

## Chapter X— The Right Of Property And The Right Of Taxation

Of such primary and practical importance is the question just raised, that it is worth while to discuss it more fully.

Mr. Spencer, in a book he has reissued this year, has flippantly accused "Mr. George and his friends" with asserting the absolute right of the community over the possessions of each member. Yet in nothing is the divergence between us and the common opinion more sharply shown than in this, that we utterly deny the right of the community to take the property of the individual for any purpose whatsoever, except under circumstances where all rights must yield to the supreme right of self-preservation. There may be circumstances of such sudden stress and danger as would justify an individual in taking the horse or boat of another individual, in making use of his house, his goods, or anything that is his; and so there may be similar circumstances that will justify such taking of individual property on the part of a community. But short of this, which is not a limitation but an abrogation, we hold the right of property to be absolute, and deny the proposition which Mr. Spencer in the chapter just quoted asserts, and which is commonly conceded, that the right of property is limited by the right of the state to take in taxation what it may think it needs. Thus we are to-day the defenders of the right of property as against communists, protectionists, and socialists, as well as against such moderate deniers of the right of property as the revenue tariffites of the Cobden Club class, and such halfway individualists as the Liberty and Property Defence League and Mr. Auberon Herbert's associations.

How then is it that we are called deniers of the right of property?

It is for the same reason that, when I was a boy, caused nine-tenths of the good people in the United States, north as well as south, to regard abolitionists as deniers of the right of property; the same reason that made even John Wesley look on a smuggler as a kind of robber, and on a custom-house seizer of other men's goods as a defender of law and order. Where violations of the right of property have been long sanctioned by custom and law, it is inevitable that those who really assert the right of property will at first be thought to deny it. For under such circumstances the idea of property becomes

confused, and that is thought to be property which is in reality a violation of property.

That such confusion exists to-day may be seen in the way in which the great struggle for better conditions of life for the masses, that all over the civilized world has begun or is impending, is generally regarded by both sides. Except by the single-tax men, and possibly by the philosophic anarchists, it is thought of as a struggle between capital and labor—a contest between the rights of man and the rights of property. It is not merely that one side charges the other side with proposing to impair the right of property. It is, that, with the exceptions noted, those who would better secure the rights of men, do propose restrictions and denials of the right of property. So, from the thorough-going socialists who would have the state appropriate all capital and direct all industry, to those milk-and-water socialists who are willing to play at doing something, by encouraging trades-unions, and by twopenny alms and restrictions, and by attempts to make the rich less rich, and consequently as they think the poor less poor, through income and succession taxes and Irish Land Acts, we find those who aim, or profess to aim at improving the conditions of the laboring masses, advocating measures which are violations of the right of property. In this confusion of thought we who hold that the right of property is an absolute right, we who say that the command "Thou shalt not steal" applies to the state as fully as to the individual, are looked upon by one side as deniers of the right of property, and by the other—even by the poor, timid university socialists—as not radical enough.

Yet to whoever will grasp first principles it must be evident:

That there can be no real conflict between labor and capital—since capital is in origin and essence but the product and tool of labor;

That there can be no real antagonism between the rights of men and the rights of property—since the right of property is but the expression of a fundamental right of man;

That the road to the improvement of the conditions of the masses cannot be the road of restricting and denying the right of property, but can only be that of securing most fully the right of property; and that all measures that impair the right of property must in the end injure the masses—since while it may be possible that a few may get a

living or be aided in getting a living by robbery, it is utterly impossible that the many should.

It is not as deniers, but as asserters of the equal rights of man, that we who for want of a better name call ourselves single-tax men so strenuously uphold the right of property. It is not because we would palter with a social system that condemns the masses to hard work and low wages, to absolute want and starvation more or less disguised; but because we would bring about a social system in which it would be impossible for any one to want or to starve unless he deserved to. It is not because we are less radical, but because in the true sense we are more radical than the socialists of all degrees.

Let me ask those who think there is any conflict between the rights of men and the rights of property to name any denial of the rights of men which is not or does not involve a denial of the rights of property; or any denial of the rights of property which is not or does not involve a denial of the rights of men. Take chattel slavery. Was that an assertion of the right of property or a denial of the right of property?

Or, consider any system of tyranny or oppression by which the personal liberties of men have been denied or curtailed. Take out of it the element which infringes the right of property and is not its efficacy gone?

On the other hand, take anything which denies or impairs the right of property—robbery, brigandage, piracy, war, customs duties, excises, or taxes on wealth in any of its forms—do they not all violate personal liberty, directly and indirectly?

