

Chapter IV—
This Apology Examined.

To drop into one of Mr. Spencer's favorite methods of illustration:

"I am told," said the respectable grandmother, with a big stick in her hand, "that you are the boy who broke down my fence and told all the other boys that they were at liberty to go into my orchard and take my apples."

"It is not true," replied the trembling small boy; "I didn't do it. And I didn't mean to do it. And when I did it I was only trying to mend your fence, which I found was weak. And the reason I did it was to keep bad boys out. And I have always said you ought to be paid for your apples. And I won't do it again! And I am certain your apples would give boys stomach-ache."

This letter to *The Times* repeats the same line of excuse made six years before in the *St. James's Gazette*. Emboldened by the success of that apology, for no one seems to have thought it worth while to point out its misstatements, Mr. Spencer undertakes to face down the Newcastle bricklayer in the same way, and with even bolder crookedness.

The question in issue is a question of fact—whether, as asserted by Mr. Laidler, Mr. Spencer had in *Social Statics* advocated land nationalization, and incidentally, whether he had declared that the land had been made private property by force and fraud. Without venturing specifically to deny this, Mr. Spencer denies it by implication, and gives an impression thus expressed editorially by *The Times* on the 9th of November:

So without denying that he did once say something of the sort, he [Mr. Spencer] explains that it was forty years ago, and that for the last fifteen years he has been doing all that he can to suppress the book in which he said it, and that he never meant his words to have any bearing upon practical questions.

Put into straightforward English, what Mr. Spencer says in this letter to *The Times* is—

That he had not favored land nationalization.

That he had been made to appear to have done so by quotations from *Social Statics* divested of their qualifying context.

That for the last twelve or fifteen years he had stopped the publication of that work.

That *Social Statics* was not intended to suggest practical political action.

That what was said therein of landownership was said in the effort to find a valid basis for the right of property, and to exclude socialism and communism; that it involved no departure from the existing legal theory and practice; was said in the belief that the land question would not come to the front for many generations, and admitted the right of the landowners to compensation.

That his present conclusions are, that while possibly the community may sometime resume land after due compensation to landowners, he has no positive opinion as to whether it will or not.

That as to this he cannot harmonize ethics with political economy, for while a condition may be imagined under which private landownership might be injurious, its abolition would require the payment to landowners of as great and indeed a greater sum than is now paid in rent; would involve the management of land by public officials, and that with humanity anything like that we now know, this would be disastrous.

All this, so far as it relates to the question in issue, is simply not true.

Mr. Spencer, in *Social Statics*, did condemn private property in land, did advocate the resumption of land by the community, did unequivocally and unreservedly, and with all his force, declare for what is now called land nationalization. That he did so does not rest on any forcing of words, any wresting of sentences from their context. It is the burden of all he says on the subject, and of the most vital part of the book. In the whole volume there is no word in modification of the opinions so strongly and clearly expressed in the full quotations I have made.

Nor is it true that the conclusion of *Social Statics* concerning landownership "was reached while seeking a valid basis for the right of property." It was reached as a primary corollary of the first principle: the freedom of every man to do all that he wills provided he infringes not the equal freedom of any other man, and was deduced directly from the facts of human existence:

Given a race of beings having like claims to pursue the objects of their desires—given a world adapted to the gratification of those desires—a world into which such beings are similarly born, and it unavoidably follows that they have equal rights to the use of this world.

Mr. Spencer's questioning of Locke's derivation of the right of property, so far from being the cause of his denial of the validity of private property in land, grows, as we have seen, out of his idea that the only right to land is that of the community. What he has to say against socialism and communism, instead of being a motive for his advocacy of land nationalization, is brought in to strengthen land nationalization by showing that it does not involve either. And so, what Mr. Spencer gives *The Times* to understand as to the congruity of the view of landownership taken in *Social Statics* with existing legal theory and practice, is so flagrantly untrue that one wonders at its audacity.

As to what Mr. Spencer says of the intent of *Social Statics*, the only intelligible meaning that can be put on it is that which the editor of *The Times* put, "That he never meant his words to have any bearing upon practical questions."

The exact phraseology is—

The work referred to—*Social Statics*—was intended to be a system of political ethics—absolute political ethics, or that which ought to be, as distinguished from relative political ethics, or that which is at present the nearest practicable approach to it.

