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HERBERT SPENCER AND THE MYTH OF LAISSEZ-FAIRE

BY MARK FRANCIS

It has become customary to mention Herbert Spencer and the idea of *laissez-faire* thought as if they were indissolubly linked. The article on *Laissez-faire* in the *International Encyclopaedia of the Social Sciences* mentions Herbert Spencer as the theory's most extreme advocate. A recent republication of Spencer's essays was introduced by the comment that, "Only a few people at once libertarian in their politics and of extreme *laissez-faire* opinions in their economics kept [Spencer's] memory at all green."¹ Ernest Barker, who is still taken as an authority on nineteenth-century political theory by some historians wrote: "From 1848 to 1880 the general tendency is towards individualism. The policy of *laissez-faire* finds general acceptance. *Laissez-faire* means on the one hand, and in domestic politics, a restriction of government activity to the bare minimum; on the other hand, and in foreign affairs a policy of free trade and of friendship between nations. Spencer is the thoroughgoing prophet of *laissez-faire*, from *Social Statics* 1850 (sic), at one end to *The Man Versus the State* 1885 (sic) at the other."² From this quotation two ideas should be emphasized. First, Barker identifies *laissez-faire* with restriction of government activity. Second, he views Spencer as a monolithic thinker, by which Barker means a thinker whose ideas never changed.³

¹ Herbert Spencer, *The Man Versus the State, With Four Essays on Politics and Society*, ed. Donald MacRae (Penguin ed., 1969), 7.

² Ernest Barker, *Political Thought in England, from Herbert Spencer to the Present Day* (London, 1915), 19-20. Barker retained these mistakes on the dates of publication—they should have been 1851 and 1884—in his second edition which he re-titled *Political Thought in England, 1848 to 1914* (London, 1928), 19-20.

³ Even Barker's major critique of Spencer consists in first picturing him as consistently individualistic from 1851 to 1884, but also condemning his theory as internally inconsistent. "Spencer was always the consistent advocate of an *a priori* individualism; and the inconsistency which he betrayed was not an inconsistency between what he held at one time and what he held at another, but an inconsistency between the two discrepant elements in his permanent theory, which he held together all along in an unreconciled antinomy—the element of individual rights and the elements of social organism." (Barker, *Political Thought in England*, 128.) Ghosts of Barker's view of Spencer's "inconsistency" linger on. See W. M. Simon, "Herbert Spencer and the Social Organism," *JHI* (1960), 294-99, and Donald MacRae's introduction to *The Man Versus the State* (Penguin, 1969), 26-30. The dangers of regarding Spencer as a monolithic figure are well illustrated by a recent article which is completely vitiated by the failure of its author to recognize changes in Spencer's thought. William L. Miller in "Herbert Spencer's Theory of Welfare and Public Theory," *History of Political Economy* (Spring 1972), 208, used Spencer's *Principles of Ethics* (1892) in a 1910 New York edition of Spencer's works to establish that he was a hedonist utilitarian;

Barker's views on *laissez-faire* have been supplemented by some economists.⁴ Jacob Viner, in his article on "The Intellectual History of Laissez-Faire," concludes a lengthy and laborious definition of his subject by saying he will not refuse the *laissez-faire* label to any writer who in general accepts the limitations he has enumerated to government activity, even if he occasionally, incidentally, and inconsistently relaxes these limitations. Viner permits advocates of *laissez-faire* an unknown number of exceptions which run contrary to the substance of his definition.⁵

Viner's flawed definition, or one like it,⁶ is accepted by most writers on the subject of *laissez-faire*, and it has a peculiar effect on their thinking. They are prepared to find exceptions in their research, but feel no need to explain them.⁷ This is a condition of mind which makes critiques difficult. Scott Gordon made a study of the early *Economist* newspaper and concluded that it was the very epitome of *laissez-faire* thought. He gave a small (and incomplete) list of exceptions where the *Economist* advocated government interference, but ignored them and offered no explanation.⁸ F. W. Fetter's excellent study of economic articles in *The Westminster Review* from 1825 to 1851 is marred by the section dealing with the period 1840 to 1851 when the review had passed from the control of John Stuart Mill. In this period, Fetter noted that there was no longer a consistent *laissez-faire* policy in the review, but offered no explanation of this inconsistency.⁹

that comment is valid about the largely unread *Principles of Ethics*, but ignores the fact that Spencer's anti-utilitarian *Social Statics* was widely circulated in the United States in an unrevised form until the 1890s. The situation is also complicated by the fact that the works published between 1851 and 1892 displayed a variety of positions towards utilitarianism.

