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## **Liberty Vol. II. No. 11.**

**Not the Daughter but the Mother of Order**

Benjamin Tucker

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Not the Daughter but the Mother of Order  
June 9, 1883

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June 9, 1883

and it has become necessary for the self-appointed rulers of men to bend the neck of the dissentient by an appeal to moral obligation. This would be all very well did they confine themselves to pointing men to the path of rectitude and natural purity, telling us all to study, experiment, discover, and shape our lives in harmony with the true and good, always respecting our neighbor's rights.

But respecting the rights of those who differ from them is the last thing these guardians of morality do. There must be no private judgment, no independence of individual action. All must conform to one standard or be visited with the pains and penalties of the law. The whole tendency of present American legislation is toward the obliteration of the individual. Recent laws all bear the ear-marks of paternalism. Department after department of human life is sought to be taken into the keeping of the State. Local rights are ruthlessly sacrificed in the interest of centralization, and personal liberty is laid an offering upon the municipal altar.

Our tyrants are not to-day priests of God, *acting in that capacity*, but voters wielding the swords and bludgeons of majoritarianism. And this majority is determined that its ideas of morality shall be accepted by the minority.

Many men and women have rejected the childish tales of theology, while but few have outgrown her methods of reform. The so-called Liberal who favors coercive laws in the alleged interest of morality is just as censurable as, and much more dangerous than, the supernaturalist who favors similar laws in the interest of God. The duty of the radical to-day is to demand the recognition of the Individual, of the Individual as the supreme and only sovereign of himself, and, *consequently*, of none other.

E. C. Walker.

magnitude should either seek the smiles, or fear the frowns of such snobs as those of Harvard, is preposterous. Heretofore a large part of Ben's reputation with the people has rested upon his supposed contempt for snobs of all kinds; but now he shows that he is so sensitive to their opinions of him, that they can not only nettle him, but even mortify and exasperate him. But while Ben, in his chopfallen condition, is a subject provocative of laughter, it is perhaps equally laughable to see what a value old granny Harvard puts upon her sheepskins. And the elevated character of Massachusetts politics is to be inferred from the fact that the State is expected to take sides on this matter at the next election. And Ben's own opinion of the high character of our national politics may be inferred from the fact that, if the State should decide in his favor in the matter of the sheepskins, he indulges great hopes that he will be made the sheepskin candidate for the presidency.

\* \* \*

Boston, June 4, 1883.

## To-day.

Until men shall cease to ask: "Is it divine, is it according to the teachings of the Bible?" and inquire instead whether it is true, there can be no cessation of the warfare against Christianity. It is not so much because any given dogma is false that we need to assail it to-day, but because it comes to us as God-given, having the weight of an Authority which we must not question on peril of eternal damnation. The divine sanction or authorship claimed for it precludes an investigation as to its real cause or causes. It is sacred, and must not be touched.

But to the careful observer it is given to know that Authority is rapidly shifting its ground, and each day demands more and more our unquestioning obedience in the name of morality. Super-mundane powers and penalties frighten not as of old,

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Mary had a little lamb,  
A way down South in Dixie.

Victor Drury.

## **The Snob and the Blackguard.**

*To the Editor of Liberty:*

Harvard College, considered as an individuality, is the greatest snob the State can show; while Ben Butler is profess- edly the most vigorous blackguard in the Commonwealth, or perhaps in the country. The recent set-to between them has afforded immense diversion to the on-lookers, or at least to that portion of them who had no partialities for either party. The matter would have been of no importance, had not Butler left the field limping and groaning. One would have expected that so experienced a bruiser as he, foreseeing what was likely to come, would have made up his mind to keep cool, and treat the affair as of no consequence, at least until he should have found an opportunity to strike a blow, or fire a shot, that the enemy would have felt. But instead of this, he was so weak and foolish as to whine and snivel, and thus show that he had really set a value upon the worthless sheepskin; and that he feels that his old enemies, the Hoars, have scored another important victory against him. One who, like him, is always throwing himself into the political prize-ring, and always fighting without gloves, with mud, clubs, stones, or whatever comes to hand, ought either to throw up the sponge like a man, or hold his temper and his courage until fortune should return to him. One would have thought that his victory at the polls last year would have given him heart enough to sustain his serenity through this battle of the sheepskins, whether it went for him, or against him. That its result should disturb him shows a littleness of mind, that should mortify his friends, as much as it has elated his enemies. That a man of any real

## Chapter IV.

And it came to pass that the money changers of the Temple of Wall were “clothed in purple and fine linen” and fared sumptuously every day, singing praises to *Veuve Cliquot*.

And the parties of the second part sat under their own vine and fig tree, and shouted hosannaba to *Bourbon*.