If this means anything, it means that *Social Statics* was written to set forth a system of political ethics that cannot be carried into conduct now, and that no one is under any obligation to try to carry into conduct.

The applications of ethics, like the applications of mechanics, or chemistry, or any other science or body of laws, must always be relative, in the sense that one principle or law is to be taken in consideration with other principles or laws: so that conduct that would have the sanction of ethics where one is beset by robbers or murderers might be very different from the conduct that ethics would sanction under normal and peaceful conditions. In *The Data of Ethics*, one of the more recent of the works which set forth the Spencerian philosophy, written long after *Social Statics*, this distinction between pure ethics and applied ethics is, by one of the confusions that in that philosophy

pass for definitions, converted into a distinction between absolute ethics and relative ethics. Yet, if there be any sort of ethics that has no relation to conduct here and now, the best term for it is Pickwickian ethics.

But the question here is not a question of definition. It is a question of fact.

Now, however Mr. Spencer's opinions and wishes may have changed since *Social Statics* was written, that book still shows that, when he wrote it, his intention in exposing the iniquity of private property in land was to arouse public opinion to demand its abolition. In *Social Statics* he denounced not only private property in land: he denounced slavery, then in the United States and other countries, a still-living thing; he denounced protection; he denounced restrictions on the right of free speech, the denial to women of equal rights, the coercive education of children, the then existing restrictions on the franchise, the cost and delays of legal proceedings, the maintenance of poor laws, the establishment of state schools, government colonization, etc. Were all these pleas for reforms, some of which Mr. Spencer has lived to see accomplished, and others of which he is still advocating, Pickwickian also?

If Mr. Spencer, in what he had to say on the land question in *Social Statics*, was talking mere abstract political ethics—something totally different from practical ethics—what did he mean by declaring that "Equity does not permit property in land"? What did he mean by saying that pure equity enjoins a protest against every existing pretension to the individual possession of the soil, and dictates the assertion that the right of mankind at large to the earth's surface is still valid—"all deeds, customs, and laws notwithstanding"? What did he mean by scornfully sneering at those who "are continually trying to reconcile yes and no," and who delight "in ifs, buts, and excepts"? What did he mean by saying, "In this matter of land tenure the verdict of morality must be either yea or nay. Either men have a right to make the soil private property or they have not. There is no medium"? What did he mean in pointing out that what is now called land nationalization "need cause no very serious revolution in existing arrangements," and that "Equity sternly commands it to be done"? What did he mean by putting, "as the first item on the list of the injuries which government at the time he wrote was doing, that

gigantic injustice inflicted on nineteen-twentieths of the community by the usurpation of the soil by the breach of their rights to the use of the earth"? What did he mean by saying that the only plausible defense of the poor laws was the wrong done to people at large by robbing them of their birthright—their heritage in the earth—by asking, "Why organize a diseased state?"—by declaring, "Sometime or other this morbid constitution of things, under which the greater part of the body politic is cut off from direct access to the source of life, must be changed."

Did it all relate to the sort of ethics that has no bearing on practical questions?

Whatever may be the ethical views of Mr. Spencer now that his eyes have been put out, and he has been set to grind in the house of the lords of the Philistines, the young Samson of *Social Statics* with locks as yet unshorn by the social Delilah knew nothing of any such ethics. Not merely in what I have quoted, but throughout the book, from first page to last, the burden of *Social Statics* is the necessity, the sacred duty of destroying abuses that fetter the equal liberty of men. He sees, indeed—as who does not?—that before liberty can truly reign men must be fit for liberty; and he realizes that there may be social conditions in which liberty might temporarily work ill; but he insists again and again that wherever there is any yearning for liberty, any perception of the wrong done by its denial, there the time has come for the struggle against injustice to be made, and that the way to fit men for the enjoyment of rights is to destroy wrongs. The central thought of the book, that permeates all its parts, is that of a divinely appointed order, which men are bound to obey—a God-given law, as true in the social sphere as the laws of physics are true in the physical sphere, to which all human regulations must be made to conform; and that this law is the law of equal freedom—the law from which is deduced the condemnation of private property in land. For those who palter with expediency; for those who would dally with wrong; for those who say that a thing is right in the abstract, but that practical considerations forbid its being carried into effect—Mr. Spencer, from the first page of *Social Statics* to the last, has nothing but the utmost contempt and scorn.

