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Frédéric Bastiat, *Selected Essays on Political Economy*  
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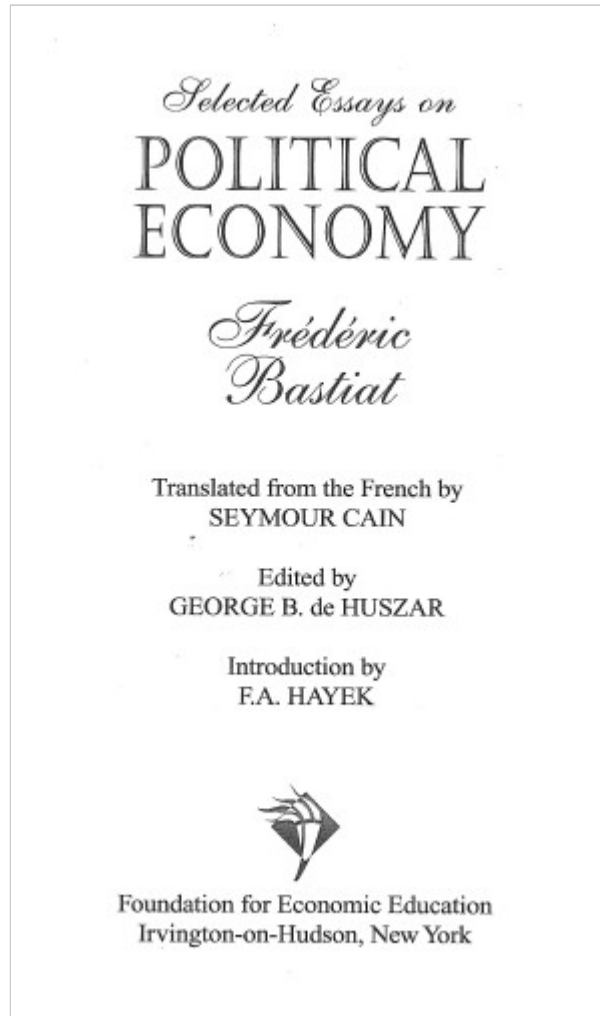
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## Edition Used:

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Translator: [Seymour Cain](#)  
Editor: [George B. de Huszar](#)  
Introduction: [Friedrich August von Hayek](#)

## About This Title:

An English translation of some of Bastiat's most famous pamphlets, written as part of his opposition to the growth of socialism in France in the 1840s. Contains "What is Seen and What is Not Seen", "The Law", and "The State".

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<b>Table of Contents</b>		<b>PAGE</b>
Preface to the English-Language Edition by George B. de Huszar		vii
Introduction by Friedrich A. von Hayek		ix
<b>CHAPTER</b>		
<b>1</b>	<b>WHAT IS SEEN AND WHAT IS NOT SEEN</b>	<b>1</b>
	1. The Broken Window	2
	2. The Demobilization	4
	3. Taxes	7
	4. Theaters and Fine Arts	11
	5. Public Works	16
	6. The Middlemen	19
	7. Restraint of Trade	25
	8. Machines	30
	9. Credit	35
	10. Algeria	38
	11. Thrift and Luxury	42
	12. The Right to Employment and the Right to Profit	47
<b>2</b>	<b>THE LAW</b>	<b>51</b>
<b>3</b>	<b>PROPERTY AND LAW</b>	<b>97</b>
<b>4</b>	<b>JUSTICE AND FRATERNITY</b>	<b>116</b>
<b>5</b>	<b>THE STATE</b>	<b>140</b>
<b>6</b>	<b>PROPERTY AND PLUNDER</b>	<b>152</b>
	1. First Letter	152
	2. Second Letter	157
	3. Third Letter	162
xiii		

## Table Of Contents

- [George B. De Huszar, Preface to the English-language Edition](#)
- [F. A. Hayek, Introduction](#)
- [1: What Is Seen and What Is Not Seen 1](#)
- [1. the Broken Window](#)
- [2. the Demobilization](#)
- [3. Taxes](#)
- [4. Theaters and Fine Arts](#)
- [5. Public Works](#)
- [6. Middlemen](#)
- [7. Restraint of Trade](#)
- [8. Machines](#)
- [9. Credit](#)
- [10. Algeria](#)
- [11. Thrift and Luxury](#)
- [12. the Right to Employment and the Right to Profit](#)
- [2: The Law 1](#)
- [3: Property and Law 1](#)
- [4: Justice and Fraternity 1](#)
- [5: The State 1](#)
- [6: Property and Plunder \\*](#)
- [First Letter 1](#)
- [Second Letter](#)
- [Third Letter](#)
- [Fourth Letter](#)
- [Fifth Letter](#)
- [Protest of M. Considérant and Reply of F. Bastiat. 14](#)
- [7.: Protectionism and Communism](#)
- [8.: Plunder and Law 1](#)
- [9.: Academic Degrees and Socialism](#)
- [10: Declaration of War Against the Professors of Political Economy 1](#)
- [11: Speech On the Suppression of Industrial Combinations 1](#)
- [12: To the Democrats](#)
- [13: The Balance of Trade 1](#)
- [About the Publisher](#)
- [Additional Books By Frédéric Bastiat](#)
- [The Law](#)
- [Economic Harmonies](#)
- [Economic Sophisms](#)

[\[Back to Table of Contents\]](#)

## Preface To The English-Language Edition

Frédéric Bastiat wrote numerous essays or pamphlets which he used to promote his ideas and to combat errors. Many of his important essays or pamphlets are included in this volume. Of these, "The Law" and "What Is Seen and What Is Not Seen" are well known; others are not so familiar. Henry Hazlitt in his *Economics in One Lesson* said this regarding "What Is Seen and What Is Not Seen": "The following work may, in fact, be regarded as a modernization, extension, and generalization of the approach found in Bastiat's pamphlet." The Editor is responsible for the arrangement of the essays in the present volume.

This translation follows as faithfully as possible the original French standard edition of the complete works of Bastiat. Cross references have been included among the three volumes of the present translation.

Three types of notes are included: Translator's notes are directed at the general reader and are mainly about persons and terms. Editor's notes refer to notes by the editor of the French edition; Bastiat's notes stand without such notations. Only the Translator's notes are at the bottom of the page; Editor's notes and Bastiat's notes are at the end of the volume. The latter two are more important but were put at the back to avoid cluttering the pages and to promote readability. Where the French editor has indicated a cross reference to a chapter or passage in either *Economic Harmonies* or *Economic Sophisms*, the original reference to the French edition has been replaced by one directing the reader to the English translation.

Although these three volumes of English translations of Bastiat are published simultaneously, there is some repetition of the Translator's notes and the editorial Prefaces. This is necessary because some may obtain only one volume of this three-volume series, and therefore each volume has been made as self-sufficient as possible.

The Editor wishes to express his appreciation to Seymour Cain, to W. Hayden Boyers, to F. A. Hayek for writing the Introduction, to Arthur Goddard, and to the William Volker Fund.

George B. de Huszar

[\[Back to Table of Contents\]](#)

## Introduction

Even those who may question the eminence of Frédéric Bastiat as an economic theorist will grant that he was a publicist of genius. Joseph Schumpeter calls him “the most brilliant economic journalist who ever lived.” For the purpose of introducing the present volume, which contains some of the most successful of his writings for the general public, we might well leave it at that. One might even grant Schumpeter's harsh assessment of Bastiat that “he was not a theorist” without seriously diminishing his stature. It is true that when, at the end of his extremely short career as a writer, he attempted to provide a theoretical justification for his general conceptions, he did not satisfy the professionals. It would indeed have been a miracle if a man who, after only five years as a regular writer on public affairs, attempted in a few months, and with a mortal illness rapidly closing in on him, to defend the points on which he differed from established doctrine, had fully succeeded in this too. Yet one may ask whether it was not only his early death at the age of forty-nine that prevented him. His polemical writings, which in consequence are the most important ones he has left, certainly prove that he had an insight into what was significant and a gift for going to the heart of the matter that would have provided him with ample material for real contributions to science.

Nothing illustrates this better than the celebrated title of the first essay in the present volume. “What is seen and what is not seen in political economy!” No one has ever stated more clearly in a single phrase the central difficulty of a rational economic policy and, I would like to add, the decisive argument for economic freedom. It is the idea compressed into these few words that made me use the word “genius” in the opening sentence. It is indeed a text around which one might expound a whole system of libertarian economic policy. And though it constitutes the title for only the first essay in this volume, it provides the leading idea for all. Bastiat illustrates its meaning over and over again in refuting the current fallacies of his time. I shall later indicate that, though the views he combats are today usually advanced only in a more sophisticated guise, they have basically not changed very much since Bastiat's time. But first I want to say a few words about the more general significance of his central idea.

This is simply that if we judge measures of economic policy solely by their immediate and concretely foreseeable effects, we shall not only not achieve a viable order but shall be certain progressively to extinguish freedom and thereby prevent more good than our measures will produce. Freedom is important in order that all the different individuals can make full use of the particular circumstances of which only they know. We therefore never know what beneficial actions we prevent if we restrict their freedom to serve their fellows in whatever manner they wish. All acts of interference, however, amount to such restrictions. They are, of course, always undertaken to achieve some definite objective. Against the foreseen direct results of such actions of government we shall in each individual case be able to balance only the mere probability that some unknown but beneficial actions by some individuals will be prevented. In consequence, if such decisions are made from case to case and not

governed by an attachment to freedom as a general principle, freedom is bound to lose in almost every case. Bastiat was indeed right in treating freedom of choice as a moral principle that must never be sacrificed to considerations of expediency; because there is perhaps no aspect of freedom that would not be abolished if it were to be respected only where the concrete damage caused by its abolition can be pointed out.

Bastiat directed his arguments against certain ever recurring fallacies as they were employed in his time. Few people would employ them today quite as naively as it was still possible to do then. But let the reader not deceive himself that these same fallacies no longer play an important role in contemporary economic discussion: they are today expressed merely in a more sophisticated form and are therefore more difficult to detect. The reader who has learnt to recognize these stock fallacies in their simpler manifestations will at least be on his guard when he finds the same conclusions derived from what appears to be a more scientific argument. It is characteristic of much of recent economics that by ever new arguments it has tried to vindicate those very prejudices which are so attractive because the maxims that follow from them are so pleasant or convenient: spending is a good thing, and saving is bad; waste benefits and economy harms the mass of the people; money will do more good in the hands of the government than in those of the people; it is the duty of government to see that everybody gets what he deserves; etc., etc.

None of these ideas has lost any of its power in our time. The only difference is that Bastiat, in combatting them, was on the whole fighting on the side of the professional economists against popular beliefs exploited by interested parties, while similar proposals are today propagated by an influential school of economists in a most impressive and, to the layman, largely unintelligible garb. It is doubtful whether there is one among the fallacies which one might have hoped Bastiat had killed once and for all that has not experienced its resurrection. I shall give only one example. To an account of Bastiat's best-known economic fable, *The Petition of the Candlemakers against the Competition of the Sun* (contained in a companion volume to this), in which it is demanded that windows should be prohibited because of the benefit which the prosperity of the candlemakers would confer on everyone else, a well-known French textbook of the history of economics adds in its latest edition the following footnote: "It should be noted that according to Keynes—on the assumption of underemployment and in accordance with the theory of the multiplier—this argument of the candlemakers is literally and fully valid."

The attentive reader will notice that, while Bastiat grapples with so many economic panaceas which are familiar to us, one of the main dangers of our time does not appear in his pages. Though he has to deal with various queer proposals for using credit which were current in his time, straight inflation through a government deficit seemed in his age not a major danger. An increase of expenditure means for him necessarily and immediately an increase in taxation. The reason is that, as among all people who have gone through a major inflation within living memory, a continuous depreciation of money was not a thing with which people would have put up with in his day. So if the reader should be inclined to feel superior to the rather simple fallacies that Bastiat often finds it necessary to refute, he should remember that in

some other respects his compatriots of more than a hundred years ago were considerably wiser than our generation.

F. A. Hayek



[\[Back to Table of Contents\]](#)

1

## What Is Seen And What Is Not Seen<sup>1</sup>

In the economic sphere an act, a habit, an institution, a law produces not only one effect, but a series of effects. Of these effects, the first alone is immediate; it appears simultaneously with its cause; *it is seen*. The other effects emerge only subsequently; *they are not seen*; we are fortunate if we *foresee* them.

There is only one difference between a bad economist and a good one: the bad economist confines himself to the *visible* effect; the good economist takes into account both the effect that can be seen and those effects that must be *foreseen*.

Yet this difference is tremendous; for it almost always happens that when the immediate consequence is favorable, the later consequences are disastrous, and vice versa. Whence it follows that the bad economist pursues a small present good that will be followed by a great evil to come, while the good economist pursues a great good to come, at the risk of a small present evil.

The same thing, of course, is true of health and morals. Often, the sweeter the first fruit of a habit, the more bitter are its later fruits: for example, debauchery, sloth, prodigality. When a man is impressed by the effect *that is seen* and has not yet learned to discern the effects *that are not seen*, he indulges in deplorable habits, not only through natural inclination, but deliberately.

This explains man's necessarily painful evolution. Ignorance surrounds him at his cradle; therefore, he regulates his acts according to their first consequences, the only ones that, in his infancy, he can see. It is only after a long time that he learns to take account of the others.<sup>2</sup> Two very different masters teach him this lesson: experience and foresight. Experience teaches efficaciously but brutally. It instructs us in all the effects of an act by making us feel them, and we cannot fail to learn eventually, from having been burned ourselves, that fire burns. I should prefer, in so far as possible, to replace this rude teacher with one more gentle: foresight. For that reason I shall investigate the consequences of several economic phenomena, contrasting those *that are seen* with those *that are not seen*.

[\[Back to Table of Contents\]](#)

## 1. *The Broken Window*

Have you ever been witness to the fury of that solid citizen, James Goodfellow,\* when his incorrigible son has happened to break a pane of glass? If you have been present at this spectacle, certainly you must also have observed that the onlookers, even if there are as many as thirty of them, seem with one accord to offer the unfortunate owner the selfsame consolation: "It's an ill wind that blows nobody some good. Such accidents keep industry going. Everybody has to make a living. What would become of the glaziers if no one ever broke a window?"

Now, this formula of condolence contains a whole theory that it is a good idea for us to expose, *flagrante delicto*, in this very simple case, since it is exactly the same as that which, unfortunately, underlies most of our economic institutions.

Suppose that it will cost six francs to repair the damage. If you mean that the accident gives six francs' worth of encouragement to the aforesaid industry, I agree. I do not contest it in any way; your reasoning is correct. The glazier will come, do his job, receive six francs, congratulate himself, and bless in his heart the careless child. *That is what is seen.*

But if, by way of deduction, you conclude, as happens only too often, that it is good to break windows, that it helps to circulate money, that it results in encouraging industry in general, I am obliged to cry out: That will never do! Your theory stops at *what is seen*. It does not take account of *what is not seen*.

*It is not seen* that, since our citizen has spent six francs for one thing, he will not be able to spend them for another. *It is not seen* that if he had not had a windowpane to replace, he would have replaced, for example, his worn-out shoes or added another book to his library. In brief, he would have put his six francs to some use or other for which he will not now have them.

Let us next consider industry *in general*. The window having been broken, the glass industry gets six francs' worth of encouragement; *that is what is seen*.

If the window had not been broken, the shoe industry (or some other) would have received six francs' worth of encouragement; *that is what is not seen*.

And if we were to take into consideration *what is not seen*, because it is a negative factor, as well as *what is seen*, because it is a positive factor, we should understand that there is no benefit to industry *in general* or to *national employment* as a whole, whether windows are broken or not broken.

Now let us consider James Goodfellow.

On the first hypothesis, that of the broken window, he spends six francs and has, neither more nor less than before, the enjoyment of one window.

On the second, that in which the accident did not happen, he would have spent six francs for new shoes and would have had the enjoyment of a pair of shoes as well as of a window.

Now, if James Goodfellow is part of society, we must conclude that society, considering its labors and its enjoyments, has lost the value of the broken window.

From which, by generalizing, we arrive at this unexpected conclusion: "Society loses the value of objects unnecessarily destroyed," and at this aphorism, which will make the hair of the protectionists stand on end: "To break, to destroy, to dissipate is not to encourage national employment," or more briefly: "Destruction is not profitable."

What will the *Moniteur industriel*\* say to this, or the disciples of the estimable M. de Saint-Chamans,\* who has calculated with such precision what industry would gain from the burning of Paris, because of the houses that would have to be rebuilt?

I am sorry to upset his ingenious calculations, especially since their spirit has passed into our legislation. But I beg him to begin them again, entering *what is not seen* in the ledger beside *what is seen*.

The reader must apply himself to observe that there are not only two people, but three, in the little drama that I have presented. The one, James Goodfellow, represents the consumer, reduced by destruction to one enjoyment instead of two. The other, under the figure of the glazier, shows us the producer whose industry the accident encourages. The third is the shoemaker (or any other manufacturer) whose industry is correspondingly discouraged by the same cause. It is this third person who is always in the shadow, and who, personifying *what is not seen*, is an essential element of the problem. It is he who makes us understand how absurd it is to see a profit in destruction. It is he who will soon teach us that it is equally absurd to see a profit in trade restriction, which is, after all, nothing more nor less than partial destruction. So, if you get to the bottom of all the arguments advanced in favor of restrictionist measures, you will find only a paraphrase of that common cliché: "*What would become of the glaziers if no one ever broke any windows?*"

[\[Back to Table of Contents\]](#)

## 2. *The Demobilization*

A nation is in the same case as a man. When a man wishes to give himself a satisfaction, he has to see whether it is worth what it costs. For a nation, security is the greatest of blessings. If, to acquire it, a hundred thousand men must be mobilized, and a hundred million francs spent, I have nothing to say. It is an enjoyment bought at the price of a sacrifice.

Let there be no misunderstanding, then, about the point I wish to make in what I have to say on this subject.

A legislator proposes to discharge a hundred thousand men, which will relieve the taxpayers of a hundred million francs in taxes.

Suppose we confine ourselves to replying to him: "These one hundred thousand men and these one hundred million francs are indispensable to our national security. It is a sacrifice; but without this sacrifice France would be torn by internal factions or invaded from without." I have no objection here to this argument, which may be true or false as the case may be, but which theoretically does not constitute any economic heresy. The heresy begins when the sacrifice itself is represented as an advantage, because it brings profit to someone.

Now, if I am not mistaken, no sooner will the author of the proposal have descended from the platform, than an orator will rush up and say:

"Discharge a hundred thousand men! What are you thinking of? What will become of them? What will they live on? On their earnings? But do you not know that there is unemployment everywhere? That all occupations are oversupplied? Do you wish to throw them on the market to increase the competition and to depress wage rates? Just at the moment when it is difficult to earn a meager living, is it not fortunate that the state is giving bread to a hundred thousand individuals? Consider further that the army consumes wine, clothes, and weapons, that it thus spreads business to the factories and the garrison towns, and that it is nothing less than a godsend to its innumerable suppliers. Do you not tremble at the idea of bringing this immense industrial activity to an end?"

This speech, we see, concludes in favor of maintaining a hundred thousand soldiers, not because of the nation's need for the services rendered by the army, but for economic reasons. It is these considerations alone that I propose to refute.

A hundred thousand men, costing the taxpayers a hundred million francs, live as well and provide as good a living for their suppliers as a hundred million francs will allow: *that is what is seen.*

But a hundred million francs, coming from the pockets of the taxpayers, ceases to provide a living for these taxpayers and *their* suppliers, to the extent of a hundred

million francs: *that is what is not seen*. Calculate, figure, and tell me where there is any profit for the mass of the people.

I will, for my part, tell you where the *loss* is, and to simplify things, instead of speaking of a hundred thousand men and a hundred million francs, let us talk about one man and a thousand francs.

Here we are in the village of A. The recruiters make the rounds and muster one man. The tax collectors make their rounds also and raise a thousand francs. The man and the sum are transported to Metz, the one destined to keep the other alive for a year without doing anything. If you look only at Metz, yes, you are right a hundred times; the procedure is very advantageous. But if you turn your eyes to the village of A, you will judge otherwise, for, unless you are blind, you will see that this village has lost a laborer and the thousand francs that would remunerate his labor, and the business which, through the spending of these thousand francs, he would spread about him.

At first glance it seems as if the loss is compensated. What took place at the village now takes place at Metz, and that is all there is to it. But here is where the loss is. In the village a man dug and labored: he was a worker; at Metz he goes through “Right dress!” and “Left dress!”: he is a soldier. The money involved and its circulation are the same in both cases: but in one there were three hundred days of productive labor; in the other there are three hundreds days of unproductive labor, on the supposition, of course, that a part of the army is not indispensable to public security.

Now comes demobilization. You point out to me a surplus of a hundred thousand workers, intensified competition and the pressure that it exerts on wage rates. That is what you see.

But here is what you do not see. You do not see that to send home a hundred thousand soldiers is not to do away with a hundred million francs, but to return that money to the taxpayers. You do not see that to throw a hundred thousand workers on the market in this way is to throw in at the same time the hundred million francs destined to pay for their labor; that, as a consequence, the same measure that increases the *supply* of workers also increases the *demand*; from which it follows that your lowering of wages is illusory. You do not see that before, as well as after, the demobilization there are a hundred million francs corresponding to the hundred thousand men; that the whole difference consists in this: that before, the country gives the hundred million francs to the hundred thousand men for doing nothing; afterwards, it gives them the money for working. Finally, you do not see that when a taxpayer gives his money, whether to a soldier in exchange for nothing or to a worker in exchange for something, all the more remote consequences of the circulation of this money are the same in both cases: only, in the second case the taxpayer receives something; in the first he receives nothing. Result: a dead loss for the nation.

The sophism that I am attacking here cannot withstand the test of extended application, which is the touchstone of all theoretical principles. If, all things considered, there is a *national profit* in increasing the size of the army, why not call the whole male population of the country to the colors?

[\[Back to Table of Contents\]](#)

### 3. *Taxes*

Have you ever heard anyone say: "Taxes are the best investment; they are a life-giving dew. See how many families they keep alive, and follow in imagination their indirect effects on industry; they are infinite, as extensive as life itself."

To combat this doctrine, I am obliged to repeat the preceding refutation. Political economy knows very well that its arguments are not diverting enough for anyone to say about them: *Repetita placent*; repetition pleases. So, like Basile,\* political economy has "arranged" the proverb for its own use, quite convinced that, from its mouth, *Repetita docent*; repetition teaches.

The advantages that government officials enjoy in drawing their salaries are *what is seen*. The benefits that result for their suppliers are also *what is seen*. They are right under your nose.

But the disadvantage that the taxpayers try to free themselves from is *what is not seen*, and the distress that results from it for the merchants who supply them is *something further that is not seen*, although it should stand out plainly enough to be seen intellectually.

When a government official spends on his own behalf one hundred sous more, this implies that a taxpayer spends on his own behalf one hundred sous the less. But the spending of the government official is *seen*, because it is done; while that of the taxpayer is *not seen*, because—alas!—he is prevented from doing it.

You compare the nation to a parched piece of land and the tax to a life-giving rain. So be it. But you should also ask yourself where this rain comes from, and whether it is not precisely the tax that draws the moisture from the soil and dries it up.

You should ask yourself further whether the soil receives more of this precious water from the rain than it loses by the evaporation?

What is quite certain is that, when James Goodfellow counts out a hundred sous to the tax collector, he receives nothing in return. When, then, a government official, in spending these hundred sous, returns them to James Goodfellow, it is for an equivalent value in wheat or in labor. The final result is a loss of five francs for James Goodfellow.

It is quite true that often, nearly always if you will, the government official renders an equivalent service to James Goodfellow. In this case there is no loss on either side; there is only an exchange. Therefore, my argument is not in any way concerned with useful functions. I say this: If you wish to create a government office, prove its usefulness. Demonstrate that to James Goodfellow it is worth the equivalent of what it costs him by virtue of the services it renders him. But apart from this intrinsic utility, do not cite, as an argument in favor of opening the new bureau, the advantage that it

constitutes for the bureaucrat, his family, and those who supply his needs; do not allege that it encourages employment.

When James Goodfellow gives a hundred sous to a government official for a really useful service, this is exactly the same as when he gives a hundred sous to a shoemaker for a pair of shoes. It's a case of give-and-take, and the score is even. But when James Goodfellow hands over a hundred sous to a government official to receive no service for it or even to be subjected to inconveniences, it is as if he were to give his money to a thief. It serves no purpose to say that the official will spend these hundred sous for the great profit of our *national industry*; the more the thief can do with them, the more James Goodfellow could have done with them if he had not met on his way either the extralegal or the legal parasite.

Let us accustom ourselves, then, not to judge things solely by *what is seen*, but rather by *what is not seen*.

Last year I was on the Finance Committee, for in the Constituent Assembly the members of the opposition were not systematically excluded from all committees. In this the framers of the Constitution acted wisely. We have heard M. Thiers\* say: "I have spent my life fighting men of the legitimist party and of the clerical party. Since, in the face of a common danger, I have come to know them and we have had heart-to-heart talks, I see that they are not the monsters I had imagined."

Yes, enmities become exaggerated and hatreds are intensified between parties that do not mingle; and if the majority would allow a few members of the minority to penetrate into the circles of the committees, perhaps it would be recognized on both sides that their ideas are not so far apart, and above all that their intentions are not so perverse, as supposed.

However that may be, last year I was on the Finance Committee. Each time that one of our colleagues spoke of fixing at a moderate figure the salaries of the President of the Republic, of cabinet ministers, and of ambassadors, he would be told:

"For the good of the service, we must surround certain offices with an aura of prestige and dignity. That is the way to attract to them men of merit. Innumerable unfortunate people turn to the President of the Republic, and he would be in a painful position if he were always forced to refuse them help. A certain amount of ostentation in the ministerial and diplomatic salons is part of the machinery of constitutional governments, etc., etc."

Whether or not such arguments can be controverted, they certainly deserve serious scrutiny. They are based on the public interest, rightly or wrongly estimated; and, personally, I can make more of a case for them than many of our Catos, moved by a narrow spirit of niggardliness or jealousy.

But what shocks my economist's conscience, what makes me blush for the intellectual renown of my country, is when they go on from these arguments (as they never fail to do) to this absurd banality (always favorably received):

“Besides, the luxury of high officials of the government encourages the arts, industry, and employment. The Chief of State and his ministers cannot give banquets and parties without infusing life into all the veins of the body politic. To reduce their salaries would be to starve industry in Paris and, at the same time, throughout the nation.”

For heaven's sake, gentlemen, at least respect arithmetic, and do not come before the National Assembly of France and say, for fear that, to its shame, it will not support you, that an addition gives a different sum depending upon whether it is added from top to bottom or from bottom to top.

Well, then, suppose I arrange to have a navvy dig me a ditch in my field for the sum of a hundred sous. Just as I conclude this agreement, the tax collector takes my hundred sous from me and has them passed on to the Minister of the Interior. My contract is broken, but the Minister will add another dish at his dinner. On what basis do you dare to affirm that this official expenditure is an addition to the national industry? Do you not see that it is only a simple *transfer* of consumption and of labor? A cabinet minister has his table more lavishly set, it is true; but a farmer has his field less well drained, and this is just as true. A Parisian caterer has gained a hundred sous, I grant you; but grant me that a provincial ditchdigger has lost five francs. All that one can say is that the official dish and the satisfied caterer are *what is seen*; the swampy field and the excavator out of work are *what is not seen*.

Good Lord! What a lot of trouble to prove in political economy that two and two make four; and if you succeed in doing so, people cry, “It is so clear that it is boring.” Then they vote as if you had never proved anything at all.



[\[Back to Table of Contents\]](#)

#### 4. *Theaters And Fine Arts*

Should the state subsidize the arts?

There is certainly a great deal to say on this subject pro and con.

In favor of the system of subsidies, one can say that the arts broaden, elevate, and poetize the soul of a nation; that they draw it away from material preoccupations, giving it a feeling for the beautiful, and thus react favorably on its manners, its customs, its morals, and even on its industry. One can ask where music would be in France without the Théâtre-Italien and the Conservatory; dramatic art without the Théâtre-Français; painting and sculpture without our collections and our museums. One can go further and ask whether, without the centralization and consequently the subsidizing of the fine arts, there would have developed that exquisite taste which is the noble endowment of French labor and sends its products out over the whole world. In the presence of such results would it not be the height of imprudence to renounce this moderate assessment on all the citizens, which, in the last analysis, is what has achieved for them their pre-eminence and their glory in the eyes of Europe?

To these reasons and many others, whose power I do not contest, one can oppose many no less cogent. There is, first of all, one could say, a question of distributive justice. Do the rights of the legislator go so far as to allow him to dip into the wages of the artisan in order to supplement the profits of the artist? M. de Lamartine\* said: "If you take away the subsidy of a theater, where are you going to stop on this path, and will you not be logically required to do away with your university faculties, your museums, your institutes, your libraries?" One could reply: If you wish to subsidize all that is good and useful, where are you going to stop on *that* path, and will you not logically be required to set up a civil list for agriculture, industry, commerce, welfare, and education? Furthermore, is it certain that subsidies favor the progress of the arts? It is a question that is far from being resolved, and we see with our own eyes that the theaters that prosper are those that live on their own profits. Finally, proceeding to higher considerations, one may observe that needs and desires give rise to one another and keep soaring into regions more and more rarefied<sup>3</sup> in proportion as the national wealth permits their satisfaction; that the government must not meddle in this process, since, whatever may be currently the amount of the national wealth, it cannot stimulate luxury industries by taxation without harming essential industries, thus reversing the natural advance of civilization. One may also point out that this artificial dislocation of wants, tastes, labor, and population places nations in a precarious and dangerous situation, leaving them without a solid base.

These are some of the reasons alleged by the adversaries of state intervention concerning the order in which citizens believe they should satisfy their needs and their desires, and thus direct their activity. I confess that I am one of those who think that the choice, the impulse, should come from below, not from above, from the citizens, not from the legislator; and the contrary doctrine seems to me to lead to the annihilation of liberty and of human dignity.

But, by an inference as false as it is unjust, do you know what the economists are now accused of? When we oppose subsidies, we are charged with opposing the very thing that it was proposed to subsidize and of being the enemies of all kinds of activity, because we want these activities to be voluntary and to seek their proper reward in themselves. Thus, if we ask that the state not intervene, by taxation, in religious matters, we are atheists. If we ask that the state not intervene, by taxation, in education, then we hate enlightenment. If we say that the state should not give, by taxation, an artificial value to land or to some branch of industry, then we are the enemies of property and of labor. If we think that the state should not subsidize artists, we are barbarians who judge the arts useless.

I protest with all my power against these inferences. Far from entertaining the absurd thought of abolishing religion, education, property, labor, and the arts when we ask the state to protect the free development of all these types of human activity without keeping them on the payroll at one another's expense, we believe, on the contrary, that all these vital forces of society should develop harmoniously under the influence of liberty and that none of them should become, as we see has happened today, a source of trouble, abuses, tyranny, and disorder.

Our adversaries believe that an activity that is neither subsidized nor regulated is abolished. We believe the contrary. Their faith is in the legislator, not in mankind. Ours is in mankind, not in the legislator.

Thus, M. de Lamartine said: "On the basis of this principle, we should have to *abolish* the public expositions that bring wealth and honor to this country."

I reply to M. de Lamartine: From your point of view, *not to subsidize is to abolish*, because, proceeding from the premise that nothing exists except by the will of the state, you conclude that nothing lives that taxes do not keep alive. But I turn against you the example that you have chosen, and I point out to you that the greatest, the noblest, of all expositions, the one based on the most liberal, the most universal conception, and I can even use the word "humanitarian," which is not here exaggerated, is the exposition now being prepared in London,\* the only one in which no government meddles and which no tax supports.

Returning to the fine arts, one can, I repeat, allege weighty reasons for and against the system of subsidization. The reader understands that, in accordance with the special purpose of this essay, I have no need either to set forth these reasons or to decide between them.

But M. de Lamartine has advanced one argument that I cannot pass over in silence, for it falls within the very carefully defined limits of this economic study.

He has said:

The economic question in the matter of theaters can be summed up in one word: employment. The nature of the employment matters little; it is of a kind just as productive and fertile as any other kind. The theaters, as you know, support by wages

no less than eighty thousand workers of all kinds—painters, masons, decorators, costumers, architects, etc., who are the very life and industry of many quarters of this capital, and they should have this claim upon your sympathies!

Your sympathies? Translate: your subsidies.

And further on:

The pleasures of Paris provide employment and consumers' goods for the provincial departments, and the luxuries of the rich are the wages and the bread of two hundred thousand workers of all kinds, living on the complex industry of the theaters throughout the Republic, and receiving from these noble pleasures, which make France illustrious, their own livelihood and the means of providing the necessities of life for their families and their children. It is to them that you give these sixty thousand francs. [*Very good! Very good! Much applause.*]

For my part, I am forced to say: *Very bad! Very bad!* confining, of course, the burden of this judgment to the economic argument which we are here concerned with.

Yes, it is, at least in part, to the workers in the theaters that the sixty thousand francs in question will go. A few scraps might well get lost on the way. If one scrutinized the matter closely, one might even discover that most of the pie will find its way elsewhere. The workers will be fortunate if there are a few crumbs left for them! But I should like to assume that the entire subsidy will go to the painters, decorators, costumers, hairdressers, etc. *That is what is seen.*

But where does it come from? This is the *other side* of the coin, just as important to examine as its *face*. What is the source of these 60,000 francs? And where *would they have gone* if a legislative vote had not first directed them to the rue de Rivoli and from there to the rue de Grenelle? *\*That is what is not seen.*

Surely, no one will dare maintain that the legislative vote has caused this sum to hatch out from the ballot box; that it is a pure addition to the national wealth; that, without this miraculous vote, these sixty thousand francs would have remained invisible and impalpable. It must be admitted that all that the majority can do is to decide that they will be taken from somewhere to be sent somewhere else, and that they will have one destination only by being deflected from another.

This being the case, it is clear that the taxpayer who will have been taxed one franc will no longer have this franc at his disposal. It is clear that he will be deprived of a satisfaction to the tune of one franc, and that the worker, whoever he is, who would have procured this satisfaction for him, will be deprived of wages in the same amount.

Let us not, then, yield to the childish illusion of believing that the vote of May 16 *adds* anything whatever to national well-being and employment. It reallocates possessions, it reallocates wages, and that is all.

Will it be said that for one kind of satisfaction and for one kind of job it substitutes satisfactions and jobs more urgent, more moral, more rational? I could do battle on

this ground. I could say: In taking sixty thousand francs from the taxpayers, you reduce the wages of plowmen, ditchdiggers, carpenters, and blacksmiths, and you increase by the same amount the wages of singers, hairdressers, decorators, and costumers. Nothing proves that this latter class is more important than the other. M. de Lamartine does not make this allegation. He says himself that the work of the theaters is *just as* productive as, *just as* fruitful as, and not *more so* than, any other work, which might still be contested; for the best proof that theatrical work is not as productive as other work is that the latter is called upon to subsidize the former.

But this comparison of the intrinsic value and merit of the different kinds of work forms no part of my present subject. All that I have to do here is to show that, if M. de Lamartine and those who have applauded his argument have seen on the one hand the wages earned by those who supply the needs of the actors, they should see on the other the earnings lost by those who supply the needs of the taxpayers; if they do not, they are open to ridicule for mistaking a reallocation for a *gain*. If they were logical in their doctrine, they would ask for infinite subsidies; for what is true of one franc and of sixty thousand francs is true, in identical circumstances, of a billion francs.

When it is a question of taxes, gentlemen, prove their usefulness by reasons with some foundation, but not with that lamentable assertion: "Public spending keeps the working class alive." It makes the mistake of covering up a fact that it is essential to know: namely, that *public spending* is *always* a substitute for *private spending*, and that consequently it may well support one worker in place of another but adds nothing to the lot of the working class taken as a whole. Your argument is fashionable, but it is quite absurd, for the reasoning is not correct.

[\[Back to Table of Contents\]](#)

## 5. *Public Works*

Nothing is more natural than that a nation, after making sure that a great enterprise will profit the community, should have such an enterprise carried out with funds collected from the citizenry. But I lose patience completely, I confess, when I hear alleged in support of such a resolution this economic fallacy: “Besides, it is a way of creating jobs for the workers.”

The state opens a road, builds a palace, repairs a street, digs a canal; with these projects it gives jobs to certain workers. *That is what is seen.* But it deprives certain other laborers of employment. *That is what is not seen.*

Suppose a road is under construction. A thousand laborers arrive every morning, go home every evening, and receive their wages; that is certain. If the road had not been authorized, if funds for it had not been voted, these good people would have neither found this work nor earned these wages; that again is certain.

