in less than two thousand years, in all the planet were solid gold! Well, then, why does not interest eat us all up? Simply because A goes into bankruptcy to-day, B

I am quite content to let my statements stand as they are for those who can consider them, and equally ready to acknowledge my errors when any one shows them to me.

Important truths often lie on the surface, and are missed by those who fancy themselves profound.

The fact that farmers' mortgage debts largely increased in the State of Indiana in the year 1880 has no bearing whatever on my arguments, as you would have seen for yourself had you been free to consider them. The natural and rational explanation of the large increase of those debts is that the farmers found it profitable to borrow. Those Indiana people are not such fools as to add fourteen million dollars to their indebtedness in one year, if they did not find it pay to do so.

Among primitive peoples there was no individual ownership of land, no money, no money-lending, and I believe we shall some day resemble them in those respects; but the coming of that day will not, I venture to think, be hastened by the primitive method of calling names, or by trying to "take the second lesson first."

Basis

## A Second Chapter on Usury.

All statutory laws that interfere with voluntary trade between individuals must be wrong. Therefore, so-called usury laws cannot be defended on any principle of justice.

Again, all such laws are unwise, because they attempt to deal with results. O. W. Holmes says that "it is useless to medicate the symptoms." If we wish to remove a wrong, we must find the cause, and attack that. History, experience, and reason are in accord in teaching us that usury cannot be regulated by any laws limiting the rate per cent.

The foundation of interest is debt. Therefore, when we all become Bible Christians and "owe no man anything," usury will be

a prospect of a Land League being started in Hindostan. Mr. Gladstone had best keep his eyes open. Otherwise, as in the case of Ireland, the coercion screws will be applied too late.

A subscriber wishes to know why Liberty uses the word *usury* instead of *interest*. We do so for two reasons. First, *usury* includes all forms of unearned increase, except that which comes by gift or fortune, while *interest* represents only that increase which is obtained by lending money. Second, the etymology of the word *usury* brings out more prominently the essential characteristic of the thing it stands for,— namely, payment for *use*. The word *interest* has been adopted by modern usurers and their apologists to hide the true nature of their extortionate trade and to make that which is but theft appear as a righteous act of commerce. It is Liberty's purpose to tear off their mask and show them for the thieves that they are.

The worst act of the socialistic convention at New York was its best. In expelling Justus H. Schwab and his associates it dissociated itself from its most intelligent and only thoroughly honest and earnest element. That element, however, is now shaping its own course, and will do much more effective work by itself than when hampered by the timidity and policy and double-dealing of time-servers and self-seekers. Mr. Schwab was a good deal of an anarchist prior to his expulsion; we anticipate that his recent experience will transform his tendencies into firmly-settled principles. The road to social salvation leads directly away from politics. We hope to travel it to the end in the companionship of Mr. Schwab and his faithful co-workers.

That paragon of journalism pure and undefiled, the Boston "Herald," says that "there is a growing feeling in every healthy community against the journals which make it their special object to minister to perverted taste by seeking out and serving up in a seductive form disgusting scandal and licentious revelations." While the lamp holds out to burn, the vilest sinner may return. But words alone are not meet for repentance. The fruits must be brought forth also. The

columns of the “Herald” seem to be as nasty as ever they were. It must begin to inculcate purity and sweetness by example; else its fine precepts are likely to go for naught. Meanwhile, if the above quotation be true, are we to infer that there is a growing feeling against the “Herald,” or that Boston is an unhealthy community?

## About Progressive People.

A new street in Paris is to be named after Littré, the great positivist and lexicographer.

The artist Collier has just completed an excellent and life-like portrait of Charles Darwin.

The name of Thoreau has become extinct in this country, it is said, by the recent death at Bangor, Me., of Miss Martha Thoreau, an aunt of the late Henry D. Thoreau. The latter was the last male descendant of a large family.

A great-great-grandson of Danton has subscribed five florins toward the monument which is to be erected to his famous ancestor. This descendant of the member of the Convention is Aloys Emile Danton, an officer in the Austro-Hungarian army.

It is reported that Karl Marx is dying. His wife, whose death was chronicled in our last issue, was a woman of brilliant talents, descended from an aristocratic and extremely orthodox Prussian family, allied, it is said, to the Scottish house of Argyll.