This is not an accidental, but a necessary connection. The right of life and liberty—that is to say, the right of the man to himself—is not really one right and the right of property another right. They are two aspects of the same perception—the right of property being but another side, a differently stated expression, of the right of man to himself. The right of life and liberty, the right of the individual to himself, presupposes and involves the right of property, which is the exclusive right of the individual to the things his exertion has produced.

This is the reason why we who really believe in the law of property, we who see in freedom the great solvent for all social evils, are the stanchest and most unflinching supporters of the rights of prop-

erty, and would guard it as scrupulously in the case of the millionaire as in the case of the day-laborer.

But what is property? This we must keep clearly in mind if, in attempting to see what the right of property does and does not permit, we would avoid confusion. The question is not what the state sanctions, but what it may rightfully sanction. There are those who say that the right of property, as all other rights, is derived from the state. But they do not really think this; for they are as ready as any one else to say of any proposed state action that it is right or it is wrong, in which they assert some standard of action higher than the state.

Property—not property in the legal sense, for that may be anything which greed or perversity may have power to ordain; but property in the ethical sense—is that which carries with it the right of exclusive ownership, including the right to give, sell, bequeath or destroy.

To what sort of things does such right of ownership rightfully attach?

Clearly to things produced by labor, and to no other.

And that this rightful ownership can attach only to things produced by labor is always shown by those who try to assert such right of ownership in other things. For invariably, instead of proving a right of ownership in such other things, they devote themselves to proving the right of ownership in things produced by labor, and then assume that in some way the right thus accruing has become transferred to things of a different nature.

Mr. Spencer is an example of this, as are all without exception who have ever written on the side he has now assumed. He wishes in this book to justify property in land. But he only justifies property in the products of labor, and then insinuates what he dares not clearly state—that by some process of transfer or conjunction the right of ownership in the products of labor has become transmuted into a right of ownership in land.

In this, however, he does as well as any one who ever attempted it. The logical processes of those who attempt to prove a right of exclusive ownership in land are always akin to those of the bumboat man, who, having agreed to bring the sailor a white monkey, brought him instead a yellow dog which he insisted had eaten a white monkey. They are like a lawyer who, called on to prove his client's title to

an estate, should go on to prove his client's title to the money which he gave for the estate.

The ethical right of property is so perfectly clear as to be beyond all dispute as to be testified to by all who attempt to assert some other right of property. It springs from the right of each man to use his own powers and enjoy their results. And it is a full and absolute right. Whatever a man produces belongs to him exclusively, and the same full and exclusive right passes from him to his grantor, assignee or devisee, not to the amount of eighty or fifty or any other percentage, but in full. And as is shown by reason and as is proved by the experience of the world, the advance in civilization depends upon the recognition of this right. Therefore for the state to levy taxes on that which is truly property, that is to say, upon the possession of wealth in any of its forms, is unjust and injurious—is a denial and violation of the right of property and of the rights of man.

But it may be said: In an isolated condition it is true that a man is entitled to all that he produces, and that it is robbery to take any part of it from him against his will. But in the civilized condition it is not alone the exertion of the individual that contributes to his production. Over and above what the producer receives from other producers, and for which he recompenses them in the various ways by which the claims between man and man are settled in ordered society, he is aided, in an indefinite yet tangible way, by society as a whole. Does he not therefore owe to society as a whole some return? Is not organized society, or the state, entitled therefore to claim and to take some portion of what in an isolated condition would be rightfully his exclusive property?

We reply: There is such a debt, but the producer cannot escape paying it, even though there be left to him in full what is his by the right of property. Here is a man who gives to a painter an order for a beautiful picture. Can he alone enjoy it? Here is another man who builds a factory, or works out a beneficial invention. Do what benefits he may receive, even if he be untaxed, represent the sum total of its benefits? Does not what he has done also benefit others and benefit society at large? And if society helps the individual producer, does not the individual producer also help society? These diffused benefits, these benefits which society as whole receives, are something separate from what the right of property accords to the producer.

They become tangible in the value of land, and may be taken by society without any curtailment of the right of property. To bring one beautiful picture to a town might not perceptibly increase the value of land. But bring a number, or even one famous picture, and the value of land will perceptibly increase. Place the pictures of one of the great European galleries on a piece of American land that you might now buy for a hundred dollars and you will soon find a value of millions attaching to that land. And that the erection of a factory, or even of a dwelling-house, or the utilization of a beneficial invention, will perceptibly add to the value of land everyone knows. Look at the millions on millions which the elevated roads have added to the value of New York lands.