But is this all? Taken all together, does not the operation involve something else? At the moment when M. Dupin\* pronounces the sacramental words: “The Assembly has adopted, ....” do millions of francs descend miraculously on a moonbeam into the coffers of M. Fould\* and M. Bineau?\*. For the process to be complete, does not the state have to organize the collection of funds as well as their expenditure? Does it not have to get its tax collectors into the country and its taxpayers to make their contribution?

Study the question, then, from its two aspects. In noting what the state is going to do with the millions of francs voted, do not neglect to note also what the taxpayers would have done—and can no longer do—with these same millions. You see, then, that a public enterprise is a coin with two sides. On one, the figure of a busy worker, with this device: *What is seen*; on the other, an unemployed worker, with this device: *What is not seen.*

The sophism that I am attacking in this essay is all the more dangerous when applied to public works, since it serves to justify the most foolishly prodigal enterprises. When a railroad or a bridge has real utility, it suffices to rely on this fact in arguing in its favor. But if one cannot do this, what does one do? One has recourse to this mumbo jumbo: “We must create jobs for the workers.”

This means that the terraces of the Champ-de-Mars\* are ordered first to be built up and then to be torn down. The great Napoleon, it is said, thought he was doing philanthropic work when he had ditches dug and then filled in. He also said: “What difference does the result make? All we need is to see wealth spread among the laboring classes.”

Let us get to the bottom of things. Money creates an illusion for us. To ask for co-operation, in the form of money, from all the citizens in a common enterprise is, in

reality, to ask of them actual physical co-operation, for each one of them procures for himself by his labor the amount he is taxed. Now, if we were to gather together all the citizens and exact their services from them in order to have a piece of work performed that is useful to all, this would be understandable; their recompense would consist in the results of the work itself. But if, after being brought together, they were forced to build roads on which no one would travel, or palaces that no one would live in, all under the pretext of providing work for them, it would seem absurd, and they would certainly be justified in objecting: We will have none of that kind of work. We would rather work for ourselves.

Having the citizens contribute money, and not labor, changes nothing in the general results. But if labor were contributed, the loss would be shared by everyone. Where money is contributed, those whom the state keeps busy escape their share of the loss, while adding much more to that which their compatriots already have to suffer.

There is an article in the Constitution which states:

“Society assists and encourages the development of labor.... through the establishment by the state, the departments, and the municipalities, of appropriate public works to employ idle hands.”

As a temporary measure in a time of crisis, during a severe winter, this intervention on the part of the taxpayer could have good effects. It acts in the same way as insurance. It adds nothing to the number of jobs nor to total wages, but it takes labor and wages from ordinary times and doles them out, at a loss it is true, in difficult times.

As a permanent, general, systematic measure, it is nothing but a ruinous hoax, an impossibility, a contradiction, which makes a great show of the little work that it has stimulated, which is *what is seen*, and conceals the much larger amount of work that it has precluded, which is *what is not seen*.

[\[Back to Table of Contents\]](#)

## 6. *Middlemen*

Society is the aggregate of all the services that men perform for one another by compulsion or voluntarily, that is to say, *public services* and *private services*.

The first, imposed and regulated by the law, which is not always easy to change when necessary, can long outlive their usefulness and still retain the name of *public services*, even when they are no longer anything but public nuisances. The second are in the domain of the voluntary, i.e., of individual responsibility. Each gives and receives what he wishes, or what he can, after bargaining. These services are always presumed to have a real utility, exactly measured by their comparative value.

That is why the former are so often static, while the latter obey the law of progress.

While the exaggerated development of public services, with the waste of energies that it entails, tends to create a disastrous parasitism in society, it is rather strange that many modern schools of economic thought, attributing this characteristic to voluntary, private services, seek to transform the functions performed by the various occupations.

These schools of thought are vehement in their attack on those they call middlemen. They would willingly eliminate the capitalist, the banker, the speculator, the entrepreneur, the businessman, and the merchant, accusing them of interposing themselves between producer and consumer in order to fleece them both, without giving them anything of value. Or rather, the reformers would like to transfer to the state the work of the middlemen, for this work cannot be eliminated.

The sophism of the socialists on this point consists in showing the public what it pays to the *middlemen* for their services and in concealing what would have to be paid to the state. Once again we have the conflict between what strikes the eye and what is evidenced only to the mind, between *what is seen and what is not seen*.

It was especially in 1847 and on the occasion of the famine\* that the socialist schools succeeded in popularizing their disastrous theory. They knew well that the most absurd propaganda always has some chance with men who are suffering; *malesuada fames*.†

Then, with the aid of those high-sounding words: *Exploitation of man by man, speculation in hunger, monopoly*, they set themselves to blackening the name of business and throwing a veil over its benefits.

“Why,” they said, “leave to merchants the task of getting foodstuffs from the United States and the Crimea? Why cannot the state, the departments, and the municipalities organize a provisioning service and set up warehouses for stockpiling? They would sell at *net cost*, and the people, the poor people, would be relieved of the tribute that they pay to free, i.e., selfish, individualistic, anarchical trade.”

The tribute that the people pay to business, *is what is seen*. The tribute that the people would have to pay to the state or to its agents in the socialist system, *is what is not seen*.

What is this so-called tribute that people pay to business? It is this: that two men render each other a service in full freedom under the pressure of competition and at a price agreed on after bargaining.

When the stomach that is hungry is in Paris and the wheat that can satisfy it is in Odessa, the suffering will not cease until the wheat reaches the stomach. There are three ways to accomplish this: the hungry men can go themselves to find the wheat; they can put their trust in those who engage in this kind of business; or they can levy an assessment on themselves and charge public officials with the task.

Of these three methods, which is the most advantageous?

In all times, in all countries, the freer, the more enlightened, the more experienced men have been, the oftener have they *voluntarily* chosen the second. I confess that this is enough in my eyes to give the advantage to it. My mind refuses to admit that mankind at large deceives itself on a point that touches it so closely.<sup>4</sup>

However, let us examine the question.

For thirty-six million citizens to depart for Odessa to get the wheat that they need is obviously impracticable. The first means is of no avail. The consumers cannot act by themselves; they are compelled to turn to middlemen, whether public officials or merchants.

However, let us observe that the first means would be the most natural. Fundamentally, it is the responsibility of whoever is hungry to get his own wheat. It is a *task* that concerns him; it is a *service* that he owes to himself. If someone else, whoever he may be, performs this *service* for him and takes the task on himself, this other person has a right to compensation. What I am saying here is that the services of *middlemen* involve a right to remuneration.

However that may be, since we must turn to what the socialists call a parasite, which of the two—the merchant or the public official—is the less demanding parasite?

Business (I assume it to be free, or else what point would there be in my argument?) is forced, by its own self-interest, to study the seasons, to ascertain day by day the condition of the crops, to receive reports from all parts of the world, to foresee needs, to take precautions. It has ships all ready, associates everywhere, and its immediate self-interest is to buy at the lowest possible price, to economize on all details of operation, and to attain the greatest results with the least effort. Not only French merchants, but merchants the whole world over are busy with provisioning France for the day of need; and if self-interest compels them to fulfill their task at the least expense, competition among them no less compels them to let the consumers profit from all the economies realized. Once the wheat has arrived, the businessman has an interest in selling it as soon as possible to cover his risks, realize his profits, and begin



all over again, if there is an opportunity. Guided by the comparison of prices, private enterprise distributes food all over the world, always beginning at the point of greatest scarcity, that is, where the need is felt the most. It is thus impossible to imagine an *organization* better calculated to serve the interests of the hungry, and the beauty of this organization, not perceived by the socialists, comes precisely from the fact that it is free, i.e., voluntary. True, the consumer must pay the businessman for his expenses of cartage, of trans-shipment, of storage, of commissions, etc.; but under what system does the one who consumes the wheat avoid paying the expenses of shipping it to him? There is, besides, the necessity of paying also for *service rendered*; but, so far as the share of the middleman is concerned, it is reduced to a *minimum* by competition; and as to its justice, it would be strange for the artisans of Paris not to work for the merchants of Marseilles, when the merchants of Marseilles work for the artisans of Paris.

If, according to the socialist plan, the state takes the place of private businessmen in these transactions, what will happen? Pray, show me where there will be any economy for the public. Will it be in the retail price? But imagine the representatives of forty thousand municipalities arriving at Odessa on a given day, the day when the wheat is needed; imagine the effect on the price. Will the economy be effected in the shipping expenses? But will fewer ships, fewer sailors, fewer trans-shipments, fewer warehouses be needed, or are we to be relieved of the necessity for paying for all these things? Will the saving be effected in the profits of the businessmen? But did your representatives and public officials go to Odessa for nothing? Are they going to make the journey out of brotherly love? Will they not have to live? Will not their time have to be paid for? And do you think that this will not exceed a thousand times the two or three per cent that the merchant earns, a rate that he is prepared to guarantee?

And then, think of the difficulty of levying so many taxes to distribute so much food. Think of the injustices and abuses inseparable from such an enterprise. Think of the burden of responsibility that the government would have to bear.

The socialists who have invented these follies, and who in days of distress plant them in the minds of the masses, generously confer on themselves the title of "forward-looking" men, and there is a real danger that usage, that tyrant of language, will ratify both the word and the judgment it implies. "Forward-looking" assumes that these gentlemen can see ahead much further than ordinary people; that their only fault is to be too much in advance of their century; and that, if the time has not yet arrived when certain private services, allegedly parasitical, can be eliminated, the fault is with the public, which is far behind socialism. To *my* mind and knowledge, it is the contrary that is true, and I do not know to what barbaric century we should have to return to find on this point a level of understanding comparable to that of the socialists.

The modern socialist factions ceaselessly oppose free association in present-day society. They do not realize that a free society is a true association much superior to any of those that they concoct out of their fertile imaginations.

Let us elucidate this point with an example:

For a man, when he gets up in the morning, to be able to put on a suit of clothes, a piece of land has had to be enclosed, fertilized, drained, cultivated, planted with a certain kind of vegetation; flocks of sheep have had to feed on it; they have had to give their wool; this wool has had to be spun, woven, dyed, and converted into cloth; this cloth has had to be cut, sewn, and fashioned into a garment. And this series of operations implies a host of others; for it presupposes the use of farming implements, of sheepfolds, of factories, of coal, of machines, of carriages, etc.

If society were not a very real association, anyone who wanted a suit of clothes would be reduced to working in isolation, that is, to performing himself the innumerable operations in this series, from the first blow of the pickaxe that initiates it right down to the last thrust of the needle that terminates it.

But thanks to that readiness to associate which is the distinctive characteristic of our species, these operations have been distributed among a multitude of workers, and they keep subdividing themselves more and more for the common good to the point where, as consumption increases, a single specialized operation can support a new industry. Then comes the distribution of the proceeds, according to the portion of value each one has contributed to the total work. If this is not association, I should like to know what is.

Note that, since not one of the workers has produced the smallest particle of raw material from nothing, they are confined to rendering each other mutual services, to aiding each other for a common end; and that all can be considered, each group in relation to the others, as *middlemen*. If, for example, in the course of the operation, transportation becomes important enough to employ one person; spinning, a second; weaving, a third; why should the first one be considered more of a *parasite* than the others? Is there no need for transportation? Does not someone devote time and trouble to the task? Does he not spare his associates this time and trouble? Are they doing more than he, or just something different? Are they not all equally subject, in regard to their pay, that is, their share of the proceeds, to the law that restricts it to the *price agreed upon after bargaining*? Do not this division of labor and these arrangements, decided upon in full liberty, serve the common good? Do we, then, need a socialist, under the pretext of planning, to come and despotically destroy our voluntary arrangements, put an end to the division of labor, substitute isolated efforts for co-operative efforts, and reverse the progress of civilization?

Is association as I describe it here any the less association because everyone enters and leaves it voluntarily, chooses his place in it, judges and bargains for himself, under his own responsibility, and brings to it the force and the assurance of his own self-interest? For association to deserve the name, does a so-called reformer have to come and impose his formula and his will on us and concentrate within himself, so to speak, all of mankind?

The more one examines these "forward-looking" schools of thought, the more one is convinced that at bottom they rest on nothing but ignorance proclaiming itself infallible and demanding despotic power in the name of this infallibility.

I hope that the reader will excuse this digression. It is perhaps not entirely useless at the moment when, coming straight from the books of the Saint-Simonians, of the advocates of phalansteries, and of the admirers of Icaria,\* tirades against the middlemen fill the press and the Assembly and seriously menace the freedom of labor and exchange.

[\[Back to Table of Contents\]](#)

## 7. *Restraint Of Trade*

Mr. Protectionist<sup>†</sup> (it was not I who gave him that name; it was M. Charles Dupin) devoted his time and his capital to converting ore from his lands into iron. Since Nature had been more generous with the Belgians, they sold iron to the French at a better price than Mr. Protectionist did, which meant that all Frenchmen, or France, could obtain a given quantity of iron *with less labor* by buying it from the good people of Flanders. Therefore, prompted by their self-interest, they took full advantage of the situation, and every day a multitude of nailmakers, metalworkers, cartwrights, mechanics, blacksmiths, and plowmen could be seen either going themselves or sending middlemen to Belgium to obtain their supply of iron. Mr. Protectionist did not like this at all.

His first idea was to stop this abuse by direct intervention with his own two hands. This was certainly the least he could do, since he alone was harmed. I'll take my carbine, he said to himself. I'll put four pistols in my belt, I'll fill my cartridge box, I'll buckle on my sword, and, thus equipped, I'll go to the frontier. There I'll kill the first metalworker, nailmaker, blacksmith, mechanic, or locksmith who comes seeking his own profit rather than mine. That'll teach him a lesson!

At the moment of leaving, Mr. Protectionist had a few second thoughts that somewhat tempered his bellicose ardor. He said to himself: First of all, it is quite possible that the buyers of iron, my fellow countrymen and my enemies, will take offense, and, instead of letting themselves be killed, they might kill me. Furthermore, even if all my servants marched out, we could not guard the whole frontier. Finally, the entire proceeding would cost me too much, more than the result would be worth.

Mr. Protectionist was going to resign himself sadly just to being free like everyone else, when suddenly he had a brilliant idea.

He remembered that there is a great law factory in Paris. What is a law? he asked himself. It is a measure to which, when once promulgated, whether it is good or bad, everyone has to conform. For the execution of this law, a public police force is organized, and to make up the said public police force, men and money are taken from the nation.

If, then, I manage to get from that great Parisian factory a nice little law saying: "Belgian iron is prohibited," I shall attain the following results: The government will replace the few servants that I wanted to send to the frontier with twenty thousand sons of my recalcitrant metalworkers, locksmiths, nailmakers, blacksmiths, artisans, mechanics, and plowmen. Then, to keep these twenty thousand customs officers in good spirits and health, there will be distributed to them twenty-five million francs taken from these same blacksmiths, nailmakers, artisans, and plowmen. Organized in this way, the protection will be better accomplished; it will cost me nothing; I shall not be exposed to the brutality of brokers; I shall sell the iron at my price; and I shall enjoy the sweet pleasure of seeing our great people shamefully hoaxed. That will

teach them to be continually proclaiming themselves the precursors and the promoters of all progress in Europe. It will be a smart move, and well worth the trouble of trying!

So Mr. Protectionist went to the law factory. (Another time, perhaps, I shall tell the story of his dark, underhanded dealings there; today I wish to speak only of the steps he took openly and for all to see.) He presented to their excellencies, the legislators, the following argument:

“Belgian iron is sold in France at ten francs, which forces me to sell mine at the same price. I should prefer to sell it at fifteen and cannot because of this confounded Belgian iron. Manufacture a law that says: ‘Belgian iron shall no longer enter France.’ Immediately I shall raise my price by five francs, with the following consequences:

“For each hundred kilograms of iron that I shall deliver to the public, instead of ten francs I shall get fifteen; I shall enrich myself more quickly; I shall extend the exploitation of my mines; I shall employ more men. My employees and I will spend more, to the great advantage of our suppliers for miles around. These suppliers, having a greater market, will give more orders to industry, and gradually this activity will spread throughout the country. This lucky hundred-sou piece that you will drop into my coffers, like a stone that is thrown into a lake, will cause an infinite number of concentric circles to radiate great distances in every direction.”

Charmed by this discourse, enchanted to learn that it is so easy to increase the wealth of a people simply by legislation, the manufacturers of laws voted in favor of the restriction. “What is all this talk about labor and saving?” they said. “What good are these painful means of increasing the national wealth, when a decree will do the job?”

And, in fact, the law had all the consequences predicted by Mr. Protectionist, but it had others too; for, to do him justice, he had not reasoned *falsely*, but *incompletely*. In asking for a privilege, he had pointed out the effects *that are seen*, leaving in the shadow those *that are not seen*. He had shown only two people, when actually there are three in the picture. It is for us to repair this omission, whether involuntary or premeditated.

Yes, the five-franc piece thus legislatively rechanneled into the coffers of Mr. Protectionist constitutes an advantage for him and for those who get jobs because of it. And if the decree had made the five-franc piece come down from the moon, these good effects would not be counterbalanced by any compensating bad effects. Unfortunately, the mysterious hundred sous did not come down from the moon, but rather from the pocket of a metalworker, a nailmaker, a cartwright, a blacksmith, a plowman, a builder, in a word, from James Goodfellow, who pays it out today without receiving a milligram of iron more than when he was paying ten francs. It at once becomes evident that this certainly changes the question, for, quite obviously, the *profit* of Mr. Protectionist is counterbalanced by the *loss* of James Goodfellow, and anything that Mr. Protectionist will be able to do with this five-franc piece for the encouragement of domestic industry, James Goodfellow could also have done. The

stone is thrown in at one point in the lake only because it has been prohibited by law from being thrown in at another.

Hence, *what is not seen* counterbalances *what is seen*; and the outcome of the whole operation is an injustice, all the more deplorable in having been perpetrated by the law.

But this is not all. I have said that a third person was always left in the shadow. I must make him appear here, so that he can reveal to us a *second loss* of five francs. Then we shall have the results of the operation in its entirety.

James Goodfellow has fifteen francs, the fruit of his labors. (We are back at the time when he is still free.) What does he do with his fifteen francs? He buys an article of millinery for ten francs, and it is with this article of millinery that he pays (or his middleman pays for him) for the hundred kilograms of Belgian iron. He still has five francs left. He does not throw them into the river, but (and this is *what is not seen*) he gives them to some manufacturer or other in exchange for some satisfaction—for example, to a publisher for a copy of the *Discourse on Universal History by Bossuet*.\*

Thus, he has encouraged *domestic industry* to the amount of fifteen francs, to wit:

10 francs to the Parisian milliner  
5 francs to the publisher

And as for James Goodfellow, he gets for his fifteen francs two objects of satisfaction, to wit:

1. A hundred kilograms of iron
2. A book

Comes the decree.

What happens to James Goodfellow? What happens to domestic industry?

James Goodfellow, in giving his fifteen francs to the last centime to Mr. Protectionist for a hundred kilograms of iron, has nothing now but the use of this iron. He loses the enjoyment of a book or of any other equivalent object. He loses five francs. You agree with this; you cannot fail to agree; you cannot fail to agree that when restraint of trade raises prices, the consumer loses the difference.

But it is said that *domestic industry* gains the difference.

No, it does not gain it; for, since the decree, it is encouraged only as much as it was before, to the amount of fifteen francs.

Only, since the decree, the fifteen francs of James Goodfellow go to metallurgy, while before the decree they were divided between millinery and publishing.

The force that Mr. Protectionist might exercise by himself at the frontier and that which he has the law exercise for him can be judged quite differently from the moral point of view. There are people who think that plunder loses all its immorality as soon as it becomes legal. Personally, I cannot imagine a more alarming situation. However that may be, one thing is certain, and that is that the economic results are the same.

You may look at the question from any point of view you like, but if you examine it dispassionately, you will see that no good can come from legal or illegal plunder. We do not deny that it may bring for Mr. Protectionist or his industry, or if you wish for domestic industry, a profit of five francs. But we affirm that it will also give rise to two losses: one for James Goodfellow, who pays fifteen francs for what he used to get for ten; the other for domestic industry, which no longer receives the difference. Make your own choice of which of these two losses compensates for the profit that we admit. The one you do not choose constitutes no less a *dead loss*.

Moral: To use force is not to produce, but to destroy. Heavens! If to use force were to produce, France would be much richer than she is.

[\[Back to Table of Contents\]](#)

## 8. *Machines*

“A curse on machines! Every year their increasing power condemns to pauperism millions of workers, taking their jobs away from them, and with their jobs their wages, and with their wages their bread! A curse on machines!”

That is the cry rising from ignorant prejudice, and whose echo resounds in the newspapers.

But to curse machines is to curse the human mind!

What puzzles me is that it is possible to find anyone at all who can be content with such a doctrine.<sup>5</sup>

For, in the last analysis, if it is true, what is its strictly logical consequence? It is that activity, well-being, wealth, and happiness are possible only for stupid nations, mentally static, to whom God has not given the disastrous gift of thinking, observing, contriving, inventing, obtaining the greatest results with the least trouble. On the contrary, rags, miserable huts, poverty, and stagnation are the inevitable portion of every nation that looks for and finds in iron, fire, wind, electricity, magnetism, the laws of chemistry and mechanics—in a word, in the forces of Nature—an addition to its own resources, and it is indeed appropriate to say with Rousseau: “Every man who thinks is a depraved animal.”

But this is not all. If this doctrine is true, and as all men think and invent, as all, in fact, from first to last, and at every minute of their existence, seek to make the forces of Nature co-operate with them, to do more with less, to reduce their own manual labor or that of those whom they pay, to attain the greatest possible sum of satisfactions with the least possible amount of work; we must conclude that all mankind is on the way to decadence, precisely because of this intelligent aspiration towards progress that seems to torment every one of its members.

Hence, it would have to be established statistically that the inhabitants of Lancaster, fleeing that machine-ridden country, go in search of employment to Ireland, where machines are unknown; and, historically, that the shadow of barbarism darkens the epochs of civilization, and that civilization flourishes in times of ignorance and barbarism.

Evidently there is in this mass of contradictions something that shocks us and warns us that the problem conceals an element essential to its solution that has not been sufficiently brought to light.

The whole mystery consists in this: behind *what is seen* lies *what is not seen*. I am going to try to shed some light on it. My demonstration can be nothing but a repetition of the preceding one, for the problem is the same.



Men have a natural inclination, if they are not prevented by force, to go for a *bargain*—that is, for something that, for an equivalent satisfaction, spares them labor—whether this bargain comes to them from a capable *foreign producer* or from a capable *mechanical producer*.

The theoretical objection that is raised against this inclination is the same in both cases. In one as in the other, the reproach is made that it apparently makes for a scarcity of jobs. However, its actual effect is not to make jobs scarce, but to *free* men's labor for other jobs.

And that is why, in practice, the same obstacle—force—is set up against it in both cases. The legislator *prohibits* foreign competition and *forbids* mechanical competition. For what other means can there be to stifle an inclination natural to all men than to take away their freedom?

In many countries, it is true, the legislator strikes at only one of these types of competition and confines himself to grumbling about the other. This proves only that in these countries the legislator is inconsistent.

That should not surprise us. On a false path there is always inconsistency; if this were not so, mankind would be destroyed. We have never seen and never shall see a false principle carried out completely. I have said elsewhere: Absurdity is the limit of inconsistency. I should like to add: It is also its proof.

Let us go on with our demonstration; it will not be lengthy.

James Goodfellow had two francs that he let two workers earn.

But now suppose that he devises an arrangement of ropes and weights that will shorten the work by half.

Then he obtains the same satisfaction, saves a franc, and discharges a worker.

He discharges a worker: *that is what is seen*.

Seeing only this, people say: “See how misery follows civilization! See how freedom is fatal to equality! The human mind has made a conquest, and immediately another worker has forever fallen into the abyss of poverty. Perhaps James Goodfellow can still continue to have both men work for him, but he cannot give them more than ten sous each, for they will compete with one another and will offer their services at a lower rate. This is how the rich get richer and the poor become poorer. We must remake society.”

A fine conclusion, and one worthy of the initial premise!

Fortunately, both premise and conclusion are false, because behind the half of the phenomenon *that is seen* is the other half *that is not seen*.

The franc saved by James Goodfellow and the necessary effects of this saving are not seen.

Since, as a result of his own invention, James Goodfellow no longer spends more than one franc for manual labor in the pursuit of a given satisfaction, he has another franc left over.

If, then, there is somewhere an idle worker who offers his labor on the market, there is also somewhere a capitalist who offers his idle franc. These two elements meet and combine.

And it is clear as day that between the supply of and the demand for labor, between the supply of and the demand for wages, the relationship has in no way changed.

The invention and the worker, paid with the first franc, now do the work previously accomplished by two workers.

The second worker, paid with the second franc, performs some new work.

What has then been changed in the world? There is one national satisfaction the more; in other words, the invention is a gratuitous conquest, a gratuitous profit for mankind.

From the form in which I have given my demonstration we could draw this conclusion:

“It is the capitalist who derives all the benefits flowing from the invention of machines. The laboring class, even though it suffers from them only temporarily, never profits from them, since, according to what you yourself say, they *reallocate* a portion of the nation's industry without *diminishing* it, it is true, but also without *increasing* it.”

It is not within the province of this essay to answer all objections. Its only object is to combat an ignorant prejudice, very dangerous and extremely widespread. I wished to prove that a new machine, in making a certain number of workers available for jobs, *necessarily* makes available at the same time the money that pays them. These workers and this money get together eventually to produce something that was impossible to produce before the invention; from which it follows that *the final result of the invention is an increase in satisfactions with the same amount of labor.*

Who reaps this excess of satisfactions?

Yes, at first it is the capitalist, the inventor, the first one who uses the machine successfully, and this is the reward for his genius and daring. In this case, as we have just seen, he realizes a saving on the costs of production, which, no matter how it is spent (and it always is), gives employment to just as many hands as the machine has made idle.

But soon competition forces him to lower his selling price by the amount of this saving itself.

And then it is no longer the inventor who reaps the benefits of the invention; it is the buyer of the product, the consumer, the public, including the workers—in a word, it is mankind.

And *what is not seen* is that the saving, thus procured for all the consumers, forms a fund from which wages can be drawn, replacing what the machine has drained off.

Thus (taking up again the foregoing example), James Goodfellow obtains a product by spending two francs for wages.

Thanks to his invention, the manual labor now costs him only one franc.

As long as he sells the product at the same price, there is one worker the fewer employed in making this special product: *that is what is seen*; but there is one worker the more employed by the franc James Goodfellow has saved: *that is what is not seen*.

When, in the natural course of events, James Goodfellow is reduced to lowering by one franc the price of the product, he no longer realizes a saving; then he no longer releases a franc for national employment in new production. But whoever acquires it, i.e., mankind, takes his place. Whoever buys the product pays one franc less, saves a franc, and necessarily hands over this saving to the fund for wages; this is again *what is not seen*.

Another solution to this problem, one founded on the facts, has been advanced.

Some have said: “The machine reduces the expenses of production and lowers the price of the product. The lowering of the price stimulates an increase in consumption, which necessitates an increase in production, and, finally, the use of as many workers as before the invention—or more.” In support of this argument they cite printing, spinning, the press, etc.

This demonstration is not scientific.

We should have to conclude from it that, if the consumption of the special product in question remains stationary or nearly so, the machine will be harmful to employment. This is not so.

Suppose that in a certain country all the men wear hats. If with a machine the price of hats can be reduced by half, it does not *necessarily* follow that twice as many hats will be bought.

Will it be said, in that case, that a part of the national labor force has been made idle? Yes, according to ignorant reasoning. No, according to mine; for, even though in that country no one were to buy a single extra hat, the entire fund for wages would nevertheless remain intact; whatever did not go to the hat industry would be found in the saving realized by all consumers and would go to pay wages for the whole of the labor force that the machine had rendered unnecessary and to stimulate a new development of all industries.

And this is, in fact, the way things happen. I have seen newspapers at 80 francs; now they sell for 48. This is a saving of 32 francs for the subscribers. It is not certain, at least it is not inevitable, that the 32 francs continue to go into journalism; but what is certain, what is inevitable, is that, if they do not take this direction, they will take another. One franc will be used to buy more newspapers, another for more food, a third for better clothes, a fourth for better furniture.

Thus, all industries are interrelated. They form a vast network in which all the lines communicate by secret channels. What is saved in one profits all. What is important is to understand clearly that never, never are economies effected at the expense of jobs and wages.<sup>6</sup>

[\[Back to Table of Contents\]](#)

## 9. *Credit*

At all times, but especially in the last few years, people have dreamt of universalizing wealth by universalizing credit.

I am sure I do not exaggerate in saying that since the February Revolution\* the Paris presses have spewed forth more than ten thousand brochures extolling this solution of the *social problem*.

This solution, alas, has as its foundation merely an optical illusion, in so far as an illusion can serve as a foundation for anything.

These people begin by confusing hard money with products; then they confuse paper money with hard money; and it is from these two confusions that they profess to derive a fact.

In this question it is absolutely necessary to forget money, coins, bank notes, and the other media by which products pass from hand to hand, in order to see only the products themselves, which constitute the real substance of a loan.

For when a farmer borrows fifty francs to buy a plow, it is not actually the fifty francs that is lent to him; it is the plow.

And when a merchant borrows twenty thousand francs to buy a house, it is not the twenty thousand francs he owes; it is the house.

Money makes its appearance only to facilitate the arrangement among several parties.

Peter may not be disposed to lend his plow, but James may be willing to lend his money. What does William do then? He borrows the money from James, and with this money he buys the plow from Peter.

But actually nobody borrows money for the sake of the money itself. We borrow money to get products.

Now, in no country is it possible to transfer from one hand to another more products than there are.

Whatever the sum of hard money and bills that circulates, the borrowers taken together cannot get more plows, houses, tools, provisions, or raw materials than the total number of lenders can furnish.

For let us keep well in mind that every borrower presupposes a lender, that every borrowing implies a loan.

This much being granted, what good can credit institutions do? They can make it easier for borrowers and lenders to find one another and reach an understanding. But

what they cannot do is to increase instantaneously the total number of objects borrowed and lent.

However, the credit organizations would have to do just this in order for the end of the social reformers to be attained, since these gentlemen aspire to nothing less than to give plows, houses, tools, provisions, and raw materials to everyone who wants them.

And how do they imagine they will do this?

By giving to loans the guarantee of the state.

Let us go more deeply into the matter, for there is something here that is *seen* and something that *is not seen*. Let us try to see both.

Suppose that there is only one plow in the world and that two farmers want it.

Peter is the owner of the only plow available in France. John and James wish to borrow it. John, with his honesty, his property, and his good name, offers guarantees. One *believes* in him; he has *credit*. James does not inspire confidence or at any rate seems less reliable. Naturally, Peter lends his plow to John.

But now, under socialist inspiration, the state intervenes and says to Peter: "Lend your plow to James. We will guarantee you reimbursement, and this guarantee is worth more than John's, for he is the only one responsible for himself, and we, though it is true we have nothing, dispose of the wealth of all the taxpayers; if necessary, we will pay back the principal and the interest with their money."

So Peter lends his plow to James; *this is what is seen*.

And the socialists congratulate themselves, saying, "See how our plan has succeeded. Thanks to the intervention of the state, poor James has a plow. He no longer has to spade by hand; he is on the way to making his fortune. It is a benefit for him and a profit for the nation as a whole."

Oh no, gentlemen, it is not a profit for the nation, for here is *what is not seen*.

*It is not seen* that the plow goes to James because it did not go to John.

*It is not seen* that if James pushes a plow instead of spading, John will be reduced to spading instead of plowing.

Consequently, what one would like to think of as an *additional* loan is only the *reallocation* of a loan.

Furthermore, *it is not seen* that this reallocation involves two profound injustices: injustice to John, who, after having merited and won *credit* by his honesty and his energy, sees himself deprived; injustice to the taxpayers, obligated to pay a debt that does not concern them.

Will it be said that the government offers to John the same opportunities it does to James? But since there is only one plow available, two cannot be lent. The argument always comes back to the statement that, thanks to the intervention of the state, more will be borrowed than can be lent, for the plow represents here the total of available capital.

True, I have reduced the operation to its simplest terms; but test by the same touchstone the most complicated governmental credit institutions, and you will be convinced that they can have but one result: to reallocate credit, not to *increase* it. In a given country and at a given time, there is only a certain sum of available capital, and it is all placed somewhere. By guaranteeing insolvent debtors, the state can certainly increase the number of borrowers, raise the rate of interest (all at the expense of the taxpayer), but it cannot increase the number of lenders and the total value of the loans.

Do not impute to me, however, a conclusion from which I beg Heaven to preserve me. I say that the law should not artificially encourage borrowing; but I do not say that it should hinder it artificially. If in our hypothetical system or elsewhere there should be obstacles to the diffusion and application of credit, let the law remove them; nothing could be better or more just. But that, along with liberty, is all that social reformers worthy of the name should ask of the law.<sup>7</sup>

[\[Back to Table of Contents\]](#)

## 10. *Algeria*

Four orators are all trying to be heard in the Assembly. At first they speak all at once, then one after the other. What have they said? Very beautiful things, surely, about the power and grandeur of France, the necessity of sowing in order to reap, the brilliant future of our vast colony, the advantage of redistributing our *surplus* population, etc., etc.; masterpieces of eloquence, always ornamented with this conclusion:

“Vote fifty million francs (more or less) to build ports and roads in Algeria so that we can transport colonists there, build houses for them, and clear fields for them. If you do this, you will have lifted a burden from the shoulders of the French worker, encouraged employment in Africa, and increased trade in Marseilles. It would be all profit.”

Yes, that is true, if we consider the said fifty million francs only from the moment when the state spends them, if we look at where they go, and not whence they come, if we take into account only the good that they will do after they leave the coffers of the tax collectors, and not the harm that has been brought about, or, beyond that, the good that has been prevented, by causing them to enter the government coffers in the first place. Yes, from this limited point of view, everything is profit. The house built in Barbary is *what is seen*; the port laid out in Barbary is *what is seen*; the jobs created in Barbary are *what is seen*; a certain reduction in the labor force in France is *what is seen*; great business activity in Marseilles, *still what is seen*.

But there is something else *that is not seen*. It is that the fifty millions spent by the state can no longer be spent as they would have been by the taxpayers. From all the benefits attributed to public spending we must deduct all the harm caused by preventing private spending—at least if we are not to go so far as to say that James Goodfellow would have done nothing with the five-franc pieces he had fairly earned and that the tax took away from him; an absurd assertion, for if he went to the trouble of earning them, it was because he hoped to have the satisfaction of using them. He would have had his garden fenced and can no longer do so; *this is what is not seen*. He would have had his field marled and can no longer do so: *this is what is not seen*. He would have added to his tools and can no longer do so: *this is what is not seen*. He would be better fed, better clothed; he would have had his sons better educated; he would have increased the dowry of his daughter, and he can no longer do so: *this is what is not seen*. He would have joined a mutual-aid society and can no longer do so: *this is what is not seen*. On the one hand, the satisfactions that have been taken away from him and the means of action that have been destroyed in his hands; on the other hand, the work of the ditchdigger, the carpenter, the blacksmith, the tailor, and the schoolmaster of his village which he would have encouraged and which is now nonexistent: *this is still what is not seen*.

Our citizens are counting a great deal on the future prosperity of Algeria; granted. But let them also calculate the paralysis that in the meantime will inevitably strike France. People show me business flourishing in Marseilles; but if it is transacted with the



product of taxation, I shall, on the other hand, point out an equal amount of business destroyed in the rest of the country. They say: "A colonist transported to Barbary is relief for the population that remains in the country." I reply: "How can that be if, in transporting this colonist to Algeria, we have also transported two or three times the capital that would have kept him alive in France?"<sup>8</sup>

The only end I have in view is to make the reader understand that, in all public spending, behind the apparent good there is an evil more difficult to discern. To the best of my ability, I should like to get my reader into the habit of seeing the one and the other and of taking account of both.

When a public expenditure is proposed, it must be examined on its own merits, apart from its allegedly beneficial effect in increasing the number of jobs available, for any improvement in this direction is illusory. What public spending does in this regard, private spending would have done to the same extent. Therefore, the employment issue is irrelevant.

It is not within the province of this essay to evaluate the intrinsic worth of the public expenditures devoted to Algeria.

But I cannot refrain from making one general observation. It is that a presumption of economic benefit is never appropriate for expenditures made by way of taxation. Why? Here is the reason.