And the parties of the first part, which were the bondmen, went forth on their bier.

And the sirs and high priests of the tabernacle, which, being translated, is political economist with us, who taught in the Temples, raised their voices and said: “Behold how good and how pleasant it is for brethren to dwell together in unity! It is like precious ointment upon the head, as the dew of Hermon. Behold how glorious is the ‘identity of interests!’ Hallelujah! to the Lord God of economies!”

And the people shouted with loud voices: “Oh, Hell!”

## Chapter V.

And lo, there came a great darkness over the land.

And the people would fain take to shaving, too.

And in the darkness rove a spectre of portentous power.

Having two long legs and a body which went up and down, shaped like a triangle (symbol of equality) and sharp as the sword of Damocles or that of Alexander which cut the Gordian Knot, standing firm and erect upon a platform which was movable.

And the spectre took to shaving: oh! ’twas a vigorous barber, who know all about barbarism.

And beards were shaved, and HEADS down to the neck.

And when the money changers of the Temple of Wall and the parties of the second part saw that they were being shaved, they regretted that they had ever begun the shaving process.

“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 position of the woman suffragists, when thoroughly understood, is simply that women have as good a right to make fools and villains of themselves as men have. We do not dispute it. But is the right to be a fool worth fighting for, and has either man or woman the right to be a villain?

The ranks of American socialists have received an important accession in the person of Robert Winston, a member of the London Trades Council, who has left England and is now living in Boston. He represents industrial and commercial conditions in England as in a very bad way, and says that a great financial crash may be looked for at an early day.

Liberty is not disappointed at the Czar’s success in getting himself crowned. We never expected that the Nihilists would be foolish enough to make their attempt on the very day of all others when every possible precaution would naturally be taken against it. But the blow will fall yet, and when it is least expected. Alexander III. is no safer with a crown on his head than he was before.

Alfred E. Giles, of Hyde Park, Mass., who has done much useful and necessary work of late as a pamphleteer, has prepared a formidable indictment of Vice Societies and their agents, which is published by Colby & Rich, 9 Montgomery Place, Boston. Mr. Giles was formerly a vice-president of the Young Men’s Christian Association, and so has seen from the inside the working of the machinery of superstition.

Joseph Henry, of Salina, Kansas, has published the first of his six essays on "Death and Funerals," which have already been announced in these columns. It is well worth reading, and is a sufficient rebuke of those Christians who habitually picture death as the terror of the Infidel. The truth is, as the author shows, that there is no better test of the superiority of Infidelity to Christianity than a fair contrast of their respective attitudes toward the great fact of death. Mr. Henry mails his pamphlet to any address on receipt of twenty-five cents.

We should like to believe that the Paris "Figaro" has good grounds for its sensational statement that France is in danger of being cut into small pieces by the triple alliance of Germany, Austria, and Italy, and parcelled out among the surrounding nations. Anything to disintegrate the nations and set the people against their rulers! Patriotism is one of the chief obstacles to the Social Revolution. When people begin to hate their governments, they will also begin to love one another. Then Liberty and Justice will be near at hand, for it will gradually become impossible to distract attention from economic evils by foreign wars. The boasted unification of Italy though wrought by some of the grandest of men, was really a step backwards, which we should be glad to see more than offset by the disruption of France, or some other great nation.

Enumerating recently some of the tyrannies which woman would support with the ballot were she allowed to use that instrument of oppression, we placed "greenbackism" in the list as the opposite of free money. One of our western readers asks us to explain the distinction between greenbacks and free money. There is not *necessarily* any distinction. Treasury notes receivable for voluntary taxes, if issued only in payment for services rendered to the government and in competition with other varieties of currency, would not violate freedom in the least. It is *greenbackism* that Liberty objects to, for its first and fundamental principle, as urged by its champions and in its platforms, is that it shall be a criminal offence for any individual or asso-

And the party of the second part, which was the master (boss), made answer to the party of the first part, which was the bondman, saying: "Verily I say unto you, I guess I owe you ten dollars; that's eight dollars; that's twenty per cent off; I guess that's all you'll get."

And the bondman made answer and said: "Verily I say unto you, 'the laborer is worthy of his hire;' 'ye shall not muzzle the ox that treadeth out the corn.'"

And the Centurion answered him and said: "Brother, you be dam as they skinned me out of fifteen per cent in Wall street, and if they shave me, I'll live off of shavings too."

### Chapter III.

And it afterwards came to pass that a great famine came upon the land, which was termed by the wise men of those days a panic.

And among the bondmen there was weeping and wailing and gnashing of teeth.

And floods overflowed the land, of waters, and of men who were called tramps.

And behold, prisons grew and multiplied and became fruitful and replenished the earth.