Professor Huxley had a cook that got so drunk and raised such a row in his house that the police were called. As she was hustled through the yard she let her tongue fly, and gave the professor a blast, of which the only words that could be made out were to the effect that he was a “damn atheist.”

The remarkable types of Nihilist women are well known. Vera Sassulitch, whose shot inaugurated terrorism, was the most modest of her sex. In the court-room she blushed when she perceived any one staring at her. Lydy Figner, a charming lady and an accom-

asserted the liberty it presumed to declare, itself has imprisoned me.... Thus it has happened that not the Arch Fiend himself has been in my way, but these tolls which tradition says were originally spun to obstruct him. — *Thoreau.*

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## Liberty.

Thy cause, O Liberty! can never fail.  
Whether by foes o'erwhelmed or friends betrayed.  
Then be its advocates of naught afraid;  
As God is true, they surely shall prevail.  
Let base oppressors tremble and turn pale;  
They and they alone may justly be dismayed.  
For Truth and Righteousness are on thy side arrayed,  
And the whole world shall yet thy triumph hail!  
No blow for thee was ever struck in vain;  
Thy champions, martyrs, are of noble birth;  
Rare honors, praises, blessings, thanks, they gain,  
And time and glory magnify their worth.  
A thousand times defeated, thou shalt reign  
Victor, O Liberty! o'er all the earth.

## To “Apex.”

Dear Sir:— I see that you “cannot consider” what I say; yet you pronounce my statements superficial and my notions primitive with as much assurance as if you *could* consider them. I seek to know and follow the truth, but the “you’re another” argument, though much in favor among uncivilized folk, does not lead that way.



What George denominates “The Remedy” is so utterly absurd and ridiculous when closely analyzed that I decided to write a pamphlet exposing its fallacy and exhibiting to the cursory reader of that book the *ignis fatuus* the author has followed down to the present period.

You, too, have overlooked the *fatal error* in his taxation and revenue scheme. It is the *destruction* of land values by taxation for the purpose of making the land common property, and then proposing to make the defunct land values the source of a vast revenue system.

Do you perceive the incompatibility of the two propositions?

E. F. Boyd.

26 Second Avenue, New York, Nov. 16, 1881.

## **An Unsatisfactory Reason.**

My dear Mr. Tucker:— At length I see a reason, given by “Apex,” why the plough-lender is not entitled to pay for the use of his plough. It is that the use is of no value to the user. I think that “Apex” can have no knowledge of agriculture. If he had ever tried with his hands alone fit an acre of land for the reception of seed, he would hardly have such a reason. I do not see why a man would take the trouble to borrow a plough, if its use was of no value to him. I must wait for a better reason than this. “Apex” is not yet the apex.

Yours cordially,

J. M. L. Babcock

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When I have not paid the tax which the State demanded for that protection which I did not want, itself has robbed me; when I have

plished singer, got her eight years in the Siberian mines by sitting in a parlor and playing the piano for weary hours, trying to drown the noise made by the secret printing press in the next room. Anna Lebedeff, a priest’s daughter, in the disguise of the wife of a switchman, lived in a watch-house on the railroad, and was found on a box filled with dynamite, chatting with the switchman. Sophy Perovskaya, the daughter of a general and senator, who declined the dignity of maid of honor to the empress and entered the Nihilist fraternity, dug the Moscow mine and directed the late Czar’s assassination. Sophy Bardin, who was welcomed as a shining star in the literary horizon, wrote a few poems which, though gems of Russian literature, were treasonable, and the singing of them is a State crime.

It was generally supposed that the charges made by Henri Rochefort against M. Roustan in regard to Tunisian affairs had got the famous radical into trouble, but on the contrary he, alone of those involved, has come out with flying colors. In the suit brought by Roustan, Rochefort was acquitted on every point. The New York “Tribune” thus describes the defendant’s appearance in court: “Rochefort’s boldness in refusing to challenge the jury told in his favor. His attitude in court was also prepossessing. Spectators, and one may surmise jurymen as well, observed that his air was *distingué*. He was dressed by a fashionable English tailor, and did not look in any wise foppish. There was frankness in his manner, in his answers, explanations, and observations. He might have been mistaken, he might have been unfairly violent; but his good faith was patent. Gatineau, his counsel, made a point by alluding to all the misery that Rochefort’s intrepidity as a journalist had brought upon him. He had never used his pen to accomplish mercenary ends, and went into the war against finacio-politicians with perfectly clean hands. Rochefort’s face is not nearly so fat as it was when he came back from exile. It now looks like a skull carved in old yellow ivory, with two coals of fire to serve as eyes. The flash of the coals appears to light up the