⁴ Some historians of economics have been more scrupulous in their handling of historical detail than those referred to in the text of this article. For example, Lionel Robbins, *The Theory of Economic Policy* (London, 1952), 36, states that the attitude of Herbert Spencer in *Man Versus the State* was one of simplicity rather than one which embodied a *laissez-faire* doctrine. Robbins adds it is not unfair to depict Spencer as opposed on principle to state regulation concerning health, safety, and compulsory education. This remark is correct if it limits the discussion, in the way Robbins seems to have done, to Spencer's attitude during the 1880s and 1890s when *Man Versus the State* was written.

⁵ Jacob Viner, "The Intellectual History of Laissez-Faire," *The Journal of Law and Economics*, 3(Oct. 1960), 45-46.

⁶ Some historians talk of a "tendency" towards *laissez-faire* in the nineteenth century, a figure of speech which allows them to ignore any exceptions. If "tendency" is anything more than a figure of speech then it postulates some being which can have tendencies, such as a social organism.

⁷ Donald Read in his *Cobden and Bright* (London, 1967), 3-4, 189, 209 is forced to qualify his explanations of social and economic theory in terms of exceptions to *laissez-faire*; that is, where Cobden or Bright thought government action was appropriate both in theory and practice.

⁸ Scott Gordon, "The London Economist and the High Tide of Laissez-Faire," *Journal of Political Economy*, 63(Dec. 1955), 486.

⁹ Frank W. Fetter, "Economic Articles in the *Westminster Review* and their Authors, 1824-51," *Journal of Political Economy*, 70(1962), 577-81.

In a similar way, Spencer's ideas on land nationalization have been simply dismissed as an inconsistent vagary by M. Beer.¹⁰

A fully developed theory of *laissez-faire* has some other aspects which have not yet been mentioned. These can be best seen in John Maynard Keynes' *The End of Laissez-Faire* (1926). Keynes believed that there had been a union between the economist and the Darwinian:

The Economists were teaching that wealth, commerce and machinery were the children of free competition—free competition had built London. But the Darwinians could go one better—free competition had built Man. The human eye was no longer the demonstration of Design, miraculously contriving all things for the best; it was the supreme achievement of chance, operating under conditions of free competition and *laissez-faire*. The principle of the survival of the fittest could be regarded as a vast generalisation of the Ricardian economics.¹¹

To this theory Keynes adds some comments on the "peculiar unity" of everyday political philosophy in the nineteenth century, and then, on the basis of this peculiar statement, he draws together all the thought of a century. The campaign for free trade, the so-called Manchester School, the Benthamite Utilitarians, the utterances of [unnamed] secondary economic authorities and Miss Martineau's stories, are referred to as a school of thought. This school had, at some unnamed time, accepted the Malthusian view of population.¹² Finally, Keynes adds that there was a parallel between this school of economic *laissez-faire* and Darwinism, and that Herbert Spencer was first to recognize this parallel to be very close indeed.¹³

Keynes's theory of nineteenth-century *laissez-faire* is in fact a theory of Social Darwinism. There are three elements in this theory. First, Keynes made a connection between Malthus, Darwin, and *laissez-faire* theory which can be expressed by the idea of the "survival of the fittest." Second, he saw a "peculiar unity" of political philosophy in the nineteenth century in favor of the *laissez-faire* theory. Third, he thought that Herbert Spencer was a vital link connecting the various parts of the theory: remove him, and the theory falls apart.

One unintended side effect of the theory of Social Darwinism is that the mention of Darwin has attracted the attention of some historians of science to the problem of social theory; e.g., Robert M. Young, realized that Spencer was anti-Malthusian, and so did not provide the connection between gloomy Malthusian doctrine and social Darwinism. Unfortunately, Young regarded Spencer as an exception to the rule, "a negative case"; one revolutionary theory could not make the customary mental leap from Malthus' fear of over-population and Darwin's natural selection to "survival of the fittest," and fear of governments interrupting the harsh evolutionary struggle which improved the race of men.¹⁴

¹⁰ M. Beer, *A History of British Socialism*, Part II (London, 1940), 240.

¹¹ John Maynard Keynes, *The End of Laissez-Faire* (London, 1926), 13-14.

¹² *Ibid.*, 22.

¹³ *Ibid.*, 31.