Here is one extract from the close of the introduction to *Social Statics* (pp. 51, 56, 60-65) which will show how widely different

were the ethics taught in *Social Statics* from what the author of the Spencerian philosophy, in 1889, told *The Times* they were:

And yet, unable as the imperfect man may be to fulfil the perfect law, there is no other law for him. One right course only is open; and he must either follow that or take the consequences. The conditions of existence will not bend before his perversity; nor relax in consideration of his weakness. Neither, when they are broken, may any exception from penalties be hoped for. "Obey or suffer," are the ever-repeated alternatives. Disobedience is sure to be convicted. And there are no reprieves. ...

Our social edifice may be constructed with all possible labor and ingenuity, and be strongly cramped together with cunningly devised enactments, but if there be no rectitude in its component parts, if it is not built on upright principles, it will assuredly tumble to pieces. As well might we seek to light a fire with ice, feed cattle with stones, hang our hats on cobwebs, or otherwise disregard the physical laws of the world, as go contrary to its equally imperative ethical laws.

Yes, but there are exceptions, say you. We cannot always be strictly guided by abstract principles. Prudential considerations must have some weight. It is necessary to use a little policy.

Very specious, no doubt, are your reasons for advocating this or the other exception. But if there be any truth in the foregoing argument, no infraction of the law can be made with impunity. Those cherished schemes by which you propose to attain some desired good by a little politic disobedience, are all delusive. ...

The reasons for thus specially insisting on implicit obedience will become apparent as the reader proceeds. Amongst the conclusions inevitably following from an admitted principle, he will most likely find several for which he is hardly prepared. Some of these will seem strange; others impracticable; and it maybe one or two wholly at variance with his ideas of duty. Nevertheless, should he find them logically derived from a fundamental truth, he will have no alternative but to adopt them as rules of conduct, which ought to be followed without exception. If there be any weight in the considerations above set forth, then, no matter how seemingly inexpedient, dangerous, injurious even, may be the course which morality points out as "abstractedly right," the highest wisdom is in perfect and fearless submission.

And these are the paragraphs with which (pp. 517, 518) *Social Statics* closes:

Not as adventitious, therefore, will the wise man regard the faith that is in him, not as something which may be slighted, and made subordinate to

calculations of policy; but as the supreme authority to which all his actions should bend. The highest truth conceivable by him he will fearlessly utter; and will endeavor to vet embodied in fact his purest idealisms: knowing that, let what may come of it, he is thus playing his appointed part in the world knowing that, if he can get done the thing he aims at—well: if not—well also; though not so well.

And thus, in teaching a uniform, unquestioning obedience, does an entirely abstract philosophy become one with all true religion. Fidelity to conscience—this is the essential precept inculcated by both. No hesitation, no paltering about probable results, but an implicit submission to what is believed to be the law laid down for us. We are not to pay lip-homage to principles which our conduct willfully transgresses. We are not to follow the example of those who, taking "Domine dirige nos" for their motto, yet disregard the directions given, and prefer to direct themselves. We are not to be guilty of that practical atheism, which, seeing no guidance for human affairs but its own limited foresight, endeavors itself to play the god, and decide what will be good for mankind, and what bad. But, on the contrary, we are to search out with a genuine humility the rules ordained for us—are to do unflinchingly, without speculating as to consequences, whatsoever these require; and we are to do this in the belief that then, when there is perfect sincerity when each man is true to himself—when everyone strives to realize what he thinks the highest rectitude—then must all things prosper.

Could there be any sadder commentary upon the Herbert Spencer who in 1889 wrote this letter to *The Times*?

I am not objecting that Mr. Spencer has changed his opinions. Such change might be for the better or might be for the worse, but it would at least be within his right. What I point out is that in this letter to *The Times*, as in his previous letter to the *St. James's Gazette*, Mr. Spencer does what is not within his right, what a straight man could not do—misstates what he previously did say.