And behold, there was great rejoicing among the rich and the elders of the land, which, being translated, is capitalists with us.

And, lo and behold, the party of the first part, which was the bondman was carried forth to Calvary, which, being translated, is potter's field with us.

And the multitude which followed shouted a great shout of starvation, saying: "Of what hath this man died?"

And the multitude answered itself, saying: "He died,— he died,— well, he died because he lived on shavings, too. Poor carpenter!"

## **A Tale from the Persian.**

[San Francisco "Truth."]

### **Chapter I.**

Once on a time, in the early history of the Troglodites, a boss carpenter had finished a job for which, according to his contract, he was to receive cash upon completion.

He received, however, a note at ninety days; unable to wait for the maturity of the paper, he hired a pack mule and rowed across the ferry to Wall street.

Here he met with an obliging old acquaintance, whom he had never before seen, who offered to cash the paper in consideration of a modest discount, which amounted to about fifteen per cent.

Delighted at the reduced amount he would thereby be enabled to place to his credit account in his ledger, he proceeded upon his way rejoicing.

Ere arriving at the pagoda of his forefathers, he was met by a Parsee merchant from an adjoining wigwam.

This holy father, learned in all the sacred books, informed the carpenter that his notes had been shaved, and that many of the most noted families of the Aryan, Semitic, and Turanian races — more especially the Semitic — lived upon such food, which he termed shavings.

### **Chapter II.**

And it came to pass that the bondman of this carpenter, which in those days was called a journeyman, perambulated toward the attractive boss carpenter, which in those days was called employer, making an inquisitive inquiry of the party of the second part, concerning the reward for his toil, which in those days was called wages.

ciation to issue currency for circulation, and that there shall be no money except that issued by the government. In other words, greenbackism is money monopoly in its most extreme form. Free money, on the other hand, means free trade carried into finance, unlimited competition in the business of "making money," and, as a result, the utter rout of inferior and usurious currencies by the virtues of the cheapest and the best.

Somebody, for some purpose or other, has taken the trouble to send us a copy of a pamphlet entitled, "Theory and Practical Workings of Our System of Government," by General W. S. Rosecrans. We give a specimen of its profound political philosophy. On one page occurs this statement: "The power which declares the laws and enforces conformity to them is the government. . . . Since the object of its existence is the good of the governed, it seems most reasonable that it should be controlled by a majority of those for whose benefit it is instituted." Then three pages further on: "Voting is the exercise of a trusteeship, the right to which is to be determined by the law-making power on the principle of creating such trustees as will produce the greatest good to the greatest number." That is to say, the government, which should be controlled by the votes of a majority of the governed, should have the right to decide that no votes shall be cast except by such fraction of the governed as it may see fit to designate. This would do credit to an owl. The main purpose of the author, so far as we can gather, seems to be to lessen the evils of the caucus system by having the State "furnish each trustee with authentic and timely expressions of public opinion and public intelligence as to the character and qualifications of persons to be voted for." When an attempt is made to carry this out, we shall have a mighty interesting time of it. Imagine it in force in Massachusetts next fall,— the legislature flooding the rural districts with "public opinion" about Governor Butler and Governor Butler counteracting this with "public opinion" about the members of the legislature, the whole being done without the machinery of campaign commit-

tees and paid for out of the public funds! It would be nuts for the printers, but mightn't the tax-payer think he was paying a little too dear for his whistle?

Heywood has been arrested again on an obscene literature charge,— this time, however, under a State law, instead of for an offence against the United States mails. He was arraigned at Worcester a few weeks ago, when the district attorney made an effort to push him to trial without any opportunity for preparation. Judge Pitman would not allow this, and consequently the trial will take place either in August or October at the discretion of the district attorney. The special offence charged is the distribution of a tract written by Mrs. Angela T. Heywood upon the right of woman to prevent conception, in which the sexual organs are spoken of with unusual freedom and in a style which Liberty would neither adopt nor recommend. Still the argument is legitimate, sober, and earnest, and contains nothing lewd or lascivious in the least, and it would be a most contemptible outrage to punish any one for circulating it. For one reason we are glad the arrest is made under a State law. It will test the quality of the devotion to Liberty professed by those Liberal League leaders who have elaborated ingenious arguments to show that the States may regulate morals but that the national government cannot. We shall now see whether Mr. Thaddeus B. Wakeman and his friends object to the substance of tyranny, or only to a certain form thereof. Mr. Heywood, by the way, desires to print in pamphlet form the stenographic report of his recent trial. It is a commendable purpose, and any friend of Liberty who wishes to aid in its execution may send his contribution to "E. H. Heywood, Princeton, Mass."