In the first place, justice always suffers from it somewhat. Since James Goodfellow has sweated to earn his hundred-sou piece with some satisfaction in view, he is irritated, to say the least, that the tax intervenes to take this satisfaction away from him and give it to someone else. Now, certainly it is up to those who levy the tax to give some good reasons for it. We have seen that the state gives a detestable reason when it says: "With these hundred sous I am going to put some men to work," for James Goodfellow (as soon as he has seen the light) will not fail to respond: "Good Lord! With a hundred sous I could have put them to work myself."

Once this argument on the part of the state has been disposed of, the others present themselves in all their nakedness, and the debate between the public treasury and poor James is very much simplified. If the state says to him: "I shall take a hundred sous from you to pay the policemen who relieve you of the necessity for guarding your own security, to pave the street you traverse every day, to pay the magistrate who sees to it that your property and your liberty are respected, to feed the soldier who defends our frontiers," James Goodfellow will pay without saying a word, or I am greatly mistaken. But if the state says to him: "I shall take your hundred sous to give you one sou as a premium in case you have cultivated your field well, or to teach your son what you do not want him to learn, or to allow a cabinet minister to add a hundred-and-first dish to his dinner; I shall take them to build a cottage in Algeria, not to mention taking a hundred sous more to support a colonist there and another hundred sous to support a soldier to guard the colonist and another hundred sous to support a general to watch over the soldier, etc., etc.," it seems to me that I hear poor James cry out: "This legal system very strongly resembles the law of the jungle!" And as the

state foresees the objection, what does it do? It confuses everything; it advances a detestable argument that ought not to have any influence on the question: it speaks of the effect of the hundred sous on employment; it points to the cook and to the tradesman who supplies the needs of the minister; it shows us a colonist, a soldier, a general, living on the five francs; it shows us, in short, *what is seen*. As long as James Goodfellow has not learned to put next to this *what is not seen*, he will be duped. That is why I am forced to teach him by loud and long repetition.

From the fact that public expenditures reallocate jobs without increasing them there results against such expenditures a second and grave objection. To reallocate jobs is to displace workers and to disturb the natural laws that govern the distribution of population over the earth. When fifty million francs are left to the taxpayers, since the latter are situated throughout the country, the money fosters employment in the forty thousand municipalities of France; it acts as a bond that holds each man to his native land; it is distributed to as many workers as possible and to all imaginable industries. Now, if the state, taking these fifty millions from the citizens, accumulates them and spends them at a given place, it will draw to this place a proportional quantity of labor it has transferred from other places, a corresponding number of expatriated workers, a floating population, declassed, and, I daresay, dangerous when the money is used up! But this is what happens (and here I return to my subject): this feverish activity, blown, so to speak, into a narrow space, attracts everyone's eye and is *what is seen*; the people applaud, marvel at the beauty and ease of the procedure, and demand its repetition and extension. *What is not seen* is that an equal number of jobs, probably more useful, have been prevented from being created in the rest of France.

[\[Back to Table of Contents\]](#)

## 11. *Thrift And Luxury*

It is not only in the matter of public expenditures that *what is seen* eclipses *what is not seen*. By leaving in the shadow half of the political economy, this phenomenon of the seen and the unseen induces a false moral standard. It leads nations to view their moral interests and their material interests as antagonistic. What could be more discouraging or more tragic? Observe:

There is no father of a family who does not take it as his duty to teach his children order, good management, economy, thrift, moderation in spending.

There is no religion that does not inveigh against ostentation and luxury. That is all well and good; but, on the other hand, what is more popular than these adages:

“To hoard is to dry up the veins of the people.”

“The luxury of the great makes for the comfort of the little fellow.”

“Prodigals ruin themselves, but they enrich the state.”

“It is with the surplus of the rich that the bread of the poor is made.”

Certainly there is a flagrant contradiction here between the moral idea and the economic idea. How many eminent men, after having pointed out this conflict, look upon it with equanimity! This is what I have never been able to understand; for it seems to me that one can experience nothing more painful than to see two opposing tendencies in the heart of man. Mankind will be degraded by the one extreme as well as by the other! If thrifty, it will fall into dire want; if prodigal, it will fall into moral bankruptcy!

Fortunately, these popular maxims represent thrift and luxury in a false light, taking account only of the immediate consequences *that are seen* and not of the more remote effects *that are not seen*. Let us try to rectify this incomplete view.

Mondor and his brother Ariste, having divided their paternal inheritance, each have an income of fifty thousand francs a year. Mondor practices philanthropy in the fashionable way. He is a spendthrift. He replaces his furniture several times a year, changes his carriages every month; people talk about the ingenious devices to which he resorts to get rid of his money faster; in brief, he makes the high livers of Balzac and Alexander Dumas look pale by comparison.

What a chorus of praises always surround him! “Tell us about Mondor! Long live Mondor! He is the benefactor of the workingman. He is the good angel of the people! It is true that he wallows in luxury; he splashes pedestrians with mud; his own dignity and human dignity in general suffer somewhat from it. .... But what of it? If he does not make himself useful by his own labor, he does so by means of his wealth. He puts

money into circulation. His courtyard is never empty of tradesmen who always leave satisfied. Don't people say that coins are round so that they can roll?"

Ariste has adopted a quite different plan of life. If he is not an egoist, he is at least an *individualist*; for he is rational in his spending, seeks only moderate and reasonable enjoyments, thinks of the future of his children; in a word, he *saves*.

And now I want you to hear what the crowd says about him!

"What good is this mean rich man, this penny-pincher? Undoubtedly there is something impressive and touching in the simplicity of his life; furthermore, he is humane, benevolent, and generous. But he *calculates*. He does not run through his whole income. His house is not always shining with lights and swarming with people. What gratitude do the carpetmakers, the coachmakers, the horse dealers, and the confectioners owe to him?"

These judgments, disastrous to morality, are founded on the fact that there is one thing that strikes the eye: the spending of the prodigal brother; and another thing that escapes the eye: the equal or even greater spending of the economical brother.

But things have been so admirably arranged by the divine Inventor of the social order that in this, as in everything, political economy and morality, far from clashing, are in harmony, so that the wisdom of Ariste is not only more worthy, but even more *profitable*, than the folly of Mondor.

And when I say more profitable, I do not mean only more profitable to Ariste, or even to society in general, but more profitable to present-day workers, to the industry of the age.

To prove this, it suffices to set before the mind's eye those hidden consequences of human actions that the bodily eye does not see.

Yes, the prodigality of Mondor has effects visible to all eyes: everyone can see his berlines, his landaus, his phaetons, the delicate paintings on his ceilings, his rich carpets, the splendor of his mansion. Everyone knows that he runs his thoroughbreds in the races. The dinners that he gives at his mansion in Paris fascinate the crowd on the boulevard, and people say to one another: "There's a fine fellow, who, far from saving any of his income, is probably making a hole in his capital." *This is what is seen.*

It is not as easy to see, from the viewpoint of the interest of the workers, what becomes of Ariste's income. If we trace it, however, we shall assure ourselves that all of it, *down to the last centime*, goes to give employment to the workers, just as certainly as the income of Mondor. There is only this difference: The foolish spending of Mondor is bound to decrease continually and to reach a necessary end; the wise spending of Ariste will go on increasing year by year.

And if this is the case, certainly the public interest is in accord with morality.

Ariste spends for himself and his house twenty thousand francs a year. If this does not suffice to make him happy, he does not deserve to be called wise. He is touched by the ills that weigh on the poor; he feels morally obligated to relieve them somewhat and devotes ten thousand francs to acts of charity. Among businessmen, manufacturers, and farmers he has friends who, for the moment, find themselves financially embarrassed. He inquires about their situation in order to come to their aid prudently and efficaciously and sets aside for this work another ten thousand francs. Finally, he does not forget that he has daughters to provide dowries for, sons to assure a future for, and, consequently, he imposes on himself the duty of saving and investing ten thousand francs a year.

This, then, is how he uses his income:

1. Personal expenses . . . . . 20,000 francs
2. Charity . . . . . 10,000 francs
3. Help to friends . . . . . 10,000 francs
4. Savings . . . . . 10,000 francs

If we review each of these items, we shall see that not a centime escapes going into the support of national industry.

1. *Personal expenses.* These, for workmen and shopkeepers, have effects absolutely identical to an equal amount spent by Mondor. This is self-evident; let us not discuss it further.

2. *Charity.* The ten thousand francs devoted to this end will support industry just as much; they will go to the baker, the butcher, the tailor, and the furniture dealer, except that the bread, the meat, the clothes do not serve the needs of Ariste directly, but of those whom he has substituted for himself. Now, this simple substitution of one consumer for another has no effect at all on industry in general. Whether Ariste spends a hundred sous or asks a poor person to spend it in his place is all one.

3. *Help to friends.* The friend to whom Ariste lends or gives ten thousand francs does not receive them in order to bury them; that would be contrary to our hypothesis. He uses them to pay for merchandise or to pay off his debts. In the first case, industry is encouraged. Will anyone dare say that there is more gained from Mondor's purchase of a thoroughbred for ten thousand francs than from a purchase by Ariste or his friends of ten thousand francs' worth of cloth? If this sum serves to pay a debt, all that results is that a third person appears, the creditor, who will handle the ten thousand francs, but who will certainly use them for something in his business, his factory, or his exploitation of natural resources. He is just one more intermediary between Ariste and the workers. The names change, the spending remains, and so does the encouragement of industry.

4. *Savings.* There remain the ten thousand francs *saved*; and it is here that, from the point of view of encouragement of the arts, industry, and the employment of workers, Mondor appears superior to Ariste, although morally Ariste shows himself a little superior to Mondor.

It is not without actual physical pain that I see such contradictions appear between the great laws of Nature. If mankind were reduced to choosing between the two sides, one of which hurts its interests and the other its conscience, we should have to despair for its future. Happily this is not so.<sup>9</sup> To see Ariste regain his economic as well as his moral superiority, we need only understand this consoling axiom, which is not the less true for having a paradoxical appearance: *To save is to spend*.

What is Ariste's object in saving ten thousand francs? Is it to hide two thousand hundred-sou pieces in a hole in his garden? No, certainly not. He intends to increase his capital and his income. Consequently, this money that he does not use to buy personal satisfactions he uses to buy pieces of land, a house, government bonds, industrial enterprises; or perhaps he invests it with a broker or a banker. Follow the money through all these hypothetical uses, and you will be convinced that, through the intermediary of sellers or borrowers, it will go to support industry just as surely as if Ariste, following the example of his brother, had exchanged it for furniture, jewels, and horses.

For when Ariste buys for ten thousand francs pieces of land or bonds, he does so because he feels he does not need to spend this sum. This seems to be what you hold against him.

But, by the same token, the person who sells the piece of land or the mortgage is going to have to spend in some way the ten thousand francs he receives.

So that the spending is done in either case, whether by Ariste or by those who are substituted for him.

From the point of view of the working class and of the support given to industry, there is, then, only one difference between the conduct of Ariste and that of Mondor. The spending of Mondor is directly accomplished by him and around him; *it is seen*. That of Ariste, being carried out partly by intermediaries and at a distance, *is not seen*. But in fact, for anyone who can connect effects to their causes, that which is not seen is every bit as real as that which is seen. What proves it is that in both cases the money *circulates*, and that no more of it remains in the coffers of the wise brother than in those of the prodigal.

It is therefore false to say that thrift does actual harm to industry. In this respect it is just as beneficial as luxury.

But how superior it appears, if our thinking, instead of confining itself to the passing hour, embraces a long period of time!

Ten years have gone by. What has become of Mondor and his fortune and his great popularity? It has all vanished. Mondor is ruined; far from pouring fifty thousands francs into the economy every year, he is probably a public charge. In any case he is no longer the joy of the shopkeepers; he is no longer considered a promoter of the arts and of industry; he is no longer any good to the workers, nor to his descendants, whom he leaves in distress.

At the end of the same ten years Ariste not only continues to put all of his income into circulation, but he contributes increasing income from year to year. He adds to the national capital, that is to say, the funds that provide wages; and since the demand for workers depends on the extent of these funds, he contributes to the progressive increase of remuneration of the working class. Should he die, he will leave children who will replace him in this work of progress and civilization.

Morally, the superiority of thrift over luxury is incontestable. It is consoling to think that, from the economic point of view, it has the same superiority for whoever, not stopping at the immediate effects of things, can push his investigations to their ultimate effects.

[\[Back to Table of Contents\]](#)

## 12. *The Right To Employment And The Right To Profit*

“Brothers, assess yourselves to furnish me work at your price.” This is the right to employment, elementary or first-degree socialism.

“Brothers, assess yourselves to furnish me work at my price.” This is the right to profit, refined or second-degree socialism.

Both live by virtue of such of their effects *as are seen*. They will die from those of their effects *that are not seen*.

*What is seen* is the work and the profit stimulated by the assessments levied on society. *What is not seen* is the work and the profits that would come from this same amount of money if it were left in the hands of the taxpayers themselves.

In 1848 the right to employment showed itself for a moment with two faces. That was enough to ruin it in public opinion.

One of these faces was called: *National workshop*.

The other: *Forty-five centimes*.\*

Millions went every day from the rue de Rivoli to the national workshops. This was the beautiful side of the coin.

But here is what was on the other side. In order for millions of francs to come out of a coffer, they must first have come into it. That is why the organizers of the right to employment addressed themselves to the taxpayers.

Now, the farmers said: “I must pay forty-five centimes. Then I shall be deprived of clothes; I cannot marl my field; I cannot have my house repaired.”

And the hired hands said: “Since our boss is not going to have any new clothes, there will be less work for the tailor; since he is not going to have his field marled, there will be less work for the ditchdigger; since he is not going to have his house repaired, there will be less work for the carpenter and the mason.”

It was therefore proved that you cannot profit twice from the same transaction, and that the work paid for by the government was created at the expense of work that would have been paid for by the taxpayer. That was the end of the right to employment, which came to be seen as an illusion as well as an injustice.

However, the right to profit, which is nothing but an exaggeration of the right to employment, is still alive and flourishing.

Is there not something shameful in the role that the protectionist makes society play?



He says to society:

“You must give me work, and, what is more, lucrative work. I have foolishly chosen an industry that leaves me with a loss of ten per cent. If you slap a tax of twenty francs on my fellow citizens and excuse me from paying it, my loss will be converted into a profit. Now, profit is a right; you owe it to me.”

The society that listens to this sophist, that will levy taxes on itself to satisfy him, that does not perceive that the loss wiped out in one industry is no less a loss because others are forced to shoulder it—this society, I say, deserves the burden placed upon it.

Thus, we see, from the many subjects I have dealt with, that not to know political economy is to allow oneself to be dazzled by the immediate effect of a phenomenon; to know political economy is to take into account the sum total of all effects, both immediate and future.<sup>10</sup>

I could submit here a host of other questions to the same test. But I desist from doing so, because of the monotony of demonstrations that would always be the same, and I conclude by applying to political economy what Chateaubriand\* said of history:

There are two consequences in history: one immediate and instantaneously recognized; the other distant and unperceived at first. These consequences often contradict each other; the former come from our short-run wisdom, the latter from long-run wisdom. The providential event appears after the human event. Behind men rises God. Deny as much as you wish the Supreme Wisdom, do not believe in its action, dispute over words, call what the common man calls Providence “the force of circumstances” or “reason”; but look at the end of an accomplished fact, and you will see that it has always produced the opposite of what was expected when it has not been founded from the first on morality and justice.

(Chateaubriand, *Memoirs from beyond the Tomb.*)

[\[Back to Table of Contents\]](#)

2

## The Law<sup>1</sup>

The law perverted! And along with it all the collective forces of the nation! The law, I say, not only turned aside from its proper end, but made to pursue a directly contrary end! The law become the instrument, instead of the restrainer, of all kinds of cupidity! The law itself perpetrating the very iniquity that it is its function to punish! Certainly, if this is so, it is a serious matter, to which I should be allowed to call the attention of my fellow citizens.

We hold from God the gift that for us includes all other gifts: life—physical, intellectual, and moral life.

But life is not self-sustaining. He who gave it to us has left to us the responsibility of preserving it, of developing it, of perfecting it.

To that end, He has provided us with a collection of marvelous faculties; He has set us in the midst of a variety of resources. It is by the application of our faculties to these resources that the phenomenon of *assimilation*, of *appropriation*, is realized, by which life runs its appointed course.

Existence, faculties, assimilation—in other words, personality, liberty, property—that is what man is.

Of these three things one may say, without any demagogic quibbling, that they are anterior and superior to all human legislation.

It is not because men have passed laws that personality, liberty, and property exist. On the contrary, it is because personality, liberty, and property already exist that men make laws.

What, then, is law? As I have said elsewhere, it is the collective organization of the individual's right to legitimate self-defense.<sup>2</sup>

Each of us certainly gets from Nature, from God, the right to defend his person, his liberty, and his property, since they are the three elements constituting or sustaining life, elements which are mutually complementary and which cannot be understood without one another. For what are our faculties, if not an extension of our personality, and what is property, if not an extension of our faculties?

If each man has the right to defend, even by force, his person, his liberty, and his property, several men have the right to get together, come to an understanding, and organize a collective force to provide regularly for this defense.

Collective right, then, has its principle, its *raison d'être*, its legitimate basis, in individual right; and the collective force can rationally have no other end, no other function, than that of the individual forces for which it substitutes.

Thus, as an individual cannot legitimately use force against the person, liberty, or property of another individual, for the same reason collective force cannot legitimately be applied to destroy the person, liberty, and property of individuals or classes.

For this perverse use of force would be, in the one case as in the other, in contradiction with our premises. Who will dare to say that force has been given to us, not to defend our rights, but to destroy the equal rights of our brothers? And if this is not true of the use of force by each individual, acting separately, how can it be true of the collective force, which is nothing but the organized union of the separate forces?

Hence, if anything is self-evident, it is this: Law is the organization of the natural right to legitimate self-defense; it is the substitution of collective force for individual forces, to act in the sphere in which they have the right to act, to do what they have the right to do: to guarantee security of person, liberty, and property rights, to cause *justice* to reign over all.

And if there existed a nation constituted on this basis, it seems to me that order would prevail there in fact as well as in theory. It seems to me that this nation would have the simplest, most economical, least burdensome, least disturbing, least officious, most just, and consequently most stable government that can be imagined, whatever its political form might be.

For under such a regime, everyone would comprehend clearly that the full enjoyment of his life, as well as complete responsibility for it, was his and his alone. As long as his person was respected, his labor free, and the fruits of his labor guaranteed against all unjust encroachment, no one would have any quarrel with the state. When fortunate, we should not, it is true, have to thank it for our successes; but, when unfortunate, we should no more blame it for our reverses than our farmers would blame it for hail or frost. We should know it only by the inestimable benefit of *security*.

It can further be affirmed that thanks to the nonintervention of the state in private affairs, wants and satisfactions would develop in their natural order. We should not see poor families seeking instruction in literature before they have bread. We should not see the city being populated at the expense of the country, or the country at the expense of the city. We should not see those great displacements of capital, of labor, and of population which are provoked by legislative measures, displacements that render the very sources of existence so uncertain and precarious, and thereby add so greatly to the responsibilities of the government.

Unfortunately, the law is by no means confined to its proper role. It is not only in indifferent and debatable matters that it has exceeded its legitimate function. It has done worse; it has acted in a way contrary to its own end; it has destroyed its own

object: it has been employed in abolishing the justice which it was supposed to maintain, in effacing that limit between rights which it was its mission to respect; it has put the collective force at the service of those who desire to exploit, without risk and without scruple, the person, liberty, or property of others; it has converted plunder into a right, in order to protect it, and legitimate defense into a crime, in order to punish it.

How has this perversion of the law been accomplished? What have been the consequences of it?

The law has been perverted under the influence of two very different causes: unintelligent selfishness and false philanthropy.

Let us speak of the first cause.

Self-preservation and self-development are aspirations common to all men, so that, if each person enjoyed the free exercise of his faculties and the free disposition of their products, social progress would be continual, uninterrupted, and unailing.

But there is another disposition that is also common among men. It is to live and to develop, when they can, at the expense of one another. This is no rash charge, nor is it an expression of a morose and pessimistic state of mind. History bears witness to its truth: its annals are filled with accounts of constant wars, mass migrations, acts of clerical despotism, the universality of slavery, commercial frauds, and monopolies.

This lamentable disposition springs from the very nature of man, from that primitive, universal, unconquerable feeling which impels him to seek his own well-being and to shun pain.

Man can live and enjoy life only by constant assimilation and appropriation, that is, by a constant application of his faculties to things, by labor. This is the origin of property.

But, in fact, he can live and enjoy life by assimilating and appropriating the product of the labor of his fellow man. This is the origin of plunder.

Now, labor being in itself painful, and man being naturally inclined to shun pain, it follows—history is there to prove it—that wherever plunder is less onerous than labor, it prevails; and neither religion nor morality can, in this case, prevent it from doing so.

When, then, does plunder stop? When it becomes more onerous and more dangerous than labor.

It is clearly evident that the object of the law should be to oppose this harmful tendency with the powerful obstacle of collective force, that it should side with property against plunder.

But the law is made, most often, by one man or by one class of men. And, since the law does not exist without sanction, without the support of a preponderant force, it inevitably puts this force into the hands of those who legislate.

This unavoidable phenomenon, combined with the lamentable inclination that, as we have observed, exists in the heart of man, explains the almost universal perversion of the law. It is understandable how, instead of restraining injustice, the law becomes its instrument, indeed its most invincible instrument. It is understandable that, in proportion to the power of the legislator, and for his profit, the law destroys, in varying degree, among the rest of mankind, the rights of the person by way of slavery, liberty by way of oppression, property by way of plunder.

It is in the nature of men to react against the iniquity of which they are the victims. When, therefore, plunder is organized by the law for the profit of the classes who make it, all the plundered classes seek, by peaceful or revolutionary means, to enter into the making of the laws. These classes, according to the degree of enlightenment they have achieved, can propose two different ends to themselves when they thus seek to attain their political rights: either they may wish to bring legal plunder to an end, or they may aim at getting their share of it.

Woe to the nations in which the masses are dominated by this last thought when they, in their turn, seize the power to make the law!

Until that time, legal plunder is exercised by the few against, the many, as it is among nations in which the right to legislate is concentrated in a few hands. But now it becomes universal, and an effort is made to redress the balance by means of universal plunder. Instead of being abolished, social injustice is made general. As soon as the disinherited classes have obtained their political rights, the first idea they seize upon is not to abolish plunder (this would suppose in them more wisdom than they can have), but to organize a system of reprisals against the other classes that is also injurious to themselves; as if, before justice reigns, a harsh retribution must strike all, some because of their iniquity, others because of their ignorance.

No greater change nor any greater evil could be introduced into society than this: to convert the law into an instrument of plunder.

What are the consequences of such a perversion of the law? Volumes would be required to describe all of them. Let us content ourselves with indicating the most important.

The first is to efface from everyone's conscience the distinction between what is just and what is unjust.

No society can exist if respect for the law does not to some extent prevail; but the surest way to have the laws respected is to make them respectable. When law and morality are in contradiction, the citizen finds himself in the cruel dilemma of either losing his moral sense or of losing respect for the law, two evils of which one is as great as the other, and between which it is difficult to choose.

It is so much the nature of law to make justice prevail that law and justice are one and the same thing in the minds of the masses. We all have a strong disposition to regard what is legal as legitimate, to such an extent that there are very many who erroneously derive all justice from law. It suffices, then, that the law ordains and authorizes plunder to make plunder seem just and sacred to many consciences. Slavery, restraint of trade, and monopoly find defenders not only among those who profit from them but even among those who suffer from them. Try to raise a few doubts about the morality of these institutions. "You are," it will be said, "a dangerous innovator, a utopian, a theorist, a scorner of the laws; you are undermining the foundation upon which society rests." If you give a course in ethics or political economy, official organizations will be found making this petition to the government: "That economic science be taught henceforth *no longer* only from the point of view of free trade (of liberty, property, justice), as has been done up to now, but also and especially from the point of view of the facts and the legislation (contrary to liberty, property, and justice) which prevail in French industry.

"That in the chairs publicly endowed by the treasury, the professors strictly abstain from diminishing in the slightest degree the respect due to the *laws now in force*." [3](#)

So that if a law exists which sanctions slavery or monopoly, oppression or spoliation, in any form whatever, one must not even speak about it; for how speak about it without undermining the respect that the law inspires? Moreover, ethics and political economy must be taught from the viewpoint of that law, that is, on the assumption that it must be just simply because it is the law.

Another result of this deplorable perversion of the law is to give to political passions and struggles, and indeed to the whole field of politics, an exaggerated importance.

I could prove this proposition in a thousand ways. I shall confine myself, by way of example, to connecting it with a subject that has recently occupied all minds: universal suffrage.

Whatever the disciples of Rousseau's school, who call themselves *very much advanced*, and whom I believe to be twenty centuries *behind the times*, may think of it, universal suffrage (taking this word in its strict sense) is not one of those sacred dogmas which it is a crime to examine or doubt.

Serious objections may be advanced against universal suffrage. First, the word *universal* conceals a gross sophism. There are thirty-six million inhabitants in France. For the right to suffrage to be *universal*, it must be granted to thirty-six million voters. In the most extensive electoral system, only nine million voters are eligible. Three out of four persons, then, are excluded, and what is more, they are excluded by the fourth. On what principle is this exclusion founded? On the principle of incapacity. Universal suffrage thus means: universal suffrage for those capable. There remains this question of fact: Who are the capable ones? Are age, sex, and criminal records the only signs by which incapacity can be recognized?

If we examine the question more closely, we very quickly perceive the reason why the right to suffrage rests on the presumption of capacity. The most extensive system differs in this respect from the most limited only in the evaluation of the signs whereby this capacity can be recognized. This constitutes a difference of degree, not of principle.

The reason is that the voter acts not only for himself, but for everyone.

If, as our republicans in the Greek and Roman style allege, the right of suffrage is every person's birthright, it would be unjust for adult males to prevent women and children from voting. Why prevent them? Because they are presumed to be incapable. And why is incapacity a cause for exclusion? Because it is not the voter alone who must bear the consequences of his vote; because each vote involves and affects the whole community; because the community clearly has the right to require some guarantees as to the acts on which its welfare and existence depend.

I know what the reply may be. I also know what the rejoinder could be. This is not the place for an exhaustive controversy on the subject. What I want to call attention to is that this very controversy (as well as most political questions), which agitates, arouses, and convulses nations, would lose almost all its importance if the law had always been what it should be.

In fact, if the law confined itself to safeguarding all persons, liberties, and property rights; if it were only the organization of the individual's right to legitimate self-defense, the obstacle, the check, the punishment opposed to all acts of oppression and plunder; is it likely that we citizens would argue very much about whether the suffrage should be more or less universal? Is it likely that such a dispute would endanger the greatest good, the public peace? Is it likely that the excluded classes would not peacefully await their turn? Is it likely that the favored classes would be so jealous of their privilege? And is it not clear that, the interests of all being identical and common, the vote of the enfranchised would cause no great inconvenience for the rest of the population?

But once let the disastrous principle be introduced that, under the pretext of organization, regulation, protection, or encouragement, the law can *take from some to give to others*, to draw off a part of the wealth acquired by all classes in order to increase that of one class, whether farmers or manufacturers or merchants or shipowners or artists or actors; then certainly, in that event, there is no class that does not demand, with good reason, to have a hand in making the laws; that does not vehemently claim its right to vote and to be considered eligible; that would not overthrow society rather than fail to obtain that right. Even beggars and tramps will prove to you that they have an incontestable right to vote. They will say to you: "We never buy wine, tobacco, or salt without paying a tax, and part of that tax is given by law, in bounties and subsidies, to men richer than we are. Others use the law to raise artificially the prices of bread, meat, iron, and cloth. Since everyone exploits the law to his own profit, we too want to do so. We desire to have it grant us the *right to public relief*, which is the poor man's share of the plunder. To this end we must become voters and legislators, so that we may organize the dole for our class in grand

style, as you have organized protective tariffs in grand style for your class. Do not tell us that you will act on our behalf, that you will throw our way, as M. Mimerel\* proposes, a sum of six hundred thousand francs, to keep us quiet and as a bone for us to gnaw on. We have other demands, and, in any case, we want to act for ourselves, as the other classes have acted for themselves!”

What can one reply to such an argument? Yes, so long as it is admitted in principle that the law may be diverted from its true mission, that it may violate property rights instead of guaranteeing them, each class will want to make the law, whether to defend itself against being plundered or to organize plunder for its own profit. Political questions will always be interlocutory, dominant, and absorbing; in a word, people will be continually pounding on the door of the legislature. The struggle will not be less bitter within it. To be convinced of this, it is hardly necessary to observe what goes on in the parliaments of France and England; it is enough to know what the issues are that are being debated there.

Is there any need to prove that this odious perversion of the law is a perpetual cause of hatred, discord, and even social disorder? Look at the United States. There is no country in the world where the law confines itself more rigorously to its proper role, which is to guarantee everyone's liberty and property. Accordingly, there is no country in which the social order seems to rest on a more stable foundation. Nevertheless, even in the United States there are two questions, and only two, which, since it was founded, have several times put the political order in danger. And what are these two questions? The question of slavery and that of tariffs, that is, precisely the only two questions concerning which, contrary to the general spirit of this republic, the law has assumed a spoliative character. Slavery is a violation, sanctioned by law, of the rights of the person. Protective tariffs are a violation, perpetrated by the law, of the right to property; and certainly it is remarkable that in the midst of so many other disputes this twofold *legal scourge*, a sad heritage from the Old World, should be the only one that can and perhaps will lead to the dissolution of the Union. It is, in fact, impossible to imagine any graver situation in a society than one in which the law becomes an instrument of injustice. And if this fact gives rise to such dreadful consequences in the United States, where it is only exceptional, what must be its consequences in Europe, where it is a principle and a system?

M. de Montalembert,\* adopting the thought expressed in a famous proclamation of M. Carlier,† said: “We must make war on socialism.” And by socialism, we must take it that he means plunder, according to the definition of M. Charles Dupin.

But what kind of plunder did he mean? For there are two kinds. There is *extralegal* plunder and *legal* plunder.

As for extralegal plunder, such as theft or fraud, which is defined, provided for, and punished by the Penal Code, I do not think that we can, in all truth, decorate it with the name of socialism. It is not this that systematically menaces the foundations of society. Besides, the war against this type of plunder has not awaited the signal from M. de Montalembert or of M. Carlier. It has been waged since the beginning of the world; France had provided for it long before the February Revolution, long before



the appearance of socialism, by a whole apparatus of courts, police, gendarmes, prisons, dungeons, and gallows. It is the law itself that carries on this war, and what would be desirable, to my mind, is that the law should always maintain this attitude toward plunder.

But this is not the case. The law sometimes sides with the plunderer. Sometimes it commits plunder with its own hands, in order to spare the beneficiary shame, danger, and qualms of conscience. Sometimes it places this whole apparatus of courts, police, constabularies, and prisons at the service of the plunderer, and puts the plundered person, when he defends himself, in the prisoners' dock. In a word, there is *legal plunder*, and it is no doubt this that M. de Montalembert is talking about.

This kind of plunder may be merely an exceptional blemish on a nation's legislation, in which case, the best thing to do, without too many tirades and jeremiads, is to eliminate it as soon as possible, despite the outcries of the vested interests. How is it to be recognized? Very simply. All we have to do is to see whether the law takes from some what belongs to them in order to give it to others to whom it does not belong. We must see whether the law performs, for the profit of one citizen and to the detriment of others, an act which that citizen could not perform himself without being guilty of a crime. Repeal such a law without delay. It is not only an iniquity in itself; it is a fertile source of iniquities, because it invites reprisals, and if you do not take care, what begins by being an exception tends to become general, to multiply itself, and to develop into a veritable system. No doubt the person benefited by the law will raise loud cries of protest; he will invoke his *acquired rights*. He will say that the state has an obligation to protect and encourage his industry; he will allege that it is good that the state should enrich him, because, when he is richer, he spends more and thus showers wages on the poor workers. Take care not to listen to this sophist, for it is precisely by the systematic elaboration of these arguments that *legal plunder* will itself be systematized.

This is, in fact, what has happened. The prevailing illusion of our age is that it is possible to enrich all classes at the expense of one another—to make plunder universal under the pretext of *organizing* it. Now, legal plunder can be committed in an infinite number of ways; hence, there are an infinite number of plans for organizing it: tariffs, protection, bonuses, subsidies, incentives, the progressive income tax, free education, the right to employment, the right to profit, the right to wages, the right to relief, the right to the tools of production, interest-free credit, etc., etc. And it is the aggregate of all these plans, in respect to what they have in common, legal plunder, that goes under the name of *socialism*.

Now, since socialism thus defined forms a body of doctrine, what war would you make on it, if not a war of doctrine? You find that doctrine false, absurd, abominable. Then refute it. This will be all the easier for you the more false, more absurd, more abominable the doctrine is. Above all, if you would be strong, begin by eliminating from your legislation all of the socialism that may have crept into it. The task is by no means a small one.

M. de Montalembert has been reproached with wanting to turn brute force against socialism. It is a charge of which he should be exonerated, for he has formally declared: “We must wage a war against socialism that is compatible with law, honor, and justice.”

But how is it that M. de Montalembert does not perceive that he is placing himself in a vicious circle? You want to use the law to oppose socialism? But it is precisely socialism that invokes the law. It does not look for extralegal plunder, but for legal plunder. Socialism, like monopoly of all kinds, tries to make use of the law itself; and once it has the law on its side, how do you expect to turn the law against it? How do you expect to strike at it with your tribunals, your police, your prisons?

So, what do you do? You want to prevent socialists from having a hand in the making of the laws. You want to keep them from entering the legislature. You will not succeed, I venture to predict, while within the legislature laws are passed in accordance with the principle of legal plunder. Your idea is too iniquitous, too absurd.

This question of legal plunder must be decided once for all, and there are only three solutions:

- That the few plunder the many.
- That everybody plunders everybody else.
- That nobody plunders anybody.

Partial plunder, universal plunder, absence of plunder—one must choose. The law can follow only one of these three possible courses.

*Partial plunder* is the system that prevailed as long as the electorate was partial, the system to which some wish to return in order to avoid the invasion of socialism.

*Universal plunder* is the system with which we have been threatened since the suffrage became *universal*, the masses having conceived the idea of legislating on the same principle as the legislators who preceded them.

*Absence of plunder* is the principle of justice, of peace, of order, of stability, of harmony, of good sense, which I shall proclaim with all the power (alas! so inadequate) of my lungs, until my last breath.\*

And, in all sincerity, can anything more be asked of the law? Can the law, having force as a necessary sanction, be reasonably employed for anything else than safeguarding the rights of everyone? I question whether the law may be extended beyond this domain without turning it, and consequently without turning force, against human rights. And as this is the most disastrous, the most illogical social disturbance imaginable, we must recognize clearly that the true solution, so much sought after, of the social problem is comprised in these simple words: *The law is organized justice.*

Now, organizing justice by law, that is, by force, excludes the idea of organizing by law or by force any manifestation whatsoever of human activity: labor, charity,

agriculture, commerce, industry, education, the fine arts, or religion; for one of these secondary organizations would inevitably destroy the essential organization. How, in fact, is one to imagine force encroaching on the liberty of the citizens without striking a blow at justice, and thus acting contrary to its proper object?

Here I come into conflict with the most popular prejudices of our day. People not only want the law to be just; they also want it to be philanthropic. They are not satisfied that justice should guarantee to each citizen the free and inoffensive exercise of his faculties for his physical, intellectual, and moral development; they require of it that it should directly spread welfare, education, and morality throughout the country. This is the seductive aspect of socialism.

But, I repeat, these two functions of the law contradict each other. We must choose between them. A citizen cannot at the same time be free and not free. M. de Lamartine wrote me one day: "Your doctrine is only the half of my program; you have stopped at liberty; I go on to fraternity." I answered him: "The second half of your program will destroy the first half." And, in fact, it is quite impossible for me to separate the word "fraternity" from the word "voluntary." It is quite impossible for me to conceive of fraternity as *legally* enforced, without liberty being *legally* destroyed, and justice being *legally* trampled underfoot.

Legal plunder has two roots: One, as we have just seen, is in human selfishness; the other is in false philanthropy.

Before going further, I believe I ought to explain what I mean by the word "plunder."<sup>\*</sup>

I do not use it, as is so often done, in a vague, indeterminate, approximate, or metaphorical sense; I use it in its precise, scientific sense, as expressing the idea opposed to that of property. When property is transferred without the consent of its owner and without compensation, whether by force or by fraud, from the one who possesses it to anyone who has not created it, I say that property rights have been violated, that plunder has been committed. I say that this is precisely what the law is supposed to suppress always and everywhere. If the law itself commits the act that it is supposed to suppress, I say that this is still plunder and, as far as society is concerned, plunder of an even graver kind. In this case, however, it is not the one that profits from the act of plunder who is responsible for it; it is the law, the legislator, society itself, and it is in this that the political danger consists.

