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A

SYMPOSIUM

ON

THE LAND QUESTION.

BY

AUBERON HERBERT.

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IX.—BY MR. HERBERT SPENCER.

AS some doubts had arisen with respect to Mr. Spencer's maintenance of the views on property in land set forth in his *Social Statics*, we asked him, some months ago, to banish these uncertainties by making a brief contribution to our Symposium. This he was unable at the time to do, because of ill-health; but he has since been induced, by the "heckling" to which the Right Hon. John Morley, M.P., was subjected by a body of his constituents, to write a letter to the *Times* (7th November, 1889) which, as it exactly serves the purpose of our Symposium, we take the liberty to transcribe.—Ed.

Sir,—During the interview between Mr. Morley and some of his constituents, reported in your issue of the 5th inst., I was referred to as having set forth certain opinions respecting land ownership. Fearing that, if I remain silent, many will suppose I have said things which I have not said, I find it needful to say something in explanation.

Already within these few years I have twice pointed out that these opinions (made to appear by those who have circulated them widely different from what they really are, by the omission of accompanying opinions) were set forth in my first work, published 40 years ago; and that, for the last 12 or 15 years, I have refrained from issuing new editions of that work and have interdicted translations, because, though I still adhere to its general principles, I dissent from some of the deductions.

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. The conclusion reached concerning land ownership was reached while seeking a valid basis for the right of property: the basis assigned by Locke appearing to me invalid. It was argued that a satisfactory ethical warrant for private ownership could arise only by contract between the community, as original owner of the inhabited area, and individual members, who became tenants, agreeing to pay certain portions of the produce, or its equivalent in money, in consideration of recognised claims to the rest. And in the

course of the argument it was pointed out that such a view of land ownership is congruous with existing legal theory and practice ; since in law every landowner is held to be a tenant of the Crown—that is, of the community, and since, in practice, the supreme right of the community is asserted by every Act of Parliament which, with a view to public advantage, directly or by proxy takes possession of land after making due compensation.

All this was said in the belief that the questions raised were not likely to come to the front in our time or for many generations ; but, assuming that they would some time come to the front, it was said that, supposing the community should assert overtly the supreme right which is now tacitly asserted, the business of compensation of landowners would be a complicated one—

“ One that perhaps cannot be settled in a strictly equitable manner . . . Most of our present landowners are men who have, either mediately or immediately, either by their own acts or by the acts of their ancestors, given for their estates equivalents of honestly-earned wealth, believing that they were investing their savings in a legitimate manner. To justly estimate and liquidate the claims of such is one of the most intricate problems society will one day have to solve.”

To make the position I then took quite clear, it is needful to add that, as shown in a succeeding chapter, the insistence on this doctrine, in virtue of which “ the right of property obtains a legitimate foundation,” had for one of its motives the exclusion of Socialism and Communism, to which I was then as profoundly averse as I am now.

Investigations made during recent years into the various forms of social organization, while writing the “ Principles of Sociology,” have in part confirmed and in part changed the views published in 1850. Perhaps I may be allowed space for quoting from “ Political Institutions ” a paragraph showing the revised conclusions arrived at :—

“ At first sight it seems fairly inferable that the absolute ownership of land by private persons must be the ultimate state which industrialism brings about. But though industrialism has thus far tended to individualize possession of land, while individualizing all other possession, it may be doubted whether the final stage is at present reached. Ownership established by force does not stand on the same footing as ownership established by contract : and though multiplied sales and purchases, treating the two ownerships in the same way, have tacitly assimilated them, the assimilation

may eventually be denied. The analogy furnished by assumed rights of possession over human beings helps us to recognize this possibility. For while prisoners of war, taken by force and held as property in a vague way (being at first much on a footing with other members of a household), were reduced more definitely to the form of property when the buying and selling of slaves became general; and while it might, centuries ago, have been thence inferred that the ownership of man by man was an ownership in course of being permanently established; yet we see that a later stage of civilization, reversing this process, has destroyed ownership of man by man. Similarly, at a stage still more advanced, it may be that private ownership of land will disappear. As that primitive freedom of the individual which existed before war established coercive institutions and personal slavery comes to be re-established as militancy declines, so it seems possible that the primitive ownership of land by the community, which, with the development of coercive institutions, lapsed in large measure or wholly into private ownership, will be revived as industrialism further develops. The *régime* of contract, at present so far extended that the right of property in movables is recognised only as having arisen by exchange of services or products under agreements, or by gift from those who had acquired it under such agreements, may be further extended so far that the products of the soil will be recognised as property only by virtue of agreements between individuals as tenants and the community as landowner. Even now, among ourselves, private ownership of land is not absolute. In legal theory landowners are directly or indirectly tenants of the Crown (which in our day is equivalent to the State, or, in other words, the community); and the community from time to time resumes possession after making due compensation. Perhaps the right of the community to the land, thus tacitly asserted, will in time to come be overtly asserted, and acted upon after making full allowance for the accumulated value artificially given. . . . There is reason to suspect that while private possession of things produced by labour will grow even more definite and sacred than at present, the inhabited area, which cannot be produced by labour, will eventually be distinguished as something which may not be privately possessed. As the individual, primitively owner of himself, partially or wholly loses ownership of himself during the militant *régime*, but gradually resumes it as the industrial *régime* develops, so, possibly, the communal proprietorship of land, partially or wholly merged in the ownership of

dominant men during evolution of the militant type, will be resumed as the industrial type becomes fully evolved." (Pp. 643-46.)

The use of the words "possible," "possibly," and "perhaps" in the above extracts shows that I have no positive opinion as to what may hereafter take place. The reason for this state of hesitancy is that I cannot see my way towards reconciliation of the ethical requirements with the politico-economical requirements. On the one hand, a condition of things under which the owner of, say, the Scilly Isles might make tenancy of his land conditional upon professing a certain creed or adopting prescribed habits of life, giving notice to quit to any who did not submit, is ethically indefensible. On the other hand, "nationalization of the land," effected after compensation for the artificial value given by cultivation, amounting to the greater part of its value, would entail, in the shape of interest on the required purchase-money, as great a sum as is now paid in rent, and indeed a greater, considering the respective rates of interest on landed property and other property. Add to which there is no reason to think that the substituted form of administration would be better than the existing form of administration. The belief that land would be better managed by public officials than it is by private owners is a very wild belief.

What the remote future may bring forth there is no saying; but with a humanity anything like that we now know, the implied re-organization would be disastrous.

I am, &c.,

HERBERT SPENCER.

Athenæum Club, November 6th.