Our ardent and admirable contemporary, "Le Révolté," says with truth: "The Anarchists can have but one well-defined rule of conduct,— to break down all barriers which prevent humanity from marching forward, not only those which exist, but also those which some would like to create in place of those destroyed. Humanity can progress freely only when each in-

principally because competition cannot be brought promptly to bear in a business so difficult of establishment as that of long-distance transportation. The first important manifestation of voluntaryism will probably appear in the banking world in the form of an organization of credit. This will make competition very active and promote individual and associative enterprise to an extent hitherto undreamed of, and the people will thus be constantly familiarizing themselves with the voluntary principle. Then, after the banking reform has made capital abundant and easy of concentration for important public purposes, they will be in a position to build and run railroads on the voluntary principle. As to our friend's hypothetical cases of individual obstinacy, we can only say that they seem to us very idle suppositions. Nevertheless, if they should occur, they must be respected, for aught that we can see. If a man is legitimately using a piece of land for a certain purpose, no State or other power is justified in taking it from him to use for another purpose. It is better to suffer great inconveniences than the evils engendered by the violation of individual rights. But it should be remembered that nothing stifles public spirit like compulsion and nothing inspires it like freedom; and it may be set down as one of the certainties that, when Anarchy prevails, individuals will be much readier than now to make sacrifices for the public good. After Mr. Labadie's pertinent and effective criticisms upon Henry George's plan, we do not see how he can call it "practical." It certainly is a practical plan for the perpetuation of rent levied by the hardest-hearted landlord imaginable, but for benefiting humanity and securing labor in the possession of its own it is one of the craziest schemes ever brought to our attention. — Editor Liberty.]



earn enough to keep life in the body, they must pay their rent just the same, *or be evicted*, and that would be a denial of the “natural” right to live on the land which gave them birth.

I have seen *Liberty* several times, and read it with a great deal of interest. My friend P.J. McGuire leans considerably toward Anarchism, and it is quite probable that if that philosophy could be got before more readers, a large number of converts could be made, because the present State has harassed so many with “laws” that they have grown disgusted with it. I will try to get subscribers for *Liberty*, because it has so many good things in it which tend to create thought. It bears the mark of a higher standard of scholarship than reform papers as a rule.

Yours fraternally,

Joseph A. Labadie.  
Detroit, Michigan, May 7, 1883.

[The receipt a few weeks ago of the foregoing letter from a very intelligent man heretofore prominent in the councils of the State Socialist was unspeakably gratifying to us. The spirit of honest inquiry which pervades it will soon land the writer on solid and satisfactory ground. He should not hesitate, however, to adopt a principle indisputably true simply because certain difficulties seem to stand in the way of its application in special directions. Let him inquire first if the voluntary principle be true; and if he finds that it is, then let him advocate it through thick and thin and apply it where he can, trusting to human ingenuity to provide for its universal application eventually. We frankly admit that difficulties will be encountered in applying it to railroads and highways, and we believe that these will be among the last interests to come under its influence,

individual is left to follow out his tendencies.” Exactly so; but in that case what will become of the barrier which “*Le Révolté*” proposes to create between A. B., the shoemaker, and C. D., the tailor, to prevent the exchange of the shoes made by the one for the coats made by the other? Is that to be allowed to stand? If so, what will become of the freedom of the individuals A. B. and C. D. to follow out their tendencies, and consequently of the progress of humanity? These are grave and vital questions, and we should like to have “*Le Révolté*” reply to them. If we understand “*Le Révolté*,” that excellent journal, in spite of its commendable opposition to Authority, almost always concludes its attacks upon it by advising the people (who the people are and how they are to manifest themselves does not appear) to exercise Authority to the extent of forcibly despoiling all individuals of all their tools and materials and administering the same collectively (whatever that mysterious adverb may imply). Whether such obstreperous individuals as may refuse to be thus summarily “collected” are to be imprisoned or shot or starved we do not know; certain it is that they are not to be allowed to produce for, and exchange with, each other in their own way. Now, it seems to us that this would be simply to substitute for the present State one even more objectionable, and that the *régime* thus inaugurated, far from being Anarchy, would be one of the most tyrannical Anarchies imaginable. Under it (to use a favorite metaphor of French radicals) laborers would continue to be cooked and eaten, but with a slightly different sauce. *Liberty* thinks twice before criticising “*Le Révolté*,” but maintains nevertheless that the task of intelligent socialism is not to deprive individuals of their capital, but to abolish the privileges and monopolies which make capital an instrument of theft from labor; and that whoever maintains the contrary is not an Anarchist, but an *Autoritaire*.

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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, not hindered or driven by oppression, not deceived by erroneous opinions.” — Proudhon.

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## Memorial Day and Its Mockeries.