It is regrettable that this word "plunder" has an offensive connotation. I have tried in vain to find another, for I would not want at any time, and especially in these times, to add an irritating word to our dissensions. Accordingly, whether people believe me or not, I declare that I do not propose to disparage the motives or the morality of anyone. I am attacking an idea that I believe to be false, a system that seems to me unjust, yet so unintentionally unjust that each of us profits from it without wanting to and suffers from it without knowing it. One would have to write under the influence of partisan bias or fear to question the sincerity of those who advocate protectionism, socialism, or even communism, which are only three different stages of growth of one and the

same plant. All that one can say is that plunder is more apparent in protectionism by virtue of its partiality<sup>4</sup> and in communism by virtue of its universality; from which it follows that of the three systems socialism is still the vaguest, the most indecisive, and consequently the most sincere.

In any case, to grant that legal plunder has one of its roots in false philanthropy is clearly to eliminate the question of motives from the discussion.

This being understood, let us examine this popular aspiration, which seeks to realize the general welfare by way of general plunder, and let us see what it is worth, whence it comes, and whither it tends.

The socialists ask us: "Since the law organizes justice, why should it not organize labor, education, and religion?"

Why? Because it cannot organize labor, education, and religion without disorganizing justice.

Do not forget that the law is force, and that, consequently, the domain of the law cannot legitimately extend beyond the legitimate domain of force.

When law and force confine a man within the bounds of justice, they do not impose anything on him but a mere negation. They impose on him only the obligation to refrain from injuring others. They do not infringe on his personality or his liberty or his property. They merely safeguard the personality, the liberty, and the property of others. They stand on the defensive; they defend the equal right of all. They fulfill a mission whose harmlessness is evident, whose utility is palpable, and whose legitimacy is uncontested.

This is so true that, as one of my friends remarked to me, to say that *the object of the law is to make justice prevail* is to use an expression that is not strictly exact. One should say: *The object of the law is to prevent injustice from prevailing*. In fact, it is not justice, but injustice, that has an existence of its own. The first results from the absence of the second.

But when the law, by the intervention of its necessary agent, force, imposes a system of labor, a method or a subject of education, a faith or a religion, its action on men is no longer negative, but positive. It substitutes the will of the legislator for their own will, the initiative of the legislator for their own initiative. They no longer have to take counsel together, to compare, to foresee; the law does all this for them. Intelligence becomes a useless accessory; they cease to be men; they lose their personality, their liberty, their property.

Try to imagine a system of labor imposed by force that is not a violation of liberty; a transfer of wealth imposed by force that is not a violation of property rights. If you cannot do so, then you must agree that the law cannot organize labor and industry without organizing injustice.

When, from the depths of his study, a political theorist turns his gaze on society, he is struck by the spectacle of inequality that it presents. He groans at the sufferings that are the lot of so great a number of our brothers, sufferings which appear even sadder by their contrast with luxury and opulence.

He should perhaps ask himself whether the cause of such social conditions is not ancient acts of plunder, effected by way of conquest, and more recent acts of plunder, effected by the intervention of the law. He should ask himself whether, granted the aspiration of all men towards well-being and self-fulfillment, the reign of justice would not be enough to set the forces of progress into rapid motion and to realize the greatest amount of equality compatible with that individual responsibility which God has ordained as the just retribution for virtue and vice.

But the political theorist does not even dream of this. His thought is directed towards schemes, arrangements, legal or factitious organizations. He seeks for the remedy in the perpetuation and intensification of the very conditions that have produced the disease.

For are there any of these legal arrangements, aside from justice (which, as we have seen, is a mere negation), that do not involve the principle of plunder?

You say: "There are men who do not have any money," and you appeal to the law. But the law is not a breast that fills itself or whose lacteal veins draw substance from other sources than society. Nothing enters the public treasury for the benefit of a citizen or a class unless other citizens and other classes have been *forced* to put it there. If everyone draws out only the equivalent of what he has put in, your law, it is true, is not spoliative, but it does nothing for those who *do not have any money*; it does nothing to promote equality. It can be an instrument of equalization only in so far as it takes from some to give to others, and then it is an instrument of plunder. Examine, in this light, protective tariffs, subsidies, the right to profit, the right to employment, the right to public relief, the right to education, progressive taxation, interest-free credit, and public works. You will always find them based on legal plunder, organized injustice.

You say: "There are men who lack enlightenment," and you appeal to the law. But the law is not a torch spreading a light of its own near and far. It extends over a society where there are some who have knowledge and others who do not; some citizens who need to learn, and others who are willing to teach. It can do only one of two things: either let this type of transaction occur freely, i.e., allow this kind of need to be satisfied voluntarily, or apply coercion in this regard and take from some the wherewithal to pay teachers appointed to instruct others for nothing. But in the second case there cannot fail to be a violation of freedom and property rights, that is, legal plunder.

You say: "There are men who are lacking in morality or religion," and you appeal to the law. But the law is force, and need I point out what a violent and foolish undertaking it is to introduce force in these matters?

It would seem that the socialists, however complacent they may be about themselves, cannot help perceiving the monster of legal plunder that results from their schemes and efforts. But what do they do? They disguise plunder, cleverly concealing it from all eyes, even their own, under the seductive names of fraternity, solidarity, organization, and association. And because we do not ask so much of the law, because we require only justice from it, the socialists suppose that we reject fraternity, solidarity, organization, and association, and they throw in our faces the epithet *individualists*.

They should know, however, that what we reject is not natural, but forced organization.

It is not free association, but the forms of association that the socialists seek to impose on us.

It is not spontaneous fraternity, but legal fraternity.

It is not providential, but artificial solidarity, which is nothing but an unjust displacement of responsibility.

Socialism, like the ancient political ideology from which it emanates, confuses government with society. That is why, every time that we do not want a thing to be done by the government, the socialists conclude that we do not want that thing to be done at all. We are opposed to state education; hence, we are opposed to all education. We object to a state religion; hence, we do not want any religion at all. We are against an equality imposed by the state; hence, we are opposed to equality; etc., etc. It is as if they accused us of not wanting men to eat, because we oppose the cultivation of grain by the state.

How has the bizarre idea come to prevail in the political world that one can make the law produce what it does not contain: good in the positive sense, i.e., wealth, science, and religion?

Modern political theorists, particularly those of the socialist school, base their diverse doctrines on a common hypothesis, certainly the strangest, the most arrogant that could ever have entered a human brain.

They divide mankind into two parts. The commonality of men, with one exception, forms the first; the political theorist, all by himself, forms the second, and by far the most important.

In fact, they begin by supposing that men are endowed with neither motivation nor discernment; that they are devoid of initiative; that they are constituted of inert matter, of passive particles, of atoms without spontaneity, at the most a form of vegetation indifferent to its own mode of existence, susceptible of receiving from an external will and hand an infinite number of more or less symmetrical, artistic, and perfected forms.

Next, each of them supposes forthwith that he himself—under the title of organizer, discoverer, lawgiver, or founder—is that will and that hand, that universal mover, that creative power whose sublime mission it is to reunite into society those scattered materials which are men.

Starting from this assumption, just as every topiarist, according to his fancy, trims trees into pyramids, parasols, cubes, cones, vases, espaliers, distaffs, and fans, so every socialist, according to his caprice, prunes poor mankind into groups, series, centers, subcenters, cells, social workshops, harmonized, contrasted, etc., etc.

And just as the gardener needs axes, saws, pruning hooks, and shears to shape his trees, so the proponent of an artificially planned social order needs the forces that he can find only in the laws in order to organize his society: tariff laws, tax laws, relief laws, and education laws.

Indeed, so true is it that socialists consider mankind as raw material to be fitted into various social molds that if, by chance, they are not quite sure of the success of these arrangements, they demand at least a part of mankind as *raw material for experimentation*. We know how popular the idea of *experimenting with all systems* is with them, and one of their leaders has been known to demand seriously of the Constituent Assembly a local district with all its inhabitants on which to make his experiments.

It is thus that every inventor builds a small-scale model of his machine before making it full-scale. It is thus that the chemist sacrifices a few reagents, that the farmer sacrifices a few seeds in a corner of his field, to try out an idea.

But what an incommensurable distance there is between the gardener and his trees, between the inventor and his machine, between the chemist and his reagents, between the farmer and his seeds! The socialist believes in all sincerity that the same distance separates him from the rest of mankind.

We need not be astonished that the political theorists of the nineteenth century consider society as an artificial creation emanating from the genius of the lawgiver.

This idea, the effect of classical education, has dominated all the thinkers and great writers of our country.

All of them look upon the relations between mankind and the legislator as the same as those that exist between the clay and the potter.

Moreover, if they have consented to recognize in the heart of man a principle of action and in his intelligence a principle of discernment, they have thought this gift of God a baleful one, and that mankind, under the influence of these two impulses, tended inevitably towards its own degradation. In fact, they supposed that men, if left to their own inclinations, would concern themselves with religion only to end in atheism; with education, only to arrive at ignorance; with labor and trade, only to sink into poverty.

Fortunately, according to these same writers, there are a few men—the governors and lawgivers—who have received from heaven, not only for themselves, but for everyone else, opposite inclinations.

While mankind tends towards evil, they incline towards the good; while mankind marches into the darkness, they aspire towards enlightenment; while mankind is drawn towards vice, they are attracted by virtue. And, on this assumption, they call for force, so that it may put them in a position to substitute their own inclinations for those of the human race.

It suffices to open, almost at random, a book of philosophy, of politics, or of history, to see how strongly rooted in our country is this idea—the daughter of classical studies, and the mother of socialism—that mankind is merely inert matter, receiving from the power of the government life, organization, morality and wealth; or indeed, what is worse still, that mankind itself tends towards its own degradation and is checked on this downward slope only by the mysterious hand of the legislator. Conventional classical thought everywhere shows us that behind passive society there is an occult power which—under the name of law or lawgiver, or referred to by means of that more convenient and vaguer expression, “they”—moves, animates, enriches, and edifies mankind.

## Bossuet

One of the things that *they* [who?] impressed the most strongly on the minds of the Egyptians was the love of their country..... *It was not permitted* to be useless to the state; the law assigned each man his job, which was handed down from father to son. One could neither have two jobs nor change his occupation..... But there was one occupation which *had* to be common to all: the study of the laws and of wisdom. Ignorance of religion and of the national regulations was not excused under any circumstances. Besides, each profession had its district, which was assigned to it [by whom?]..... Among the good laws, the best was that everyone was taught [by whom?] to observe them..... Their men of science filled Egypt with marvelous inventions, and left them ignorant of virtually nothing that could render life easy and peaceful.

Thus, men, according to Bossuet, derive nothing from themselves: patriotism, wealth, industry, wisdom, inventions, husbandry, the sciences—all come to them by the operation of laws or of kings. The people's part is only to *let things be done to them*. When Diodorus accuses the Egyptians of rejecting wrestling and music, Bossuet reproves him. How is that possible, he says, since these arts were invented by Trismegistus?

The same with the Persians:

One of the first responsibilities *of the prince* was to make agriculture flourish..... As there were posts established for the conduct of armies, there were also some for overseeing agricultural work..... The respect that *was inspired* in the Persians for the royal authority verged on the excessive.



The Greeks, although very intelligent, were nonetheless so far unable to control their own destinies that of themselves, like horses and dogs, they would not have ventured upon even the simplest games. In classic thought it is always assumed that everything comes to the people from without, nothing from within.

The Greeks, naturally full of intelligence and of courage, *had been educated* in early times by the kings and colonists sent out from Egypt. It is from there that they learned physical exercises, *foot races*, and horse and chariot races..... But the best thing that the Egyptians had taught them was to become docile, to let themselves be formed by the laws for the public good.

## Fénelon\*

Reared in the study and admiration of antiquity, and a witness to the power of Louis XIV, Fénelon could hardly avoid accepting the idea that man is passive, and that his misfortunes as well as his prosperity, his virtues as well as his vices, come to him by an external influence exerted on him by the law or by the one who makes it. Thus, in his utopia, *Salentum*,† he puts men, with all their interests, faculties, desires, and possessions, under the absolute discretion of the lawgiver. In any matter whatsoever, they never judge for themselves; it is always the prince who judges for them. The nation is only unformed matter of which the prince is the soul. In him resides all thought, all foresight, the principles of all organization, of all progress, and, consequently, all responsibility.

To prove this assertion, I should have to quote the whole tenth book of *Télémaque*. I refer the reader to it and content myself with citing a few passages taken at random from this celebrated work, to which, in every other respect, I am the first to do justice.

With that surprising credulity which is characteristic of the admirers of classical antiquity, Fénelon accepts, against the authority of reason and the historical facts, the view that the Egyptians were generally happy, and he attributes their felicity, not to their own wisdom, but to that of their kings.

We could not turn our eyes toward the two shores without perceiving rich cities, agreeably situated country houses, fields covered every year with a golden harvest, without ever lying fallow; meadows full of flocks; husbandmen bending under the weight of the fruits which the earth poured forth from its breast; shepherds who made all the environing echoes repeat the sweet sounds of their flutes and their pipes. “Happy,” said Mentor,\* “are the people who are ruled by a wise king.”

Next, Mentor had me note the joy and abundance that pervaded the whole of Egypt, where twenty-two thousand cities could be counted; the excellence of the municipal administration; the justice administered in favor of the poor *against* the rich; the good education of children, who were accustomed to obedience, labor, sobriety, and the love of arts and letters; the scrupulous observance of all the ceremonies of religion; the unselfishness, the regard for honor, the fidelity to men, and the fear of the gods which every father inspired in his children. He never ceased admiring this good order. “Happy,” he told me, “are the people whom a wise king rules in this way.”

Fénelon composes a still more seductive idyll on Crete. Then, he has Mentor add:

All that you see in this wonderful island is the result of the laws of Minos. The education that he ordained for children makes the body healthy and strong. *They* accustom them from the first to a simple, frugal, and industrious life; *they* presume that all the pleasures of sense weaken the body and the mind; *they* offer them no other pleasure than that of being invincible by their virtue and of acquiring much glory..... Here *they* punish three vices that go unpunished among other peoples: ingratitude, dissimulation, and avarice. *They* never have any need to restrain pomp and soft living, for these are unknown in Crete..... *They* do not permit costly furnishings or ostentatious clothing or lavish feasts or gilded palaces.

It is thus that Mentor prepares his pupil to pound into dust, as in a mortar, and to manipulate, no doubt with the most philanthropic motives, the people of Ithaca, and, to carry greater conviction, he cites the example of Salentum.

This is how we get our first political ideas. We are taught to treat men almost as Olivier de Serres† taught farmers to treat and mix the soil.

## Montesquieu

To maintain the spirit of commerce, all the laws must favor it. These same laws, by their provisions, dividing fortunes in proportion as commerce increases them, must make the circumstances of every poor citizen sufficiently comfortable for him to be able to work like the others, and the circumstances of every rich citizen so moderate that he will need to work to maintain or improve them.....

In this way the laws dispose of all fortunes.

Although equality of wealth is the very essence of the democratic state, it is, nevertheless, so difficult to establish that it is not always expedient to aim at extreme exactitude in this regard. It suffices to reduce or fix the differences within certain limits, after which it will be the function of particular laws to equalize, so to speak, the remaining inequalities by the taxes that they impose on the rich and the relief that they grant to the poor.....

Here again it is by law, by force, that fortunes are to be equalized.

There were two kinds of republics in Greece. Some were military, like Sparta; the others were commercial, like Athens. In one type *they wanted* the citizens to be idle; in the other *they sought* to inculcate the love of labor.

I invite the reader's attention to the great genius these lawgivers must have had: in flying in the face of all accepted customs, in confounding all the virtues, they showed the world *their wisdom*. Lycurgus, in combining larceny with the spirit of justice, the harshest slavery with extreme liberty, the most atrocious sentiments with the greatest moderation, gave stability to his city. He seemed to be depriving it of all its resources, arts, commerce, money, and defenses; there was ambition, but no hope of being better

off; there were natural affections, and yet no man there was either child or husband or father; even chastity was no longer regarded as respectable. *This is the way that Sparta was led to grandeur and glory.....*

The same extraordinary phenomenon seen in the institutions of Greece has been manifested *amidst the degeneracy and corruption of modern times*. A lawgiver, an upright man, has formed a people in whom honesty appears as natural as bravery among the Spartans. Mr. Penn is a true Lycurgus, and although the former has had peace as his object as the latter had war, they resemble each other in the peculiar direction in which they have led *their* people, in the influence that they have exercised over free men, in the prejudices that they have overcome, in the passions that they have subdued.

Paraguay can furnish us another example. To regard the pleasure of commanding as the only good thing in life is to wish to commit a crime against society; but it will always be admirable to *govern men in such a way as to make them happier.....*

*Those who would like to have similar institutions will set up a regime in which property is communally owned, as in Plato's republic, and in which there will be the respect that he demanded for the gods and the separation of the natives from foreigners for the preservation of morality, with the state, not the citizens, engaging in commerce; they will give us our arts without our luxury and will satisfy our needs rather than our desires.*

The unthinking masses, in their infatuation, may cry out: "It is Montesquieu who said it; hence, it is magnificent! It is sublime!" I shall have the courage of my convictions and am not afraid to say:

What! you have the cheek to call that beautiful!\*

But it is frightful! Abominable! And these citations, which I could multiply, show that, according to Montesquieu, men's persons, their liberties, their property, the whole of mankind, are only raw materials for the lawgiver to exercise his sagacity on.

## Rousseau

Although this political theorist, the supreme authority of democrats, founds the edifice of society on the *general will*, no one has accepted as completely as he the hypothesis of the entire passivity of the human race in the hands of the lawgiver.

If it be true that a great prince is a rarity, what, then, is to be said of a great lawgiver? The first has only to follow the model that the other constructs. *The latter is the artificer who invents the machine*; the former is only the operator who turns it on and runs it.

And what are men in all this? The machine that is turned on and that runs, or rather the raw material of which the machine is made!

Thus, the same relations exist between the lawgiver and the prince as between the agronomist and the farmer, and between the prince and his subjects as between the farmer and the soil. At what a height above mankind, then, is the political theorist placed, for he rules the legislators themselves and teaches them their profession in these imperative terms:

Do you want to give stability to the state? Bring the extremes as closely together as possible. Do not allow either rich men or beggars.

Is the soil too unfruitful or sterile, or the country too small for the inhabitants? Then *turn* to industry and the arts for the products that you may exchange for the provisions that you lack..... Do you have good soil, and *do you lack* inhabitants? Give all your attention to agriculture, which increases the population, and *banish* the arts, which can serve only to depopulate the country..... If you occupy extensive and accessible coastal areas, *cover the sea* with ships, and you will have a brilliant but short existence. Does the sea off your coasts break only upon inaccessible rocks? Then *remain barbarians* and fisheaters; you will live more peacefully, perhaps better, and surely more happily than as seafarers. In a word, besides having to take account of the maxims common to all, every nation lives in circumstances that are distinctively its own and that render its legislation appropriate to it alone. Accordingly, at one time the Hebrews, and recently the Arabs, had religion as their principal object; the Athenians, letters; Carthage and Tyre, commerce; Rhodes, seafaring; Sparta, war; and Rome, virtue. The author of *The Spirit of the Laws* has shown by what art *the lawgiver directs education towards each of these objects*..... But if the lawgiver, mistaking his object, adopts a principle different from what comes naturally to his people, if one tends toward slavery and the other toward liberty; one toward wealth, the other toward population; one toward peace, the other toward conquests; the laws will gradually be enfeebled, the constitution will be undermined, and the state will be in continual agitation until it is destroyed or changed, until invincible Nature has regained control.

But if Nature is so invincible as to *regain* control, why does not Rousseau admit that it did not need the lawgiver to *gain* this control in the first place? Why does he not admit that men, acting on their own initiative, *will turn* of themselves toward agriculture if the soil is fertile, toward commerce if the coastline is extensive and accessible, without the interference of a Lycurgus, a Solon, or a Rousseau, *who might very well be mistaken?*

In any case, we see what a terrible responsibility Rousseau has laid on the inventors, founders, leaders, lawgivers, and manipulators of societies. Consequently, he demands much of them.

Whoever ventures to undertake the founding of a nation should feel himself capable of changing human nature, so to speak, of transforming each individual, who by himself is a perfect and separate whole, into a part of a greater whole, from which that individual receives all or part of his life and his being; of changing the constitution of man in order to fortify it; of substituting a partial and moral existence for the physical and independent existence that we have all received from Nature. In a word, he must

be able to deprive man of his own powers in order to give him those that are foreign to him.....

Poor human race! What would the disciples of Rousseau do to your dignity?

## Raynal\*

Climate, that is, the air and the soil, constitutes the primary guiding principle of the lawgiver. *His* resources dictate his duties. He must first consider *his* location. A people situated on the seacoast will have laws relating to navigation..... If the colony is brought inland, a legislator must take into account both the type and the degree of fertility of the soil.....

It is above all in the distribution of property that the wisdom of his legislation will be manifested. In general, and in all the countries of the world, when a colony is founded, land must be given to all the men, that is, a sufficient amount to each for the support of a family.....

On an uninhabited island that *you plan to people* with children, *you* would have only to let the seed of truth blossom in the development of their reason..... But when *you settle adults* in a new country, your skill consists in *allowing them to keep only* those of their old harmful opinions and customs that cannot be cured or corrected. If you wish to prevent them from being transmitted to posterity, *you* must protect the second generation by educating the children in common, public schools. A prince, a legislator, ought never to establish a colony without sending along wise men for the instruction of the youth..... In a new colony, all facilities are available to the precautions of the lawgiver who proposes to *refine the manners and the morals of the people*. If he has genius and virtue, the lands and the men that he will have *at his disposal* will inspire his soul with a plan of society that a writer could sketch only in a vague way and on the basis of unstable hypotheses, which vary and are complicated by an infinite number of circumstances too difficult to foresee and combine.....

Does it not seem that we are listening to a professor of agriculture lecturing to his students? Climate constitutes the guiding principle of the farmer. *His* resources dictate *his* duties. He must first consider *his* location. If it is on clayey soil, he must act in such and such a manner. If it is sandy, he must handle it in another way. All facilities are available to the farmer who wishes to clear and improve his land. If he has ability, the fertilizers that he finds *at hand* will inspire him with a plan of operation that a professor can sketch only in a vague way and on the basis of unstable hypotheses, which vary and are complicated by an infinite number of circumstances too difficult to foresee and combine.

But, sublime writers, kindly deign to remember sometimes that this clay, this sand, this dungheap, of which you dispose so arbitrarily, is composed of men, your equals, intelligent and free beings like you, who have received from God, like you, the power to see, to plan, to think, and to judge for themselves!

## Mably\*

He imagines a country whose laws have, in the course of time, fallen into desuetude, and whose security has been neglected, and he goes on thus:

In these circumstances, people must be convinced that the springs of government have been relaxed..... *Give them* a new tension [it is the reader whom Mably is addressing], and the malady will be cured..... Think less of punishing faults than of encouraging the virtues *of which you have need*. By this method, you will *restore* the vigor of youth to *your republic*. It is because they have not known this that free peoples have lost their liberty! But if the progress of the malady is such that ordinary magistrates cannot remedy it efficaciously, *have recourse* to an extraordinary magistracy, whose term will be short and whose power will be considerable. The imagination of the citizens needs at such a time to be stirred.....

And there are twenty volumes all in this vein.

There was a time when, under the influence of such teachings, which constitute the basis of classical education, everyone wanted to place himself outside and above humanity, in order to manage it, organize it, and educate it in his own way.

## Condillac\*

Build, my lord, on the model of Lycurgus or Solon. Before reading further, amuse yourself by giving laws to some savage tribe in America or Africa. Settle these nomads in fixed abodes; teach them to tend flocks; .... seek to develop the social qualities that Nature has implanted in them..... Order them to begin to practice the duties of humanity..... Resort to punishments to poison the pleasures of sensual indulgence; and you will see these savages, with every article of your legislation, lose a vice and gain a virtue.

All nations have had laws. But few among them have been happy. What is the reason for this? It is that the lawgivers have nearly always been unaware of the fact that the object of society is to unite families by a common interest.

The impartiality of the laws consists in two things: in establishing equality in the property and in the dignity of the citizens..... In so far as your laws establish a greater equality, they will become dearer to every citizen..... How can avarice, ambition, sensuality, laziness, idleness, envy, hatred, or jealousy agitate men equal in wealth and in dignity and to whom the laws allow no hope of disturbing this equality? [An idyllic passage follows.]

What you have been told concerning the Spartan republic should throw much light on this question. No other state has ever had laws more in accordance with the order of Nature or of equality.<sup>5</sup>

It is not surprising that the seventeenth and eighteenth centuries considered the human race as inert matter, waiting to receive everything—form, figure, impulse, movement,

and life—from a great prince, a great lawgiver, a great genius. These centuries were nourished on the study of antiquity, and antiquity offers us, in fact, everywhere, in Egypt, in Persia, in Greece, in Rome, the spectacle of a few men manipulating as they liked a mass of mankind enslaved by force or imposture. What does this prove? That, because man and society are capable of improvement, there must necessarily be more error, ignorance, despotism, slavery, and superstition in the earliest periods of history. The error of the writers that I have cited is not that they established the historical facts about antiquity, but that they held it up as a model for the admiration and imitation of future generations. Their error consists in admitting, with an inconceivable absence of critical judgment, and with a blind faith in a childish *conventionality*, what is inadmissible, namely, the grandeur, dignity, morality, and well-being of these artificial societies of the ancient world. They failed to realize that it takes time for enlightenment to be produced and propagated, and that, in so far as enlightenment is achieved, right no longer needs to be maintained by might, and society regains possession of itself.

And in fact, what is the political trend that we are witnessing today in world affairs? It is nothing more nor less than the instinctive striving of all nations toward liberty.<sup>6</sup> And what is this liberty, whose name alone has the power to stir all hearts and set the world to shaking, but the combination of all liberties—freedom of conscience, of education, of association, of the press, of movement, of labor, of exchange; in other words, the freedom of everyone to use all his faculties in a peaceful way; in still other words, the destruction of all forms of despotism, even of legal despotism, and the restriction of the law to its sole rational function, that is, of regulating the right of the individual to legitimate self-defense and of repressing injustice?

This tendency of the human race, it must be admitted, is greatly thwarted, particularly in our country, by the lamentable disposition—the effect of classical education—common to all political theorists of placing themselves outside humanity in order to arrange it, organize it, and educate it in whatever way they please.

For while society is struggling to achieve liberty, the great men who have put themselves at its head, imbued with the principles of the seventeenth and eighteenth centuries, think only of restraining it under the philanthropic despotism of their artificial social orders and of making it bear docilely—to use Rousseau's expression—the yoke of the public welfare as they have imagined it.

This was clearly evident in 1789. Hardly was the old legal regime destroyed than the leaders of the Revolution busied themselves with imposing upon the new society other artificial arrangements, always starting from the same premise: the omnipotence of the law.

### Saint-Just\*

The lawgiver holds the future in his hands. It is for him to *will the good* of mankind. It is for him to make men *what he wants* them to be.

## Robespierre

The function of government is to direct the physical and moral forces of the nation toward the ends for which it was founded.

## Billaud-Varenne†

A people to whom liberty is to be restored *must be* re-created. Since old prejudices *must be* destroyed, old customs changed, depraved inclinations corrected, superfluous wants restrained, inveterate vices eradicated; what is needed is strong action, a violent impulse..... Citizens, the inflexible austerity of Lycurgus became at Sparta the unshakable foundation of the republic; the weak and overtrusting character of Solon plunged Athens back into slavery. This parallel comprises the whole science of government.

## Lepéletier\*

Considering the extent to which the human race has been degraded, I am convinced of the necessity of undertaking a complete regeneration and, if I may so express myself, of creating a new people.

You see, men are nothing but raw materials. It is not for them to *will the good*; they are incapable of it; it is for the lawgiver, according to Saint-Just. Men are only what *he* (the lawgiver) *wills* them to be.

According to Robespierre, who copies Rousseau literally, the lawgiver begins by *determining the national goal*. Then, the government has only to direct all *physical and moral forces* towards this end. The nation itself always remains passive in all this, and Billaud-Varenne teaches us that it should have only those prejudices, customs, inclinations, and wants that the lawgiver authorizes it to have. He goes so far as to say that the inflexible austerity of one man is the foundation of the republic.

As we have seen, where evil is so great that ordinary magistrates cannot remedy it, Mably advises dictatorship to promote virtue. "*Have recourse,*" says he, "to an extraordinary magistracy, whose term will be short and whose power will be considerable. The imagination of the citizens needs to be stirred."

This doctrine has not been forgotten. Listen to Robespierre:

The principle of republican government is virtue, and the means needed to establish it is terror. We wish to substitute in our country morality for selfishness, honesty for honor, principles for customs, duties for proprieties, the rule of reason for the tyranny of fashion, contempt of vice for contempt of misfortune, pride for insolence, greatness of soul for vanity, love of glory for love of money, good people for good society, merit for intrigue, genius for wit, truth for ostentation, the charm of happiness for the tedium of sensuality, the greatness of man for the pettiness of the great, a magnanimous, powerful, happy people for an amiable, frivolous, wretched people;



that is, all the virtues and all the miracles of a republic for all the vices and all the follies of a monarchy.

At what a height above the rest of mankind Robespierre here places himself! And note the arrogance with which he speaks. He does not confine himself to expressing the wish for a great renovation of the human heart; he does not even expect such a result from a regular government. No, he wants to bring it to pass himself, and by means of terror. The purpose of the speech from which this childish mass of labored antitheses is taken was to set forth the *moral principles that should guide a revolutionary government*. Note that when Robespierre demands a dictatorship, it is not only to repel a foreign invader or to crush internal factions; it is, rather, to make his own moral principles prevail by means of terror and prior to action under the Constitution. His demand comes to nothing less than the authority to extirpate from the country, by means of terror, *selfishness, honor, customs, propriety, fashion, vanity, the love of money, good society, intrigue, wit, sensuality, and poverty*. It is only after he, Robespierre, will have accomplished these *miracles*—as he rightly calls them—that he will permit the laws to regain their sway. Oh, you wretches! You who believe yourselves so great! You who regard mankind as so inconsiderable! You want to reform everything! Reform yourselves first! This will be enough of a task for you.

Still, in general, these distinguished reformers, lawgivers, and political theorists do not ask to exercise an immediate despotism over mankind. No, they are much too moderate and philanthropic for that. They demand only the despotism, absolutism, and omnipotence of the law. They aspire only to make the law.

In order to show how universal this strange disposition has been among French intellectuals, not only should I have to copy all the works of Mably, of Raynal, of Rousseau, of Fénelon, and long extracts from Bossuet and Montesquieu, but it would also be necessary for me to reproduce the complete verbatim report of the proceedings of the Convention. I have no intention of doing any such thing. The reader may refer to this literature for himself.

It is not at all surprising that this idea should have well suited Napoleon. He embraced it with ardor and put it energetically into practice. Considering himself as a chemist, he saw in Europe only material for experiments. But soon that material proved itself a powerful reagent. More than half disabused, Bonaparte at St. Helena appeared to recognize that there was some initiative in people, and he showed himself less hostile to liberty. However, this did not prevent him from giving this lesson to his son in his will: “To govern is to promote morality, education, and welfare.”

Is it necessary, after all this, to show, by meticulous citations the sources from which Morelly,\* Babeuf,† Owen,‡ Saint-Simon, and Fourier derive their doctrines? I shall confine myself to submitting to the reader a few extracts from the book of Louis Blanc§ on the organization of labor.

“In our plan, the motive force of society is the government.”

In what does this motive force which the government gives to society consist? In imposing upon it the *plan* of M. Louis Blanc.

On the other hand, society is nothing more nor less than the human race.

Hence, by definition, the human race is to receive its motive force from M. Louis Blanc.

It is free to do as it likes, it will be said. Undoubtedly, the human race is free to follow anybody's *advice*. But this is not the way in which M. Louis Blanc understands the matter. He intends his plan to be converted into *law* and consequently imposed forcibly by an exercise of power.

In our plan, the state merely gives to labor a set of laws [*please excuse it*], in virtue of which industrial activity can and must be carried on *in complete liberty*. It [the state] merely places society on a declivity [*that is all*] so that, once there, it descends solely by force of circumstances and by the natural operation of the *established mechanism*.

But what is this declivity? The one prescribed by M. Louis Blanc. Does it not lead into an abyss? No, it leads to happiness. How, then, is it that society does not spontaneously place itself there? Because it does not know what it wants and because it needs a *motive force*. Who will give it this motive force? The government. And who will give the motive force to the government? The inventor of the mechanism, M. Louis Blanc.

We never emerge from this circle—mankind passive, and a great man who moves it through the intervention of the law.

Once on this declivity, will society at least enjoy some measure of liberty? Undoubtedly. And what is liberty?

Let us say it once for all: liberty consists not only in the *right* granted, but also in the *power* given to man to exercise and develop his faculties, under the rule of justice and the protection of the law.

And this is no empty distinction: its meaning is profound; its consequences are immense. For once it is granted that man, to be truly free, must have the *power* to exercise and develop his faculties, it follows that society owes to each of its members a suitable education, without which the human mind *cannot* develop, and the tools of production, without which human industry *cannot* be carried on. Now, by whose intervention will society give to each of its members a suitable education and the necessary tools of production, if not by that of the state?

Thus, freedom is power. In what does this *power* consist? In possessing education and the tools of production. Who *will provide* the education and the tools of production? Society, which *owes* them. By whose intervention will society give the tools of production to those who do not have them? By *the intervention of the state*. From whom will the state take them?

It is for the reader to make the reply and to see where all this tends.

One of the strangest phenomena of our time, and one which will probably astonish our descendants, is that the doctrine that is based on this triple hypothesis—the fundamental inertia of mankind, the omnipotence of the law, and the infallibility of the lawgiver—should be the sacred symbol of the party that proclaims itself alone democratic.

It is true that it also calls itself *social*.

In so far as it is democratic, it has an unlimited faith in mankind.

In so far as it is *social*, it treats mankind as no better than mud.

If political rights are in question, if it is a case of choosing a legislator from their midst, oh, then, according to him, the people are full of a native wisdom; they are endowed with an admirable intuition; *their will is always right; the general will cannot be wrong*. The suffrage cannot be too universal. No one owes society any guarantee of his electoral competence. His will and capacity to choose wisely are always taken for granted. Can the people be mistaken? Are we not living in the age of enlightenment? Are the people to be kept eternally under guardianship? Have they not given enough proofs of their intelligence and wisdom? Have they not attained their maturity? Are they not able to judge for themselves? Do they not know their own best interests? Is there a man or a class that will dare to claim the right to act as a substitute for the people and to decide and to act for them? No, no, the people want to be *free*, and they shall be. They want to direct their own affairs, and they shall direct them.

But once the legislator is elected and freed from his campaign promises, oh, then his language changes! The nation returns to passivity, to inertia, to nothingness, and the legislator takes on the character of omnipotence. His the invention, his the direction, his the impulsion, his the organization. Mankind has nothing to do but to let things be done to it; the hour of despotism has arrived. And note that this is inevitable; for the people, a short time ago so enlightened, so moral, so perfect, no longer have any natural inclinations, or what they do have lead only to degradation. And you want to let them keep a little of their freedom! Do you not know that, according to M. Considérant, *\*freedom leads inevitably to monopoly?* Do you not know that freedom means competition, and that competition, according to M. Louis Blanc, is a *system of extermination for the common people, and a cause of ruin for the businessman?* For evidence that the freer nations are, the closer they are to destruction and ruination, should we not look at Switzerland, Holland, England, and the United States? Do you not know that, again according to M. Louis Blanc, *competition leads to monopoly, and that, for the same reason, low costs lead to high prices? That competition tends to exhaust the sources of consumption and pushes production into a destructive activity? That competition forces production to increase and consumption to decrease?* Whence it follows that free peoples produce in order not to consume—that liberty means both oppression and madness, and that M. Louis Blanc simply must step in and set matters straight?

What further freedom should be left to them? Should it be freedom of conscience? But they would all profit from the opportunity by becoming atheists. Freedom of education? But fathers would be eager to pay professors to teach their children immorality and error; besides, if we are to believe M. Thiers, if there were freedom of education, it would cease to be national, and we should teach our children the ideas of the Turks or the Hindus; instead, thanks to the legal despotism of the university, they have the good fortune to be taught the noble ideas of the Romans. Freedom of labor? But that is competition, which has the result of leaving all the products unconsumed, of exterminating the common people, and of ruining the businessman. Free trade? But it is well known—the protectionists have demonstrated it *ad nauseam*—that a man is ruined when he trades freely, and that, to enrich himself, he must trade without freedom. Freedom of association? But, according to the socialist doctrine, freedom and association are mutually exclusive, since one aims precisely at depriving men of their freedom only in order to force them to associate.