caverns at the remote ends of which they are placed. Thick, frizzly, pepper-and-salt hair covers the head, and is arranged in a curious tuft at the coronal region. Rochefort showed presence of mind. His questions were full of meaning, and opened wide vistas which the presiding judge wished to keep shut to the jury. The lanternier occasionally let fall a droll observation, which, in every case, had the effect of throwing a strange light upon the case. His voice is as peculiar as his head and face. It is singularly distinct. The chin acts with a chopping motion when he speaks. Gleams and glances of the flashing eyes italicise. As his chest is of enormous girth, what he says is heard a long way off. Clemenceau says that Rochefort is wider around the shoulders than any other Frenchman that he knows.”

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“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.

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## Light-headed Socialists.

The platform adopted by the convention of socialists which met in New York last week is as singular a heap of sociological *bric à brac* as could be well jumbled together. Such a ridiculous confusion of ideas easily sifts itself to no ideas at all. The key note of this remarkable *pot-pourri* is compulsion. This is not, however, very singular, since the socialistic machine, like every other which does not

prostitution, and many other things which it believes to be wrong in principle and opposed to human well-being. The right to do wrong involves the essence of all Rights. Perfect liberty to contract for what is wrong is the shortest and surest way to abolish that wrong, provided the State can be made to step down and out and leave the wrong to its merits in a fair fight with no favors. The State, however, almost invariably takes sides with the wrong, and declares the advocates of a fair contest between right and wrong enemies of law and order. The right, losing its head in that most dangerous of superstitions known as patriotism, is stupid enough to take up arms against itself, and everything goes to suit the oppressor.

Given the untrammelled right to take usury on the one hand, and the untrammelled right to protest that its cost shall not be shouldered by the innocent on the other, abolish all State interference, and then usury can work no harm to humanity. The minimum of its harm is measured by the total abolition of the State, and the last analysis usury is wrong, in practice, solely because the State is suffered to exist. To those who can not meet us on this ground as radical reformers we respectfully announce that we decline to waste any more time and type over their future shufflings.

## Henry George's Errors.

Benj. R. Tucker:— The broadside which Liberty fired into the Henry George camp under the caption, “Ireland's New Saviour,” is very exhilarating after reading to satiety the extravagant eulogy and fulsome panegyric bestowed so lavishly on that author by such journals as the “Irish World” and the New York “Truth.” About two months ago I examined “Progress and Poverty” for the first time, and was greatly astonished that such unqualified adulation have been heaped by radical reformers upon a treatise that is vulnerable in so many different points.

way out by setting up a pure fiction labelled “God” and stamped infallible. This trick, however, being “played out” with our critics, how do they propose to get at the absolute right of a thing? Is there, indeed, in practice, any absolute right?

Nor does it solve the matter at all to bring in the cost principle, and say that that is absolutely right which is done solely at the cost of the individuals who act. There is no mentionable act, not even the dropping of a pin in the middle of the Desert of Sahara, of which it can infallibly be said that it is done solely at the cost of the individuals acting. The loss of that pin as a necessary surgical instrument to treat the disabled camel may cost its life, and with it the lives of the whole party. We believe in the cost principle as a standard, and the best at our service, but its observance can never result in the universality of absolute right, since no man or set of men can ever attain to the omniscience of foreseeing the entire bill of costs, or on which side of the scales all the consequents will range themselves. In short, with our human limitations, absolute right practically has no existence.

The only way even to approximately solve the right and wrong of human acts is to leave every individual free to make such contracts with his fellows as to them seem good. The fact of how far given transactions are executed at the cost of others will soon be made evident in every case by the protest of those on whom the cost unjustly falls. If every individual is left free to make contracts and ever free to enter an effectual protest against transactions wherein the cost falls upon his shoulders without his consent, the consequent adjustments will reach the nearest possible approach to absolute justice. The monster that Liberty invites true reformers to help battle down and exterminate is the State, whose purpose is, first, to enforce unjust contracts through forcible defence of monopoly, and, second, to make effectual protest impossible by defending ill-gotten property from the natural retribution which attends tyranny and theft. Liberty, therefore, must defend the right of individuals to make contracts involving usury, rum, marriage,

propose to stand on its own merits by voluntary assent, can only be run by extraneous force.