The vast machine through which the masses are victimized and bled by their industrial and political masters is known as the State. It is poised on three main pillars,— fraud, force, and superstition. Very naturally, such a contrivance must needs invest largely in advertising schemes by which to counteract the growing encroachment of new light upon its “true inwardness.”

Previous to the late war, Fourth of July sufficed to keep the people well seasoned in humbug. But when, after the Rebellion, the Republican party found itself in the potency and promise of indefinite rule, the political Barnums seized upon the happy idea of an annual show which should be animated by all the sacred associations and memories of departed friends. Of course, to refined and elevated souls this vulgar display and tomfoolery over the graves of kindred and loved ones is as offensive to good taste as it is disgusting to native sensibilities; but the masses naturally “catch on” to a scheme of political advertising under this hypocritical guise. The dodge has thus far proved a complete success, and the resources of popular ignorance and stupidity will doubtless prove equal to many repetitions of the show.

Let us look for a moment at the enormous crimes which, having been created by this so-called “government” of the United States, its ruling political knaves now ask the victims to memorialize from year to year by mingling praise and

voluntary associations could run post-offices, railroads, schools, waterworks, issue their own credit as money, and do almost everything the State now does, but there are so many things, as I said before, which I see no way of doing without the power of the community *force*. It seems to me that we too often overlook the element of force in social matters,— that is to say, the exercise of power to establish a right. I am not blind to the fact that power is now to a large degree used to establish wrong, and whether by the establishment of an equilibrium of power right would not be the result is what interests my mind.

There is, as another instance, the just distribution of land. I have read Mr. Georges’s book very carefully, and take a great interest in its distribution, keeping one in my pocket almost all the time to sell anyone who wants to investigate the land question; yet I am not satisfied that his theory will accomplish full justice. It is though, in my opinion, the most practical plan I have as yet seen; but there are a good many questions which arise that George’s book don’t seem to answer. Here are some which I put the other day to an enthusiastic George man, but I was not answered in a satisfactory manner. If rent is wrong when paid to an individual, does it become right when paid to the State? Is it right for the State to do that which it is wrong for the individual to do? If it is wrong for an individual to evict a tenant for non-payment of rent, would it be right for the State to evict a tenant for the non-payment of rent? You see, it is still a question of *right*. Under George’s plan, if a family is sickly and just able to

the only difference between these different social schools is a political one. The State Socialist would have the majority rule the minority; the Anarchist would have the majority rule itself, but have no coercive power to force the minority to conform to its ruling. You may take exceptions to the difference as I state it, and say that it is a question of right. That may be true, too; but when we begin to define "rights," we get at sea. Of course, we all aim at the "greatest good to the greatest number," but how to bring that about is what men disagree upon.

I like the idea of voluntary association taking the place of the present coercive State, but I cannot see how, under such a system, many of those things which directly interest all could be inaugurated. How could the right-of-way for railroads, for instance, be acquired? After the roads were built, I can see clearly how they they could be run, but in their construction is where I cannot see the practicability of such a system. Suppose a railroad was intended to be built from one given point to another, between which points it would be necessary to cross land already occupied by an association or an individual, and this association, or individual, refused to allow the road to cross,— what would be done? Suppose a gold, coal, or other mine was found on a piece of land already occupied, and the occupier refused to allow it mined and would not mine it himself,— what would be done in that case? Who would have the deciding of the matter? And there are thousands of such questions that come to my mind, the answers to which are not clear to me, and I become confused. It is plain to me how

thanksgiving to itself with the sad memories of their loved ones.

The government's first crime (if we except the crime of its existing at all) was in persistently protecting African slavery with the Federal bayonet. To this, and to this alone, was the perpetuation of chattel slavery due. When Garrison cried to the American government to take the bayonet from the breast of the slave and leave the master to take his chances with the victim, he was answered by the educated mob of Boston with the halter and scouted by politicians of every stripe as an outlaw and madman. To refuse to furnish slavery with its only sure protection, the bayonet, was arch treason to the "law and order" upon which this government stood.

The government having forcibly protected slavery and sanctified it with the mantle of constitutionality, the slave power naturally counted upon its governmental guarantees and became arrogant and belligerent when a party came into power which threatened to encroach upon these guarantees. Its resolution to withdraw from the Union, the constitutionality of which has never been successfully questioned, turned the heads of the North. It needed but an attack on Federal property, and the demon of war was let loose.