You see clearly, then, that the social democrats cannot, in good conscience, allow mankind any liberty, since man by his very nature—unless these gentlemen set things aright—is prone to degeneration and demoralization of every kind.

The question remains, in that case, why they clamor so loudly for universal suffrage.

The demands of the socialists raise another question, which I have often addressed to them, and to which, as far as I know, they have never replied. Since the natural inclinations of mankind are so evil that its liberty must be taken away, how is it that the inclinations of the socialists are good? Are not the legislators and their agents part of the human race? Do they believe themselves molded from another clay than the rest of mankind? They say that society, left to itself, heads inevitably for destruction because its instincts are perverse. They demand the power to stop mankind from sliding down this fatal declivity and to impose a better direction on it. If, then, they have received from heaven intelligence and virtues that place them beyond and above mankind, let them show their credentials. They want to be *shepherds*, and they want us to be their *sheep*. This arrangement presupposes in them a natural superiority, a claim that we have every right to require them to establish before we go any further.

Note that I am not contesting their right to invent social orders, to disseminate their proposals, to advise their adoption, and to experiment with them on themselves, at their own expense and risk; but I do indeed contest their right to impose them on us by law, that is, by the use of the police force and public funds.

I demand that the Cabetists,\* the Fourierists, the Proudhonians,\* the classicists, and the protectionists renounce, not their particular ideas, but the idea, which is common to them all, of subjecting us forcibly to their groups and phalanxes, to their social workshops, to their free-credit banks, to their Greco-Roman morality, to their commercial restrictions. What I demand of them is to grant us the right to judge their plans and not to join in them, directly or indirectly, if we find that they hurt our interests or are repugnant to our consciences.

For their demand to resort to taxation and the coercive power of the government, besides being oppressive and spoliative, also implies the fatal presupposition that the planner of the social order is infallible and that all the rest of mankind are incompetent.

And if mankind is incompetent to judge for itself, how, then, can they presume to speak to us of universal suffrage?

This contradiction in ideas is, unfortunately, reflected in historical fact; and while the French people have been in advance of all other nations in the conquest of their rights, or rather of their political guarantees, they have nonetheless remained the most governed, regimented, administered, imposed upon, shackled, and exploited of all.

France is also, and necessarily, the one nation in which revolutions are most likely to occur.

Once we start from this idea, accepted by all our political theorists, and so energetically expressed by M. Louis Blanc in these words: "The motive force of society is the government"; once men consider themselves as sentient, but passive, incapable of improving themselves morally or materially by their own intelligence and energy, and reduced to expecting everything from the law; in a word, when they admit that their relation to the state is that of a flock of sheep to the shepherd, it is clear that the responsibility of the government is immense. Good and evil, virtue and vice, equality and inequality, wealth and poverty, all proceed from it. It is entrusted with everything, it undertakes everything, it does everything; hence, it is responsible for everything. If we are happy, it has every right to claim our gratitude; but if we are wretched, it alone is to blame. Does it not dispose in principle of our persons and our property? Is not the law omnipotent? In creating a monopoly of education, it has undertaken to fulfill the hopes of fathers of families who have been deprived of their liberty; and if these hopes are deceived, whose fault is it? In regulating industry, it has undertaken to make it prosper; otherwise it would have been absurd to deprive it of its liberty, and if industry suffers, whose fault is it? In upsetting the balance of trade by the operation of tariffs, the state has undertaken to make trade flourish; and if, far from flourishing, it falls off, whose fault is it? In granting the shipping industry protection in exchange for its liberty, it has undertaken to render this industry profitable; and if it becomes unprofitable, whose fault is it?

Thus, there is not a single ill afflicting the nation for which the government has not voluntarily made itself responsible. Is it astonishing, then, that each little twinge should be a cause of revolution?

And what remedy is proposed? To enlarge the domain of the law indefinitely, that is, the responsibility of the government.

But if the government undertakes to raise and to regulate wages, and cannot do so; if it undertakes to assist all the unfortunate, and cannot do so; if it undertakes to assure pensions to all workers, and cannot do so; if it undertakes to provide workers with the tools of production, and cannot do so; if it undertakes to make interest-free credit

available to all those clamoring for loans, and cannot do so; if, in words that we regret to note were written by M. de Lamartine, “the state assumes the task of enlightening, developing, increasing, strengthening, spiritualizing, and sanctifying the soul of the people,” and if it fails; is it not evident that after each disappointment (alas, only too probable!), there will be a no less inevitable revolution?

Reverting to my subject, I declare: Just at the dividing line between economic science and political science,<sup>7</sup> an important question presents itself. It is this:

What is law? What should it be? What is the extent of its jurisdiction? What are its limits? Where, in consequence, do the prerogatives of the legislator stop?

I do not hesitate to reply: *The law is collective force organized to oppose injustice.* To put it briefly: *Law is justice.*

It is not true that the legislator has an absolute power over our persons and our property, since they pre-exist him, and his task is to surround them with guarantees.

It is not true that the function of the law is to regulate our consciences, our ideas, our wills, our education, our opinions, our work, our trade, our talents, our recreation.

Its function is to prevent the rights of one person from interfering with the rights of another in any of these matters.

Because it has force as its necessary sanction, the law can have as its legitimate domain only the legitimate domain of force, namely, justice.

And as each individual has the right to use force only for legitimate self-defense, collective force, which is only the union of individual forces, cannot rationally be applied for any other end.

The law, then, is solely the organization of the pre-existing individual right to legitimate self-defense.

Law is justice.

It is false to say that it may oppress man's person or plunder his property even for a philanthropic end, for its function is to protect both person and property.

And let it not be said that it can at least be philanthropic, provided it abstains from all oppression and all plunder; for that is self-contradictory. The law cannot fail to act on our persons or our property; if it does not guarantee them, it violates personal liberty and the right to property by the mere fact that it acts, by the mere fact that it exists.

Law is justice.

This is something clear, simple, perfectly defined and delimited, accessible to every intelligence, visible to every eye, for justice is a fixed, immutable, unalterable quantity that admits of neither *more* nor *less*.

If you go beyond this, and make the law religious, fraternal, egalitarian, philanthropic, industrial, literary, or artistic, you will be immediately lost in vagueness and uncertainty, on unknown territory, in a utopia imposed by force or, worse still, amidst the multitude of utopias struggling to gain possession of the law and to impose themselves upon you; for fraternity and philanthropy have no fixed limits, like justice. Where will you draw the line? Where will the law draw the line? Someone like M. de Saint-Cricq\* would extend his philanthropy only to certain industrial classes and would demand that the law *regulate the consumers so as to favor the producers*. Another, like M. Considérant, champions the cause of the workers and demands for them from the law an *assured minimum of clothing, housing, food, and all other necessities of life*. A third, M. Louis Blanc, will say, quite rightly, that this is nothing but a rough sketch of what fraternity should be, and that the law should provide everyone with the tools of production and the facilities for education. A fourth will note that such an arrangement still leaves room for inequality, and that the law should introduce luxury, literature, and the arts into the most remote hamlets. You will thus be led directly to *communism*, or rather legislation will be, what it is already: the battlefield of all kinds of wild dreams and unbridled greed.

The law is justice.

If we accept this definition, we can conceive of a government that is simple and stable. And I defy anyone to tell me whence could come the idea of a revolution, of an insurrection, of even a riot against a public police force limited to repressing injustice. Under such a regime there would be greater prosperity, the prosperity would be more equally distributed, and as for the inescapable sufferings of humanity, no one would dream of blaming them on the government, which would have as little to do with them as it has with variations in the temperature. Have the people ever been seen to revolt against the Court of Appeals, or break into the chambers of a justice of the peace to demand minimum wages, interest-free credit, tools of production, protective tariffs, or government workshops? They know well that these projects are outside the jurisdiction of the magistrate, and they would likewise learn that they are beyond the jurisdiction of the law.

But base the law on the principle of fraternity, proclaim that everything good and everything bad derive from it, that it is responsible for all individual ills, all social inequality, and you will open the door to an endless series of complaints, resentments, disturbances, and revolutions.

Law is justice.

And it would indeed be strange that it should justly be anything else! Is not justice right? Are not rights equal? By what right, then, may the law intervene to make me submit to the social order planned by Messrs. Mimerel, de Melun,\* Thiers,† or Louis Blanc, rather than make these gentlemen submit to my plans? Is it to be supposed that I have not received from Nature enough imagination to invent a utopia too? Is it the role of the law to make a choice between so many idle fancies and to put the public police force at the service of one of them?

Law is justice.

And let it not be said, as is done incessantly, that thus conceived, the law, being atheistic, individualistic, and pitiless, would make mankind in its own image. This is an absurd inference, well worthy of that infatuation with government which sees mankind as but the creature of the law.

Because we shall be free, does it follow that we shall cease to act? Because we shall not receive our motive power from the law, does it follow that we shall be devoid of motive power? Because the law will confine itself to guaranteeing us the free exercise of our faculties, does it follow that our faculties will be paralyzed? Because the law will not impose upon us forms of religion, modes of association, methods of education, rules for labor, regulations of trade, or plans for charity, does it follow that we shall forthwith plunge into atheism, isolation, ignorance, poverty, and selfishness? Does it follow that we shall no longer be able to recognize the power and goodness of God, to associate with one another, to aid one another, to love and succour our unfortunate brethren, to study the secrets of Nature, and to aspire to perfect ourselves?

Law is justice.

And it is under the law of justice, under the rule of right, under the influence of liberty, security, stability, and responsibility, that every man will attain to the full worth and dignity of his being, and that mankind will achieve, in a calm and orderly way—slowly, no doubt, but surely—the progress to which it is destined.

It seems to me that reason is on my side; for whatever question I submit to theoretical consideration, whether it be religious, philosophical, political, or economic; whether it has to do with well-being, morality, equality, right, justice, progress, responsibility, solidarity, property, labor, trade, capital, wages, taxes, population, credit, or government; at whatever point on the scientific horizon I may begin my investigations, they invariably reach the same conclusion: The solution of the social problem lies in liberty.

And is not experience also on my side? Look at the condition of the world today. Which nations are the happiest, most moral, and most peaceful? Those among which the law intervenes the least in private activity; where the government makes itself felt the least; where individuality has the most scope, and public opinion the greatest influence; where the administrative apparatus is the least ramified and the least complicated, the taxes the least heavy and the least unequal, popular discontent the least aroused and the least justifiable; where the responsibility of individuals and of classes is the most active, and where, consequently, if the prevailing morality is not perfect, it tends inevitably to be improved; where transactions, agreements, and associations are the least restricted; where labor, capital, and population are least subject to artificial displacement; where mankind follows most nearly its own inclinations; where the thought of God is most prevalent; those, in a word, which approach most nearly this solution: Within the limits of equity, everything is to be accomplished through the free and perfectible initiative of man; nothing is to be achieved by law or by force save universal justice.



This must be said: There are too many "great" men in the world; there are too many legislators, planners, founders of societies, leaders of nations, fathers of their country, etc., etc. Too many people place themselves above mankind in order to guide its footsteps; too many people make a career of being concerned with mankind.

I shall be told: You yourself are certainly very much concerned with it.

That is true. But it must be admitted that I am concerned in an entirely different sense and with an altogether different object in view, and if I take my place among the reformers, it is only to make them take their hands off mankind.

I concern myself with mankind not as Vaucanson\* did with his automaton, but as a physiologist does with the human organism: in order to study it and marvel at it.

I am concerned with it in the spirit which animated a celebrated traveler.

He arrived in the midst of a savage tribe. A child had just been born, and a crowd of diviners, sorcerers, and quacks armed with rings, hooks, and straps surrounded it. One said: "This child will never smell the perfume of a pipe if I do not stretch his nostrils." Another said: "He will be deprived of the sense of hearing if I do not make his ears come down to his shoulders." A third: "He will not see the light of the sun if I do not give his eyes an oblique slant." A fourth: "He will never stand erect if I do not bend his legs." A fifth: "He will not be able to think if I do not flatten his skull."

"Stop!" said the traveler. "What God does He does well. Don't pretend to know more than He does; and since He has given organs to this frail creature, let the organs develop and be strengthened by exercise, trial and error, experience, and freedom."

God has endowed mankind also with all that it needs to accomplish its destiny. There is a providential social physiology, as there is a providential individual physiology. Social organs too are so constituted as to develop harmoniously in the open air of liberty. Away, then, with the quacks and the planners! Away with their rings, their chains, their hooks, their pincers! Away with their artificial methods! Away with their social workshop, their phalanstery, their statism, their centralization, their tariffs, their universities, their state religion, their interest-free credit or bank monopolies, their regulations, their restrictions, their moralization, and their equalization by taxation! And after vainly inflicting so many systems on the body politic, let us end where we should have begun. Let us cast out all artificial systems and give freedom a chance—freedom, which is an act of faith in God and in His handiwork.

[\[Back to Table of Contents\]](#)

3

## Property And Law<sup>1</sup>

The confidence of my fellow citizens has invested me with the title of *legislator*.

I should certainly have declined that title if I had understood it as Rousseau did.

“Whoever ventures to undertake the founding of a nation,” he says,

should feel himself capable of changing human nature, so to speak; of transforming each individual, who by himself is a perfect and separate whole, into a part of a greater whole, from which that individual somehow receives his life and his being; of changing the physical constitution of man in order to strengthen it, etc., etc..... If it be true that a great prince is a rarity, what, then, is to be said of a great lawgiver? The first has only to follow the model that the other constructs. The latter is the artificer who invents the machine; the former is only the operator who turns it on and runs it.

Rousseau, being convinced that society is a human contrivance, found it necessary to place law and the lawgiver on an extremely lofty elevation. He saw between the lawgiver and the rest of mankind as great a distance, or rather as great a gulf, as that which separates the inventor of the machine from the inert matter of which it is composed.

In his opinion, the law should transform persons and should create or not create property. In my opinion, society, persons, and property exist prior to the law, and—to restrict myself specifically to the last of these—I would say: Property does not exist because there are laws, but laws exist because there is property.

The opposition between these two systems is fundamental. Since the consequences that follow from them keep eluding us, I hope I may be permitted to make the question very precise. First, let me state that I use the word *property* in the general sense, and not in the limited sense of *landed property*. I regret, and probably all economists regret with me, that this word involuntarily evokes in us the idea of the possession of land. By *property* I understand the right that the worker has to the value that he has created by his labor.

Now, this much granted, I ask whether this right is created by law, or whether it is not, on the contrary, prior and superior to the law; whether law is needed to give rise to the right to property, or whether, on the contrary, property is a pre-existing fact and right that gave rise to law. In the first case, it is the function of the legislator to organize, modify, and even eliminate property if he deems it good to do so; in the second, his jurisdiction is limited to guaranteeing and safeguarding property rights.

In the preamble to a draft for a constitution, published by one of the greatest thinkers of modern times, M. de Lamennais,\* I find the following words:

The French people declare that they recognize rights and duties prior and superior to all positive laws and independent of them.

These rights and duties, emanating directly from God, are summed up in the triple dogma which these sacred words express: Equality, Liberty, Fraternity.

I ask whether the right to property is not one of those rights which, far from springing from positive law, are prior to the law and are the reason for its existence.

This is not, as might be thought, a theoretical and idle question. It is of tremendous, of fundamental importance. Its solution concerns society most urgently, and the reader will be convinced of this, I hope, after I have compared the two systems in question in regard to their origin and their consequences.

Economists believe that *property* is a providential fact, like the human *person*. The law does not bring the one into existence any more than it does the other. Property is a necessary consequence of the nature of man.

In the full sense of the word, man *is born a proprietor*, because he is born with wants whose satisfaction is necessary to life, and with organs and faculties whose exercise is indispensable to the satisfaction of these wants. Faculties are only an extension of the person; and property is nothing but an extension of the faculties. To separate a man from his faculties is to cause him to die; to separate a man from the product of his faculties is likewise to cause him to die.

There are some political theorists who are very much concerned with knowing how God ought to have made man. We, for our part, study man as God has made him. We observe that he cannot live without providing for his wants, that he cannot provide for his wants without labor, and that he will not perform any labor if he is not *sure* of applying the fruit of his labor to the satisfaction of his wants.

That is why we believe that property has been divinely instituted, and that the object of human law is its *protection* or *security*.

So true is it that *property* is prior to *law* that it is recognized even among savages who do not have laws, or at least not written laws. When a savage has devoted his labor to constructing a hut, no one will dispute his possession or ownership of it. To be sure, another, stronger savage may chase him out of it, but not without angering and alarming the whole tribe. It is this very abuse of force which gives rise to association, to common agreement, to *law*, and which puts the public police force at the service of property. Hence, law is born of property, instead of property being born of law.

One may say that the principle of property is recognized even among animals. The swallow peacefully cares for its young in the nest that it has built by its own efforts.

Even plants live and develop by assimilation, by *appropriation*. They *appropriate* the substances, the gases, the salts that are within their reach. Any interruption in this process is all that is needed to make them wither and die.

Man, too, lives and develops by *appropriation*. Appropriation is a natural phenomenon, providential and essential to life; and *property* is only appropriation that labor has made a right. When labor has rendered substances *assimilable* and *appropriable* that were not so before, I do not really see how it can be alleged that, by right, the act of appropriation should be performed for the benefit of another individual than the one who has done the work.

It is because of these primordial facts, which are necessary consequences of the very nature of man, that the law intervenes. As the desire for life and self-development can induce the strong man to despoil the weak, and thus to violate his right to the fruits of his labor, it has been agreed that the combined force of all members of society should be devoted to preventing and repressing violence. The function of the law, then, is to safeguard the right to property. It is not property that is a matter of agreement, but law.

Let us now seek for the origin of the opposing system.

All our past constitutions proclaim that *property* is sacred, a fact that seems to indicate that the goal of social organization is the free development of private associations or individuals through their labor. This implies that the right to property is prior to the law, since the sole object of the law would be to protect *property*.

But I wonder whether such a declaration has not been introduced into our constitutions instinctively, so to speak, as a mere pious phrase, as a dead letter, and whether, above all, it underlies all our social convictions.

Now, if it is true, as has been said, that literature is the expression of society, doubts may well be raised in this regard; for never, certainly, have political theorists, after having respectfully saluted the principle of property, invoked so much the intervention of the law, not to safeguard property rights, but to modify, impair, transform, balance, equalize, and organize property, credit, and labor.

Now, this supposes that an absolute power over persons and property is imputed to the law, and hence to the legislator.

This may distress us, but it should not surprise us.

Whence do we derive our ideas on these matters, and even our very notion of *rights*? From Latin literature and Roman law.

I have not studied law, but it is sufficient for me to know that the source of our theories is in Roman law, to affirm that they are false. The Romans could not fail to consider property anything but a purely conventional fact—a product, an artificial creation, of written law. Evidently they could not go back, as political economy does, to the very nature of man and perceive the relations and necessary connections that exist among wants, faculties, labor, and property. It would have been absurd and suicidal for them to have done so. How could they, when they lived by looting, when all their property was the fruit of plunder, when they had based their whole way of life on the labor of slaves; how could they, without shattering the foundations of their

society, introduce into their legislation the idea that the true title to property is the labor that produces it? No, they could neither say it nor think it. They had to have recourse to a purely empirical definition of property—*jus utendi et abutendi*\*—a definition that refers only to effects and not to causes or origins, for they were indeed forced to conceal the latter from view.

It is sad to think that the science of law as we know it in the nineteenth century is still based on principles formulated in antiquity to justify slavery; but this is easily explained. The teaching of law is monopolized in France, and monopoly excludes progress.

It is true that jurists do not create all of public opinion; but it must be said that university and clerical education prepares French youth marvelously to accept the false ideas of jurists on these matters, since, the better to assure this, it plunges all of us, during the ten best years of our lives, in the atmosphere of war and slavery that enveloped and permeated Roman society.

Do not be surprised, then, to see reproduced in the eighteenth century the Roman idea that property is a matter of convention and of legal institution; that, far from law being a corollary of property, it is property that is a corollary of law. We know that, for Rousseau, not only property but the whole of society was the result of a contract, of an *invention*, a product of the legislator's mind.

The social order is a sacred right that serves as the basis of all the others. However, this right *does not come from Nature*. Therefore, it is founded on *convention*.

Thus, the right that serves as the basis of all the others is purely *conventional*. Hence, *property*, which is a subsequent right, is also *conventional*. *It does not come from Nature*.

Robespierre was imbued with the ideas of Rousseau. In what the disciple says about property, we recognize the theories and even the rhetorical forms of the master.

Citizens, I propose to you first a few necessary articles to complete our theory of *property*. Let this word alarm no one. You sordid souls, who esteem only gold, do not be frightened; I do not wish to lay hands on your treasures, however impure their source..... For my part, I would rather be born in the hut of Fabricius than in the palace of Lucullus, etc., etc.

Here it should be noted that, when one analyzes the notion of property, it is irrational and dangerous to treat this term as synonymous with opulence, and, even worse, with ill-gotten opulence. The hut of Fabricius\* is property just as much as the palace of Lucullus.† But let me call the reader's attention to the following words, which sum up the whole system:

In defining freedom, man's primary need, the most sacred of his *natural* rights, we have said, quite correctly, that it has as its limit the rights of others. Why have you not applied this principle to property, *which is socially instituted*, as if the eternal laws of Nature were less inviolable than the *conventions* of men?

After these introductory remarks, Robespierre formulates his principles in these terms:

Art. 1. Property is the right that each citizen has to enjoy and to dispose of the portion of goods that is guaranteed to him *by law*.

Art. 2. The right to property is limited, as are all others, by the obligation to respect the rights of others.

Thus, Robespierre sets up an opposition between *liberty* and *property*. These are two rights of different origin: one comes from Nature; the other is socially instituted. The first is *natural*; the second, *conventional*.

The fact that Robespierre imposes identical limits on these two rights should have led him, it would seem, to think that they come from the same source. Whether liberty or property is in question, to respect the right of others is not to destroy or impair the right, but rather to recognize and confirm it. It is precisely because property as well as liberty is a right prior to the law that both exist only on condition of respecting the like right of others, and it is the function of the law to see that this limit is respected, which means to recognize and support this very principle.

In any case, it is certain that Robespierre, following Rousseau's example, considered property as a social institution, as a convention. He did not connect it at all with its true justification, which is labor. It is the right, he said, to dispose of the portion of goods *guaranteed by law*.

I do not need to recall here that through Rousseau and Robespierre the Roman idea of property has been transmitted to all our self-styled socialist schools of thought. We know that the first volume of Louis Blanc, on the Revolution, is a dithyramb to the philosopher of Geneva and to the leader of the Convention.

Thus, this idea that the right to property is socially instituted, that it is an invention of the legislator, a creation of the law—in other words, that it is unknown to men in the *state of nature*—has been transmitted from the Romans down to us, through the teaching of law, classical studies, the political theorists of the eighteenth century, the revolutionaries of 1793, and the modern proponents of a planned social order.

Let us now proceed to consider the consequences of the two systems that I have just placed in opposition. Let us begin with the legal system.

The first result is to open an unlimited field to the imagination of the utopians.

This is obvious. Once it is accepted in principle that property derives its existence from the law, there are as many possible ways of organizing labor as there are possible laws in the heads of dreamers. Once it is accepted in principle that it is the responsibility of the legislator to arrange, combine, and form persons and property in any way he pleases, there are no limits to the imaginable ways in which persons and property can be arranged, combined, and formed. At this moment, there are certainly five hundred proposals in circulation in Paris for the organization of labor, without

counting an equal number of proposals for the organization of credit. Undoubtedly, these plans are mutually contradictory, but all have in common this underlying thought: it is the law that creates the right to property; it is the legislator who disposes of the workers and the fruits of their labor as an absolute master.

Among these proposals, the ones that have attracted the most public attention are those of Fourier, Saint-Simon, Owen, Cabet, and Louis Blanc. But it would be absurd to believe that these five modes of organization are the only ones possible. There are an unlimited number of them. Each morning a new one may appear, more seductive than that of the day before, and I leave it to your imagination to envision what would become of mankind if, as soon as one of these plans were imposed on us, another more plausible were suddenly to make its appearance. Mankind would be reduced to the alternative either of changing its mode of life every morning, or of persevering forever along a road recognized as false, simply because it had already been entered upon.

A second result is to arouse in all these dreamers a thirst for power. Suppose I conceive of a system for the organization of labor. To set forth my system and wait for men to adopt it if it is good, would be to assume that the initiative lies with them. But in the system that I am examining, the initiative lies with the legislator. "The legislator," as Rousseau says, "should feel strong enough to transform human nature." Hence, what I should aspire to is to become a legislator, in order to impose on mankind a social order of my own invention.

Moreover, it is clear that the systems which are based on the idea that the right to property is socially instituted all end either in the most concentrated privilege or in complete communism, depending upon the evil or good intentions of the inventor. If his purposes are sinister, he will make use of the law to enrich a few at the expense of all. If he is philanthropically inclined, he will try to equalize the standard of living, and, to that end, he will devise some means of assuring everyone a legal claim to an equal share in whatever is produced. It remains to be seen whether, in that case, it is possible to produce anything at all.

In this regard, the Luxembourg\* has recently presented us with a most extraordinary spectacle. Did we not hear, right in the middle of the nineteenth century, a few days after the February Revolution (a revolution made in the name of liberty) a man, more than a cabinet minister, actually a member of the provisional government, a public official vested with revolutionary and unlimited authority, coolly inquire whether in the allotment of wages it was good to consider the strength, the talent, the industriousness, the capability of the worker, that is, the wealth he produced; or whether, in disregard of these personal virtues or of their useful effect, it would not be better to give everyone henceforth a uniform remuneration? This is tantamount to asking: Will a yard of cloth brought to market by an idler sell at the same price as two yards offered by an industrious man? And, what passes all belief, this same individual proclaimed that he would prefer profits to be uniform, whatever the quality or the quantity of the product offered for sale, and he therefore decided in his wisdom that, although *two* are *two* by nature, they are to be no more than *one* by *law*.

This is where we get when we start from the assumption that the law is stronger than nature.

Those whom he addressed apparently understood that such arbitrariness is repugnant to the very nature of man, that one yard of cloth could never be made to give the right to the same remuneration as two yards. In such a case, the competition that was to be abolished would be replaced by another competition a thousand times worse: each worker would strive to be the one who worked the least, who exerted himself the least, since, by law, the wage would always be guaranteed and would be the same for all.

But Citizen\* Blanc had foreseen this objection, and, to prevent this *dolce far niente* so natural in man, alas! when his work is not remunerated, he thought of the idea of erecting in each community a *post* where the names of the idlers would be inscribed. But he did not say whether there would be inquisitors to spy out the sin of laziness, tribunals to judge it, and police to carry out the sentence. It is to be noted that the utopians are never concerned with the vast governmental apparatus that alone can set their legal mechanism in motion.

When the delegates of the Luxembourg appeared a bit incredulous, up strode Citizen Vidal,† the secretary of Citizen Blanc, to add the finishing touches to the thought of the master. Following Rousseau's example, Citizen Vidal proposed nothing less than to change human nature and the laws of Providence.<sup>2</sup>

It has pleased Providence to give to every individual certain *wants* and their consequences, as well as certain faculties and their consequences, thus creating *self-interest*, otherwise known as the instinct for self-preservation and the desire for self-development, as the great motive force of mankind. M. Vidal is going to change all this. He has looked at the work of God, and he has seen that it was not good. Consequently, proceeding from the principle that the law and the legislator can do everything, he is going to suppress *self-interest* by decree. He substitutes for it the *code of honor*. It is no longer in order to live or to raise and support their families that men are to work, but to maintain their *honor*, to avoid the fatal *post*, as if this new motive were not again *self-interest* of another sort.

M. Vidal keeps incessantly citing what adherence to a code of honor has made armies do. But, alas! let him tell us the whole truth, and if his plan is to regiment the workers, let him say, then, whether martial law, with its thirty crimes punishable by death, is to become the code of labor.

An even more striking effect of the harmful principle that I am here seeking to combat is the uncertainty that it always holds suspended, like the sword of Damocles, over labor, capital, commerce, and industry; and this is so serious that I venture to ask the reader to give his full attention to it.

In a country like the United States, where the right to property is placed above the law, where the sole function of the public police force is to safeguard this natural right, each person can in full confidence dedicate his capital and his labor to



production. He does not have to fear that his plans and calculations will be upset from one instant to another by the legislature.

But when, on the contrary, acting on the principle that not labor, but the law, is the basis of property, we permit the makers of utopias to impose their schemes on us in a general way and by decree, who does not see that all the foresight and prudence that Nature has implanted in the heart of man is turned against industrial progress?

Where, at such a time, is the bold speculator who would dare set up a factory or engage in an enterprise? Yesterday it was decreed that he will be permitted to work only for a fixed number of hours. Today it is decreed that the wages of a certain type of labor will be fixed. Who can foresee tomorrow's decree, that of the day after tomorrow, or those of the days following? Once the legislator is placed at this incommensurable distance from other men, and believes, in all conscience, that he can dispose of their time, their labor, and their transactions, all of which are their *property*, what man in the whole country has the least knowledge of the position in which the law will forcibly place him and his line of work tomorrow? And, under such conditions, who can or will undertake anything?

I certainly do not deny that among the innumerable systems that this false principle gives rise to, a great number, the greater number even, originate from benevolent and generous intentions. But what is vicious is the principle itself. The manifest end of each particular plan is to equalize prosperity. But the still more manifest result of the principle on which these plans are founded is to equalize poverty; nay more, the effect is to force the well-to-do families down into the ranks of the poor and to decimate the families of the poor by sickness and starvation.

I confess that I fear for the future of my country when I think of the seriousness of the financial difficulties that this dangerous principle will aggravate still further.

On February 24, we found that we had a budget that exceeds the income that France can reasonably attain; and, beyond that, according to the present Minister of Finance, nearly a billion francs worth of debts payable immediately on demand.

In this situation, already so alarming, the expenses have been continually increasing, and the receipts constantly decreasing.

Nor is this all. The public has been deluged, with an unlimited prodigality, by two sorts of promises. According to one, a vast number of charitable, but costly, institutions are to be established at public expense. According to the other, all taxes are going to be reduced. Thus, on the one hand, nurseries, asylums, free primary and secondary schools, workshops, and industrial retirement pensions are going to be multiplied. Slaveowners are going to be paid indemnities, and the slaves themselves are to be paid damages; the state is going to found credit institutions, lend to workers the tools of production, double the size of the army, reorganize the navy, etc., etc., and, on the other hand, it will abolish the tax on salt, tolls, and all the most unpopular excises.

Certainly, whatever idea one may have of France's resources, it will at least be admitted that these resources must be developed in order to be adequate for this double enterprise, so gigantic and apparently so contradictory.

But here, in the midst of this extraordinary movement, which may be considered as above the power of man to accomplish, at the same time as all the energies of the country are being directed toward productive labor, a cry arises: *The right to property is a creation of the law*. Consequently, the legislator can promulgate at any time, in accordance with whatever theories he has come to accept, decrees that may upset all the calculations of industry. The worker is not the owner of a thing or of a value because he has created it by his labor, but because today's law guarantees it. Tomorrow's law can withdraw this guarantee, and then the ownership is no longer legitimate.

What must be the consequence of all this? Capital and labor will be frightened; they will no longer be able to count on the future. Capital, under the impact of such a doctrine, will hide, flee, be destroyed. And what will become, then, of the workers, those workers for whom you profess an affection so deep and sincere, but so unenlightened? Will they be better fed when agricultural production is stopped? Will they be better dressed when no one dares to build a factory? Will they have more employment when capital will have disappeared?

And from what source will you derive the taxes? And how will you replenish the treasury? How will you pay the army? How will you meet your debts? With what money will you furnish the tools of production? With what resources will you support these charitable institutions, so easy to establish by decree?

I hasten to turn aside from these dreary considerations. It remains for me to examine the consequences of the principle opposed to that which prevails today, the economist's principle, the principle that derives the right to property from labor, and not from the law, the principle which says: Property is prior to law; the sole function of the law is to safeguard the right to property wherever it exists, wherever it is formed, in whatever manner the worker produces it, whether individually or in association, provided that he respects the rights of others.

First, whereas the jurists' principle involves virtual slavery, the economists' principle implies *liberty*. Property, the right to enjoy the fruits of one's labor, the right to work, to develop, to exercise one's faculties, according to one's own understanding, without the state intervening otherwise than by its protective action—this is what is meant by liberty. And I still cannot understand why the numerous partisans of the systems opposed to liberty allow the word *liberty* to remain on the flag of the Republic. To be sure, a few of them have effaced it in order to substitute the word *solidarity*. They are more honest and more logical. But they should have said *communism*, and not solidarity; for the solidarity of men's interests, like property, exists outside the purview of the law.

Moreover, it implies *unity*. This we have already seen. If the legislator creates the right to property, there are as many modes of property as there can be errors in the

utopians' heads, that is, an infinite number. If, on the contrary, the right to property is a providential fact, prior to all human legislation, and which it is the function of human legislation to safeguard, there is no place for any other system.

Beyond this, there is *security*; and all evidence clearly indicates that, if people sincerely recognize the obligation of every person to provide his own means of existence, as well as every person's right to the fruits of his own labor as prior and superior to the law, if human law is needed and intervenes only to guarantee to all the freedom to engage in labor and the ownership of its fruits, then all human industry is assured a future of complete security. There is no longer reason to fear that the legislature may, with one decree after another, stifle effort, upset plans, frustrate foresight. Under the shelter of such security, capital will rapidly be created. The rapid accumulation of capital, in turn, is the sole reason for the increase in the value of labor. The working classes will, then, be well off; they themselves will co-operate to form new capital. They will be better able to rise from the status of wage earners, to invest in business enterprises, to found enterprises of their own, and to regain their dignity.

Finally, the eternal principle that the state should not be a producer, but the provider of security for the producers, necessarily involves economy and order in public finances; consequently, this principle alone renders prosperity possible and a just distribution of taxes.

Let us never forget that, in fact, the state has no resources of its own. It has nothing, it possesses nothing that it does not take from the workers. When, then, it meddles in everything, it substitutes the deplorable and costly activity of its own agents for private activity. If, as in the United States, it came to be recognized that the function of the state is to provide complete *security* for all, it could fulfill this function with a few hundred million francs. Thanks to this economy, combined with industrial prosperity, it would finally be possible to impose a single direct tax, levied exclusively on *property* of all kinds.

But, for that, we must wait until we have learned by experience—perhaps cruel experience—to trust in the state a little less and in mankind a little more.

I shall conclude with a few words on the Association for Free Trade.\* It has been very much criticized for having adopted this name. Its adversaries have rejoiced, and its supporters have been distressed, by what both consider as a defect.

“Why spread alarm in this way?” said its supporters. “Why inscribe a *principle* on your banner? Why not limit yourself to demanding those wise and prudent changes in the customs duties that time has rendered necessary and experience has shown to be expedient?”

Why? Because, in my eyes at least, free trade has never been a question of customs duties, but a question of right, of justice, of public order, of property. Because privilege, under whatever form it is manifested, implies the denial or the scorn of property rights; because the intervention of the state to equalize wealth, to increase the

share of some at the expense of others, is *communism*, as a drop of water is just as much water as the whole ocean; because I foresaw that the right to property, once weakened in one form, would soon be attacked in a thousand different forms; because I had not given up my solitude in order to work for a mere reduction in customs duties, which would have implied my adherence to the false idea *that the law is prior to property*, but to fly to the rescue of the opposite principle, compromised by the protectionist system; because I was convinced that the landed proprietors and the capitalists had themselves implanted, in the tariff, the seed of that *communism* which now frightens them, since they asked *the law* for additions to their profits, to the detriment of the working classes. I saw clearly that these classes would not delay in claiming also, by virtue of equality, the benefit of the *law for the equalization of wealth*, which is *communism*.

If our critics will but read the first statement issued by our Association, the program drafted at a preliminary session, May 10, 1846, they will be convinced that this was our dominating idea:

Exchange, like property, is a natural right. Every citizen who has produced or acquired a product should have the option of applying it immediately to his own use or of giving it to whoever on the face of the earth consents to give him in exchange the object of his desires. To deprive him of this faculty, when he has committed no act contrary to public order and good morals, and solely to satisfy the convenience of another citizen, is to legitimize an act of plunder and to violate the law of justice.