It is, indeed, astonishing that a convention of otherwise intelligent and well-meaning men should meet to denounce the present machine, and yet, in the same breath, set up another, with exactly the same despotic element in it that damns the first,— compulsion. Compulsory factory legislation today makes the protest of the pillaged operative nugatory. Compulsory legislation makes the great railways the deadly suckers of farm labor. Compulsory education makes the Colleges, the pulpits, and the newspapers the lick-spittles of capital. Yet, after denouncing these institutions as the agents of robbery and oppression, the socialists immediately set to work, not alone to imitate their methods, but to revive them in infinitely more atrocious forms.

Take, for instance, compulsory education. Of course the new education under the socialistic *regime* will be socialistic education. The taxes to support it must be levied by force. The writer of this article does not believe such to be education, but worse than ignorance. He would consider that he was insulting and degrading his children to send them to school under such a system. Now, do the socialists propose to have the audacity to compel him to pay for this education, whether he wants it or not? If so, then their denunciation of the present order is mockery, and they are worse enemies to progress than those whom they call to account.

This absurd craze of “nationalizing” things is the most impertinent lunacy that could make reform ridiculous. In last week’s “Irish World” William Howard comes out with a scheme for “free travel.” The government, which to-day alone puts travelers at the mercy of usurious corporations, is asked to buy up the railroads and thereby exterminate the only element, competition, which keeps the price of a ride from Boston to Chicago from being one hundred dollars instead of ten dollars. “But the government must run the roads at cost!” cries Mr. Howard. Whose cost? The government’s cost, of course; and yet, if Mr. Howard would only be at the pains to consult

the facts, he would know beyond all cavil that the cost of running things by government is almost always above that of the most extortionate corporations. Thieving as are the great railroad monopolies to-day, this government, even though it should set to work in dead earnest to run the roads at cost, could not do it at the cost which is imposed upon the travelling public by the corporations. The most expensive public service of its kind is the national postal service, so often cited by the Socialists and Greenbackers as a guiding "star route" to perfection. A corporation now stands ready to do that service, under the most substantial guarantees and even in governmental handcuffs, at far less cost and more efficiently, whenever it shall be permitted to do so.

We are not generally supposed to be remarkably wanting in the virtue of patience, but patience with this over-repeated idiocy of "nationalization" is one of the things that puts us most severely to the test. Guiteau's attempt to popularize the taking-off of governmental figure-heads by "theocratizing" murder is ridiculous enough, but has the whole weight of inspiration and religious logic on its side, and his arguments challenge the respect of the learned, the wise, and the pious. The socialists, more absurd than he, are in a fair way to yet demand the "nationalization" of love, lunacy, and common sense, backed by compulsory taxation. As yet we have got no farther into their logic than to concede that "free travel" to the lunatic asylums would not be altogether objectionable.

## Justice Gray.

The appointment of Horace Gray, as a Justice of the Supreme Court of the United States, adds more weight than light to that bench. He weighs, we suppose, about two hundred and seventy-five pounds. But his light is not at all proportionate to his weight. We might as well expect to get light out of two hundred and seventy-five pounds of rump steak. Nevertheless, all this is just

position. On several occasions our editorials have been sharply criticised by parties who are supposed to know something of the principles of Liberty; not that they would differ from us, if they carried in mind the distinction that must necessarily be kept in view in discussing the bearings of Liberty upon human acts, but simply that they have got into the habit of carelessly defining acts without reference to the sphere of the individuals acting.

The right to do a thing and the abstract right of a thing involve two essentially different principles. For instance, we have defended the right of individuals to make contracts stipulating the payment of usury, and should strike at the very essence of Liberty if we did not; but this defence of individual right by no means carries with it the defence of usury as an equitable transaction *per se*. In defending the right to take usury, we do not defend the right of usury. He who cannot see this has not managed the A B C of social analysis. One of our critics, who has twice challenged our defence of individuals who voluntarily choose to be parties to usury, strenuously defends "free rum." Would he like to be accused of saying thereby that it is right, as a matter of principle, to drink rum inordinately? No, he is a severe believer in the wrongfulness of excessive rum-drinking. But he believes that the rum-drinker and the rum-seller have the right to execute a contract involving a practice wrong in itself, and that no third party has the right to step between them by force and dictate the terms of their mutual and voluntary transactions. This is exactly, and no more than, what Liberty affirms with regard to usury. Wherein, then, have we so grievously sinned?