The terrible sequel need not be told. The total of men called for and enrolled under President Lincoln's proclamations amounted to nearly three million. Of these over three hundred thousand fell in battle or died in hospitals. The national flag now floats over Andersonville, while thirteen thousand graves lie along the hillside to tell their silent story of horror to the visitor. The volume of men set to work by this slavery-protecting government to kill their fellow-men aggregates a number equal to the combined populations of Maine, New Hampshire, Vermont, Connecticut, and Rhode Island, with nearly half the population of Massachusetts thrown in. A population equal to the entire inhabitants of a city like Fall River was swallowed up in the one battle of Gettysburg.

If any individual or association of individuals outside the State had persistently defended an institution by force and then compassed the lives of three hundred thousand of their friends in battling down a monster of their own special creation and nursing, said individuals would long ago have cut their own throats in remorse or called upon the rocks and mountains to bury them in everlasting shame. Yet scoundrelly politicians who stand as the representatives of such a governmental association not only dress up in the gaudy insignia of their shame and strut before the public, but call upon the widows and orphans of their victims to follow them to the grave and mingle praises to the American State along with their tears and garlands. At their side are willing Reverend frauds and bloated political gushers to extol such a shameless swindle and invoke the blessings and favor of Divinity.

When these things are contemplated by one who has pricked the foul sham of political government it brings out the astounding stupidity and gullibility of the masses in a very painful light. When to this is added the thought of the crushing national debt which is to grind the descendants of the murdered victims in the endless toils of usury, the vastness of the crime memorialized in Godly hypocrisy and fraud on Decoration Day is indeed startling. Such humiliating and sickening exhibits may well nerve the Anarchist to increased zeal, boldness, and out-spokenness in the pressing duties which his conviction calls for. The work ahead is indeed herculean, but it is imperative. Lend us a hand if your heart is right and your head level.

### **“Pounce & Co.”**

Mr. Benjamin E. Woolf, who has written several successful comedies, perpetrated one continuous blunder when he wrote “Pounce & Co.” and called it a satirical comic opera. He at-

I honor duly Mr. Cobb and all others who sided with right against obscenity in the late conflict, but, in reply to the special effort made to distinguish him at the expense of others, it should be said that he said all along that it would be “suicide” for me to conduct the defence. Even as late as March he “saw nothing improper” or unwise in my breaking an implied, if not seriously actual, contract made with Judge Nelson January 1, in order to “take back the old team” of lawyers!

Truly yours,

E. H. Heywood.

Whoever may be in error in this matter, it is scarcely worth while to devote further space to it in this tiny sheet; so we close the discussion here. — Editor Liberty.]

### **Almost an Anarchist.**

*To the Editor of Liberty:*

Dear Sir,— I have for some years been connected with the Socialistic Labor Party, but within the last year or two I have lost considerable of that faith in and enthusiasm for State control which I had when my mind was more a stranger to the study of social philosophy. I cannot tell whether I am undergoing a kind of mental evolution or not. I commenced about fifteen years ago a trade unionist; then I became a Greenbacker, then a Social Democrat (State Socialist), and where I will be next I don't know. I am much pleased with the philosophy of Anarchy so far as I know anything about it, and that is very little. If I understand the question correctly,

(4) This is a distinction “twixt tweedledum adn tweedledee.” Of course, when the judge said “designed and intended,” he meant designed and intended by the manufacturer, and not by the advertiser; otherwise, why did he use the following words: “Whatever the words of the advertisement may mean, unless the article advertised is designed and intended for this particular purpose, the charge has not been proved.”

(5) Of course he will, and we never said to the contrary.

(6) It may be audacious in us, but we still maintain, in spite of the Winsted “Press,” that anything that “teaches Comstock to be more careful in the future” does render “less dangerous than before” the exercise of those rights which he is trying to strike down.

(7) The judge, in ruling that the extracts from “Cupid’s Yokes” and “Leaves of Grass” were not too obscene to be set out in the indictment, took care to say that it was the jury’s province to determine whether they were obscene as a question of fact. What, then, is to prevent new indictments from being drawn with the objectionable matter set out, and Mr. Heywood from being rearrested on them?

(8) Not having pronounced any such judgment, we are not called upon to perceive it to be erroneous or otherwise. Our judgement was, not that the victory renders future arrest impossible, but that it renders future conviction much less probable.

(9) Perhaps we had better say, in conclusion, that we originally referred to this matter because we thought we saw an effort in progress to “boom” Mr. J. Storer Cobb even at the expense of the victory. Now, Mr. Cobb is an able man and a good friend of Liberty, and, the more he is “boomed,” the better we like it; but the truth must not be obscured for the purpose. In this connection the following letter received shortly after the appearance of our last issue, may prove of interest:

*To the Editor of Liberty:*

tempted to satirize the struggle between labor and capital, but, having not the faintest perception of the true nature of the struggle and knowing absolutely nothing of the principles of justice upon which the demands of labor are based, he merely succeeded in voicing the dull-witted self-complacency of the money-worshipping *bourgeois*.