And while Mr. Spencer, in this letter to *The Times*, is thus untruthful in regard to what he had taught in *Social Statics*, he is equally untruthful in regard to his suppression of that book. His words are—

For the last twelve or fifteen years I have refrained from issuing new editions of that work, and have interdicted translations.

The plain meaning of this is, that for twelve or fifteen years prior to 1889 Mr. Spencer had stopped the publication of *Social Statics*. There is no other honest construction. And this is the way in which it was understood. *The Times*, in its editorial comment on Mr. Spencer's

letter, taking it to mean that "for the last fifteen years he had been doing all he could to suppress the book;" and Mr. Frederick Greenwood, who also commented on the letter, taking it to mean that "for the last fifteen years he had not allowed it to appear in any language."

As a matter of fact, this is not true. *Social Statics* was still being printed by Mr. Spencer's authorized publishers, D. Appleton & Co. of New York. The only scintilla of truth in this denial is that, as he has since (in 1892) stated, he had seven years before this resolved that he would import no more copies into England. As for the "interdiction of translations," I suppose this means that the book bore originally the usual English formula "Rights of translation reserved;" for, judging from its going out of print in England, and its never having been pirated in the United States, it is not likely that any further interdiction was needed to prevent its translation.

That Mr. Spencer should have continued the publication of *Social Statics* for years after he had told the readers of the *St. James's* and *The Times* that he had suppressed it, I can only account for on the ground that he did not care to deprive himself of what revenue he was drawing from its sale, and had really no objection to the circulation of his attacks on landlordism, so long as his London friends did not hear of it. Certain it is, that he could have withdrawn it at any time. D. Appleton & Co. are not book pirates, but honorable gentlemen, who publish Mr. Spencer's works under arrangement with their author, and even in the absence of a copyright law would certainly have ceased printing *Social Statics*, if he had requested. To any one who knows them this needs no proof. But as a matter of fact, in 1885, when the controversy between Mr. Spencer and Mr. Frederic Harrison appeared in the *Nineteenth Century*, the Messrs. Appleton, thinking there would be a large American sale for it in book form, made plates and printed an edition.¹⁰ They had barely published this when they suppressed it, as was understood, on a cabled request from Mr. Spencer. Not another copy went out. The copies printed were destroyed and the plates melted, although a rival firm did publish the controversy, and sell a considerable number. Or, if he had preferred that, D. Appleton & Co. would at any time have printed in *Social*

¹⁰ "The Nature and Reality of Religion. Controversy between Frederic Harrison and Herbert Spencer. With an Introduction, Notes, and an Appendix on the Religious Value of the Unknowable, by Count D'Alviella." New York: D. Appleton & Co., 1, 3 and 5 Bond Street. 1885.

Statics any retraction or modification of its expressions on the land question he had wished. But, while the preface prefixed to the book in 1864, and the note to Chapter IV.—a reply to Professor Sidgwick, inserted in 1875—and the additional preface added in 1877, did set forth the modifications of Mr. Spencer's opinions about various other matters, they contain nothing to show any change of his opinions on the land question; and the book has continued to be published up to 1892 without any such modification.

It is, of course, not for me to object that Mr. Spencer did not withdraw *Social Statics* in the only place where it was being published, or that he did not insert a retraction or modification of its utterances on the land question—although to me the wonder is that when, on his return to England in 1882, he seems to have definitely made up his mind to take the side of landlordism if pressed to it, he did not melt every plate and buy up every copy he could. I am only comparing Mr. Spencer's statements in *The Times* with the facts, because of the evidence the comparison gives of the character of the man, and because of the light it throws on the change in his opinions on the land question.

For this letter to *The Times* not only shows Mr. Spencer's intense desire to be counted on the side of "vested interests" in the struggle over the land question that was beginning, but it also shows how he was intending to join formally the ranks of the defenders of private property in land without the humiliation of an open recantation of what he had said in *Social Statics*. By aid of double-barreled ethics and philosophic legerdemain Mr. Spencer evidently hopes to keep some reputation for consistency and yet uphold private property in land. As compared with the apology in the *St. James's Gazette*, the new matter in this apology in *The Times* consists in the conversion of what he said in *Social Statics* (Section 7, Chapter IX) as illustrating that "after all nobody does implicitly believe in landlordism," into a conformity with "existing legal theory and practice;" in the assumption that the compensation of which he had spoken (Section 9) meant compensation satisfactory to landlords; and boldest of all (for this in Chapter X., Section 3, he had expressly denied), in the assumption that the recognition of equal rights to land means the administration and management of land by public officials.