¹⁴ Robert M. Young, "Malthus and the Evolutionists: The Common Context of Biological and Social Theory," *Past and Present*, 43 (May 1969), 137. Young

The chief objection to the theory of *laissez-faire*, essentially which described the nineteenth-century attitude to politics and economics, is that it roughly characterizes the work of only John Stuart Mill. He was the only prominent advocate of the ideas of Malthus and *laissez-faire* during the mid-century. Unfortunately for the theory, Mill ignored Darwin and avoided ideas of excessive struggle in favor of a vision of rational man adopting voluntary restraints.

For the rest, there was no “peculiar unity” of political thought in favor of *laissez-faire*; the majority would be opposed to it. The Tory reviews, *Blackwood's* and *The Quarterly*, which far outsold the radical *Westminster Review*, held as an integral part of their aristocratic principles that government had a responsibility to take care of the worthy poor.¹⁵ Most radical economists of the 1840s and 1850s, the period when you would think they were most fortified by Anti-Corn Law support, rejected *laissez-faire* theory, and used the term in only a pejorative sense.

The only work which correctly analyzes in detail Spencer's early economic and political position is Elie Halévy's *Thomas Hodgskin*. Halévy described Spencer as an anarchist.¹⁶ Unfortunately, Halévy's suggestion has been ignored. Halévy had access to the records of *The Economist* and the Hodgskin family papers. The first of these was destroyed during World War II and the second has disappeared. His work cannot be duplicated, but it can be strengthened by the examination of some manuscript material which he did not have at his disposal, and by reference to some contemporary printed material.

Spencer's position as sub-editor of *The Economist* was a minor one. He wrote neither editorials nor reviews, and seems to have been responsible only for arranging the news.¹⁷ His important connection with the paper was his personal friendship with Thomas Hodgskin, who, during the 1820s and 1830s, had been an original and powerful writer on the subjects of economics and political theory. As appears from the following letter, Spencer used to go to Hodgskin's house once a week, and engage in “debates.” He

perhaps relies too heavily on Kenneth Smith's *The Malthusian Controversy* (London, 1951). As was shown by Harold A. Boner, *Hungry Generations, The Nineteenth-Century Cases Against Malthusianism* (New York, 1955), and D. E. C. Eversley, *Social Theories of Fertility and the Malthusian Debate* (Oxford, 1959), Malthusianism was almost universally rejected by the middle of the nineteenth century. Boner and Eversley do not bother to mention several anti-Malthusian thinkers in Spencer's time such as Thomas Hodgskin, G. R. Porter, and P. E. Dove. Presumably this omission is due to the fact that the arguments offered in the 1840s and 1850s repeated those used earlier in the century. There were, of course, evolutionary thinkers contemporary with Spencer who were also anti-Malthusian, for example, F. W. Newman.

¹⁵ Frank W. Fetter, “Economic Controversy in the British Reviews,” *Economica*, New Series, 32(1965), 424-37.

¹⁶ E. Halévy, *Thomas Hodgskin*, trans. A. J. Taylor (London, 1956), 25, 167, 171.

¹⁷ During the 1840s and 1850s, *The Economist* was a general weekly newspaper with much the same scope as a modern Sunday paper.

also borrowed books from Hodgskin's library, including Hodgskin's own works.

I opened your treatise upon the "Natural and Artificial Right of Property" with some trepidation thinking that as the establishment of *Rights* on a philosophical basis was in great measure the object of the work I have in hand I might probably find some of my own positions forestalled. As far as I can judge however from the cursory glance I have given to the essay, I fancy that although we are quite at one in our conclusions we do not arrive at them by the same process. You have I see quoted some of the same passages from Locke that I have myself referred to although not exactly for the same purpose for I do not think that Locke's arguments, though satisfactory as far as they go, go quite deep enough. However this is not a question to be argued in a note. We must reserve it for one of our Friday night debates.¹⁸

There are several features of great interest about this letter. It was written during the period Spencer was working on *Social Statics*, and, as Halévy has observed, Spencer's arguments in this work often parallel those of Hodgskin. This is particularly true of those arguments which oppose hereditary rights to property,¹⁹ and of those which oppose utilitarianism.²⁰ These arguments are so similar that it would seem that Spencer borrowed heavily from Hodgskin's work, or from his conversation.

Hodgskin also offered Spencer detailed criticism on *Social Statics*, and ensured that the work would receive some reviews.²¹ Not that this meant the two were in total agreement, indeed, Spencer had demanded the nationalization of land which Hodgskin later objected to in *The Economist*,²² but

¹⁸ Letter from Herbert Spencer to Thomas Hodgskin, October 22, 1849 (Knox College, Galesburg, Ill.).