The motive of this alleged satire is glorification of benevolent capital. It aims to draw caste lines and teach the working classes their “station.” The character which the author evidently designed to be the model laborer is a working girl who is extremely grateful to be allowed to live at all, who knows her place, is content with any wages capital may condescend to allow her, and talks double-distilled nonsense about having no business with accomplishments and not being above her station. All the truths about labor are put into the mouths of drunken, lazy, ill-conditioned fellows, who are wretchedly ungrateful for all the favors showered upon them by benevolent Pounce & Co. But Mr. Woolf is serenely unconscious that the utterances of his grumbling, unwashed, and unshaven disreputables are clear, solid truths instead of satire. For instance, the representatives of the great unwashed in this “satirical” opera say: “Capital is never honest;” “Capital has no rights;” “We are the hard-handed sons of toil. What would capital be without us?” etc. Good, honest doctrine, this; not satire at all.

And then the model working girl is supposed to expose the ingratitude and fallacy of these remarks by inquiring what the workmen would be without capital, meaning the capital that exploits labor. Mr. Woolf assumes, wholly without basis and with the assurance of ignorance, that it is the rough, uneducated, vagabond type of man who has ideas of equality and preaches the rights of labor. His whole opera depends upon that notion for its intended satire.

Not so, Mr. Woolf; in truth, quite other than so. You are the satire upon the class of men who affect to preach the delights of poverty, the embarrassments of wealth, and with detestable

snobbery teach the “drudges” their station in life. Your “Pounce & Co.” is a heartless, brainless piece of dilettanteism, conceived in ignorance and brought forth in stupidity. Of sympathy with poor, struggling, bewildered humanity there is not a trace in any line you have written. Your satire is a cruel, jeering lie; your fun is a ghastly mockery. It may be pleaded that you do not know any better, but if you had a heart to feel, your head would not be so mournfully vacant, so impervious to the truth which is clamoring for recognition all about you. Your achievement is discreditable,—painfully bad, being but an unvarnished and despicable quackery. In the name of humanity, thou poor contemptible manikin, bury thy satire and write no more, but try, with whatever glimmer of light thou canst get, to see the realities of this world and recognize a brother in the worker groping in the darkness for some way out of bondage!

### **No Sovereignty But That of Right.**

“Le Journal des Economistes,” the French organ of the Bastiat school of political economists, has an article in its April issue, entitled, “A Contradictory Programme,” which discusses a platform recently adopted by one school of French socialists. This platform has two divisions,—one political, the other economic. The political division squarely favors individual liberty of all sorts and the abolition of privileges and monopolies. The economic division asks the State to furnish labor to every able-bodied citizen, credit to every laborer, education to those not yet able to labor, and support to those who have outlived their ability to labor. E. Martineau, the writer of the article referred to, brands this programme as inconsistent with itself, and clearly shows that its economic division invades the individual whom its political division declares sacred from invasion. To be sure, in doing this he incidentally says many foolishly false things about credit, *assignats*, paper money, and

think that by this time you will perceive that both your judgments of this trial — first, that there was not sufficient ground to prevent Mr. Heywood’s “rearrest on the same charges embodied in more perfect indictments,” (7) and, second, that the victory renders impossible the future arrest of any one who may do as Mr. Heywood did (8) — are equally erroneous: the one falling as far below as the other rises above the true estimate. (9)

Josephine S. Tilton.  
Boston, May 22, 1883.

[(1) We have not claimed that Mr. Heywood’s victory vindicated any principle; only that it rendered the liberties of the people more secure by very materially increasing the difficulties of conviction.

(2) According to this, then, if Comstock arrests a man for mailing an advertisement of a syringe and it is proved that the man did mail it, a charge to the jury that the government must prove that the article itself was designed and intended for the prevention of conception, and that the weight of Comstock’s testimony is to be judged by his deceptive practices, will not tend to keep the man out of prison. Such an argument answers itself.

(3) Whatever a juryman may have said, we simply do not believe that the jury spent several hours in discussing the question of the mailing alone. And even if it had done so, would that have detracted from the greater value of the rest of the judge’s charge? If the jury was obliged to acquit because of doubt on the fact of mailing, concerning which there was at least a little evidence, would it not have been all the more obliged to acquit when it came to consider the design and intent of the article, concerning which, if our memory serves us, there was no evidence whatever?