I should like also to call the attention of those who put faith in Mr. Spencer's philosophic acumen to the manner in which in this letter he withdraws to the Scilly Isles, and to the conditioning of the tenancy of land upon "professing a certain creed or adopting prescribed habits of life," his condemnation of private property in land, as ethically indefensible. They have their choice between intellectual incapacity and intellectual dishonesty. What local difference is there between a small island and a large island? between the exaction of rent in personal services and the exaction of rent in money? Is it ethically defensible to deny to men their birthright, to permit them to live on the earth only on condition that they shall give up for the privilege all that their labor can produce save the barest living, to reduce them to straits that compel their children to grow up in squalor and vice and degradation worse than any heathenism, and to pass out of life in thousands before they are fairly in it; yet ethically indefensible to compel them to profess a certain creed or adopt prescribed habits of living? Ought it not be clear even to a philosopher's apprentice that if English landlords to-day do not prescribe the creed or habits of their tenants, it is only because they do not care to, but prefer generally to exercise their power in taking money rent? If the Duke of Westminster wanted to have a thousand retainers, clad in his livery, follow him to St. James's; if the Duke of Norfolk cared to permit no one but Catholics to live on his estates; if the Duke of Argyll chose to have a buffoon at his elbow in cap and bells, they could have any of these things as readily, in fact even more readily, than could any Earl or Duke of the olden time. And so indeed could any of our great American landowners. Did Mr. Spencer never see in London newspapers offers of employment, conditioned on the profession of a certain creed? Did he never, in passing to and from the Athenæum Club, see coachmen and footmen dressed in fantastic liveries and "sandwich men" clad ridiculously and shamefully? Does he not know that in the British Isles in his own time men are driven off the land to give place to wild beasts or cattle? And does he not know that the power of forbidding the use of his land gives to every landowner the same powers of prescribing the conditions under which he will permit its use as any owner of the Scilly Isles possibly could have?

The view we thus get of Mr. Spencer's mental progress and processes is interesting both philosophically and psychologically. As,

however, we shall find the lines of escape thus indicated amplified in *Justice*, there is no need of examining them now. But what he here says on the matter of compensation has a special interest, as throwing light on what he really meant in that incongruous passage in Section 9, Chapter IX., of *Social Statics*, of which I have spoken. In this letter to *The Times* the only passage from *Social Statics* that is quoted, or indeed more than vaguely alluded to, is this, That Mr. Spencer intends *The Times* and its readers to understand this as a recognition in *Social Statics* of the justice of the claim of landowners to compensation for their land is clear, for he carefully leaves out all mention of the closely linked sentences that immediately follow the passage he quotes:

But with this perplexity and our extrication from it, abstract morality has no concern. Men having got themselves into the dilemma by disobedience to the law, must get out of it as well as they can; and with as little injury to the landed class as may be.

Meanwhile, we shall do well to recollect, that there are others besides the landed class to be considered. In our tender regard for the vested interests of the few, let us not forget that the rights of the many are in abeyance; and must remain so, as long as the earth is monopolized by individuals. Let us remember, too, that the injustice thus inflicted on the mass of mankind, is an injustice of the gravest in nature ... inferior only in wickedness to the crime of taking away their lives or personal liberties.

But while it is clear that Mr. Spencer wishes *The Times* and its readers to understand that he not only is, but always was, as good a compensationist as landlords could desire, he falls later on into an expression that again shows, as does the passage in *Political Institutions*, that the explanation I have put upon that seemingly incongruous passage in *Social Statics* is the one really intended. In the last part of the letter he speaks of "compensation for the artificial value given by cultivation amounting to the greater part of its value." Not compensation for land, but compensation only for improvements. But this would never satisfy landowners, and so, without respect for the axiom that the whole is greater than its part, he proceeds to assert that compensation for this part will equal, and indeed exceed, the value of all they now get.

Thus we see both what the question of compensation had really been in Mr. Spencer's own mind, and how he now proposes to settle it, so that he may henceforward take the side of existing landlordism.