

## CHAPTER X.

### THE RIGHTS OF MAN.

**T**HERE are those who, when it suits their purpose, say that there are no natural rights, but that all rights spring from the grant of the sovereign political power. It were waste of time to argue with such persons. There are some facts so obvious as to be beyond the necessity of argument. And one of these facts, attested by universal consciousness, is that there are rights as between man and man which existed before the formation of government, and which continue to exist in spite of the abuse of government; that there is a higher law than any human law—to wit, the law of the Creator, impressed upon and revealed through nature, which is before and above human laws, and upon conformity to which all human laws must depend for their validity. To deny this is to assert that there is no standard whatever by which the rightfulness or wrongfulness of laws and institutions can be measured; to assert that there can be no actions in themselves right and none in themselves wrong; to assert that an edict which commanded mothers to kill their children should receive the same respect as a law prohibiting infanticide.

These natural rights, this higher law, form the only true and sure basis for social organization. Just as, if we would construct a successful machine, we must conform to physical laws, such as the law of gravitation, the law of combustion, the law of expansion, etc.; just as, if we

would maintain bodily health, we must conform to the laws of physiology; so if we would have a peaceful and healthful social state, (we must conform our institutions to the great moral laws—laws to which we are absolutely subject, and which are as much above our control as are the laws of matter and of motion. And as, when we find that a machine will not work, we infer that in its construction some law of physics has been ignored or defied, so when we find social disease and political evils may we infer that in the organization of society moral law has been defied and the natural rights of man have been ignored.

(These natural rights of man are thus set forth in the American Declaration of Independence as the basis upon which alone legitimate government can rest:)

We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator with certain unalienable rights; that among these are life, liberty, and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute a new government, laying its foundations on such principles, and organizing its powers in such form, as shall seem to them most likely to effect their safety and happiness.

So does the preamble to the Constitution of the United States appeal to the same principles:

We, the people of the United States, in order to form a more perfect union, *establish justice*, insure domestic tranquillity, provide for the common defense, promote the general welfare, and *secure the blessings of liberty to ourselves and our posterity*; do ordain and establish this Constitution for the United States of America.

And so, too, is the same fundamental and self-evident truth set forth in that grand Declaration of the Rights of Man and of Citizens, issued by the National Assembly of France in 1789:

The representatives of the people of France, formed into a National Assembly, *considering that ignorance, neglect, or contempt of human rights are the sole causes of public misfortunes and corruptions of government*, have resolved to set forth, in a solemn declaration, those natural, imprescriptible and inalienable rights, [and do] recognize and declare, in the presence of the Supreme Being, and with the hope of His blessing and favor, the following *sacred* rights of men and of citizens :

I. Men are born and always continue free and equal in respect of their rights. Civil distinctions, therefore, can only be founded on public utility.

II. The end of all political associations is the preservation of the natural and imprescriptible rights of man, and these rights are liberty, property, security, and resistance of oppression.

It is one thing to assert the eternal principles, as they are asserted in times of upheaval, when men of convictions and of the courage of their convictions come to the front, and another thing for a people just emerging from the night of ignorance and superstition, and enslaved by habits of thought formed by injustice and oppression, to adhere to and carry them out. (The French people have not been true to these principles, nor yet, with far greater advantages, have we.) And so, though the ancient *régime*, with its blasphemy of "right divine," its Bastille and its *lettres-de-cachet*, has been abolished in France; there have come red terror and white terror, Anarchy masquerading as Freedom, and Imperialism deriving its sanction from universal suffrage, culminating in such a poor thing as the French Republic of to-day. And here, with our virgin soil, with our exemption from foreign complications, and our freedom from powerful and hostile neighbors, all we can show is another poor thing of a Republic, with its rings and its bosses, its railroad kings controlling sovereign states, its gangrene of corruption eating steadily toward the political heart, its tramps and its strikes, its ostentation of ill-gotten wealth its children toiling in factories, and its women working out their lives for bread!

It is possible for men to see the truth, and assert the truth, and to hear and repeat, again and again, formulas embodying the truth, without realizing all that that truth involves. Men who signed the Declaration of Independence, or applauded the Declaration of Independence, men who year after year read it, and heard it, and honored it, did so without thinking that the eternal principles of right which it invoked condemned the existence of negro slavery as well as the tyranny of George III. And many who, awakening to the fuller truth, asserted the unalienable rights of man against chattel slavery, did not see that these rights involved far more than the denial of property in human flesh and blood; and as vainly imagined that they had fully asserted them when chattel slaves had been emancipated and given the suffrage, as their fathers vainly imagined they had fully asserted them, when they threw off allegiance to the English king and established here a democratic republic.