that you have placed that worth at too high an estimate. There is nothing in the decision that can keep from prison “the very next man arrested on a similar charge, if he is unfortunate enough to have the fact of mailing fastened upon him.” (2) As one of the jury has since told me, the only fact considered was whether there was proof of the mailing, and the verdict of “not guilty” was given because of the absence of such proof. (3) The judge did not charge that the article advertised must be *manufactured* for the purpose of preventing conception. He said that the government must prove that it was designed, intended, and adapted for the purpose named. (4) Mr. Heywood will be liable to another arrest if he again sends through the mail the same advertisement. (5) As he himself writes, the “savage statute remains, threatening ‘legal’ torture to all the investigators of social evil.” The Winsted “Press” states the matter well when it says: “It is no less dangerous than before to send Whitman’s poems, ‘Cupid’s Yokes,’ or the syringe advertisement by post. The right of Comstock or any other wretch whom the government or a self-constituted ‘vice-society’ may appoint to supervise the reading of the public, sit in censorship over the press, and violate the principles of that most sacred of all rights, free speech, is in no sense denied. Mr. Heywood is free, not because he was arrested wrongfully in the exercise of his rights, not because the charge against him was one for which he cannot be punished if found guilty, but because the charge was not proven. This is not victory for principle; it is mere good luck for Heywood, and will simply teach Comstock to be more careful in the future.” (6) I

the theories of Proudhon, but Liberty is willing to forgive him much in view of his closing pages upon the stupid doctrine of the “sovereignty of the people.” In reprinting them, we commend them to the attention of all State socialists and to that of such anarchists as are so short-sighted that they cannot see that, if they were to succeed in depriving individuals of their freedom to produce and exchange, they would simply have substituted one State for another instead of having abolished the State:

The doctrine of the sovereignty of the people will not bear careful and serious examination. Whoever says sovereignty says omnipotence, and those who maintain the omnipotence of the people and consequently of the legislator should beware lest they thus lift certain mortals into demigods to whom anything is permitted and who know no limit other than their own capricious will. The good sense of the masses, which identifies law with right and lays upon the legislator the obligation of respecting justice as a limit, protests against this false idea. How happily was Mirabeau inspired when he cried: “Right is the sovereign of the world.”

The sovereignty of justice, that is the true formula, and justice is respect for the liberty of others. There is no right against right, and if one man has not the right to violate the liberty of another man, no more have a hundred millions of men...If my personality and my liberty belong to me, no one has a right to touch them, and I do not recognize the right of any majority whatever to violate my right or deprive me of my patrimony. The number of the oppressors does not make oppression legitimate, and, if that is true, the

system of the sovereignty of the people is judged and condemned as a certain error.

The sovereignty of the king was the principle of absolute monarchy, and was expressed in this celebrated phrase: "For such is our good pleasure." Under such a *régime* there were no citizens, but a troop of slaves, and for that reason they were called subjects. This *régime* was odious, no doubt, but it was not absurd, for the sovereignty was attributed to a living personage who monopolized privileges and pleasures.

But the sovereignty of the people,— what does that mean? Does it mean that the people is a living entity? Does the word signify anything more than the collection of individuals who compose a State? The people is not a real being, and therefore to make it a sovereign is to crown a myth and a phantom, is to establish a sovereign of the fancy and beneath it a people of subjects.

Singular step in evolution! The progress of human mind is so slow that it cannot free itself at a stroke from the yoke of despotism. Monarchy was odious to it, and it made a revolution to destroy it, but, instead of abolishing sovereignty, it confined itself to displacing it: from the prince it transferred it to the people; the despotism of an individual it changed into collective despotism. That famous signature: "For such is our good pleasure," has not been suppressed; it has been given to the people; and now it is no longer the king, but the majority which holds the pen and puts the monstrous formula at the bottom of its decrees.

Well, the truth does not lie in this half-evolution; it is necessary to advance further, to take another step in the path of progress. It is not enough to displace sovereignty; it must be abolished. The right to oppress right must not be recognized either in one man or in a majority of men. It is necessary, in short, to proclaim the reign of justice, to say with Mirabeau: "Right is the sovereign of the world." For under such a *régime* there will be no subjects, and each may say with a more legitimate pride than the ancient Roman: "I am a citizen of a free country."

To sum up, a flagrant contradiction exists between the two sections of the socialistic programme: if the political section is inspired by liberty, the other, the social section, rests upon the doctrines of authority and the Cæsarian State. Between these two antagonistic doctrines, between thesis and antithesis, there is no reconciliation, no possible synthesis; the contradiction stands, and suffices to condemn the programme.

## The Value of the Heywood Victory.

*To the Editor of Liberty:*

In your last issue you comment upon letters which have been written by Lucy N. Colman and me respecting the Heywood trial, and take exception to our estimate of the value of the result as a vindication of the principle for which the challenge was avowedly made. (1) I have, as you say, every desire (and I am sure that L. N. C. has also) that "Mr. Heywood's victory shall be utilized for all that it is worth." I think, however,