

CHAPTER XI

LAWS—THE CAUSE OF SLAVERY

THE slavery of our times results from three sets of laws: those about land, taxes, and property. And therefore all the attempts of those who wish to improve the position of the workers are inevitably, though unconsciously, directed against those three legislations.

One set of people repeal taxes weighing on the working classes, and transfer them on to the rich; others propose to abolish the right of private property in land, and attempts are being made to put this in practice both in New Zealand and in one of the American States (the limitation of landlords' rights in Ireland is a move in the same direction); a third set—the Socialists—propose to communalise the means of production, to tax incomes and inheritances, and to limit the rights of capitalist employers. It would therefore seem as though the legislative enactments which cause slavery were being repealed, and that we may therefore expect slavery to be abolished in this way. But we need only look more closely at

the conditions under which the abolition of these legislative enactments is accomplished or proposed, to be convinced that not only the practical but even the theoretical projects for the improvement of the workers' position, are merely replacing one legislation producing slavery by another establishing a newer form of slavery. Thus, for instance, those who abolish taxes and duties on the poor, first abolishing direct dues, and then transferring the burden of taxation from the poor to the rich, necessarily have to retain, and do retain, the laws making private property of land, of the means of production, and of other articles on to which the whole burden of the taxes is shifted. The retention of the laws concerning land and property keeps the workers in slavery to the landowners and the capitalists, even though the workers are freed from taxes. Those who, like Henry George and his partisans, would abolish the laws making private property of land, propose new laws imposing an obligatory rent on the land. And this obligatory land rent will necessarily create a new form of slavery; because a man compelled to pay rent or single-tax may, at any failure of the crops or other misfortune, have to borrow money from a man who has some to lend, and he will again lapse into slavery. Those who—like the Socialists—in theory, wish to abolish the legalisation of property in land and in means of

production, not only retain the legalisation of taxes, but must, moreover, inevitably introduce laws of compulsory labour—*i.e.* they must re-establish slavery in its primitive form.

So that, this way or that way, all the practical and theoretical repeals of certain laws maintaining slavery in one form, have always, and do always, replace it by new legislation creating slavery in another and a fresh form.

What happens is something like what a jailer might do who shifted a prisoner's chains from the neck to the arms, and from the arms to the legs, or took them off and substituted bolts and bars. All the improvements that have hitherto taken place in the position of the workers have been of this kind.

The laws giving a master the right to compel his slaves to do compulsory work, were replaced by laws allowing the masters to own all the land. The laws allowing all the land to become the private property of the masters may be replaced by taxation laws, the control of the taxes being in the hands of the masters. The taxation laws may be replaced by others defending the right of private property in articles of use and in the means of production. The laws maintaining property in land and in articles of use and means of production, may, as is now proposed, be replaced by the enactment of compulsory labour.

So it is evident that the abolition of one form of legalisation producing the slavery of our time—whether taxes, or land-owning, or property in articles of use or in the means of production—will not destroy slavery, but will only repeal one of its forms, which will immediately be replaced by a new one, as was the case with the abolition of chattel slavery, and of serfdom, and with the repeals of taxes. Even the abolition of all three groups of laws together, will not abolish slavery, but evoke a new and previously unknown form of it,—which is now already beginning to show itself and to shackle the freedom of labour by legislation concerning the hours of work, the age and state of health of the workers, as well as by demanding obligatory attendance at schools, by deductions for old-age insurance or accidents, by all the measures of factory inspection, etc. All this is nothing but transitional legalisation—preparing a new and as yet untried form of slavery.

So that it becomes evident that the essence of slavery lies not in those three roots of legislation on which it now rests, and not even in such, or such other, legislative enactments, but in the fact that legislation exists—that there are people who have power to decree laws profitable for themselves, and that as long as people have that power there will be slavery.

Formerly it was profitable for people to have.

chattel slaves ; and they made laws about chattel slavery. Afterwards it became profitable to own land, to take taxes, and to keep things one had acquired, and they made laws correspondingly. Now it is profitable for people to maintain the existing direction and division of labour ; and they are devising such laws as will compel people to work under the present apportionment and division of labour. Thus the fundamental cause of slavery is legislation : the fact that there are people who have the power to make laws.

What is legislation ? and what gives people the power to make laws ?