It is, further, to violate the conditions of public order; for what order can exist in a society in which each industry, aided and abetted by the law and the public police force, seeks its success in the oppression of all the others?

We placed the question so far above customs duties that we added:

The undersigned do not contest the right of society to levy on the merchandise that crosses its borders taxes reserved for the common expense, provided that they are determined solely by the needs of the public treasury.

But as soon as the tax, losing its fiscal character, has for its object the exclusion of a foreign product, to the detriment of the treasury itself, in order to raise artificially the price of a similar domestic product, and to exact tribute from the community for the profit of one class, from that moment protection, or rather plunder, makes its appearance, and *this* is the principle that the Association seeks to discredit and to efface completely from our laws.

Certainly, if we had been working only for an immediate reduction in customs duties, if we had been, as has been alleged, the agents of certain commercial interests, we should have been very careful not to inscribe on our banner a word that implies a principle. Is it supposed that I did not foresee the obstacles that this declaration of war against injustice would place in our path? Did I not know very well that by evasive maneuvering, by hiding our aim, by veiling half our thought, we should the sooner achieve such or such a partial victory? But just how would these triumphs, actually

ephemeral, have redeemed and safeguarded the great principle of property rights, which in that case we should ourselves have kept in the background and out of the discussion?

I repeat, we asked for the abolition of the protectionist system, not as a good governmental measure, but as an act of justice, as the realization of liberty, as the strict consequence of a right superior to the law. We should not conceal what we really want under a misleading form of expression.<sup>3</sup>

The time is coming when it will be recognized that we were right not to consent to put into the name of our Association a lure, a trap, a surprise, an equivocation, but rather the frank expression of an eternal principle of order and justice; for there is power only in principles: they alone are a beacon light for men's minds, a rallying point for convictions gone astray.

In recent times, a universal tremor has spread, like a shiver of fright, through all of France. At the mere mention of the word *communism* everyone becomes alarmed. Seeing the strangest systems emerge openly and almost officially, witnessing a continual succession of subversive decrees, and fearing that these may be followed by decrees even more subversive, everyone is wondering in what direction we are going. Capital is frightened, credit has taken flight, work has been suspended, the saw and the hammer have stopped in the midst of their labor, as if a disastrous electric current had suddenly paralyzed all men's minds and hands. And why? Because the right to property, already essentially compromised by the protectionist system, has been subjected to new shocks consequent upon the first one; because the intervention of the law in matters of industry, *as a means of stabilizing values and equilibrating incomes*, an intervention of which the protectionist system has been the first known manifestation, now threatens to manifest itself in a thousand forms, known or unknown. Yes, I say it openly: it is the landowners, those who are considered property owners par excellence, who have undermined property rights, since they have appealed *to the law* to give an artificial value to their lands and their products. It is the capitalists who have suggested the idea of equalizing wealth *by law*. *Protectionism* has been the forerunner of *communism*; I say more: it has been its first manifestation. For what do the suffering classes demand today? They ask for nothing else than what the capitalists and landlords have demanded and obtained. They ask for the *intervention of the law* to achieve balance, equilibrium, equality in the distribution of wealth. What has been done in the first case by means of the tariff, they wish to do by other means, but the principle remains the same: *Use the law to take from some to give to others*; and certainly since it is you, landowners and capitalists, who have had this disastrous principle accepted, do not complain, then, if people less fortunate than you are claim its benefits. They at least have a claim to it that you do not.<sup>4</sup>

But finally people's eyes are beginning to open, and they see the nature of the abyss toward which we are being driven because of this first violation of the conditions essential to all social stability. Is it not a terrible lesson, a tangible proof of the existence of that chain of causes and effects whereby the justice of providential retribution ultimately becomes apparent, to see the rich terrified today by the inroads made by a false doctrine of which they themselves laid the iniquitous foundations, and

whose consequences they believed they could quietly turn to their own profit? Yes, protectionists, you have been the promoters of communism. Yes, property owners, you have destroyed the true idea of property in our minds. It was political economy that gave us this idea, and you have proscribed political economy, because in the name of the right to property it opposes your unjust privileges.<sup>5</sup> And when the adherents of these new schools of thought that frighten you came to power, what was the first thing they tried to do? To suppress political economy, for political economy is a perpetual protest against the *legal leveling* which you have sought, and which others, following your example, seek today. You have demanded of the law something other and more than should be asked of the law, something other and more than the law can give. You have asked of it, not security (that would have been your right), but a *surplus value* over and above what belongs to you, which could not be accorded to you without violating the rights of others. And now, the folly of your claims has become a universal folly. And if you wish to ward off the storm that threatens to destroy you, you have only one recourse left. Recognize your error; renounce your privileges; let the law return to its proper sphere, and restrict the legislator to his proper role. You have abandoned us, you have attacked us, because you undoubtedly did not understand us. Now that you perceive the abyss that you have opened with your own hands, hasten to join us in our defense of the right to property by giving to this term its broadest possible meaning and showing that it includes both man's faculties and all that his faculties can produce, whether by labor or by exchange.

The doctrine which we are defending arouses a certain opposition because of its extreme simplicity; it confines itself to demanding of the law security for all. People can scarcely believe that the machinery of government can be reduced to these proportions. Moreover, as this doctrine restricts the *law* to the limits of *universal justice*, it is reproached for excluding fraternity. Political economy does not accept this accusation. This will be the subject of a forthcoming article.

[\[Back to Table of Contents\]](#)

4

## Justice And Fraternity<sup>1</sup>

The economist school is opposed, on many points, to the numerous socialist schools, which call themselves more *advanced*, and which are, I readily agree, more active and more popular. We have as adversaries (I do not want to say, detractors) the Communists,\* the Fourierists, the Owenists, Cabet, Louis Blanc, Proudhon, Pierre Leroux† and many others.

What is peculiar is that these schools differ among themselves at least as much as they differ with us. Hence, they must, in the first place, accept one principle in common that we do not accept; next, this principle must lend itself to the infinite diversity that we see among them.

I believe that what separates us radically from them is this:

Political economy is resolved to ask *of the law* nothing but universal justice.

Socialism, in its various forms and applications, the number of which is naturally indefinite, demands *of the law*, in addition, the realization of the principle of fraternity.

Now, what is the result? The socialists presuppose, with Rousseau, that the law is the foundation of the entire social order. As we know, Rousseau makes society rest on a contract. Louis Blanc, on the very first page of his book on the Revolution, says:

The principle of fraternity is that which, regarding the members of the great family of man as jointly and separately answerable for one another, looks forward to the day when society, *the work of man*, is organized on the model of the human body, the work of God.

Starting from this premise, that society is *the work of man*, the work of the law, the socialists cannot fail to conclude that nothing exists in society that was not ordained and arranged in advance by the legislator.

Hence, seeing that political economy confines itself to demanding of the law justice everywhere and for all, i.e., universal justice, they thought that it did not admit fraternity in social relations.

Their reasoning is strictly logical. “Since the social order is based entirely on the law,” they said, “and since you demand only justice from the law, you exclude fraternity from the law and, consequently, from society.”

Hence the accusations of rigidity, of coldness, of hardness, of dryness, that have been heaped on economic science and on those who teach it or accept its teachings.

But is the major premise admissible? Is it true that the social order is based entirely on the law? It is immediately apparent that if this is not so, all these accusations are left without any support.

We say that positive law, which always acts with authority, by way of compulsion, supported by coercive power, its penalties enforced by the bayonet and the jail, decrees neither affection nor friendship nor love nor self-denial nor devotion nor sacrifice. Hence, it cannot, by the same token, decree that which sums them all up, namely, fraternity. Is to say this, then, to annihilate or deny these noble attributes of our nature? Certainly not; it is only to say that society is larger than the law; that a great number of acts are performed, that a great many feelings are stirred, beyond and above the law.

For my part, I protest, in the name of science, with all my power against this wretched interpretation, according to which, because we recognize that the law has a limit, we are accused of denying everything that lies beyond that limit. We too, believe us, are filled with fervent emotion when we hear the word *fraternity*, handed down eighteen centuries ago from the top of the holy mountain and inscribed forever on our republican flag. We too desire to see individuals, families, nations associate with one another, aid one another, relieve one another in the painful journey of mortal life. We too feel our hearts stir and our tears welling up at the recital of noble deeds, whether they add lustre to the lives of simple citizens, join different classes together in close union, or accelerate the onward movement of nations chosen by destiny to occupy the advanced outposts of progress and civilization.

Are we to be reduced to speaking of ourselves? In that case, let our actions be subjected to close scrutiny. Certainly we should like very much to grant that the numerous political theorists who in our day wish to stifle even the feeling of self-interest in men's hearts, who appear so pitiless toward what they call individualism, who incessantly repeat the words "devotion," "sacrifice," "fraternity," are themselves actuated exclusively by those sublime motives that they recommend to others, that they practice what they preach, that they have been careful to put their own conduct into harmony with their doctrines. We should indeed like to take them at their word and believe that they are full of disinterestedness and charity; but, in the last analysis, we may venture to say that we do not fear comparison in this regard.

Every would-be Decius\* among them has a plan designed to make mankind happy, and they all have the air of saying that if we oppose them, it is because we fear either for our property or for other social advantages. No; we oppose them because we consider their ideas to be false, because we believe their proposals to be as naive as they are disastrous. If we could be shown that happiness could be brought forever down to earth by an artificial social organization, or by decreeing fraternity, there are some among us, even though we are economists, who would gladly sign that decree with the last drop of their blood.

But we have not been shown that fraternity can be imposed. If, indeed, wherever it appears, it excites our sympathy so keenly, that is because it acts outside of all legal constraint. Either fraternity is spontaneous, or it does not exist. To decree it is to



annihilate it. *The law* can indeed *force* men to remain just; in vain would it try to *force* them to be self-sacrificing.

It is not I, moreover, who have invented this distinction. As I have just said, eighteen centuries ago these words were uttered by the divine Founder of our religion:

*The law says unto you: Do not do unto others what you would not have done unto you.*

*And I say unto you: Do unto others what you would have others do unto you.*

I believe that these words fix the limit that separates justice from fraternity. I believe that they trace, besides, a line of demarcation, I will not say absolute and unbridgeable, but theoretical and rational, between the domain circumscribed by the law and the limitless region of human spontaneity.

When a great number of families, all of whom, whether in isolation or in association, need to work in order to live, to prosper, and to better themselves, pool some of their forces, what can they demand of this common force save the protection of all persons, all products of labor, all property, all rights, all interests? Is this anything else than universal justice? Evidently, the right of each is limited by the absolutely similar right of all the others. The law, then, can do no more than recognize this limit and see that it is respected. If it were to permit a few to infringe this limit, this would be to the detriment of others. The law would be unjust. It would be still more so if, instead of tolerating this encroachment, it ordered it.

Suppose property is involved, for example. The principle is that what each has produced by his labor belongs to him, the more so as this labor has been comparatively more or less skillful, continuous, successful, and, consequently, more or less productive. What if two workers wish to unite their forces, to share the common product according to mutually agreed-upon terms, or to exchange their products between them, or if one should make a loan or a gift to the other? What has this to do with the law? Nothing, it seems to me, if the law has only to require the fulfillment of contracts and to prevent or punish misrepresentation, violence, and fraud.

Does this mean that it forbids acts of self-sacrifice and generosity? Who could have such an idea? But will it go so far as to order them? This is precisely the point that divides economists from socialists.

If the socialists mean that under extraordinary circumstances, for urgent cases, the state should set aside some resources to assist certain unfortunate people, to help them adjust to changing conditions, we will, of course, agree. This is done now; we desire that it be done better. There is, however, a point on this road that must not be passed; it is the point where governmental foresight would step in to replace individual foresight and thus destroy it. It is quite evident that organized charity would, in this case, do much more permanent harm than temporary good.

But we are not concerned here with exceptional measures. What we are inquiring into is this: Is it the function of the law, considered from a general and theoretical point of view, to declare the limits of *pre-existing* reciprocal rights and to see that they are respected, or, instead, to make men happy directly by compelling acts of charity, self-abnegation, and mutual sacrifice?

What strikes me most forcibly in this latter system (and it is for this reason that I often return to it in this hastily written essay), is the uncertainty in which it leaves all human activity and its results, the unknown factor with which it confronts society, an unknown that has the power to paralyze all its forces.

One knows what justice is, and where it is. It is a fixed, immutable point. If the law takes justice as its guide, everyone knows what to hold fast to and acts accordingly.

But at what definite point is fraternity to be situated? What is its limit? What is its form? Evidently, it is infinite. Fraternity, by definition, consists in making a sacrifice for others, in *working* for the sake of others. When it is free, spontaneous, voluntary, I understand it, and I applaud it. I admire sacrifice all the more when it is wholehearted. But when the principle is proclaimed that fraternity will be imposed by law, that is, in plain language, that the distribution of the fruits of labor will be made by legislation, without regard for the rights of labor itself; who can say to what extent this principle will be applied, what form a legislator's caprice may assume, what institutions may be decreed from one day to the next? Now, I question whether any society can exist under such conditions.

Note that sacrifice, by its very nature, is not, like justice, something that has a limit. It can extend from the gift of a centime thrown into the bowl of a beggar to the gift of life itself, *usque ad mortem, mortem autem crucis*.<sup>\*</sup> The Gospel, which taught men fraternity, has explained it in the counsels of perfection: "But whosoever shall smite thee on thy right cheek, turn to him the other also. And if any man take away thy coat, let him have thy cloak also." It has done more than explain fraternity to us; it has given us the most perfect, the most touching, and the most sublime example at the summit of Golgotha.

Will it, then, be said that legislation and administrative measures should push the realization of the principle of fraternity that far? Or will it, rather, stop somewhere along the way? But at what point will it stop, and according to what rule? This will depend today on one ballot, tomorrow on another.

There is the same uncertainty in regard to its form. It is a matter of imposing sacrifices on a few for the sake of all, or on all for the sake of a few. Who can tell me how the law will go about this? For it cannot be denied that there are an indefinite number of formulas for achieving fraternity. Not a day passes that five or six of them do not come to me in the mail, and all, please observe, completely different. Truly, is it not madness to believe that a nation can enjoy any peace of mind or any material prosperity when it is an accepted principle that, from one day to the next, the legislator can cast the whole country into whichever one of the hundred thousand fraternitarian molds he may momentarily prefer?

Let me compare the most important results of each of the two systems, that recommended by the economists, and that proposed by the socialists.

First, let us imagine a nation that adopts universal justice as the basis of its legislation.

Suppose that the citizens say to the government: "We take upon ourselves the responsibility for our own existence; we shall take care of our own labor, of our own business, of our own education, of our own development, of our own religion; your sole function will be to keep all of us, in all our actions, within the limits of our rights."

So many things have been tried that I should really like to see my country, or any country whatever, at least make a trial of this. Certainly no one can deny that the mechanism is marvelously simple. Everyone exercises his rights as he pleases, provided that he does not encroach on the rights of others. The test would be all the more interesting, since, in point of fact, the nations that come the closest to this system surpass all the others in security, prosperity, equality, and dignity. Yes, if I had ten more years to live, I should willingly give up nine of them to be present for one year to see such an experiment made in my country. For it seems to me that I would be the happy witness of the following results:

In the first place, everyone would be sure of his future, at least in so far as it could be affected by the law. As I have remarked, exact justice is something so definite that legislation which had only justice in view would be virtually immutable. It could vary only as to the means of approaching ever more closely to this single end: the protection of men's persons and their rights. Thus, everyone would be able to devote himself to all sorts of honest enterprises without fear and without uncertainty. All careers would be open to all; every man would be able to exercise his faculties freely, as determined by his interests, his inclinations, his aptitudes, or his circumstances; there would be neither privileges nor monopolies nor restrictions of any kind.

Moreover, the forces of government would attain this goal all the better because they would all be applied to preventing and repressing misrepresentation, fraud, delinquency, crime, and acts of violence, instead of being dissipated, as at present, among a host of matters alien to their essential function. Our adversaries themselves will not deny that to prevent and repress injustice is the principle function of the state. Why, then, has this precious art of prevention and repression of injustice made so little progress among us? Because the state neglects it for the thousand other functions with which it has been entrusted. For that reason, security is not the distinctive trait of French society—far from it! It would be complete, however, under the system that I, for the moment, have undertaken to analyze. There would be security in regard to the future, since no utopia could be imposed by borrowing the public police force; there would be security in the present, since that force would be devoted exclusively to combatting and abolishing injustice.

Here I must say a word concerning the consequences that security engenders. In such a situation, property in its diverse forms—landed, personal, industrial, intellectual, manual—is completely safe. It is sheltered from the attacks of malefactors and, what

is more, from the attacks of the law. Whatever may be the nature of the services that the workers render to society or to one another, or that they exchange abroad, these services will always retain their *natural value*. This value will, to be sure, be affected by the vicissitudes of circumstance, but at least it will never be affected by the caprices of the law, by the exigencies of taxation, or by parliamentary intrigues, demands, and influences. The prices of goods and services will then undergo the minimum possible fluctuation; and, under these conditions, it will be impossible for industry not to develop, for wealth not to increase, for capital not to be accumulated, with prodigious rapidity.

Now, when capital funds are multiplied, there is competition among them; their remuneration diminishes, or, in other words, the rate of interest is lowered. It is less and less of a burden on the price of products. The proportional share of capital in the common product of labor keeps on decreasing. The tools of production become more widely diffused as they come within the reach of a greater number of men. The prices of consumers' goods are reduced by the full amount of capital's lesser share; the cost of living falls, and this is a primary prerequisite for the independence of the working classes.<sup>2</sup>

At the same time, and as a result of the same cause (the rapid increase in capital), wages are necessarily raised. Capital, in fact, yields no return at all unless it is put to work. The more the wages fund increases, and the more fully it is employed in the payment of a given number of workers, the higher wages rise.

Thus, the necessary result of this regime of exact justice, and consequently of liberty and security, is to relieve the suffering classes in two ways: first, by reducing the cost of living; second, by raising wage rates.

It is not possible for the condition of the workers to be thus naturally and doubly improved without a corresponding improvement and refinement in their moral condition. We are then on the road to equality. I am not referring only to that equality before the law which the system evidently implies, since it excludes all injustice, but also to actual physical and moral equality, resulting from the fact that the remuneration of labor increases as, and even because, that of capital decreases.

If we glance at the relations of such a nation with other nations, we find that they are all favorable to peace. Protecting itself against any aggression is its only policy. It neither threatens nor is threatened. It has no diplomacy and still less a diplomacy based on positions of strength. In virtue of the principle of universal justice, no citizen being able to prevent another citizen from buying or selling abroad, the commercial relations of this nation will be free and widespread. No one will deny that these relations contribute to the maintenance of peace. They will themselves constitute a veritable and precious system of defense, which will render arsenals, fortified places, navies, and standing armies well-nigh useless. Thus, all the energies of this nation will be applied to productive labor, a new cause of increase of capital, with all the effects deriving from it.

It is easy to see that in such a nation, the government is reduced to very limited proportions, and the administrative apparatus to the utmost simplicity. What does it have to do? To give to the public police force the sole function of making justice prevail among the citizens. Now, this can be done with little expense and costs only twenty-six million francs in France today. Hence, this nation will not, so to speak, pay taxes. It is even certain that civilization and progress will tend to make the government more and more simple and economical, for the more that justice becomes an outgrowth of good social customs, the more practicable it will be to reduce the force organized to impose it.

When a nation is burdened with taxes, nothing is more difficult, and I would say, impossible, than to levy them equally. The statisticians and fiscal authorities no longer even try to do so. What is still more difficult, however, is to shift the tax burden onto the shoulders of the rich. The state can have an abundance of money only by taking from everyone and especially from the masses. But in the simple type of regime on behalf of which I have made this futile plea, a regime that demands only a few dozen million francs, nothing is easier than an equitable levy. A single tax, proportional to the amount of property owned, levied on each household and without expense for the existing machinery of the municipal councils, is sufficient for the purpose. No more of that tenacious zeal on behalf of the public treasury, of that devouring bureaucracy, which constitute the parasites and the vermin of the body politic; no more of those indirect contributions, of that money wrested by force and by cunning, of those fiscal traps laid in every avenue of productive labor, of those shackles which do us even more harm on account of the liberties that they take away from us than on account of the resources that they deprive us of.

Do I need to show that order would be the inevitable result of such a regime? From whence could disorder come? Not from poverty; it would probably be, at least in its chronic state, unknown in the country; and if, after all, accidental and transient suffering did occur, no one would dream of blaming it on the state, the government, the law. Today, when it is an accepted principle that the function of the state is to distribute wealth to everybody, it is natural that the state is held accountable for this commitment. To keep it, it multiplies taxes and produces more poverty than it cures. With new demands on the part of the public and new taxes on the part of the state, we cannot but go from one revolution to another. But if it were well understood that the state can take from the workers only what is strictly indispensable to guarantee them against all fraud and all violence, I cannot perceive from what side disorder would come.

Some may think that, under a regime so simple, so easily realizable, society would be very gloomy and sad. What would become of the great affairs of state? What purpose would statesmen serve? Would not the national assembly itself, reduced to making improvements in the Civil Code and the Penal Code, cease to offer to the avid curiosity of the public the spectacle of its passionate debates and dramatic struggles?

These singular qualms stem from the idea that government and society are one and the same thing—as false and harmful an idea as there ever was. If that identity existed, to simplify government would be, in fact, to reduce the role of society.

But would the sole fact that the public police force would be limited to making justice prevail take something away from the initiative of the citizens? Is their action restricted, even today, to the limits fixed by the law? Would it not be permissible for them, provided that they did not exceed the bounds of justice, to form an infinite number of private organizations and associations of every nature, religious, charitable, industrial, agricultural, intellectual, and even phalansterian and Icarian? Is it not certain, on the contrary, that the abundance of capital would favor all these enterprises? But each would associate himself with them voluntarily at his own peril and risk. Those who desire the intervention of the state want to form these associations at the risk and expense of the public.

It will no doubt be said: In this regime, we see clearly justice, economy, freedom, wealth, peace, order, and equality, but not fraternity.

Once again let us ask ourselves: Is there in the heart of man only what the legislator has put there? Did fraternity have to make its appearance on earth by way of the ballot box? Does the law forbid you to practice charity simply because all that it imposes on you is the obligation to practice justice? Are we to believe that women will cease to be self-sacrificing and that pity will no longer find a place in their hearts because self-sacrifice and pity will not be commanded by the law? What, then, is the article of the code, which, wresting a young woman from the arms of her mother, impels her to serve in those gloomy homes for the aged where the ugly scars of the body and the still uglier scars of the mind are displayed? What is the article of the code that determines the vocation of the priest? To what written law, to what governmental intervention, must we ascribe the foundation of Christianity, the zeal of the apostles, the courage of the martyrs, the charity of Fénelon or of Francis de Paul, the self-denial of so many men who in our day have risked their lives a thousand times for the triumph of the people's cause?<sup>3</sup>

Every time we deem an action to be good and beautiful, we should like, quite naturally, to see it made the general practice. Now, when we see in society a force to which all gives way, our first impulse is to enlist its aid by decreeing the action and imposing it on everyone. But the question is whether one does not thereby degrade both the nature of this force and the nature of the action, rendering legally obligatory what was essentially spontaneous and voluntary. As far as I am concerned, I cannot get it into my head that the law, which is force, can be usefully applied to any purpose other than repressing wrongs and maintaining rights.

I have just described a nation where this would be the case. Let us suppose, now, that among the people of this nation the opinion prevailed that the law should no longer be limited to imposing justice; that it should aspire further to impose fraternity.

What will happen? It will not take me long to tell, for the reader has only to remake the preceding picture in reverse.

At first a frightful uncertainty, a deadly insecurity, will hover over the whole domain of private activity; for fraternity can express itself in billions of unknown forms and, consequently, billions of unforeseen decrees. Innumerable proposals will each day

come to threaten all established relations. In the name of fraternity someone will demand *equality of wage rates*, whereupon the working classes will be reduced to the status of Indian castes; neither ability nor courage nor assiduity nor intelligence will be able to raise them up again: a leaden law will weigh them down. This world will be a Dante's inferno to them: *Abandon all hope, ye who enter*. In the name of fraternity another will demand that the working day be reduced to ten, eight, six, four hours; whereupon production will be forthwith brought to a halt. As there will be no more bread to appease hunger, nor cloth to protect men against the cold, a third will propose replacing bread and cloth by legal tender paper money. Do we not buy things with money? To multiply money, he will say, is to multiply bread and cloth; to multiply paper is to multiply money. Q.E.D. A fourth will require that competition be abolished by decree; a fifth, that self-interest be eliminated by law; this one will want the state to provide work; that one, education; and another, pensions for all citizens. Still another would dethrone all the kings on earth, and decree, in the name of fraternity, universal war. I stop here. It is quite evident that, if we take this path, the supply of utopias is inexhaustible. They will be rejected, it will be said. Granted; but it is *possible* that they will not be; and this suffices to create *uncertainty*, the greatest scourge of labor.

Under this system, capital cannot be formed. It will be rare, dear, and concentrated in a few hands. This means that wages will be reduced, and that inequality will open up a continually widening gulf between the social classes.

It will not be long before the public finances reach a state of complete disorder. How could it be otherwise when the state is responsible for furnishing everything to everybody? The people will be crushed under the burden of taxes; loan after loan will be floated; after having drained the present, the state will devour the future.

Finally, as it will be accepted in principle that the state is responsible for establishing fraternity on behalf of its citizens, we shall see the entire people transformed into petitioners. Landed property, agriculture, industry, commerce, shipping, industrial companies, all will bestir themselves to claim favors from the state. The public treasury will be literally pillaged. Everyone will have good reasons to prove that legal fraternity should be interpreted in this sense: "Let me have the benefits, and let others pay the costs." Everyone's effort will be directed toward snatching a scrap of *fraternal* privilege from the legislature. The suffering classes, although having the greatest claim, will not always have the greatest success; their multitude will, meanwhile, increase constantly, from which it follows that we can have only one revolution after another.

In a word, we shall see unfolding before us the whole somber spectacle whose prologue some modern societies are already presenting, after having adopted this disastrous idea of *legal fraternity*.

I have no need to say that this whole concept has its origin in generous feelings, in disinterested motives. It is just because of this that it has so rapidly gained the support of the masses, and also that it is sure to open an abyss under our feet if it proves to be false.

I add that I shall be happy, for my part, if it proves not to be false. Good heavens! If universal fraternity can be decreed, and the sanction of the public police force can be efficaciously given to this decree; if the motive of self-interest, as Louis Blanc wishes, can be made to disappear by a mere show of hands; if this article in the program of *peaceful democracy*: “*No more selfishness!*” can be realized by way of legislation; if it can be arranged that the state may give everything to everyone, without receiving anything from anyone; then let it be done by all means. Certainly, I shall vote for the decree and rejoice that humanity is to attain perfection and happiness by so short and easy a road.

But it must be said plainly that such conceptions seem to us chimerical and futile to the point of naïveté. That they should have raised hopes in the class that labors and suffers and does not have time for reflection, is not surprising. But how can they mislead competent political theorists?

These writers believed that the sufferings that overwhelm a great number of our brethren are imputable to *liberty*, that is, justice. They started with the idea that the system of liberty, of exact justice, had been put to the test legally, and that it had failed. They concluded from this that the time had come for legislation to take a further step, and that it should finally be imbued with the principle of *fraternity*. Hence these Saint-Simonian, Fourierist, Communist, Owenist schools of thought; hence these efforts to mobilize labor; hence these declarations that the state owes subsistence, well-being, and education to all its citizens; that it should be generous, charitable, involved in everything, devoted to everybody; that its mission is to feed the infants, instruct the young, assure employment to the able-bodied, provide pensions for the disabled; in a word, that it should intervene directly to relieve all suffering, satisfy and anticipate all wants, furnish capital to all enterprises, enlightenment to all minds, balm for all wounds, asylums for all the unfortunate, and even aid, to the point of shedding French blood, for all oppressed people on the face of the earth.

Who would not like to see all these benefits flow forth upon the world from the *law* as from an inexhaustible source? Who would not be happy to see the state take upon itself every difficulty, every precaution, every responsibility, every duty, all the laborious and heavy tasks that Providence, whose designs are impenetrable, has imposed upon mankind, leaving to the individuals of which it is composed the attractive and easy path—satisfactions, enjoyments, certainty, calm, repose, an always assured present, an always smiling future, wealth without worries, a family without responsibilities, credit without pledges, a life without effort?

Certainly, we would like to have all this, *if it were possible*. But is it possible? That is the question. We cannot understand what people mean by the state. We believe that there is in this perpetual personification of the state the strangest and the most humiliating of mystifications. What, then, is this state that takes upon itself all virtues, all duties, all acts of munificence? Whence does it draw those resources that it is urged to dispense by way of benefits to individuals? Is it not from the individuals themselves? How, then, can these resources be increased by passing through the hands of a parasitical and voracious intermediary? Is it not clear, on the contrary, that



the whole apparatus of government is of such a nature as to absorb many useful resources and to reduce the share of the workers proportionately? Is it not also evident that the latter will thereby lose a part of their freedom, along with a part of their well-being?

From whatever point of view I consider human law, I cannot see that anything other than justice can be reasonably demanded of it.

Suppose it is asked to concern itself with matters of religion, for example. Certainly, it would be desirable that there should be only one creed, one faith, one form of worship in the world, provided it were the *true faith*. But, however desirable unity may be, diversity, that is to say, inquiry and discussion, is even more worth while, until such time as the infallible sign whereby this *true faith* is to be recognized shines forth for all men to see. The intervention of the state, even under the pretext of fraternity, would, then, be an act of oppression, an *injustice*, if it sought to establish unity; for who can be sure that the state would not, unconsciously perhaps, work to stifle truth to the advantage of error? Unity should result from the universal consent of free convictions and from the natural attraction that truth exercises over men's minds. All that can be demanded of the law, then, is liberty for all beliefs, no matter what intellectual anarchy would result. For what does this anarchy prove? That unity comes, not at the beginning, but at the end, of intellectual evolution. It is not a point of departure; it is a point of culmination. A law that would impose it would be unjust; and if justice does not necessarily imply fraternity, at least it will be agreed that fraternity excludes injustice.

The same is true of education. Obviously, if people could agree on the best possible kind of education, in regard to both content and method, a uniform system of public instruction would be preferable, since error would, in that case, be necessarily excluded by law. But as long as such a criterion has not been found, as long as the legislator and the Minister of Public Education do not carry on their persons an unquestionable sign of infallibility, the true method has the best chance of being discovered and of displacing the others if room is left for diversity, trial and error, experimentation, and individual efforts guided by a self-regarding *interest in the outcome*—in a word, where there is freedom. The chances are worst in a uniform system of education established by decree, for in such a system error is permanent, universal, and irremediable. Therefore, those who, in the name of fraternity, demand that the *law* determine what shall be taught and impose this on everyone should realize that they are running the risk of having the law direct and impose the teaching of nothing but error; for legal interdiction can pervert the truth by perverting the minds that believe they have possession of it. Now, is it, I ask, fraternity, in the true sense of the word, that has recourse to force to impose, or at least to run the risk of imposing, error on mankind? Diversity is feared; it is stigmatized as anarchy. But it results necessarily from the very diversity of men's opinions and convictions, a diversity that tends, besides, to disappear with discussion, study, and experience. In the meanwhile, what claim has one system to prevail over any other by law or force? Here again we find that this pretended fraternity, which invokes the law or legal constraint, is in opposition to justice.

I could make the same observation about the press, and, in fact, I hardly understand why those who demand a uniform system of state education do not demand a uniform state press. For the press is also a kind of education. The press admits discussion, since it lives by it. There too, then, is diversity and anarchy. Why not, accordingly, create a Ministry of Publicity and give over to its charge all the books and all the newspapers in France? Either the state is infallible, and we can do no better than to let it take entire control over men's minds; or it is not, and in that case it is no more reasonable to turn education over to it than the press.

If I consider our foreign relations, I see no other prudent, sound rule, acceptable to all—such, in short, that it could become a *law*—than justice. To submit these relations to the principle of legal, forced fraternity, is to decree perpetual, universal war; for it is to assume the obligation of putting our power, the blood and the wealth of our citizens, at the service of whoever claims them in order to serve a cause that excites the sympathy of the legislator. A strange kind of fraternity, indeed! A long time ago Cervantes personified its ridiculous vanity.

But it is above all in regard to labor that the dogma of fraternity seems to me to be dangerous, when, contrary to the idea that constitutes the very essence of that sacred word, people dream of inserting it into our legal codes, to the accompaniment of the penal provisions that sanction all positive law.

Fraternity always implies devotion and sacrifice; that is why it commands our heartfelt admiration. If one says, as do certain socialists, that acts of fraternal devotion are *profitable* to their author, then they do not have to be decreed; men have no need of a law to persuade them to make profits. Besides, this point of view greatly degrades and tarnishes the idea of fraternity.

Let us, then, respect its essential character, which is comprised in these words:  
*Voluntary sacrifice determined by fraternal feeling.*

If you make of fraternity a matter of legal prescription, whose acts are set forth in advance and rendered obligatory by the industrial code, what remains of this definition? Nothing but sacrifice; but involuntary, forced sacrifice, exacted by fear of punishment. And, in all honesty, what is a sacrifice of this nature, imposed upon one man for the profit of another? Is it an example of fraternity? No, it is an act of injustice; one must say the word: it is a form of legal plunder, the worst kind of plunder, since it is systematic, permanent, and unavoidable.

What did Barbès\* do, when, at the session of May 15, he decreed a tax of a billion francs on behalf of the suffering classes? He put your principle into practice. This is so true that the proclamation of Sobrier,† which concluded like the speech of Barbès, is preceded by this preamble: “Considering that fraternity must be more than an empty word, that it must be manifested by deeds, be it decreed: the capitalists, known as such, will contribute, etc.”

What right do you who protest have to blame Barbès and Sobrier? What have they done, except to be a little more logical than you and to push your own principle a little further?

I say that whenever this principle is introduced into legislation, even though it may make only a timid appearance at first, it soon paralyzes capital and labor; for there is no guarantee that it will not be extended indefinitely. Are so many arguments necessary, then, to demonstrate that when men are no longer certain of enjoying the fruit of their labor, they do not work at all or work less? Insecurity, as is well known, is the principal agent of paralysis in the case of capital. It drives capital away and prevents it from being formed; and what will then become of the very classes whose sufferings are supposed thereby to be relieved? I sincerely believe that this alone is cause enough to make the most prosperous nation fall in a short time below the level of Turkey.

Sacrifice imposed on some on behalf of others, by the operation of the tax laws, evidently loses the character of fraternity. Who, then, deserves credit for it? Is it the legislator? It costs him nothing but the effort of casting his ballot. Is it the tax collector? He obeys out of fear of being removed from office. Is it the taxpayer? He pays reluctantly. Who, then, deserves the credit that self-sacrifice implies? Where is its morality to be found?

Illegal plunder fills everyone with aversion; it turns against itself all the forces of public opinion and puts them on the side of justice. Legal plunder, on the contrary, is perpetrated without troubling the conscience, and this cannot fail to weaken the moral fibre of a nation.

With courage and prudence, a man can protect himself from illegal plunder, but no one can escape from legal plunder. If someone tries, what is the distressing spectacle presented to society? A plunderer armed with the law, a victim resisting the law.

When, under the pretext of fraternity, the legal code imposes mutual sacrifices on the citizens, human nature is not thereby abrogated. Everyone will then direct his efforts toward contributing little to, and taking much from, the common fund of sacrifices. Now, is it the most unfortunate who gain in this struggle? Certainly not, but rather the most influential and calculating.

Are union, concord, and harmony at least the results of fraternity thus understood? Oh, undoubtedly, fraternity is the divine chain whose links will ultimately unite individuals, families, nations, and races; but it will do so only by remaining what it is, that is, the most free, the most spontaneous, the most voluntary, the most meritorious, the most religious of sentiments. It is not its counterfeit that will accomplish this prodigy; legal plunder may borrow the name of fraternity, as well as its appearance, its formulas, and its insignia, but it will never be anything but a principle of discord, confusion, unjust claims, terror, misery, inertia, and animosity.

We are presented with a serious objection. We are told: It is indeed true that freedom, equality before the law, is justice. But strict justice remains neutral between the rich

and the poor, the strong and the weak, the wise and the ignorant, the property owner and the proletarian, the fellow countryman and the foreigner. Now, *men's interests being naturally antagonistic*, to allow men their freedom with only just laws intervening between them is to sacrifice the poor, the weak, the ignorant, the proletarian, the gladiator who enters the arena unarmed.