¹⁹ Herbert Spencer, *Social Statics* (London, 1851), 114-35, and Thomas Hodgskin, *The Natural and Artificial Right of Property Contrasted. A Series of Letters, Addressed Without Permission, to H. Brougham, Esq., M.P., F.R.S., etc. (now the Lord Chancellor)* (London, 1832), 17, 32, 54.

²⁰ *Social Statics*, 16-24, 103-09, and *Natural and Artificial Right* 22, 102. Both Spencer and Hodgskin replace the doctrine of the greatest happiness with a doctrine of moral sense.

²¹ When Spencer sent a review copy of *Social Statistics* to Hodgskin it was accompanied by a letter which read: "I have at length the pleasure of forwarding you a copy of the work on which I have now been so long engaged. In doing so, allow me to thank you as I do sincerely for the assistance you have so kindly rendered me—assistance which by saving me from sundry inaccuracies has increased my chance of passing muster with the critics. Should there occur any case in which I can return the obligation I hope you will command me. I have so great a dislike to the *very appearance* of backstairs influence that I feel some doubts as to the propriety of any review of my book being published in the *Economist*. It is not to be supposed that you can be altogether as free in passing sentence upon it as though it were the production of a stranger. And should you think that all circumstances considered it will be best to leave it to the judgment of others I shall be quite content." Letter from Herbert Spencer to Thomas Hodgskin, Jan. 13, 1850, Knox College, Galesburg, Ill.

²² *The Economist*, 9 (Feb. 8, 1851), 149. The section on land nationalization

there are significant parallels between Spencer's *Social Statics* and Hodgskin's thinking on the subject of natural right as opposed to artificial right. The former was with man, a right of all men from birth. The latter was arbitrary power; whether or not it received a counterfeit sanction from kings or parliaments, it was naked force used against an individual's natural rights by another individual in the name of government or business. This last point is of great importance as it clearly indicates that these ideas are not *laissez-faire* ones. There is no question of telling business to get on with it, undisturbed by government interference. Neither business nor government had any right to dominate or control a single individual.

The artificial right of property was a divisive force in society. The peasant, noble, and priest were all interested only in grasping each other's wealth.

The right of property, which is now arming the land-owner and the capitalist against the peasant and the artizan, will, in truth, be the one great subject of contention for this and the next generation. . . .²³

Hodgskin even rejected the notion that increased capital was the great means of promoting improvement.²⁴

Hodgskin's three theoretical works, *Labour Defended Against Claims of Capital*, *Popular Political Economy*, and *The Natural and Artificial Right of Property Contrasted* all contain a major flaw, the same as the flaw in Spencer's *Social Statics*. Neither writer had a theory of social action.²⁵ In his preface to *Popular Political Economy*, Hodgskin warned that his work had no practical application so far as legislation was concerned. He also distrusted revolution. His view of the science of political economy was that "there already exists a *code* of natural laws, regulating and determining the production of wealth; and although they influence the conduct of individuals, in a national point of view, they are only susceptible of being known. To know is to apply them."²⁶ This is extremely vague because if, as Hodgskin believes, a code of natural laws already regulates and determines the distribution of wealth, then what is the purpose of knowing them. It cannot be "to know is to apply them," since they are already applied. Further, this statement causes Hodgskin's critique against government and man-made laws to lose much of its strength, because agitation to repeal them is unnecessary. Natural law is already the sole operative force in society, and

was the only part of the book which offended Hodgskin, the rest was "an epoch in the literature of scientific morality."

²³ *Natural and Artificial Right*, 15.

²⁴ *Ibid.*, 150.

²⁵ Spencer's land nationalization scheme was not connected to a theory of revolution, and it was politically naive to suppose such a radical reform could be accomplished without revolution. Spencer had no idea of how his scheme could have been put into action. Like Hodgskin, Spencer was pleading for an *ideal* society, which would be natural and beneficial. "Society" was distinguished from "government," which, by definition, was artificial and corrupt. The ideal "society" was an anarchist one, in which all men would live in harmony with no distinctions between them.

²⁶ Thomas Hodgskin, *Popular Political Economy* (London, 1827), xx.

constantly breaks down man-made impediments. Hodgskin's dilemma was that he saw a static society which could not be made to change by legislative or revolutionary action, while his critique seemed to have demanded such action.

Spencer's *Social Statics* should be seen against a background of radical economic and political theory of the 1840s and 1850s, much of which was hostile to *laissez-faire*, a term which was used only in a pejorative sense. Most of this theory was also anti-Malthusian.