To say that it is absolutely right to do a thing is to say that, to do it is to do that which will administer to the greatest possible good, when every possible element involved in the transaction is seen and weighed. But who possesses that sublime omniscience which can see and weigh every element, past, present, and future, that enters into a transaction? And even if one could, who is to vouch authoritatively that his weights, measures, and balances are correct? In this dilemma the theologians, of course, find an easy

indefinite multiplication, and, if so multiplied, would do more than statues innumerable to enshrine the author's memory in the popular heart. The first duty of his faithful disciples is to open these books to the eyes of the world. After that, build your monument, if you will. But we anticipate that the readers of his works will pronounce all other monuments superfluous, and will think twice before subscribing toward the erection of a statue in memory of him who wrote these words:

What is a great man? Are there great men? Do the principles of the French Revolution and of a Republic founded on the right of man admit of such? Together with the right of man we have recognized progress as a principle of the new society. Now, one of the effects of progress in a homogeneous society democratically organized is the continual lessening of the distance between man and man in proportion as the mass of mankind advances on the road of science, art, and right. In the thought of the Revolution and in the perspective of the Republic the idea of great men is nonsense; their disappearance is one of the guarantees of our deliverance. "Those members of the Constituent who voted for the Pantheon, and those members of the Convention who carried thither Le Peletier and Marat, were arrant aristocrats, unless it was tacitly understood among them that one day the entire people should be gathered there; in which case it would have been simpler to have left us under the starry vault of heaven.

## **Right and Individual Rights.**

Until somebody shall have formulated and demonstrated a correct science of justice, the way is ever open to constant confusion as regards the subject of right and rights. The columns of a newspaper are not the place to develop such a science; nevertheless, the matter is so important that we have determined, reconsidering our previously-announced purpose to drop it, to once more re-state our

as it should be; for it is weight, and not light, that is wanted in Supreme Courts.

All governments, that assume to control their subjects arbitrarily, find it necessary to keep in their service some authority, or some tribunal, that shall be revered by the people, and that shall tell them that the acts of the government are all right, and obligatory; and that it is the moral duty of the people to obey and submit; that resistance or disobedience, on their part, is a great crime; a heinous sin against God and man.

In despotic governments, so-called, this service is performed by a State Church. The government gives great privileges, honors, and revenues to the Church, upon the condition that the Church will teach the people that the government is ordained of God; and that to disobey or resist it would be a great sin against God. In this way, the ignorant and, superstitious people are kept in subjection to an arbitrary power that robs, enslaves, and murders them at its pleasure.

We, in this country, have got rid of this superstition about the Church; and the consequence is that our government must have a substitute. And this substitute it finds in its Supreme Court. It sets up a court of its own; selects its own judges, pays them as long as they sanction all its doings; but impeaches and removes them, if they fail to sanction them.

These judges, of course, do sanction all its doings; they are appointed, and paid, and sustained for that purpose, and no other. They understand perfectly the tenure, by which they hold their places, and govern themselves accordingly. And the government, whenever its tyranny or usurpations become atrocious, and cause an outcry, points to the decisions of its Supreme Court, as if that settled the matter.

In this way, the judges of a Supreme Court, in this country, serve the same purpose as do the dignitaries of a State Church in other countries. And the judges can be as safely relied upon, by the government, in this country, to sanction all its doings, as the dig-

nitaries of a State Church can be to sanction all the doings of the government, on which they depend for their privileges and revenues. The judges are an much part and parcel of the conspiracy, in the one case, as the priests are in the other.

In either case, the judges and priests are simply tools and confederates, employed by the government, to overawe ignorant and superstitious people, and keep them in subjection. They are simply weights, which the governments throw upon the people, to prevent their rising in rebellion against the oppressions which the governments practice upon them.