“What could result,” says M. Considérant,

from that industrial liberty on which so much reliance had been placed, from the famous principle of *free competition*, which was believed to be so eminently democratic in character? Nothing could come of it save the general enslavement, the collective enfeoffment, of the masses, deprived of capital, of industrial arms, of the tools of production, and, above all, of education, by the class that is industrially supplied and well equipped. We are told: “The lists are open; every individual is free to enter the fray; the conditions are equal for all the combatants.” Very good. Only one thing is forgotten—that on this great battlefield some are trained, disciplined, equipped, armed to the teeth, that they have in their possession a vast store of provisions, matériel, munitions, and engines of war, that they occupy all the strategic positions; and that others, plundered, destitute, ignorant, and hungry, are obliged, in order to live from day to day and keep their wives and children alive, to implore their *adversaries* themselves for any kind of work whatever at a meager wage.<sup>4</sup>

What! Industry compared to war! These arms, which are called capital, which consist of provisions of all kinds, and which can never be employed except in the conquest of rebellious Nature, are compared, by virtue of a deplorable sophism, to those blood-stained arms which men turn against one another on the battlefield! Indeed, it is only too easy to derogate the industrial order, when the whole vocabulary of warfare is borrowed in order to decry it.

The profound, irreconcilable disagreement on this point between socialists and economists consists in this: The socialists believe that men's interests are essentially antagonistic. The economists believe in the natural harmony, or rather in the necessary and progressive harmonization, of men's interests. This is the whole difference.

Starting from the premise that men's interests are naturally antagonistic, the socialists are led, by logical necessity, to seek an *artificial* organization of these conflicting interests or even to stifle, if they can, the feeling of self-interest in the heart of man. This is what they tried to do at the Luxembourg. But if they are mad enough to try, they are not strong enough to succeed; and it goes without saying that, after having declaimed against individualism in their books, they collect royalties on these books and conduct themselves quite like everyone else in the ordinary affairs of life.

To be sure, if men's interests are naturally antagonistic, we must trample underfoot justice, liberty, and equality before the law. We must remake the world, or, as they say, *reconstitute society*, according to one of the numerous plans that they never stop inventing. For self-interest, a disorganizing principle, there must be substituted legal, imposed, involuntary, forced *self-sacrifice*—in a word, organized plunder; and as this

new principle can only arouse infinite aversion and resistance, an attempt will be made at first to get it accepted under the deceptive name of fraternity, after which the law, which is force, will be invoked.

But if Providence is not mistaken, if it has arranged things in such a way that men's interests, under the law of justice, tend to adjust themselves naturally in the most harmonious way; if, in the words of M. de Lamartine, they achieve, under a regime of liberty, a justice that no amount of despotism could produce for them; if equality of rights is the most certain, the most direct means toward actual equality; then, we can ask of the law nothing but justice, liberty, and equality, just as only the removal of obstacles is needed for each of the drops of water that form the ocean to find its own level.

And this is precisely the conclusion at which political economy arrives. It does not set out in search of this conclusion; it comes upon it. But it rejoices at finding it; for is it not ultimately a great satisfaction for the mind to see harmony in liberty, when others are reduced to demanding it by way of arbitrary measures?

The reproachful words that the socialists often address to us are very strange indeed! If, unfortunately, we have fallen into error, should they not deplore it? What do we say? We say: After mature consideration, it must be recognized that what God has done He has done well, so that the best chance of progress lies in justice and liberty.

The socialists believe us to be in error; that is their right. But they should at least be distressed by it; for our error, if it be demonstrated, implies the urgency of substituting the artificial for the natural, despotism for liberty, a contingent and human invention for the eternal and divine conception.

Suppose that a professor of chemistry were to say: "The world is threatened by a great catastrophe; God has not taken proper precautions. I have analyzed the air that comes from human lungs, and I have come to the conclusion that it is not fit to breathe; so that, by calculating the volume of the atmosphere, I can predict the day when it will be entirely polluted, and when mankind will die of consumption, unless it adopts an artificial mode of respiration of my invention."

Another professor steps forward and says: "No, mankind will not perish thus. It is true that the air that has already served to sustain animal life is vitiated for that purpose; but it is fit for plant life, and what plants exhale is favorable to human respiration. An incomplete study has induced some to think that God made a mistake; a more exact inquiry shows a harmonious design in His handiwork. Men can continue to breathe as Nature willed it."

What should we say if the first professor overwhelmed the second with abuse, saying: "You are a chemist with a cold, hard, dried-up heart; you preach the horrible doctrine of *laissez faire*; you do not love mankind, since you demonstrate the uselessness of my respiratory apparatus."

This is the sum and substance of our quarrel with the socialists. Both they and we desire harmony. They seek it in the innumerable schemes that they want the law to impose on men; we find it in the nature of men and things.

This would be the place to demonstrate that men's interests tend toward harmony, for that is the whole question; but this would require a course in political economy, and the reader will have to excuse me for the moment from undertaking such a task.<sup>5</sup> I shall say just this: If political economy attains to the insight that men's interests are harmonious, it does so because it does not stop, as socialism does, at the immediate consequences of phenomena, but goes on to their eventual and ultimate effects. This is the whole secret. The two schools differ exactly as the two chemists of whom I have just spoken: one sees the part, and the other the whole. For example, when the socialists are willing to take pains to follow the results of competition to the end, that is, to the consumer, instead of stopping at the producer, they will see that it is the most powerful agent for equality and progress, whether at home or abroad. And it is because political economy finds harmony in this ultimate effect that it says: In my domain, *there is much to learn, and little to do*. Much to learn, because the concatenation of effects can be followed only with great application; little to do, since the harmony of the whole phenomenon is derived from the ultimate effect.

I happened to discuss this question with the eminent gentleman whom the Revolution lifted to such great heights. I said to him: "Only justice can be demanded from the law, which acts by means of coercion."

He thought that people can, in addition, expect fraternity from the law. Last August he wrote me: "If ever, in a time of crisis, I find myself placed at the helm, your idea will be half of my creed."

And I reply to him here: "The second half of your creed will stifle the first, for you cannot legislate fraternity without legislating injustice."<sup>6</sup>

In closing, I will say to the socialists: If you believe that political economy rejects association, organization, and fraternity, you are in error.

Association! Do you not know that this is society itself, ceaselessly perfecting itself?

Organization! Do you not know that this is what makes all the difference there is between a congeries of heterogeneous elements and the masterpieces of Nature?

Fraternity! Do you not know that this is to justice what the warm impulses of the heart are to the cold calculations of the mind?

We are in agreement with you. We applaud your effort to disseminate among mankind a seed that will bear fruit in the future.

But we are opposed to you from the moment that you have law and taxation, that is, coercion and plunder, intervene; for besides the fact that this resort to force shows that you have more faith in yourselves than in the genius of mankind, it is enough for us to

see that you propose to tamper with Nature herself and to impair the very essence of that fraternity which you seek to realize.<sup>7</sup>

[\[Back to Table of Contents\]](#)

5

## The State<sup>1</sup>

I wish that someone would offer a prize, not of five hundred francs, but of a million, with crosses, crowns, and ribbons, to whoever would give a good, simple, and intelligible definition of this term: *the state*.

What an immense service he would render to society!

The *state*! What is it? Where is it? What does it do? What should it do?

All that we know about it is that it is a mysterious personage, and certainly the most solicited, the most tormented, the busiest, the most advised, the most blamed, the most invoked, and the most provoked in the world.

For, sir, I do not have the honor of knowing you, but I wager ten to one that for six months you have been making utopias; and if you have been making them, I wager ten to one that you place upon the *state* the responsibility of realizing them.

And you, madame, I am sure that you desire from the bottom of your heart to cure all the ills of mankind, and that you would be in no wise embarrassed if the *state* would only lend a hand.

But alas! The unfortunate state, like Figaro, knows neither to whom to listen nor where to turn. The hundred thousand tongues of press and rostrum all cry out to it at once:

“Organize labor and the workers.”  
“Root out selfishness.”  
“Repress the insolence and tyranny of capital.”  
“Make experiments with manure and with eggs.”  
“Furrow the countryside with railroads.”  
“Irrigate the plains.”  
“Plant forests on the mountains.”  
“Establish model farms.”  
“Establish harmonious workshops.”  
“Colonize Algeria.”  
“Feed the babies.”  
“Instruct the young.”  
“Relieve the aged.”  
“Send the city folk into the country.”  
“Equalize the profits of all industries.”  
“Lend money, without interest, to those who desire it.”  
“Liberate Italy, Poland, and Hungary.”  
“Improve the breed of saddle horses.”



“Encourage art; train musicians and dancers.”

“Restrict trade, and at the same time create a merchant marine.”

“Discover truth and knock a bit of sense into our heads.”

“The function of the state is to enlighten, to develop, to increase, to fortify, to spiritualize, and to sanctify the soul of a nation.”<sup>2</sup>

“Oh, sirs, a little patience,” replies the *state* with a piteous air. “I shall try to satisfy you, but for that I shall need some resources. I have prepared proposals for five or six taxes, brand new and the mildest in the world. You will see how glad people will be to pay them.”

But then a great cry is raised: “Shame! Shame! Anybody can do a thing if he has the resources! Then you would not be worthy of being called the *state*. Far from hitting us with new taxes, we demand that you eliminate the old ones. Abolish:

“The tax on salt;

“The tax on beverages;

“The tax on letters;

“The octroi;\*

“Licenses;

“Prestations.”

In the midst of this tumult, and after the country had changed its *state* two or three times for not having satisfied all these demands, I tried to point out that they were contradictory. Good Lord! What was I thinking of? Could I not keep this unfortunate remark to myself?

So here I am, discredited forever; and it is now an accepted fact that I am a *heartless*, *pitiless* man, a dry philosopher, an individualist, a bourgeois—in a word, an economist of the English or American school.

Oh, pardon me, sublime writers, whom nothing stops, not even contradictions. I am wrong, no doubt, and I retract my error with all my heart. I demand nothing better, you may be sure, than that you should really have discovered outside of us a benevolent and inexhaustible being, calling itself the *state*, which has bread for all mouths, work for all hands, capital for all enterprises, credit for all projects, ointment for all wounds, balm for all suffering, advice for all perplexities, solutions for all problems, truths for all minds, distractions for all varieties of boredom, milk for children and wine for old age, which provides for all our needs, foresees all our desires, satisfies all our curiosity, corrects all our errors, amends all our faults, and exempts us all henceforth from the need for foresight, prudence, judgment, sagacity, experience, order, economy, temperance, and industry.

And why should I not desire it? Heaven forgive me! The more I reflect on it, the more I find how easy the whole thing is; and I, too, long to have at hand that inexhaustible source of riches and enlightenment, that universal physician, that limitless treasure, that infallible counselor, that you call the *state*.

Hence, I insist that it be shown to me, that it be defined, and that is why I propose that a prize be offered to the first to discover this rare bird. For, after all, it will have to be admitted that this precious discovery has not yet been made, since the people have up to now overthrown immediately everything that has presented itself under the name of the *state*, precisely because it has failed to fulfill the somewhat contradictory conditions of the program.

Need it be said that we may have been, in this respect, duped by one of the most bizarre illusions that has ever taken possession of the human mind?

Man is averse to pain and suffering. And yet he is condemned by nature to the suffering of privation if he does not take the pains to work for a living. He has, then, only the choice between these two evils. How arrange matters so that both may be avoided? He has found up to now and will ever find only one means: that is, *to enjoy the fruits of other men's labor*; that is, to arrange matters in such a way that the pains and the satisfactions, instead of falling to each according to their natural proportion, are divided between the exploited and their exploiters, with all the pain going to the former, and all the satisfactions to the latter. This is the principle on which slavery is based, as well as plunder of any and every form: wars, acts of violence, restraints of trade, frauds, misrepresentations, etc.—monstrous abuses, but consistent with the idea that gave rise to them. One should hate and combat oppressors, but one cannot say that they are absurd.

Slavery is on its way out, thank Heaven, and our natural inclination to defend our property makes direct and outright plunder difficult. One thing, however, has remained. It is the unfortunate primitive tendency which all men have to divide their complex lot in life into two parts, shifting the pains to others and keeping the satisfactions for themselves. It remains to be seen under what new form this deplorable tendency is manifested.

The oppressor no longer acts directly by his own force on the oppressed. No, our conscience has become too fastidious for that. There are still, to be sure, the oppressor and his victim, but between them is placed an intermediary, the state, that is, the law itself. What is better fitted to silence our scruples and—what is perhaps considered even more important—to overcome all resistance? Hence, all of us, with whatever claim, under one pretext or another, address the state. We say to it: “I do not find that there is a satisfactory proportion between my enjoyments and my labor. I should like very much to take a little from the property of others to establish the desired equilibrium. But that is dangerous. Could you not make it a little easier? Could you not find me a good job in the civil service or hinder the industry of my competitors or, still better, give me an interest-free loan of the capital you have taken from its rightful owners or educate my children at the public expense or grant me incentive subsidies or assure my well-being when I shall be fifty years old? By this means I shall reach my goal in all good conscience, for the law itself will have acted for me, and I shall have all the advantages of plunder without enduring either the risks or the odium.”

As, on the one hand, it is certain that we all address some such request to the state, and, on the other hand, it is a well-established fact that the state cannot procure

satisfaction for some without adding to the labor of others, while awaiting another definition of the state, I believe myself entitled to give my own here. Who knows if it will not carry off the prize? Here it is:

*The state is the great fictitious entity by which everyone seeks to live at the expense of everyone else.*

For, today as in the past, each of us, more or less, would like to profit from the labor of others. One does not dare to proclaim this feeling publicly, one conceals it from oneself, and then what does one do? One imagines an intermediary; one addresses the *state*, and each class proceeds in turn to say to it: "You, who can take fairly and honorably, take from the public and share with us." Alas! The state is only too ready to follow such diabolical advice; for it is composed of cabinet ministers, of bureaucrats, of men, in short, who, like all men, carry in their hearts the desire, and always enthusiastically seize the opportunity, to see their wealth and influence grow. The state understands, then, very quickly the use it can make of the role the public entrusts to it. It will be the arbiter, the master, of all destinies. It will take a great deal; hence, a great deal will remain for itself. It will multiply the number of its agents; it will enlarge the scope of its prerogatives; it will end by acquiring overwhelming proportions.

But what is most noteworthy is the astonishing blindness of the public to all this. When victorious soldiers reduced the vanquished to slavery, they were barbarous, but they were not absurd. Their object was, as ours is, to live at the expense of others; but, unlike us, they attained it. What are we to think of a people who apparently do not suspect that *reciprocal pillage* is no less pillage because it is reciprocal; that it is no less criminal because it is carried out legally and in an orderly manner; that it adds nothing to the public welfare; that, on the contrary, it diminishes it by all that this spendthrift intermediary that we call the *state* costs?

And we have placed this great myth, for the edification of the people, in the Preamble of the Constitution. Here are the first words of the Preamble:

France has been constituted as a republic in order to .... raise all its citizens to an ever higher standard of morality, enlightenment, and well-being.

Thus, it is France, or the *abstraction*, which is to raise Frenchmen, or the *realities*, to a higher standard of morality, well-being, etc. Is this not to be possessed by the bizarre illusion that leads us to expect everything from another power than our own? Is this not to imply that there is, above and beyond the French people, a virtuous, enlightened, rich being who can and ought to bestow his benefits on them? Is this not to assume, and certainly most gratuitously, that there exists between France and the people of France, that is, between the synoptic, abstract term used to designate all these individuals and the individuals themselves, a father-son, guardian-ward, teacher-pupil relationship? I am well aware of the fact that we sometimes speak metaphorically of "the fatherland" or of France as a "tender mother." But in order to expose in its full fragrance the inanity of the proposition inserted into our

Constitution, it suffices to show that it can be reversed, I will not say without disadvantage, but even to advantage. Would exactness suffer if the Preamble had said:

“The French have been constituted as a republic in order to raise France to an ever higher standard of morality, enlightenment, and well-being”?

Now, what is the value of an axiom of which the subject and the object can be interchanged without disadvantage? Everyone understands the statement: “The mother will nurse the baby.” But it would be ridiculous to say: “The baby will nurse the mother.”

The Americans formed another idea of the relations of citizens to the state when they placed at the head of their Constitution these simple words:

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, etc.

There is no mythical creation here, no *abstraction* from which the citizens demand everything. They expect nothing save from themselves and their own efforts.

If I have permitted myself to criticize the first words of our Constitution, it is not, as one might think, in order to deal with a mere metaphysical subtlety. I contend that this *personification of the state* has been in the past, and will be in the future, a fertile source of calamities and of revolutions.

Here the public, on the one side, the state on the other, are considered as two distinct entities, the latter intent on pouring down upon the former, the former having the right to claim from the latter, a veritable shower of human felicities. What must be the inevitable result?

The fact is, the state does not and cannot have one hand only. It has two hands, one to take and the other to give—in other words, the rough hand and the gentle hand. The activity of the second is necessarily subordinated to the activity of the first. Strictly speaking, the state can take and not give. We have seen this happen, and it is to be explained by the porous and absorbent nature of its hands, which always retain a part, and sometimes the whole, of what they touch. But what has never been seen, what will never be seen and cannot even be conceived, is the state giving the public more than it has taken from it. It is therefore foolish for us to take the humble attitude of beggars when we ask anything of the state. It is fundamentally impossible for it to confer a particular advantage on some of the individuals who constitute the community without inflicting a greater damage on the entire community.

It finds itself, then, placed by our demands in an obviously vicious circle.

If it withholds the boon that is demanded of it, it is accused of impotence, of ill will, of incapacity. If it tries to meet the demand, it is reduced to levying increased taxes on

the people, to doing more harm than good, and to incurring, on another account, general disaffection.

Thus, we find two expectations on the part of the public, two promises on the part of the government: *many benefits and no taxes*. Such expectations and promises, being contradictory, are never fulfilled.

Is this not the cause of all our revolutions? For between the state, which is lavish with impossible promises, and the public, which has conceived unrealizable expectations, two classes of men intervene: the ambitious and the utopian. Their role is completely prescribed for them by the situation. It suffices for these demagogues to cry into the ears of the people: "Those in power are deceiving you; if we were in their place, we would overwhelm you with benefits and free you from taxes."

And the people believe, and the people hope, and the people make a revolution.

Its friends are no sooner in charge of things than they are called on to make good their promises: "Give me a job, then, bread, relief, credit, education, and colonies," say the people, "and at the same time, in keeping with your promises, deliver me from the burden of taxation."

The new *state* is no less embarrassed than the old, for, when it comes to the impossible, one can, indeed, make promises, but one cannot keep them. It tries to gain time, which it needs to bring its vast projects to fruition. At first it makes a few timid attempts; on the one hand, it extends primary education a little; on the other, it reduces somewhat the tax on beverages (1830). But it is always confronted with the same contradiction: if it wishes to be philanthropic, it must continue to levy taxes; and if it renounces taxation, it must also renounce philanthropy.

These two promises always and necessarily conflict with each other. To have recourse to borrowing, that is, to eat into the future, is indeed a means of reconciling them in the present; one tries to do a little good in the present at the expense of a great deal of harm in the future. But this procedure raises the specter of bankruptcy, which destroys credit. What is to be done, then? The new state then takes a firm stand against its critics: it regroups its forces to maintain itself, it stifles opinion, it has recourse to arbitrary decrees, it ridicules its former maxims, it declares that one can govern only on condition of being unpopular; in short, it proclaims itself the *government*.

And this is precisely what other demagogues are waiting for. They exploit the same illusion, take the same road, obtain the same success, and soon come to be engulfed in the same abyss.

This is the way we came to the February Revolution. At that time the illusion that is the subject of this article had made its way further than ever into popular thought, along with socialist doctrines. More than ever before, people expected that the *state*, in a republican form, would open wide the floodgates of its bounty and close off the stream of taxes. "I have often been deceived," said the people, "but this time I myself will stand guard to see that I am not again deceived."

What could the provisional government do? Alas! What is always done in such a circumstance: promise and gain time. It did not fail to do this, and, to add solemnity to its promises, it gave them definitive form in its decrees. "Increased welfare, shorter working hours, relief, credit, gratuitous education, agricultural settlements, land clearance, and, at the same time, reductions in the taxes on salt, beverages, letters, meat, all will be granted .... when the National Assembly meets."

The National Assembly met, and, as two contradictory ideas cannot both be realized, its task, its sad task, was confined to retracting, as gently as possible, one after another, all the decrees of the provisional government.

Still, in order not to make the disappointment too cruel, it had to compromise a little. Certain commitments were kept; others were fulfilled in token form. Hence, the present administration is trying to devise new taxes.

Now, looking ahead a few months, I ask myself sadly what will happen when the newly created civil servants go out into the country to collect the new taxes on inheritances, incomes, and the profits of agriculture. May Heaven give the lie to my presentiments, but here again I see a role for the demagogues to play.

Read the last Manifesto of the Montagnards\* which they issued in connection with the presidential election. It is rather long, but can be summed up in a few words: *The state should give a great deal to the citizens and take little from them.* It is always the same tactic, or, if you will, the same error.

The state owes instruction and education free of charge to all citizens.

It owes:

A general and professional education, appropriate as nearly as possible to the needs, vocations, and capacities of each citizen.

It should:

Teach each citizen his duties toward God, toward men, and toward himself; develop his feelings, his aptitudes, and his faculties; give him, in short, proficiency in his work, understanding of his best interests, and knowledge of his rights.

It should:

Put within everyone's reach literature and the arts, the heritage of human thought, the treasures of the mind, all the intellectual enjoyments which elevate and strengthen the soul.

It should:

Insure against every disaster, fire, flood, etc. [how great are the implications of this little *et cetera!*], suffered by a citizen.

It should:

Intervene in the relations between capital and labor and make itself the regulator of credit.

It owes:

Practical encouragement and efficacious protection to agriculture.

It should:

Buy up the railroads, the canals, the mines, and undoubtedly also administer them with that industrial expertise which is so characteristic of it.

It should:

Stimulate laudable enterprises, and encourage and aid them with all the resources capable of making them succeed. As regulator of credit, it will largely control the industrial and agricultural associations, in order to assure their success.

The state is to do all this without prejudice to the services that it performs today; and, for example, it must always adopt a threatening attitude toward foreign nations; for, say the signers of the program,

linked by that holy solidarity and by the precedents of republican France, we extend our commitments and our hopes, beyond the barriers that despotism has raised between nations, on behalf of all those whom the yoke of tyranny oppresses; we desire that our glorious army be again, if it must, the army of liberty.

You see that the gentle hand of the state, that good hand which gives and which bestows, will be very busy under the government of the Montagnards. Perhaps you believe that the same will be true of the rough hand, of the hand that reaches into our pockets and empties them?

Undeceive yourselves. The demagogues would not know their business if they had not acquired the art of hiding the rough hand while showing the gentle hand.

Their reign will surely mean a jubilee for the taxpayer.

“It is on luxuries,” they say, “not necessities, that taxes should be imposed.”

Will it not be a happy day when, in order to load us with benefits, the public treasury is content to take from us just our superfluous funds?

Nor is this all. The Montagnards intend that “taxation should lose its oppressive character and should henceforth be no more than an act of fraternity.”

Heavenly days! I am well aware of the fact that it is the vogue to get fraternity in everywhere, but I did not suspect that it could be put into the receipt of the tax collector.

Getting down to details, the signers of the manifesto say:

We demand the immediate abolition of taxes that fall on objects of primary necessity, such as salt, drinks, *et cetera*.

Reform of the real estate tax, the octroi, and license fees.

Justice free of charge, that is, the simplification of forms and the reduction of expenses. [This no doubt has to do with official stamps.]

Thus, real estate taxes, the octroi, license fees, taxes on stamps, salt, beverages, mail—all are to be done away with. These gentlemen have found the secret of keeping the *gentle hand* of the state energetic and active, while paralyzing its *rough hand*.

Indeed! I ask the impartial reader, is this not childish and, what is more, dangerously childish? Why would people not make one revolution after another, once they had made up their minds not to stop until this contradiction had been made a reality: "Give nothing to the state, and receive a great deal from it"?

Does anyone believe that if the Montagnards came to power, they would not themselves become the victims of the very means that they employed to seize it?

Citizens, throughout history two political systems have confronted each other, and both of them can be supported by good arguments. According to one, the state should do a great deal, but also it should take a great deal. According to the other, its double action should be barely perceptible. Between these two systems, one must choose. But as for the third system, which is a mixture of the two others, and which consists in requiring everything from the state without giving anything to it, it is chimerical, absurd, childish, contradictory, and dangerous. Those who advance it in order to give themselves the pleasure of accusing all governments of impotence and exposing them thus to your violent attacks, flatter and deceive you, or at least they deceive themselves.

As for us, we think that the state is not and should not be anything else than the *common police force* instituted, not to be an instrument of oppression and reciprocal plunder, but, on the contrary, to guarantee to each his own and to make justice and security prevail.<sup>3</sup>



[\[Back to Table of Contents\]](#)

6

## Property And Plunder\*

### First Letter<sup>1</sup>

The National Assembly now has before it an immense problem whose solution affects in the highest degree the prosperity and tranquillity of France. A new right clamors for entry into the Constitution: the *right to employment*. It does not merely ask for a place of its own; it lays claim wholly or partly to the place now held by the *right to property*.

M. Louis Blanc has already provisionally proclaimed this new right, and we know with what success.

M. Proudhon demands it in order to abolish property rights entirely.

M. Considérant does so in order to render the right to property more secure by legitimizing it.

Thus, according to these political theorists, there is in property something unjust and false, a deadly germ. I propose to demonstrate that property is truth and justice itself, and that what it has within it is the principle of progress and life.

They seem to think that in the struggle that is going to take place, the poor have a stake in the triumph of the *right to employment*, and the rich, in the defense of the *right to property*. I believe that I can prove that the right to property is essentially democratic, and that all that denies or violates it is basically aristocratic and anarchistic.

I hesitated to ask for space in a newspaper for a dissertation on political economy. Here is what may justify this attempt.

First, the seriousness and the immediacy of the subject.

Next, Messrs. Louis Blanc, Considérant, and Proudhon are not only political theorists; they are also leaders of schools of thought, and they have behind them numerous and ardent followers, as evidenced by their presence in the National Assembly. Their doctrines exercise at present a considerable influence—harmful, in my opinion—in the business world, and, what cannot but be a matter of grave concern, their point of view can be supported by concessions made to it by the orthodox masters of economics.

Finally—why not admit it?—something deep within my consciousness tells me that in the midst of this heated controversy it will perhaps be possible for me to shed an

unexpected ray of light upon the problem in an area in which the reconciliation of divergent schools of thought can sometimes be effected.

This is enough, I hope, for these letters to find favor among my readers.

I should first set forth the criticism that is directed against property.

Here it is, in short, as M. Considérant expounds it. I do not believe I have altered his theory in condensing it.<sup>2</sup>

Every man legitimately possesses what his labor has produced. He can consume it, give it away, exchange it, or bequeath it, without anyone, not even society as a whole, having anything to say about it.

The landowner, then, legitimately possesses not only the products of the soil that he has produced, but, besides, the *additional value* that he has given to the soil itself by cultivating it.

But there is one thing that he has not created, that is not the fruit of any labor: the virgin soil, the primordial capital, the productive power of natural resources. Now, the landowner has taken possession of this capital. This is usurpation, confiscation, injustice, permanent wrongdoing.

The human race has been placed on this earth in order to live and to prosper here. The whole of *mankind*, then, is the usufructuary of the surface of the earth. But now that surface has been appropriated by the few, to the exclusion of the many.

It is true that this appropriation is inevitable; for how cultivate the land if every man could exercise at random and at will his natural rights, that is, the rights of a savage?

Property, then, must not be destroyed, but it must be legitimized. How? By the recognition of the *right to employment*.

Actually, primitive peoples exercise their four rights (hunting, fishing, food-gathering, and pasturing) only on condition that they engage in labor; it is, then, on the same condition that society owes to the proletarians the equivalent of the usufruct of which it has deprived them.

In short, society owes to all members of the human race, on condition that they work, a wage that puts them on a footing that compares favorably with that of savages.

Then property will be legitimized in all respects, and a reconciliation will be effected between the rich and the poor.

That is all there is to the theory of M. Considérant.<sup>3</sup> He asserts that this question of property is one of the simplest, that it requires only a little common sense to solve it, and that, nevertheless, no one before him has understood it at all.

The compliment is hardly flattering to the human race; but, on the other hand, I can only marvel at the extreme modesty of the author's conclusions.

What does he, in fact, ask of society?

That it recognize the right to employment as the equivalent of the usufruct of the virgin soil, for the profit of the *whole of mankind*.

And how much does he estimate that equivalent is worth?

What the virgin soil can afford as a living to savages.

As this is barely sufficient to support one inhabitant in five square miles, the landowners of France can certainly legitimize their usurpation very cheaply. They have only to promise to raise the standard of living of thirty to forty thousand landless workers all the way up to that of the Eskimos.

But what am I saying? Why speak of France? In this system there is no longer any France, there is no longer any national property, since the *usufruct* of the land belongs by natural right to the *whole human race*, to mankind.

But I do not intend to examine M. Considérant's theory in detail. That would lead me too far. I want to deal only with what is important and serious in the basis of this theory: I mean the question of *land rent*. The system of M. Considérant may be summarized thus: An agricultural product exists by virtue of the co-operation of two actions: *the action of man*, or labor, which prepares the way for the right to property; and the *action of Nature*, which should be free of charge, and which the landowners turn unjustly to their profit. This is what constitutes usurpation of the rights of the *human race*.

If, then, I succeed in proving that men, in their business transactions, pay one another only *for their labor*, that they do not include in the price of the things exchanged *the action of Nature*, M. Considérant should deem himself completely satisfied.

The complaints of M. Proudhon against property are absolutely the same. "Property," he says, "will cease to be *illegitimate when services are reciprocal*." Then, if I demonstrate that men exchange only *services* with one another, without ever charging one another a centime for the use of those *forces of Nature* that God has given free of charge to all men, M. Proudhon, for his part, will have to agree that his utopia has been attained.

These two political theorists will then have no further basis for demanding the *right to employment*. It is of little consequence that this famous right is viewed by them from such diametrically opposite positions that, according to M. Considérant, it should legitimize property, whereas, according to M. Proudhon, it should abolish it. The fact remains that it can no longer be an issue, provided that it is clearly proved that, under the system of private ownership, men exchange labor for labor, effort for effort, work for work, *service for service*, the contribution of Nature always being something given

without charge, *into the bargain*; so that the forces of Nature, which were designed to be free of charge, remain so throughout all human transactions.

Obviously, what is at issue here is the legitimacy of *land rent*, because it is assumed that it is, wholly or partly, an unjust payment that the consumer makes to the landowner, not for a personal service, but for the gratuitous gifts of Nature.

I have said that our modern reformers could find some support in the opinions expressed by the principal economists.<sup>4</sup>

In fact, Adam Smith says that rent is often a reasonable interest on the capital expended for the improvement of the land, but that this interest is also often *only a part of the rent*.

McCulloch<sup>\*</sup> makes this positive declaration about it:

What is properly termed rent is the sum paid for the use *of the natural and inherent powers of the soil*. It is entirely distinct from the sum paid for the use of buildings, enclosures, roads, or other improvements. Rent, then, is always a monopoly.

Buchanan<sup>†</sup> goes so far as to say:

Rent is a part of the income of the consumers that passes into the pocket of the landowner.

Ricardo:<sup>‡</sup>

A portion of the rent represents the interest on the capital which had been employed in improving the land, and in erecting .... buildings, .... etc.; *the rest is paid for the use of the original and indestructible powers of the soil*.

Scrope:<sup>§</sup>

The value of land and its power of yielding rent are due to two circumstances: first, *the appropriation of its natural powers*; second, the labor applied to its improvement. Under the first of these relations, rent is a monopoly. It restricts the usufruct of the gifts that God has given to men for the satisfaction of their wants. This restriction is just only in so far as it is necessary for the common good.

Senior:<sup>\*</sup>

The instruments of production are labour and *natural agents*. Natural agents having been appropriated, proprietors charge for their use under the form of rent, which is the recompense for no sacrifice whatever and is received by those who have neither laboured nor put by, but who merely hold out their hands to accept the offerings of the rest of the community.

After having said that a part of the land rent corresponds to the interest on capital, Senior adds:

The surplus is taken by the proprietor of the natural agents and is his reward, not for having laboured or abstained, but simply for not having withheld when he was able to withhold, for having permitted the gifts of Nature to be accepted.

Certainly, at the moment of entering upon a struggle with men who proclaim a doctrine plausible in itself, apt to arouse hopes and to evoke a sympathetic response among the suffering classes, and basing itself on such authorities, it will not do to close one's eyes to the seriousness of the situation or to condemn our opponents as mere dreamers, utopians, madmen, or even revolutionaries. We must study and resolve this question once and for all. It is well worth a moment of tedium.

I believe that the question will be resolved in a manner satisfactory to all if I prove that the landowner not only leaves the gratuitous usufruct of natural resources to what are called the proletarians, but also increases that usufruct ten and a hundred times. I venture to hope that from this demonstration a clear view will emerge of certain *harmonies* able to satisfy the understanding and to meet the demands of all schools of thought: political economists, socialists, and even communists.[5](#)

[\[Back to Table of Contents\]](#)

## Second Letter

How inflexible is the power of logic!

Ruthless conquerors divide up an island; they live on *rents* in leisure and pomp, in the midst of the poor, hard-working conquered people. There is, then, says economic science, a source of *values* other than labor.

Then it sets about analyzing land rent and announces this theory to the world:

“Rent is, in part, the interest on capital expended. The other part *is the monopoly of natural resources which have been usurped and confiscated.*”

Very soon this political economy *of the English school* crosses the Channel. Socialist logic gets hold of it and says to the workers: “Beware! Three elements enter into the price of the bread that you eat. There is the work of the farmer—which you are obliged to pay for; there is the work of the landowner—for which you are obliged to pay as well; and there is the work of Nature—for which you do not owe anybody anything. What is taken from you on this ground is a monopoly, as Scrope says; it is a tax deducted from the gifts that God gave you, as Senior says.”

Economic science sees the danger of its distinction. Still, it does not retract it, but explains it: “It is true,” it says, “that the role of the landowner in the social mechanism is agreeable, but it is indispensable. People work for him, and he pays them with the warmth of the sun and the freshness of the dew. Things have to be this way, because otherwise the soil would never be tilled.”

“Never mind that,” logic replies. “I have a thousand organizations in reserve to wipe out injustice. We do not have to put up with it.”

Thus, thanks to a false principle, picked up in the *English school*, logic attacks landed property. Will it stop there? Don't you believe it. It would not be logic if it did.

As it has already said to the farmer: “The laws of plant life cannot be private property and yield you a profit”; so it will say to the manufacturer of cloth: “The law of gravitation cannot be private property and yield you a profit”; to the manufacturer of linen: “The law of the expansion of steam cannot be private property and yield you a profit”; to the ironmaster: “The laws of combustion cannot be private property and yield you a profit”; to the shipowner: “The laws of hydrostatics cannot be private property and yield you a profit”; to the carpenter, to the joiner, to the woodcutter: “You use saws, axes, and hammers; thus, you make your work depend on the hardness of bodies and the resistance of materials. These laws belong to everyone and should not give rise to a profit.”

Yes, logic will go that far, at the risk of overthrowing the whole of society. After having rejected landed property, it will deny the productivity of capital, always basing

itself on the assumption that the landowner and the capitalist are paid for the use of the forces of Nature. For this reason it is important to prove that this logic starts from a false premise, that it is not true in any art, in any profession, in any industry, that the forces of Nature are charged for, and that in this respect agriculture is no exception.

There are things that are *useful* without requiring the intervention of labor: land, air, water, the light and the warmth of the sun—the raw materials and the forces that Nature provides us with.

There are others that become *useful* only because labor is exerted on raw materials and takes advantage of these forces.

*Utility*, then, is sometimes due to Nature alone, sometimes to labor alone, but nearly always to the combined action of both labor and Nature.

Let others lose themselves in definitions. For my part, I understand by *utility* what everyone understands by this word, whose etymology indicates its meaning very exactly. All that is *serviceable*, whether it be by nature, by labor, or by both, is *useful*.

I call *value* only that portion of *utility* that labor imparts or adds to things, so that two things *have value* when those who have *labored* over them exchange them freely for one another. Here are my reasons:

What makes a man refuse an exchange? It is his knowledge that to produce the thing that is offered to him would require less labor from him than what is demanded of him for it. It would be futile to tell him: “I have worked less than you, but gravitation helped me and I have included its value in my reckoning.” He will reply: “I too can make use of gravitation, with labor equal to your own.”