W. E. Hickson,²⁷ editor of *The Westminster Review* during the 1840s, began his editorship with a declaration of intent that one of the duties of government was to ameliorate the physical and moral state of the great body of the people. He felt that a government should represent the concentrated energies of a whole people directed to the objects essential to their well being, and that the corn laws, education, currency questions, and protecting duties have nothing to do with this question. Hickson ends his declaration by calling *laissez-faire* government, government by impotence. The wants of man, he wrote, cannot be supplied by merely permitting him to engage upon fair and equal terms in a competitive struggle for the means of existence.²⁸

G. R. Porter, whose work, *The Progress of the Nation*, was the bible of radical economists of the mid-nineteenth century, was also anti-Malthusian and anti-*laissez-faire*. He saw the role of government as one of control by counteracting the natural tendencies of society. Governments are at least awakened to the necessity of counteracting the evil tendencies that have made such fearful progress.²⁹ Porter offered a general theory of economic progress which dispensed with both poverty and the Malthusian struggle. He thought that eventually the division of produce among the people will necessarily become more equal, because the further accumulation of capital will exceed still further the increase in population—the resulting bonanza would naturally be shared by all.³⁰

James Wilson, the founder and editor of *The Economist* and, incidentally, Spencer's employer, wrote in a pamphlet, "Influences of the Corn Laws," that all portions of society had the same interests and were not in competition with each other.³¹ His solution for the ills of the economy was con-

²⁷ For information about W. E. Hickson see F. W. Fetter, *loc. cit.*

²⁸ W. E. Hickson, "Elevation of the Labouring Class," *The Westminster Review*, 34(1840), 383-86. It is of interest that Hickson was not only against *laissez-faire*, but against Malthus. W. E. Hickson, "Malthus," *The Westminster Review*, 54(Oct. 1849), 133-67.

²⁹ G. R. Porter, *The Progress of the Nation, in its Various Social and Economic Relations, from the Beginning of the Nineteenth Century to the Present Time* (London, 1836-43), III, 173. Early this century, F. W. Hirst, the editor of *The Economist*, published an edition of Porter's work which made it appear as a *laissez-faire* tract. He accomplished this transformation by omitting, as padding, the section of the work which advocated government intervention. G. R. Porter, *The Progress of the Nation* (London, 1912), vi-vii. Hirst's omission includes some of the statements discussed in this paper.

³⁰ Porter, *The Progress of the Nation*, I, 179.

³¹ James Wilson, *Influences of the Corn Laws as Affecting of the Community, and Particularly the Landed Interests* (London, 1839), vi.

tained in some proposals for government expenditure. For example, the government should set up a Board of Internal Industry to promote and publish important information. He added, as an afterthought, that many regulations would be needed for this, but they would not be too troublesome or expensive.³² Wilson did not condemn the running of society by legislation, but he did condemn the ruining of society by partial legislation to promote particular interests.³³

This list of anti-Malthusian radicals could be further extended to cover men such as Patrick Edward Dove,³⁴ W. R. Greg,³⁵ Thornton Hunt,³⁶ and F. W. Newman, but only the last of these will be noticed, because Newman's *Lectures on Political Economy* (1851) contain a land nationalization scheme similar to Spencer's, though less sophisticated and detailed.

Newman's lectures begin with the customary praise of competition in trade, but do not extend this notion in order to impose restrictions on any form of government activity or social control. On the contrary, his social theory demanded government activity. He rejected the notion that land can be private property, basing his argument on moral grounds.³⁷ Unlike Spencer, he did not question the legitimacy of land titles, nor did he offer a labor theory of value. Newman explicitly rejected *laissez-faire* theory as a left-over from the days of religious persecution of dissenters by the State.³⁸ But in the modern world he thought that men should discard this antiquated theory in favor of the real sanctity of the political union. Newman's view of the role of government was expressed in the following emotive terms: "It is the duty of the State, not only to fine and tax, to flog and kill, but also, and much rather, to shelter the houseless, to strengthen the weak, to teach the ignorant, to reconcile the quarreling; to unite its citizens in firm bonds, to secure that society shall be cemented by mutual duty, and shall perform the offices of mutual kindness. This is the true SOCIALISM."³⁹ Newman ends his work with a plea that all those who are associated in labor ought to have moral union and joint interest.⁴⁰

The key thought in all the radical works discussed here is the idea of the natural harmony of society, the same doctrine that has been ascribed to Tory radicals such as Richard Oastler,⁴¹ though Tory radicals would doubtless have had difficulty with the radicals' demand for equality. It was this

³² *Ibid.*, 126-27.