Again, it may be said, as Mr. Spencer now says, that it is necessary for organized society to have revenues, and that therefore the society must take some part at least of the property of individuals. The proposition we admit, but the conclusion we deny. Organized society must have revenues; but the natural and proper and adequate source of those revenues is not in what justly belongs to individuals, but in what justly belongs to society—the value which attaches to land with the growth of society. Let the state take that, and there will be no need for it to violate the right of property by taking what justly belongs to the individual.

Mr. Spencer's admission in *Justice* of the right of the state to take from individuals their property by taxation—an admission which makes impossible any clear assertion of the right of property—is forced upon him by the radical change in his teachings that his fear of Sir John and his Grace has compelled him to make. He made no such surrender of individual rights to the state in *Social Statics*. On the contrary he there emphatically—though as to details not very clearly, for in many things he saw men only as trees walking—asserts the rights of the individual as against society. But in *Justice* he is compelled to admit the right of the state to take property by taxation, because of his desire to admit the right of landowners to appropriate the revenues which are the natural provision for the needs of the state.

For the state is natural and necessary, and the state must have revenues. Hence anyone who does not see, or who chooses to deny, that the natural revenue of the state is the value which social growth gives to land, is compelled to admit that for the purpose of obtaining

revenue the state may take the property of individuals, and thus to deny the right of property.

Suppose some one to have asked the Herbert Spencer who wrote *Social Statics*: "Where shall the state get its necessary revenues if it scrupulously observes the right of property and does not continue to take by force what it needs of the property of individuals?"

He would have promptly replied, for the answer is in that book, "By taking through its own agents for its own purposes the rent of land, which is now taken by the agents of Sir John and his Grace for their purposes."

But the Herbert Spencer who now writes *Justice* could find no answer to such a question, since he writes for the purpose of defending the appropriations of Sir John and his Grace. Hence he is compelled to deny the right of property—justifying its appropriation by an agency which in another place in this same book he calls "the many-headed government appointed by multitudes of ignorant people"; and which, indeed, owing to the poverty, ignorance, greed and immorality which are the results of ignoring the right of property, is not undeserving of such a contemptuous characterization.

But that he really knows better; that he really sees that the taxation of the products of labor is a violation of the right of property which differs from slavery only in degree; and that he is advocating it only in the interests of that privileged class to gain whose tolerance now seems to be his supreme ambition, is clearly shown farther on in this same where in opposing what he deems unnecessary taxation he clearly states the principle that condemns all taxation of what belongs to individuals. I quote from Chapter XXVI of *Justice*, "The Limits of State-duties," Section 121, pp. 222-224:

If justice asserts the liberty of each limited only by the like liberties of all, then the imposing of any further limit is unjust; no matter whether the power imposing it be one man of a million of men. ... In our time the tying of men to the lands they were born on, and the forbidding any other occupations than the prescribed ones, would be considered as intolerable aggressions on their liberties. But if these larger inroads on their rights are wrong, then also are smaller inroads. As we hold that a theft is a theft whether the amount stolen be a pound or a penny, so we must hold that an aggression is an aggression whether it be great or small. ... We do not commonly see in a tax a diminution of freedom, and yet it is one. The money taken represents so much labor gone through, and the product of that labor being taken away,

either leaves the individual to go without such benefit as was achieved by it or else to go through more labor. In feudal days, when the subject classes had, under the name of *corvées*, to render services to their lords, specified in time or work, the partial slavery was manifest enough; and when the services were commuted for money, the relation remained the same in substance though changed in form. So it is now. Taxpayers are subject to a state *corvée*, which is the less decided because, instead of giving their special kinds of work, they give equivalent sums; and if the *corvée* in the original undisguised form was a deprivation of freedom, so is it in its modern disguised form. "Thus much of your work shall be devoted, not to your own purposes, but to our purposes," say the authorities to the citizens; and to whatever extent this is carried, to that extent the citizens become slaves of the government.

"But they are slaves for their own advantage," will be the reply—"and the things to be done with the money taken from them are things which will in one way or other conduce to their welfare." Yes, that is the theory—a theory not quite in harmony with the vast mass of mischievous legislation filling the statutebooks. But this reply is not to the purpose. The question is a question of justice; and even supposing that the benefits to be obtained by these extra public expenditures were fairly distributed among all who furnish funds, which they are not, it would still remain true that they are at variance with the fundamental principle of an equitable social order. A man's liberties are none the less aggressed upon because those who coerce him do so in the belief that he will be benefited. In thus imposing by force their wills upon his will, they are breaking the law of equal freedom in his person; and what the motive may be matters not. Aggression which is flagitious when committed by one, is not sanctified when committed by a host.

Thus, in the same book, does Herbert Spencer answer Herbert Spencer.