(The common belief of Americans of to-day is that among the equal and unalienable rights of man are now all acknowledged, while as for poverty, crime, low wages, "over-production," political corruption, and so on, they are to be referred to the nature of things)—that is to say, if any one presses for a more definite answer, they exist because it is the will of God, the Creator, that they should exist. (Yet I believe that these evils are demonstrably due to our failure fully to acknowledge the equal and unalienable rights with which, as asserted as a self-evident truth by the Declaration of Independence, all men have been endowed by God, their Creator.) I believe the National Assembly of France were right when, a century ago, inspired by the same spirit that gave us political freedom, they declared that the great cause of public misfortunes and corruptions of government is ignorance, neglect or contempt of human rights. And just as the famine which

was then decimating France, the bankruptcy and corruption of her government, the brutish degradation of her working-classes, and the demoralization of her aristocracy, were directly traceable to the denial of the equal, natural and imprescriptible rights of men, so now the social and political problems which menace the American Republic, in common with the whole civilized world, spring from the same cause.

Let us consider the matter. (The equal, natural and unalienable right to life, liberty and the pursuit of happiness, does it not involve the right of each to the free use of his powers in making a living for himself and his family, limited only by the equal right of all others?) Does it not require that each shall be free to make, to save and to enjoy what wealth he may, without interference with the equal rights of others; that no one shall be compelled to give forced labor to another, or to yield up his earnings to another; that no one shall be permitted to extort from another labor or earnings? All this goes without the saying. (Any recognition of the equal right to life and liberty which would deny the right to property—the right of a man to his labor and to the full fruits of his labor—would be mockery.)

(But that is just what we do.) Our so-called recognition of the equal and natural rights of man is to large classes of our people nothing but a mockery, and as social pressure increases, is becoming a more bitter mockery to larger classes, because our institutions fail to secure the rights of men to their labor and the fruits of their labor.

(That this denial of a primary human right is the cause of poverty on the one side and of overgrown fortunes on the other, and of all the waste and demoralization and corruption that flow from the grossly unequal distribution of wealth, may be easily seen.

As I am speaking of conditions general over the whole civilized world, let us first take the case of another coun-

try, for we can sometimes see the faults of our neighbors more clearly than our own. England, the country from which we derive our language and institutions, is behind us in the formal recognition of political liberty; but there is as much industrial liberty there as here—and in some respects more, for England, though she has not yet reached free trade, has got rid of the “protective” swindle, which we still hug. And the English people—poor things—are, as a whole, satisfied with their freedom, and boast of it. They think, for it has been so long preached to them that most of them honestly believe it, that Englishmen are the freest people in the world, and they sing “Britons never shall be slaves,” as though it were indeed true that slaves could not breathe British air.

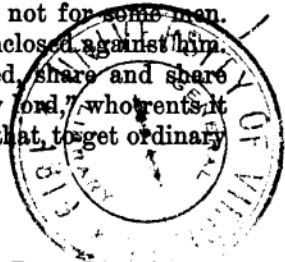
Let us take a man of the masses of this people—a “free-born Englishman,” coming of long generations of “free-born Englishmen,” in Wiltshire or Devonshire or Somersetshire, on soil which, if you could trace his genealogy, you would find his fathers have been tilling from early Saxon times. He grows to manhood; we will not stop to inquire how, and, as is the natural order, he takes himself a wife. Here he stands, a man among his fellows, in a world in which the Creator has ordained that he should get a living by his labor. He has wants, and as, in the natural order, children come to him, he will have more; but he has in brain and muscle the natural power to satisfy these wants from the storehouse of nature. He knows how to dig and plow, to sow and to reap, and there is the rich soil, ready now, as it was thousands of years ago, to give back wealth to labor. The rain falls and the sun shines, and as the planet circles around her orbit, spring follows winter, and summer succeeds spring. It is this man's first and clearest right to earn his living, to transmute his labor into wealth, and to possess and enjoy that wealth for his own sustenance and benefit, and for the sustenance and benefit of those whom nature places in

dependence on him. He has no right to demand any one else's earnings, nor has any one else a right to demand any portion of his earnings. He has no right to compel any one else to work for his benefit; nor have others a right to demand that he shall work for their benefit. This right to himself, to the use of his own powers and the results of his own exertions, is a natural, self-evident right, which, as a matter of principle, no one can dispute, save upon the blasphemous contention that some men were created to work for other men. And this primary, natural right to his own labor, and to the fruits of his own labor, accorded, this man can abundantly provide for his own needs and for the needs of his family. His labor will, in the natural order, produce wealth, which, exchanged in accordance with mutual desires for wealth which others have produced, will supply his family with all the material comforts of life, and in the absence of serious accident, enable him to bring up his children, and lay by such a surplus that he and his wife may take their rest, and enjoy their sunset hour in the declining years when strength shall fail, without asking any one's alms or being beholden to any bounty save that of "Our Father which art in heaven."