³³ James Wilson, *Fluctuations of Currency, Commerce and Manufactures Referable to the Corn Laws* (London, 1840), 115.

³⁴ Patrick Edward Dove, *The Theory of Human Progression, A Natural Probability of a Reign of Justice* (London, 1850), esp. 45-52.

³⁵ W. R. Greg, *Essays on Political and Social Science* (London, 1853), I, 224 and W. R. Greg, *The Creed of Christendom* (London, 1891, 18th ed.), viii.

³⁶ Thornton Hunt's contributions to this subject can be examined in a number of signed articles he wrote for *The Leader*. The "Social Reform" series he wrote between Aug. 31, 1850, and Jan. 4, 1851, was particularly important, esp. "Social Reform" Nos. V, VI, VII, X, XI, XII, XIII, and XXIII.

³⁷ F. W. Newman, *Lectures on Political Economy* (London, 1851), 132-33.

³⁸ *Ibid.*, 310.

³⁹ *Ibid.*, 311.

⁴⁰ *Ibid.*, 341.

⁴¹ Cecil Driver, *Tory Radical, The Life of Richard Oastler* (New York, 1946), 424.

radical desire of a society which was naturally harmonious that prompted Spencer to write his first work *Social Statics*, and which permeated the first two of the three stages through which his political thought passed.

It is not necessary to dwell on Spencer's personal background beyond the fact that he was thirty when *Social Statics* was published, that it was the result of several years' labor, and that he never again devoted so much time to political and economic theory. The full title of Spencer's work was *Social Statics: Or the Conditions Essential to Human Happiness Specified, And the First of them Developed*. This was an unhappy compromise between his publisher who thought *Social Statics* would sell books,⁴² and Spencer's fierce anti-utilitarianism which imposed the use of the word "happiness" as a challenge to the Benthamites. Spencer had originally titled the work *A Philosophy of Right*,⁴³ and this would have been a more accurate description of its contents.

Spencer stated a common anti-Malthusian argument that men have multiplied until they are constrained to live more or less in the presence of each other, and that this density of population was necessary for the greatest sum of happiness.⁴⁴ This statement dictates a formulation of the conditions essential to happiness that militates against individualism in favor of social unity. Spencer's discussion of the conditions essential to human happiness states that man needs the social state to be happy, and that, therefore, he should not cause his fellows any unhappiness, and that he should aid them, that he should not be happy when he is isolated, and that he must be equal in all things if he is to be happy.⁴⁵

Equity does not permit property in land. Land is limited. If private property is permitted then eventually the whole of the earth's surface may be in private hands, and those who are not landowners will only exist upon

⁴² Herbert Spencer, *An Autobiography* (London, 1904), I, 359.

⁴³ One of the manuscript drafts of *Social Statics* begins with an undertaking to solve the problem of right. "The determination of a true rule of right is a problem at once the most momentous and judging by the past—the most difficult which humanity has to solve. Every age dissatisfied with previous attempts at its solution seeks for a new answer . . ." (British Museum Add. 43831, p. 2). This statement should be compared with the two provisional titles offered by Spencer in his *Autobiography*, I, 358-59.

⁴⁴ *Social Statics*, 67.

⁴⁵ *Ibid.*, 68-69. Spencer's argument is one of "sympathy" and a modification of Adam Smith's *Theory of Moral Sentiments*. Smith reconciles sympathy with a strong incentive for the self-centered accumulation of individually owned material possessions. He does this by asserting that an individual is more likely to gain approval and sympathy if he is joyous. One person's joy generates vicarious pleasure in the spectator who will feel sympathetic to the person who generates pleasure. Cf. Ralph Anspach, "The Implication of the Theory of Moral Sentiments for Adam Smith's Economic Thought," *History of Political Economy*, 4 (Spring 1972), 191. Spencer uses this part of Smith's *Theory of Moral Sentiments* to base his own reconciliation of the purely selfish instinct of personal rights with the rights of others. The only novel element Spencer claims to introduce is the statement that the sentiment of justice is a reflex function of the instinct of personal rights. *Justice* and *beneficence* have a common root which

sufferance.⁴⁶ In case the reader was not totally convinced, Spencer also offered alternate lines of argument proving that deeds to land have always been illegitimate.⁴⁷

In Spencer's eyes the lawful owner of land is "Society,"⁴⁸ which is the representative of all men. "Society" will compensate land-owners when land is nationalized, though not for the land itself, only for any improvements. Then "the great corporate body" would temporarily lease plots of land in return for rent paid in produce. The tenant could keep the remainder of the produce.⁴⁹