Now, Gray is just the man for a service of this kind. He has no doubt that the government is entitled to arbitrary, irresponsible power over the people; or that it is the duty of the people to submit blindly to every thing the government does. If, in any particular case, any question should be raised, as to the right or justice of any act of the government, he can tell you that, for hundreds of years back, governments have been doing the same things, or other things equally outrageous; but that the people had no alternative but to submit; and that, therefore, they have no other alternative now.

Now, this is exactly what is wanted of a judge of a Supreme Court. And that is why we say that Gray is the right man for the place. And it is the only thing he is fit for. And it is the only use that he will ever be put to, as long as he remains a member of the court.

His associates on the bench will, of course, welcome him as a brother. And they will all enjoy their dignities, and salaries, as long as they sanction all the usurpations and crimes which the government practices upon the people, and no longer.

It is to be hoped that a machine, to be called Supreme Court, will sometime be invented, to be run by foot or horse power, and made to do the work now done by Supreme Courts — that is, to grind out opinions sanctioning every thing the government does.

*comprehended, end judged of, by common minds* — why Guiteau's absurd and irrational act is not as good proof of his insanity, as the absurd and irrational acts of others are of theirs.

Even the witches were not hanged on such absurd testimony as this.

The testimony of these experts tends to show how much science and reason are to be found among the keepers of our asylums for the insane. It tends to show that these men are either blockheads outright, and do not know that they are making fools of themselves, or that they are capable of committing, for money, or to advertise themselves as physicians for the insane, almost any possible crime against justice and reason. It tends to show that many of them, at least, are capable of all the crimes, against both the sane and the insane, with which so many of them have been charged, and of which some of them have no doubt been guilty.

## **A Statue to Proudhon.**

A movement is on foot in France for the erection of a statue to Proudhon. It may surprise our readers to hear that Liberty questions the advisability of the project, and asks its initiators to reflect a little before going farther with it. That a journal brought into existence almost as a direct consequence of the teachings of Proudhon, and which lives principally to emphasize and spread them, should hesitate to give its sanction to the perpetuation of his memory by a public monument may be phenomenal, but is not, we think, unreasonable. There are men who make their own monuments. Of these Proudhon was one. He made his of stuff more enduring than bronze or marble,—namely, ideas. It is to be found inside the half-hundred and more marvellous volumes which demonstrate his loftiness of character, his mastery of philosophy, metaphysics, and social and political science, and his intelligent and profound acquaintance with literature, art, and history. These are capable of

as this common to human experience? So common as to imply no disorder in the mind of the actor? Do all the experiences of all the Bedlams on earth explain such a phenomenon as this, consistently with the sanity of the agent?

When these experts are confronted with this question, they are confounded. Instead of telling us how a *sane* man could do such an act, they stammer out “wickedness,” “depravity,” “evil passions.”

But what “evil passion?” Was it the evil passion of avarice, or jealousy, or revenge, or any other particular “evil passion,” that is known to men to commit murder? No. It was evidently none of these. But it was (as these experts would have us believe) simple “wickedness,” “depravity,” “evil passions.” They can give no answer more definite than that.

Such answers as these might perhaps pass in some schools of theology, which hold that a *virus* of simple “wickedness,” “depravity,” or “evil passions” was incorporated into the very nature of our first parents, and by them transmitted to all their posterity. But when they are offered in a court of justice, where a man’s life is at stake, they are not merely shameful, they are infamous. Men are not to be hanged, in this country, upon any theory that theologians or others may hold as to an ancient transaction between Adam, Eve, and the devil.

These experts have had thousands of insane persons under their care. Many of these persons have committed homicides, or other violent assaults. All of them, or nearly all of them, were supposed to be liable to commit acts dangerous to themselves, or others. The insanity of no two of them showed itself in the same way. But they were all saying and doing things, daily, that were just as absurd and irrational as was the act of Guiteau. And because their acts, whether violent or not, were so absurd and irrational, these experts have no doubt that the actors were insane. But when Guiteau does an absurd and irrational act, they hold that he is not insane, but simply “wicked,” “depraved,” under the control of his “evil passions.” And yet they can give no reasons — *that are capable of being*

Then the services of such men as Gray and his associates will be no longer needed.