But what is the fact? The fact is, that the right of this "free-born Englishman" to his own labor and the fruits of his labor is denied as fully and completely as though he were made by law a slave; that he is compelled to work for the enrichment of others as truly as though English law had made him the property of an owner. The law of the land does not declare that he is a slave: on the contrary, it formally declares that he is a free man—free to work for himself, and free to enjoy the fruits of his labor. But a man cannot labor without something to labor on, any more than he can eat without having something to eat. It is not in human powers to make something out

of nothing.) This is not contemplated in the creative scheme. Nature tells us that if we will not work we must starve; but at the same time supplies us with everything necessary to work. Food, clothing, shelter, all the articles that minister to desire and that we call wealth, can be produced by labor, but only when the raw material of which they must be composed is drawn from the land.

To drop a man in the middle of the Atlantic Ocean and tell him he is at liberty to walk ashore, would not be more bitter irony than to place a man where all the land is appropriated as the property of other people and to tell him that he is a free man, at liberty to work for himself and to enjoy his own earnings. That is the situation in which our Englishman finds himself. He is just as free as he would be were he suspended over a precipice while somebody else held a sharp knife to the rope; just as free as if thirsting in a desert he found the only spring for miles walled and guarded by armed men who told him he could not drink unless he *freely contracted* with them on their terms. Had this Englishman lived generations ago, in the time of his Saxon ancestors, he would, when he became of age, and had taken a wife, have been allotted his house-plot and his seed-plot; he would have had an equal share in the great fields which the villagers cultivated together, he would have been free to gather his fagots or take game in the common wood, or to graze his beasts on the common pasturage. Even a few generations ago, after the land-grabbing that began with the Tudors had gone on for some centuries, he would have found in yet existing commons some faint survival of the ancient principle that this planet was intended for all men, not for some men. But now he finds every foot of land inclosed against him. The fields which his forefathers tilled, share and share alike, are the private property of "my lord," who rents it out to large farmers on terms so high that, to get ordinary





interest on their capital, they must grind the faces of their laborers; the ancient woodland is inclosed by a high wall, topped with broken glass, and is patrolled by gamekeepers with loaded guns and the authority to take any intruder before the magistrate, who will send him to prison; the old-time common has become "my lord's" great park, on which *his* fat cattle graze, and *his* supple-limbed deer daintily browse. Even the old foot-paths that gave short cuts from road to road, through hazel thicket and by tinkling brook, are now walled in.

Yet this "free-born Englishman," this Briton who never shall be a slave, cannot live without land. He must find some bit of the earth's surface on which he and his wife can rest, which they may call "home." But, save the highroads, there is not as much of their native land as they may cover with the soles of their feet, that they can use without some other human creature's permission; and on the highroad they would not be suffered to lie down, still less to make them a bower of leaves. So, to get living space in his native land, our "free-born Englishman" must consent to work so many days in the month for one of the "owners" of England, or, what amounts to the same thing, he must sell his labor, or the fruits of his labor, to some third party and pay the "owner" of some particular part of the planet for the privilege of living on the planet. Having thus sacrificed a part of his labor to get permission from another fellow-creature to live, if he can, our "free-born Englishman" must next go to work to procure food, clothing, etc. But as he cannot get to work without land to work on, he is compelled, instead of going to work for himself, to sell his labor to those who have land, on such terms as they please, and those terms are only enough just to support life in the most miserable fashion—that is to say, all the produce of his labor is taken from him, and he is given back out of it just what the hardest owner would