Spencer's work was mistaken by some contemporaries as a *laissez-faire* tract and W. E. Forster wanted to criticize it as such in *The Westminster Review*.⁵⁰ Except among his friends on *The Economist* and *The Leader* the work was misunderstood. Spencer's comment on several notices was "the reviewer has not read the book."⁵¹ The strange construction of *Social Statics* is probably responsible for these mistakes. The first four chapters of *Social Statics* deal with the pursuit of happiness in which men are limited only by abstract considerations⁵² based on each man's having the greatest freedom compatible with the like freedom of others, an argument similar to *laissez-faire*. Not until pages 88 and 89 does Spencer reveal that he has been building an *abstract* or artificial structure, which he adopts as a logical deduction but not as a complete or convincing statement. His first principle which he *must* so assert is a consequence of his "if-then" statement on the previous page.⁵³ After this logical statement Spencer remarks that abstract considerations will not restrain us and that therefore he will investigate the impulse in man himself which causes him to respect those limits.⁵⁴ It is the development of this "moral sense" doctrine which removes Spencer from the realm of *laissez-faire* thought and places him in the realm of natural harmony theorists who are basically anti-individualist in that they replace the individual's reason with an intuition or faculty which revolves around a group ethic. Some later critics have realized that Spencer's *Social Statics* was not a *laissez-faire* tract, though they have evinced some hesitancy on the matter. Henry Sidgwick "suggested" that Spencer was writing of an ideal society, conceived of as having no need of government, so that politics, in the ordinary sense, vanished altogether.⁵⁵

At this period, the late 1840s and early 1850s, Spencer habitually spoke of "Society" as good, and of government as evil or bad. He was in favor of "Society" interfering with the individual, but not of government doing so. This distinction is an anarchist one, and much else in *Social Statics* belongs to anarchism. State education is bad because *all* organizations are bad and

is sympathy (*Social Statics*, 96-98). Spencer's claim of novelty is, of course, absurd; all he has done is shorten Smith's argument.

⁴⁶ *Social Statics*, 144. ⁴⁷ *Ibid.*, 116. ⁴⁸ *Ibid.*, 119. ⁴⁹ *Ibid.*, 123-28.

⁵⁰ T. Wemyss Reid, *The Life of the Right Honourable William Edward Forster* (London, 1888), I, 287.

⁵¹ David Duncan, *Life and Letters of Herbert Spencer* (London, 1908), 58.

⁵² *Social Statics*, 90. ⁵³ *Ibid.*, 88-89. ⁵⁴ *Ibid.*, 90.

⁵⁵ Henry Sidgwick, *The Methods of Ethics* 7th ed., (London, 1907), 18 and notes.

conservative; they have an instinct for self-preservation. Change threatens them and education is associated with change. The poor laws are rejected by Spencer because he could not be bothered organizing a diseased state.⁵⁶ "Parish pay is hush-money."⁵⁷ "Payment of rates apparently relieves a man from responsibility for others."⁵⁸ The *people* don't deserve this treatment from those who have robbed them of their birthright—their heritage in the earth.⁵⁹ Spencer's friend, G. W. Lewes, was perfectly correct when he compared Spencer with Proudhon, whose statement "Property is theft" had already become notorious.⁶⁰

During the 1850s two things happened to Spencer's political thought: It became more orthodox, and it became heavily loaded with biological analogy. Spencer dropped his distinction between "Society" and "government" and consequently began to approve of government activity. Spencer had, of course, used biological terminology in *Social Statics*, but there it provided useful images. The social organism had "bones" which were social arrangements, and "life" which was national morality.⁶¹ By 1860 Spencer's social organism had taken the form of an exact analogy. In an essay called "Social Organism"⁶² he swung in favor of a centralized government, which he felt was necessary to direct increasingly complex industrial arrangements. The enactments of governments depended on the national will, which was the average of individual desires.⁶³ He also abandoned democracy in order to find a place in his analogy for the class system. First, a governing and a governed class exist, then, in societies of a higher type, a middle-class grows up.⁶⁴ The dominant class is characterized on the average by those mental and bodily qualities which fit them for deliberation and vigorous action.⁶⁵ Spencer's theory of the division of labor had also grown and expanded so that even politics was subdivided into specialized areas of administration. The chief executive is no longer the strongest, but the most cunning. He deputizes others to punish wrongdoers and to defend the state.⁶⁶

Huxley later pointed out that Spencer's "social organism" controverted the whole theory of *laissez-faire*. Spencer, in 1871, replied to Huxley that they were in agreement, that he too was opposed to *laissez-faire* and administrative nihilism.⁶⁷ He argued that restraining power of the State over individuals should be exercised more effectually and further than at present.⁶⁸

Spencer's political thought underwent another major change in the 1880s and he eventually did become an advocate of *laissez-faire*, though this was

⁵⁶ *Social Statics*, 316. ⁵⁷ *Ibid.*, 316. ⁵⁸ *Ibid.*, 320. ⁵⁹ *Ibid.*, 316.