## The Guiteau Experts.

The government experts, in Guiteau’s case, seem to be having things very much their own way; and will probably succeed in getting him hanged, provided they succeed in getting the jury to accept their opinions as to his sanity, or insanity. But will they do this? Are we to hang a man simply because a certain number of superintendents of lunatic asylums believe him sane? Are we to hang a man, upon mere opinions, the truth or reason of which cannot be judged of by common men? Do the lives of men, in this country, legally depend upon the mere judgments of any twenty, fifty, or a hundred men, who claim to know more than other men, as to what diseases, delusions, or impulses that strange thing, the human mind, is liable to, but who cannot so communicate the grounds of their opinions, as to enable other men to judge of their truth or error?

These men never saw, handled, or examined human mind. They can only observe its manifestations through the body; and can only *guess*, like other people, at the causes of its mysterious and erratic operations. Are men to be hanged on the strength of their guesses?

There are, we suppose, in this country, three, or perhaps five, hundred men, physicians, so called, who make a specialty of treating diseases of the human *body*, where there is but one who makes a specialty of treating diseases of the human *mind*. But although diseases of the human *body* are so much more extensively studied, and treated, and so much easier to be ascertained and judged of, than are diseases of the *mind*, we have very little confidence in the knowledge of these many physicians, as to the nature or causes of our *bodily* diseases. These physicians differ so much among themselves, as to the nature and causes of these diseases of the body,

that we would not think of hanging a man on the judgments of any number of them, where the grounds of their judgments were so obscure that they could not be communicated to, or comprehended by, the minds of unprofessional men. In other words, we will not hang men, in this country, on any grounds whatever, that cannot be shown, *to the common mind, the unprofessional mind* to be true and sound, beyond a reasonable doubt. We will not hang a man upon the mere secret, incomprehensible, or incommunicable reasonings of any number, or body of men whatever. Yet this is just what the government is attempting to do in Guiteau's case. And it is attempting to do it on the mere opinions, or guesses of a few men only; these few having confessedly very little knowledge, except what is common to mankind in general, of the causes, or the phenomena of mental diseases.

But this is not all. So far as these experts succeed in communicating the grounds of their opinions, these grounds appear not merely fallacious, but preposterous. For example. They have each spent a month's time, more or less, in the court room, and in the jail, examining Guiteau, to get the data, the facts, the symptoms, by which to judge whether he is, or is not, insane *now*. They thus impliedly confess that the question is, at least, an obscure and difficult one to themselves. And when they attempt to communicate their reasons to others, they utterly fail to show any valid ones for their conclusions; that is, *any reasons that are intelligible and conclusive to common minds*. Common minds know almost absolutely nothing as to the validity, or invalidity, of the reasons which these experts give for holding that he is sane *now*, or that he has been sane at any time since he has been under their own eyes. If, then, Guiteau is to be hanged, on the testimony of these experts, he is to be hanged on faith, and not on reason; on faith in the simple opinions or conjectures of these experts, and not on reasons brought home to the comprehension and the understandings of the jurors themselves.

But even this is not all. These experts not only give their opinions that Guiteau is sane *now*, but also that he was sane on the second of July; five or six months ago.

Even if he is sane now, what do they know, or what are their opinions worth, as to whether he was, or was not, sane six months ago?

They apparently have no reason for thinking that he was sane in July, *except that they think he is sane in January*.

Would it not be just as sensible for them to say that, because he has no fever, or delirium tremens, on him to-day, therefore he could have had none on him six months ago?

This kind of reasoning implies that they hold that if a man was insane in July, he would undoubtedly have continued to be insane until January; or, what is substantially the same thing, *that if a man is once insane, he will always remain so*.

Now, this, we think, is very likely to be the rule in the asylums under their own control; that they seldom or never cure any body that comes under their care. And we ought to be thankful for this information; for it enables us to know where *not* to send our insane friends if we wish to have them cured.

On this theory of theirs, that once insane, always insane, the cases, in which they report the patients as "discharged cured," must be presumed to be cases, in which the victims never were insane; but were simply sent to them on "the certificate of two physicians," who knew just so much about insanity as it was necessary for them to know, or as they cared to know, in order to earn two or three dollars for certifying their opinions.

If these experts have really any reliable knowledge — beyond that of other men — as to the operations of minds diseased, or not diseased, why do they not give us some reasonable explanation of the conduct of Guiteau, in killing a man in open day, and before a multitude of people, and making no attempt to escape; and all this, when he had no personal malice towards his victim, and no rational prospect of gaining any thing by his death? Are such acts