be forced to give the slave—enough to support life on. He lives in a miserable hovel, with its broken floor on the bare ground, and an ill-kept thatch, through which the rain comes. He works from morning to night, and his wife must do the same; and their children, as soon almost as they can walk, must also go to work, pulling weeds, or scaring away crows, or doing such like jobs for the landowner, who graciously lets them live and work on his land. Illness often comes, and death too often. Then there is no recourse but the parish or "My Lady Bountiful," the wife or daughter or almoner of "the God Almighty of the countyside," as Tennyson calls him—the owner (if not the maker) of the world in these parts—who doles out in insulting and degrading charity some little stint of the wealth appropriated from the labor of this family and of other such families. If he does not "order himself lowly and reverently to all his betters;" if he does not pull his poor hat off his sheepish head whenever "my lord" or "my lady," or "his honor," or any of their understrappers, go by; if he does not bring up his children in the humility which these people think proper and becoming in the "lower classes;" if there is suspicion that he may have helped himself to an apple or snared a hare, or slyly hooked a fish from the stream, this "free-born Englishman" loses charity and loses work. He must go on the parish or starve. He becomes bent and stiff before his time. His wife is old and worn, when she ought to be in her prime of strength and beauty. His girls—such as live—marry such as he, to lead such lives as their mother's, or, perhaps, are seduced by their "betters," and sent, with a few pounds, to a great town, to die in a few years in brothel, or hospital, or prison. His boys grow up ignorant and brutish; they cannot support him when he grows old, even if they would, for they do not get back enough of the proceeds of their labor. The only refuge for the pair in

their old age is the almshouse, where, for shame to let them starve on the roadside, these worked-out slaves are kept to die,—where the man is separated from the wife, and the old couple, over whom the parson of the church, by law established, has said, “Whom God hath joined together let no man put asunder,” lead, apart from each other, a prison-like existence until death comes to their relief.

In what is the condition of such a “free-born Englishman” as this, better than that of a slave? Yet if this is not a fair picture of the condition of the English agricultural laborers, it is only because I have not dwelt upon the darkest shades—the sodden ignorance and brutality, the low morality of these degraded and debased classes. In quantity and quality of food, in clothing and housing, in ease and recreation, and in morality, there can be no doubt that the average Southern slave was better off than the average agricultural laborer is in England to-day—that his life was healthier and happier and fuller. So long as a plump, well-kept, hearty negro was worth \$1000, no slave-owner, selfish or cold-blooded as he might be, would keep his negroes as great classes of “free-born Englishmen” must live. But these white slaves have no money value. (It is not the labor, it is the land that commands the labor, that has a capitalized value.) You can get the labor of men for from nine to twelve shillings a week—less than it would cost to keep a slave in good marketable condition; and of children for sixpence a week, and when they are worked out they can be left to die or “go on the parish.”

The negroes, some say, are an inferior race. But these white slaves of England are of the stock that has given England her scholars and her poets, her philosophers and statesmen, her merchants and inventors, who have formed the bulwark of the sea-girt isle, and have carried the meteor flag around the world. They are ignorant, and degraded,

and debased ; they live the life of slaves and die the death of paupers, simply because they are robbed of their natural rights.

In the same neighborhood in which you may find such people as these, in which you may see squalid laborers' cottages where human beings huddle together like swine, you may also see grand mansions set in great, velvety, oak-graced parks, the habitations of local "God Almightyes," as the Laureate styles them, and as these brutalized English people seem almost to take them to be. They never do any work—they pride themselves upon the fact that for hundreds of years their ancestors have never done any work ; they look with the utmost contempt not merely upon the man who works, but even upon the man whose grandfather had to work. Yet they live in the utmost luxury. They have town houses and country houses, horses, carriages, liveried servants, yachts, packs of hounds ; they have all that wealth can command in the way of literature and education and the culture of travel. And they have wealth to spare, which they can invest in railway shares, or public debts, or in buying up land in the United States. But not an iota of this wealth do they produce. They get it because, it being conceded that they own the land, the people who do produce wealth must hand their earnings over to them.

Here, clear and plain, is the beginning and primary cause of that inequality in the distribution of wealth which, in England, produces such dire, soul-destroying poverty, side by side with such wantonness of luxury, and which is to be seen in the cities even more glaringly than in the country. Here, clear and plain, is the reason why labor seems a drug, and why, in all occupations in which mere laborers can engage, wages tend to the merest pittance on which life can be maintained. (Deprived of their natural rights to land, treated as intruders upon

God's earth, men are compelled to an unnatural competition for the privilege of mere animal existence, that in manufacturing towns and city slums reduces humanity to a depth of misery and debasement in which beings, created in the image of God, sink below the level of the brutes.)

And the same inequality of conditions which we see beginning here, is it not due to the same primary cause? American citizenship confers no right to American soil. The first and most essential rights of man—the rights to life, liberty and the pursuit of happiness—are denied here as completely as in England. And the same results must follow.