⁶⁰ G. H. Lewes, *The Leader*, 2(Sept. 6, 1851), 852-53.

⁶¹ *Social Statics*, 239.

⁶² This essay was first published in *The Westminster Review* (Jan. 1860).

⁶³ Herbert Spencer, "Social Organism," *Essays: Scientific, Political and Speculative* (London, 1868), I, 386-87.

⁶⁴ *Ibid.*, I, 406. In *Social Statics*, Spencer had followed Thomas Hodgskin, in regarding classes as pernicious to a just society. They were artificial barriers impeding the growth of natural harmony.

⁶⁵ *Ibid.*, I, 419-20.

⁶⁶ *Ibid.*, I, 421.

⁶⁷ Herbert Spencer, "Specialised Administration," *Essays: Scientific, Political and Speculative* (London, 1874), III, 144; also T. H. Huxley, "Administrative Nihilism," *Methods and Results, Essays* (London, 1894), I 271. ⁶⁸ *Ibid.*, III, 145.

only in direct reaction to socialism and has little value as theory. The change took place after Spencer's political thought had become political diatribe. From the date of the publication of *The Man Versus the State* in 1884, Spencer's radicalism had so far degenerated as to permit a display of his sympathy with the conservative "Liberty and Property Defence League,"⁶⁹ and allowed him to enter into correspondence with reactionary aristocrats.⁷⁰ All his sympathy with workers had vanished; they were "idlers" and "good-for-nothings."⁷¹ For the first time in his life Spencer could be described as a *laissez-faire* theorist. And for the first time in his political theory, Spencer used the phrases "survival of the fittest" and "natural selection,"⁷² and showed his defiance of the cultivated people whom he thought were doing all they could to further survival of the unfittest.⁷³

It is now possible to make some tentative remarks about *laissez-faire* theory. In the mid-nineteenth century it was not a theory opposed to government intervention; it was a mild catch phrase, expressing approval of free trade which was quite compatible with approval of government direction of most social functions. Government direction of social functions was not only tolerated, but actively propounded by many radical theorists in an attempt to reintroduce the natural harmony of society which had been strained by private enterprise and the growth of capitalism, and which could only be mended by the government or, in Spencer's case, by "Society." It was only in the 1880s and 1890s, in reaction to new socialistic theories, that *laissez-faire* became inflated into a non-intervention theory seeing salvation through "survival of the fittest," and seeing the "fittest" as "economic man." It was this late nineteenth-century development that men such as Ernest Barker and John Maynard Keynes really had in mind when they characterized the nineteenth century as the era of *laissez-faire*.

It would produce more interesting and accurate discussions of political theory if the myth of *laissez-faire* were ignored, and attention was focussed on a theory of the natural harmony of society, as it was held by both Tories and by many Radicals in the mid-nineteenth century.

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⁶⁹ Herbert Spencer, *Social Statics, Abridged and Revised: Together with The Man Versus the State* (London, 1902), 295.

⁷⁰ Spencer had had an aversion to honors and titles of all kinds, and to people who held them. From the 1880s he was pleased to be associated with figures such as Lord Wemyss in the Ratepayers' League. He also passed on to Lord Wemyss John Chapman's scheme for turning *The Westminster Review* into a monthly magazine of opposition to the extension of state meddling. (Scottish Record Office, Wemyss Papers, RH4/40/8. Letter from Herbert Spencer to Lord Wemyss, Oct. 13, 1886). The two most complete accounts of the last phase of Spencer's political thought are: David Nicholls, "Positive Liberty, 1880-1914," *The American Political Science Review*, 56(1962), 114-28, and H. J. McCloskey, "The Problem of Liberalism," *Review of Metaphysics*, 19(Dec. 1965), 248-75.

⁷¹ *The Man Versus the State* (1902), 296-97.

⁷² *Ibid.*, 358.

⁷³ *Ibid.*