When two men are isolated, if they work, *it is in order to render service to themselves*; if exchange intervenes, each *renders service* to the other and receives an *equivalent* service from him. If one of them has the aid of a natural resource that is also at the disposition of the other, that natural resource will not count in the price. The right to refuse renders such a consideration impossible.

Robinson Crusoe hunts, and Friday fishes. It is clear that the quantity of fish exchanged for game will be determined by the labor involved. If Robinson said to Friday: “Nature takes greater pains to make a bird than to make a fish; hence, give me more of your labor than I give you of mine, since I am turning over to you, in compensation, a greater effort on the part of Nature,” Friday would not fail to reply: “It is not given to you, any more than to me, to evaluate the efforts of Nature. What must be compared is your labor against mine, and if you want to establish our relations on such a footing that I shall always have to work more than you, I am going to take up hunting, and you may fish, if you like.”

We see that Nature's bounty, on this hypothesis, cannot become a monopoly save by violence. We see further that, if it counts for a great deal in *utility*, it counts for nothing in *value*.

I have elsewhere pointed to the metaphor as an enemy of political economy; now I accuse metonymy of the same crime.<sup>6</sup>

Are we using very precise language when we say: “Water is *worth* two sous”?

It is said that a famous astronomer could not bring himself to say: “Ah, what a beautiful sunset!” Even in the presence of ladies he cried out, in his strange enthusiasm: “Ah, what a beautiful spectacle is the rotation of the earth when the rays of the sun strike it at a tangent!”

That astronomer was precise, but ridiculous. An economist would be no less so who said. “The labor that it takes to fetch water from the spring is worth two sous.”

However, the oddness of the circumlocution does not detract from its exactness.

In point of fact, the water is *worth* nothing. It does not have *value*, although it has *utility*. If we all always had a spring right at our feet, evidently water would not have any *value*, since there would be no occasion to exchange it. But if it is half a mile away, we must go and get it; that is work, and there is the origin of its *value*. If it is a mile away, that is double work, and hence double *value*, although the *utility* remains the same. Water for me is a gratuitous gift of Nature, on condition that I go and get it. If I do so myself, I render myself a service by taking some pains. If I entrust this task to another, I put him to some trouble and owe him a service. Thus, there are two pains, two services, to compare and discuss. The gift of Nature always remains free of charge. In fact, it seems to me that the *value* resides in the *labor*, and not in the water, and that it is just as much by metonymy that we say, “Water is worth two sous,” as that we say, “I have drunk a bottle.”

Air is a gratuitous gift of Nature; it has no *value*. The economists say, “It does not have value in exchange, but it has value in use.” What language! Oh, sirs, are you deliberately trying to make economics boring? Why not simply say, “It has no *value*, but it has *utility*”? It has *utility* because it is *useful*. It does not have *value* because Nature has done everything and *labor* nothing. If labor counts for nothing here, then no one has to render, receive, or remunerate any *service* in this regard. No one has to go to any trouble or to make an exchange; there is nothing to compare; there is no *value*.

But if you enter a diving bell and have a man send down air to you with a pump for two hours, he will be put to some trouble; he will render you a service; you will have to *repay* him. Will you pay for the air? No, for the labor. Has the air, then, acquired *value*? You can say so, if you want to be brief, but do not forget that this mode of speech is an example of *metonymy*, that the air remains free of charge; that no *value* can be assigned to it; that, if it has any value, this is measured by the pains taken, compared with what is given in exchange.

A laundryman is obliged to dry linen in a large establishment by the heat of a fire. Another is content to expose it to the sun. The latter takes less pains; he cannot and



does not demand as much. He does not, then, charge me for the warmth of the sun's rays, and it is I, the consumer, who benefit from it.

Thus, the great economic law is this:

Services are exchanged for services.

*Do ut des; do ut facias; facio ut des; facio ut facias. Do this for me, and I will do that for you.* It is very trivial, very commonplace; it is, nonetheless, the beginning, the middle, and the end of economic science.<sup>7</sup>

We may draw from these three examples this general conclusion: The consumer pays for all the services that are rendered him, all the trouble that he is spared, all the labor that he occasions; but he enjoys, without paying for them, the gratuitous gifts of Nature as well as the forces of Nature that the producer has put to work.

These three men put at my disposal air, water, and heat, without charging me for anything except their pains.

What, then, can lead us to believe that the farmer, who also makes use of air, water, and heat, charges me for the so-called *intrinsic value* of these *natural resources*? That he presents me with a bill for created and uncreated utility? That, for example, the price of wheat sold at 18 francs is broken down thus:

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Why do all the economists of the *English school* believe that this latter element has been covertly introduced into the value of wheat?

[\[Back to Table of Contents\]](#)

## Third Letter

*Services are exchanged for services.* I have to constrain myself to resist the temptation to show how simple, true, and fruitful this axiom is.

Once this axiom is clearly understood, what becomes of such subtle distinctions as *use-value and exchange-value, material products and immaterial products, productive classes and unproductive classes?* Manufacturers, lawyers, doctors, civil servants, bankers, merchants, sailors, soldiers, artists, workers, all of us, such as we are, except for the exploiters, render and receive *services*. Now, since these reciprocal services alone are commensurable with one another, it is in them alone that *value* resides, and not in the gratuitous raw materials and in the gratuitous natural resources that they put to work. Let it not be said, then, as is customary nowadays, that the merchant is a parasitic middleman. Does he or does he not take pains? Does he or does he not spare us labor? Does he or does he not render *services*? If he renders *services*, he, as well as the manufacturer, creates *value*.<sup>8</sup>

Just as the manufacturer, by means of the steam engine, takes advantage of the weight of the atmosphere and the expansibility of gases to make his spindles turn, so the merchant makes use of the direction of the winds and the fluidity of water to transport his goods. But neither the one nor the other charges us for these *forces of Nature*; for the more they are assisted by these forces, the more they are compelled to lower their prices. These forces, then, remain what God willed that they should be, a gratuitous gift, on condition that labor be applied to them, for all mankind.

Is it otherwise in agriculture? This is what I have to examine.

Imagine an immense island inhabited by a few savages. One of them conceives the idea of devoting himself to the cultivation of the soil. He prepares for it for a long time, for he knows that the enterprise will require many days' labor before yielding the slightest compensation. He accumulates provisions; he makes a few crude instruments. Finally, he is ready; he encloses and clears a piece of land.

This raises two questions:

Does this savage infringe upon the rights of the community?

Does he hurt its interests?

Since there is a hundred thousand times more land than the community could cultivate, he does no more injury to its rights than I do to those of my fellow countrymen when I take a glass of water out of the Seine to drink, or a cubic foot of air from the atmosphere to breathe.

Neither does he hurt its interests. Quite the contrary. Since he either quits hunting or hunts less, his companions have proportionately more hunting space; besides, if he

produces more food than he can consume, there remains a surplus for him to exchange.

In that exchange, does he exercise the least coercion over his fellow men? No, since they are free to accept or to refuse.

Does he charge for the contribution of the land, the sun, and the rain? No, since everyone can resort, as he has, to these gratuitous means of production.

If he wants to sell his piece of land, what will he get for it? The equivalent of his labor, and that is all. If he said: "Give me first as much of your time as I have devoted to the working of the land, and then another portion of your time for the value of the virgin soil," the reply would be: "There is virgin soil next to yours. I can compensate you only for your time; since, if I devoted an equal amount of time to the same task, nothing would prevent me from putting myself on the same footing as you." It is exactly the same reply that we should make to a water carrier who would ask two sous of us for the value of his services and two more for the value of the water. Hence, it is evident that the land and the water have this in common, that both have great *utility*, and that neither has *value*.

If our savage wanted to *rent out* his field, he would still get nothing but compensation for his labor in another form. A demand for anything more would always be met with this inexorable reply: "There is farm land on the island," a reply carrying greater finality than that of the miller of Sans-Souci: "There are judges in Berlin."<sup>9</sup>

Thus, originally, at least, the landowner, whether he sells the products of his land or his land itself, or whether he rents it, does nothing but render and receive *services* on an equal footing. It is these services which are compared and, consequently, which have *value*, value being attributed to the soil only by abbreviation or *metonymy*.

Let us see what happens as the island becomes populated and cultivated.

It is clearly evident that it becomes easier for everyone to procure raw materials, provisions, and *labor*, without special privileges for anyone, as is seen in the United States. There it is absolutely impossible for the landowners to put themselves in a more favorable position than other workers, since, because of the abundance of land, everyone has the choice of resorting to agriculture if it becomes more profitable than other vocations. This freedom suffices to maintain the *equivalence of services*. It also suffices to insure that the *forces of Nature*, which are used in a great number of industries as well as in agriculture, do not profit the producers as such, but the consuming public.

Two brothers separate. One goes whale fishing; the other goes to open up land in the Far West. Then they exchange whale oil for wheat. Does this mean that for one of the parties to the transaction the *value* of the soil counts for more than the *value* of the whale counts for the other? Comparison can be made only of *services* received and rendered. Hence, these services alone have *value*.

This is so true that if Nature has been very generous to the land, that is, if the harvest is abundant, the price of wheat drops, and *it is the fisherman who profits from it*. If Nature has been generous to the ocean, in other words, if the fishing has been good, it is the whale oil that is cheap, *to the profit of the farmer*. Nothing proves better that the gratuitous gift of Nature, although put to work by the producer, always remains free of charge for the consumers, on the sole condition that they pay him for putting it to work, that is, for his *service*.

Hence, as long as there is an abundance of uncultivated land in a country, the balance between reciprocal services will be maintained, and the landowners will be unable to enjoy any exceptional advantage.

It would not be thus if the landowners succeeded in forbidding all new land-clearing. In that case, it is quite clear that they would be in a position to impose their own terms on the rest of the community. As the population grew and the need for food made itself felt more and more insistently, it is clear that the landowners would be in a position to charge more dearly for their *services*, a fact which ordinary language expresses thus, by metonymy: *The soil has more value*. But the proof that this iniquitous privilege would confer an *artificial value*, not on raw materials, but on services, is to be found in France and in Paris itself. By a process similar to that which we have just described, the law limits the number of brokers, dealers in government bonds, solicitors, and butchers; and what is the result? In placing them in a position to put a high price on their *services*, the law creates in their favor a kind of capital that is not embodied in any material form. For the sake of brevity we say: "This practice, this office, this license, is worth so much," and the *metonymy* is evident. The same is true of the soil.

Finally, we come to the last hypothesis, in which the soil of the whole island is individually owned and cultivated.

Here it seems that the relative position of the two classes is going to change.

In fact, the population continues to increase; it crowds into all fields of endeavor, except the one that has already been preempted. The landowner, then, will be in a position to set the terms of exchange. What limits the *value of a service* is never the will of the one who renders it. It is limited when the one to whom it is offered can forgo it or do it for himself or deal with others. The proletarian no longer has any of these alternatives. Formerly he could say to the landowner: "If you ask of me more than the remuneration for your labor, I will cultivate the land myself," and the landowner was forced to submit. Today the landowner has this retort: "There is no more open land in the country." Thus, whether value is ascribed to things or to services, the cultivator of the soil will profit from the absence of all competition; and as the landowners will be in a position to impose their terms on the tenant farmers and the farm laborers, they will, in effect, impose them on everyone.

This new situation evidently has as its sole cause the fact that the landless can no longer restrain the demands of the landowners by saying, "There is still uncleared land to be had."

What must, then, happen for the *equivalence of services* to be maintained, for the existing situation to revert immediately to that which previously prevailed? Only one thing: that a second island emerge beside our island, or, better yet, whole continents not entirely given over to cultivation.

In that case, labor would continue to develop, distributing itself in proper proportions between agriculture and other industries, without any oppression being possible from one side or the other; since, if the landowner said to the artisan: "I will sell my wheat at a price above the normal remuneration of labor," the latter would be quick to reply: "I will work for the landowners on the continent, who cannot make such demands."

When that time comes, the true security of the masses consists in freedom of exchange, in the right to employment in the proper sense of the term.[10](#)

The *right to employment* consists in freedom, the right to own property. The artisan is the owner of the product of his labor, of his services, or of the price that he gets for them, just as much as the landowner. As long as, in virtue of this right, he can exchange them all over the world for agricultural products, *he necessarily* keeps the landowner in that position of *equality* which I have previously described, in which *services are exchanged for services*, without the possession of the soil conferring by itself an advantage independent of labor any greater than the possession of a steam engine or of the simplest tool.

But if, usurping the legislative power, the landowners prevent the proletarians from working for outsiders, then the balance of services is destroyed. Out of respect for scientific precision, I will not say that they thereby artificially raise the *value of the soil or of the forces of Nature*; but I will say that they artificially raise the *value of their services*. With *less* labor they pay for *more* labor. They oppress others. They do what all licensed monopolists do, and as the landowners who prohibited new clearings did: they introduce into society a cause of inequality and poverty; they pervert the ideas of justice and property; they dig an abyss under their own feet.[11](#)

But what relief can the landless find in the proclamation of the *right to employment*? In what respect will this new right increase the amount of food or the number of jobs available to the masses? Is not all capital employed in giving them work? Will it increase by passing through the public treasury? By taking it away through taxation, does not the state close at least as many sources of employment on one side as it opens on another?

And then, in whose favor do you establish this right? According to your theory, this would be in favor of whoever no longer has his share of the usufruct of the virgin soil. But bankers, merchants, manufacturers, lawyers, doctors, government officials, artists, and artisans are not landowners. Do you mean that the landowners are to be responsible for assuring employment for all these citizens? But all of them create job opportunities for one another. Do you mean only that the rich, whether landowners or not, should come to the aid of the poor? Then you are talking about *the dole*, and not about a right having its source in the ownership of land.

The right that must be demanded, because it is incontestable, inviolate, and sacred, is the *right to employment* in the true sense of the term, i.e., freedom, the right to ownership, not of the soil only, but of one's labor, one's intelligence, one's faculties, one's person—a right that is violated if one class can forbid to other classes the *free exchange of their services* whether abroad or at home. In so far as this freedom exists, landed property is not a privilege; it is, like any other freedom, only man's *right to the fruits of his own labor*.

It remains for me to draw a few conclusions from this doctrine.

[\[Back to Table of Contents\]](#)

## Fourth Letter

The physiocrats\* used to say: Only land is productive.

Certain political economists have said: Labor alone is productive.

When we see the plowman bending over the furrow and watering it with the sweat of his brow, we can hardly deny his contribution to the work of production. But Nature, too, is tireless. And the sunlight that pierces the cloud, and the cloud that is driven by the wind, and the wind that brings the rain, and the rain that dissolves the substances that fertilize the soil, and the forces that unfold the mystery of life in the young plant—all the known and unknown forces of Nature—prepare the harvest while the plowman seeks in sleep a respite from his labors.

It is, then, impossible not to recognize the fact that Nature and human labor co-operate to accomplish the phenomenon of production. *Utility*, by which the human race lives, is the result of this co-operation, and this is as true of virtually all industries as it is of agriculture.

But in the exchanges that men carry on with one another there is only one thing that is and can be compared, namely, human labor, by which I mean services rendered and received. These services alone are commensurable with one another; they alone are remunerable; it is in them alone that value resides; and it is altogether accurate to say that man is essentially the *owner* only of his *own* work.

As for the portion of utility that is due to the contribution of Nature, although quite real and immensely greater than all that man could accomplish, it is a *gratuitous gift*; it is transferred from hand to hand without charge; it is without value, properly so called. Who could estimate, measure, or determine the value of the laws of Nature that, from the beginning of the world, have responded whenever man's labor called them into action? To what are they to be compared? How are we to *evaluate* them? If they had a value, they would figure in our accounts and our inventories; we should charge for their use. And how should we arrive at a value, since they are at the disposal of all, on the same condition, namely, that labor be applied to put them to work?<sup>12</sup>

Thus, all useful production is the work of Nature, which acts *gratis*, and of labor, which is remunerated.

But, for the production of a given utility, these two factors, *human labor* and *the forces of Nature*, do not stand in fixed and immutable relations to each other. Far from it! Progress consists in constantly increasing Nature's contribution, thereby proportionately decreasing the *contribution of human labor*. In other words, for a given quantity of utility, the gratuitous co-operation of *Nature* tends to replace more and more the onerous co-operation of *labor*. The *common* share increases at the expense of the remunerable, *appropriated* share.

If you had to transport a hundredweight load from Paris to Lille without the aid of any of the forces of Nature, that is, on a man's back, it would take you a month's hard work. If, instead of undertaking this task yourself, you entrusted it to another, you would have to repay him with equal labor. Otherwise he would not do it. With the advent of the sleigh, the cart, and the railroad, with each advance, a part of the work is entrusted to the forces of Nature, and there is a corresponding decrease in the labor that needs to be performed or to be remunerated. Now, every payment that is eliminated evidently represents a victory, not for the one who renders the service, but for the one who receives it, that is, for mankind.

Before the invention of printing, a scribe could not copy a Bible in less than a year, and that was the measure of the remuneration that he had a right to demand. Today one can buy a Bible for five francs, which hardly requires a day's work. The *gratuitous* force of Nature, then, replaces two hundred ninety-nine three-hundredths of the remunerable labor of man. One part represents the human *service* and remains *private property*; two hundred and ninety-nine parts represent the *contribution of Nature*, are no longer paid for, and consequently fall into the domain of what is free of charge and common to all.

There is not a tool, an implement, or a machine that has not resulted in a decrease in the contribution of human labor, that is, either in the value of the product or in the factor that constitutes the basis of property.

This observation, which, I agree, is quite imperfectly set forth here, ought, it seems to me, to rally on the common ground of *property* and *liberty* the schools of thought that today share in holding such an unfortunate sway over public opinion.

Each of these schools of thought may be summed up in an axiom.

Economist axiom: Let things alone. (*Laissez faire, laissez passer.*)

Egalitarian axiom: Reciprocity of services.

Saint-Simonian axiom: To each according to his capacity, to each capacity according to its production.

Socialist axiom: Equitable distribution among capital, talent, and labor.

Communist axiom: Community of goods.

I am going to indicate (for I cannot do anything more than that here) how the doctrine set forth in the preceding lines satisfies the demands of all these programs.

## Economists

It is hardly necessary to prove that the economists should accept a doctrine that is evidently derived from the teachings of Smith and of Say,\* and represents nothing but a consequence of the general laws that they discovered. *Let things alone*—that is what



the word *freedom* means essentially, and I question whether it is possible even to conceive of the notion of *property* without freedom. Am I the owner of my productive capacities, of my labor, and of the products of my labor, if I cannot use them to render *services* voluntarily accepted? Should I not be *free* either to work by myself, which involves the necessity of exchange, or to join forces with my fellow men, which is *association*, or another form of exchange?

And if freedom is restricted, is not an injury done to property itself? Besides, how will reciprocal *services* receive their just relative value if they are not exchanged freely, if the law forbids human labor to perform the services that are the most highly remunerated? Property, justice, equality, and the balancing of services evidently can result only from freedom. Moreover, it is freedom that renders the contribution of the forces of Nature free of charge and common to all; for as long as legal privilege confers upon me the exclusive right to the exploitation of any of the forces of Nature, I charge not only for my labor, but for the use of that force. I know how fashionable it is nowadays to sneer at freedom. The age seems to have taken seriously the ironic refrain of our great song-writer:\*

My heart in great hate  
Holds all liberty.  
Fie on liberty!  
Down with liberty!

For my part, even as I have always loved it instinctively, so shall I never cease to defend it rationally.

## Egalitarians

The *reciprocity of services* to which they aspire is exactly what results from the system of *private ownership*.

Apparently, man is the owner of the whole of what he possesses, of all the utility that it includes. In reality, he is the owner only of its value, of that portion of utility contributed by labor; since, in selling it, he can be remunerated only for the *service* that he renders. The representative of the egalitarians recently condemned property, restricting the word to what he calls *usury*, the use of soil, of money, of houses, of credit, etc. But this kind of *usury* is and cannot but be derived from labor. To receive a service implies the obligation to render it. This is what the *reciprocity of services* consists in. When I lend a thing which I have produced with the sweat of my brow, and which I may turn to my own account, I render a *service* to the borrower, who also owes me a *service* in return. He would not render me any if he limited himself to restoring the thing at the end of the year. During that period he would have profited from my labor to my detriment. If I were remunerated for something other than for my labor, the objection of the egalitarians would be plausible. But it is nothing of the sort. Once, then, they are assured of the truth of the theory set forth in these articles, if they are consistent, they will join with us in our effort to safeguard the right to property and to demand what is needed to complete it, or rather what constitutes it, namely, liberty.

## Saint-Simonians

*To each according to his capacity, to each capacity according to its production.*

This too is accomplished by the system of private ownership.

We render each other reciprocal services; but these services are not proportionate to the duration or the intensity of our labor. They are not measured by a dynamometer or by a chronometer. Whether I have worked an hour or a day matters little to the one to whom I offer my service. What he is interested in is, not the pains I take, but the pains I spare him.<sup>13</sup> In order to save labor and time, I try to make use of one of the *forces of Nature*. In so far as no one except me knows how to turn this force to account, I render to others more services than they can render to themselves in the same time. I am well remunerated, and I enrich myself without harming anyone. The *force of Nature* in this case redounds to my profit alone; my capacity is recompensed: *To each according to his capacity*. But very soon my secret is divulged. My technique is imitated; competition forces me to reduce my demands. The price of the product falls until my labor receives no more than the normal remuneration of all labor of the same kind. The *force of Nature* is not lost thereby; it escapes me, but it is acquired by all mankind, which henceforth procures an equal satisfaction with less labor. Whoever exploits that force for his own use takes less trouble than formerly and, hence, whoever exploits it for others is due a lesser remuneration. If he wants to increase his wealth, he is left no other recourse than to increase his labor. *To each capacity according to its production*. Essentially, it is a matter of *working better* or of *working more*, and this is precisely what the Saint-Simonian axiom means.

## Socialists

*Equitable distribution among talent, capital, and labor.*

Equity in distribution results from the law: *Services are exchanged for services*, provided that these exchanges are free, that is, provided that the right to property is recognized and respected.

It is quite clear, in the first place, that the one who has more *talent* renders more *services* for equal pains; from which it follows that he is voluntarily granted a greater remuneration.

As for capital and labor, that is a subject on which I regret not being able to expatiate here, for there is none which has been presented to the public under a falser and more dangerous light.

Capital is often represented as a devouring monster, as the enemy of labor. Thus, a sort of irrational antagonism has been set up between two powers, which, at bottom, have the same origin and the same nature, which co-operate with and aid each other, and which cannot do without each other. When I see labor angry at capital, I seem to see hunger rejecting food.

I define capital thus: *raw materials, implements, and provisions*, of which the use is *free of charge*, let us not forget, in so far as Nature has contributed to produce them, and of which only the value, the product of labor, is charged for.

To accomplish anything useful, *raw materials* are necessary; however simple it may be, it requires *implements*; however short a time it takes, *provisions* are needed. For example: for a railroad to be built, society must set aside enough to keep thousands of men alive for several years.

Raw materials, implements, and provisions are themselves the products of previous labor, which has not yet been remunerated. Hence, when previous labor and present labor are combined for a single end, in a common enterprise, they remunerate each other; there is an exchange of labor, an *exchange of services*, on mutually agreed-upon terms. Which of the two parties will obtain the better terms? The one that has less need of the other. We are here confronted with the inexorable law of supply and demand; to complain of it is childish and self-contradictory. To say that labor should be well remunerated when the workers are numerous and capital scarce is tantamount to saying that the scarcer the provisions, the better fed everyone should be.

For labor to be in demand and well paid, there must, then, be plenty of raw materials, implements, and provisions—in other words, capital—in the country.

It follows from this that it is in the basic interest of the workers that capital be built up rapidly; that, as a result of their expeditious accumulation, raw materials, implements, and provisions be in active competition with one another. It is only this that can improve the lot of the workers. And what is the essential condition for the formation of capital? It is that everyone be sure of really being the *owner*, in the full sense of the word, of his labor and his savings. Property, security, liberty, order, peace, economy—these are what interest everyone, but especially and in the highest degree, the proletarians.

## Communists

In all ages, we find men of upright and benevolent character—men like Thomas More,\* Harrington,† and Fénelon—who, shocked by the spectacle of human suffering and the inequalities of wealth, have sought refuge in a *communist* utopia.

However strange this may appear, I assert that the system of private ownership tends, right under our eyes, to make such a utopia more and more nearly a reality. It is for this reason that I said at the beginning that property is essentially democratic.

What makes it possible for mankind to live and develop? Everything that *serves* it, everything that is *useful*. Among *useful* things there are some that human labor has nothing to do in producing—air, water, sunlight; these are completely free of charge and common to all. There are others that become *useful* only by virtue of the co-operation of labor and Nature. Their *utility*, therefore, is analyzable into two parts. One part is due to labor, and it alone is remunerable, has value, and constitutes

property. The other part is put there by natural resources, and this remains free of charge and common to all.

Now, of these two forces which contribute to produce *utility*, the second, that which is free of charge and common to all, constantly replaces the first, which is onerous and hence remunerable. This is the law of progress. There is not a man on earth who does not seek help from the forces of Nature; and when he has found it, he immediately makes it possible for all mankind to enjoy it by lowering proportionally the price of the product.

Thus, in each given product, the part of utility that is *free of charge* gradually replaces the other part that remains *onerous*.

The share *common and available to all*, then, tends to exceed in indefinite proportions the *appropriated* share, and one may say that for mankind the domain of what is common and available to all is constantly increasing.

Furthermore, it is clear that, where there is liberty, the part of utility that remains remunerable or appropriable tends to be distributed in a manner, if not strictly equal, at least proportional to the *services* rendered, since these services themselves are the measure of the remuneration.

Thus, we see with what irresistible power the right to private property tends to produce equality among men. First, it sets up a *common fund*, which each advance constantly increases, and in regard to which equality is perfect; for all men are equal in respect to the value that has been *abolished*, a utility that has ceased to be remunerable. All men are equal in respect to that part of the price of books that printing has eliminated.

Consequently, as regards the part of utility that corresponds to human labor, to pains taken or skill required, competition tends to establish a balance among remunerations; and the only inequality remaining is that which is justified by the inequality of efforts, of pains, of labor, of skill—in a word, of *services* rendered; and, aside from the fact that such an inequality will be eternally just, who does not understand that without it all effort would at once come to a halt?

I can imagine what the objection will be. “There,” it will be said, “is the optimism of the political economists for you! They are so wrapped up in their theories that they never deign to look the facts in the face. Where, in fact, are these egalitarian tendencies? Does not the whole world present the lamentable spectacle of opulence side by side with poverty, of luxury jeering at destitution, of idleness and toil, of satiety and starvation?”

I do not deny this inequality, this distress, this suffering. And who could deny them? But I say: Far from being endangered by the right to private property, they are to be imputed to its opposite, the principle of plunder.

This is what it remains for me to demonstrate.

[\[Back to Table of Contents\]](#)

## Fifth Letter

No, political economists do not think, as they are often accused of thinking, that we live in the best of all possible worlds. They do not close their eyes to the evils of society or their ears to the groans of those who suffer. But they seek the causes of these woes, and they believe they have discovered that among those with which society can deal, there is none more active and more widespread than injustice. That is why they demand universal justice above everything else.

Man wants to improve his lot. This is the first law of his nature. For this improvement to be effected, he must first engage in some labor or undergo some *pain*. The same consideration that impels man to seek to improve his well-being also leads him to avoid the *pain* that constitutes the means of doing so. Before resorting to his own labor, he too often has recourse to the labor of others.

One may, then, apply to *self-interest* what Aesop said of the tongue: Nothing in the world has done more good or more harm. Self-interest creates everything by which mankind lives and develops: it stimulates labor; it engenders *property*. But at the same time it brings into the world all kinds of injustice. Each kind has been given a different name, but they can all be summed up in the one word, *plunder*.

*Property* and *plunder*, sisters born of the same father, salvation and scourge of society, good genius and evil genius, powers that have struggled since the beginning for control over the destiny of the world!

The fact that property and plunder have this common origin makes readily understandable the ease with which Rousseau and his modern disciples have been able to defame and disturb the social order. It sufficed to show only one of the aspects of *self-interest*.

We have seen that men are, by nature, the owners of the products of their labor, and that, in exchanging this property among themselves, they render reciprocal *services*.

Now, the general character of plunder consists in employing force or deceit to upset this equivalence of services to our own profit.

The different schemes devised for committing plunder are as inexhaustible as the resources of human ingenuity. Two conditions are necessary for the services that are exchanged to be considered legitimately equivalent. The first is that the judgment of one of the parties to the transaction not be misled by some misrepresentation on the part of the other. The second is that the transaction be free and voluntary. If a man succeeds in extorting from his fellow man a real service by making him believe that what is given him in return is also a real service, while it is only an illusory service, this is a case of plunder, and the more so by far if the despoiler resorts to force.

We are at first inclined to think that the only form of plunder is the *thefts* defined and punished by the penal code. If this were the case, I should indeed be giving too great a social importance to a number of exceptional facts that the public conscience reprobates and the law represses. But, alas! There is the plunder that is committed with the consent of the law, through the operation of the law, with the assent and often with the approval of society. It is only this kind of plunder that can assume enormous proportions, enough to alter the distribution of wealth in society, paralyze for a long time the leveling tendencies that liberty promotes, create permanent social and economic inequalities, open the abyss of poverty, and pour forth on the world that deluge of evils that superficial minds attribute to property. This is the kind of plunder I mean when I say that it has contended with the opposite principle from the beginning for control of the world. Let us briefly mention a few of its manifestations.

First, what is war, especially as it was understood in antiquity? Some men joined together to form a nation, but they disdained to apply their productive powers to the exploitation of Nature to obtain the means of existence. Waiting, instead, until other nations had accumulated *property*, they attacked them with fire and sword and despoiled them periodically. To the victors, then, went not only the spoils, but the glory, the songs of the poets, the plaudits of the women, the thanks of a grateful nation, and the admiration of posterity! Certainly the general acceptance of such ideas and such a system could not fail to inflict many tortures and much suffering and to lead to a great inequality among men. Was this the fault of property?

Later the despoilers refined their methods. They came to see that putting the vanquished to the sword amounted to destroying a treasure. To seize only men's property was transitory plunder; to seize the men along with the things they possessed was to put plunder on a permanent footing. Hence slavery, which is plunder pushed to its logical extreme, since it despoils the vanquished of all present property and of all future property, of his labor and its products, of his intelligence, of his productive capacities, of his affections, of his whole personality. It may be summed up thus: to require of a man all the services that force can wrest from him, and to render none to him. Such was the state of the world up to a time not very far removed from our own. Such it was particularly at Athens, at Sparta, and at Rome; and it is sad to reflect that it is the manners, the customs, and the ideas of these republics that our teachers hold up for our admiration and with which they imbue us in our youth. We are like those plants into which the horticulturist injects colored fluids, and which thus acquire an indelible artificial hue. And we are astonished that generations so instructed cannot establish a decent republic! In any case, it will be agreed that here is a cause of inequality that is certainly not imputable to the system of private property, as it has been defined in the preceding sections.

I will pass over *serfdom*, the *feudal system*, and what followed it until 1789. But I cannot refrain from mentioning the plunder that has so long been practiced by the abuse of religious authority. To receive from men positive services and to render them in return only imaginary, fraudulent, illusory, and ridiculous services is to plunder them. Even though it is done with their consent, this only aggravates the crime, since it implies that the plunderer has begun by perverting the very source of all progress, man's judgment. I need not dwell on this point any further. Everyone knows that the

exploitation of the public's credulity, by the abuse of true or false religions, has set up a gulf between the priesthood and the laity in India, Egypt, Italy, and Spain. Is this also the fault of property?

We come now to the nineteenth century, after those great social injustices that have left such a deep impression on our land; and who can deny that time will be needed for that impression to be erased, even if we make the right to property, which is only *liberty*, or the expression of *universal justice*, prevail henceforth in all our laws and in all our relations? Let us recall that *serfdom* covers in our day half of Europe; that in France it is hardly half a century since feudalism received its deathblow; that it still exists in all its splendor in England; that all nations are making unprecedented efforts to maintain powerful standing armies, which implies either that they threaten one another's territory, or that these armies are themselves but examples of plunder on a grand scale. Let us recall that all nations are sinking under the burden of debts whose origin must be connected with past follies; let us not forget that we ourselves are paying millions annually to prolong artificially the life of enslaved colonies, other millions to prevent the slave trade on the coasts of Africa (which has involved us in one of our greatest diplomatic difficulties), and that we are on the point of handing over 100 million francs to the planters to crown the sacrifices that this type of plunder has inflicted on us in so many forms.

Thus, the past has hold of us, whatever we may say. We are disengaging ourselves from it only gradually. Is it surprising that there should be inequality among men, when the egalitarian principle, the right to property, has been so little respected up to now? Whence will come the leveling of classes which is the ardent desire of our era, and which is one of its most honorable characteristics? It will come from simple justice, from the fulfillment of this law: *Service for service*. For two services to be exchanged according to their real *value*, two things are required of the parties to the transaction: clarity of judgment and freedom of exchange. If the judgment is not clear, in return for real services, sham services will be accepted, even freely. It is still worse if force intervenes in the transaction.

This much being granted, and admitting that there is an inequality among men of which the causes are historical and can disappear only with the passage of time, let us see whether at least our century, in making *justice* prevail everywhere, will finally banish force and deceit from human affairs, allow the equivalence of services to be naturally established, and bring about the triumph of the democratic and egalitarian cause of property rights.

Alas! I find here so many nascent abuses, so many exceptions, so many direct or indirect deviations, appearing on the horizon of the new social order, that I do not know where to begin.

We have, first of all, licenses of all kinds. No one can become a barrister, a physician, a teacher, a broker, a dealer in government bonds, a solicitor, an attorney, a pharmacist, a printer, a butcher, or a baker without encountering legal restrictions. Each one of these represents a *service* that is forbidden by law, and hence those to whom authorization is granted raise their prices to such a point that the mere

possession of the license, without the service, often has great value. What I am complaining about here is not that guarantees are required of those who render these *services*, although, to tell the truth, the most efficacious guarantee is to be found in those who accept the services and pay for them. But still these guarantees should have nothing exclusive about them. All right, require of me that I know what must be known to be a solicitor or a physician; but do not require that I should have learned it in such and such a city, or in a given number of years, etc.

Next comes the attempt to set an artificial price, to receive a supplementary value, by levying tariffs, for the most part on necessities: wheat, meat, cloth, iron, tools, etc. This is evidently an effort to destroy the equivalence of services, a forcible violation of the most sacred of all property rights, that to the fruits of one's labor and productive capacities. As I have previously demonstrated, when all the land in a country has been finally appropriated, if the working population continues to increase, it has the right to set a limit on the demands of the landowner by working for export and importing its food from abroad. The workers have only their labor to offer in exchange for commodities; and it is clear that if the first term in the equation, labor, increases constantly, while the second remains unchanged, more labor must be given in exchange for fewer commodities. This effect is manifested in the lowering of wages, the greatest of disasters when it is due to natural causes, the greatest of crimes when it arises from the operation of the law.

Next comes taxation. It has become a much sought-after means of livelihood. We know that the number of government jobs has been increasing steadily, and that the number of applicants is increasing still more rapidly than the number of jobs. Now, does any one of these applicants ever ask himself whether he will render to the public *services* equivalent to those which he expects to receive? Is this scourge about to come to an end? How can we believe it, when we see that public opinion itself wants to have everything done by that fictitious being, the *state*, which signifies *a collection of salaried bureaucrats*? After having judged all men without exception as capable of governing the country, we declare them incapable of governing themselves. Very soon there will be two or three of these bureaucrats around every Frenchman, one to prevent him from working too much, another to give him an education, a third to furnish him credit, a fourth to interfere with his business transactions, etc., etc. Where will we be led by the illusion that impels us to believe that the state is a person who has an inexhaustible fortune independent of ours?

People are beginning to realize that the apparatus of government is costly. But what they do not know is that the burden falls *inevitably* on them. They have been led to believe that if their share has been heavy until now, the Republic has a means, while increasing the general burden, of shifting at least the larger part of it onto the shoulders of the rich. Fatal illusion! No doubt the tax collector may happen to solicit one person rather than another and may receive the actual cash from the hands of the rich. But once the tax has been paid, all is not over. It has a further action on society. There are reactions on the respective values of services, and it is impossible to prevent the burden from being borne ultimately by everyone, including the poor. Their true interest, then, is not that one class be hard hit, but that all classes be treated with respect, because of the community of interest that binds them all together.



Now, does anything indicate that the time has come when taxes are going to be decreased?

I say frankly: I believe that we are entering on a path in which plunder, under very gentle, very subtle, very ingenious forms, embellished with the beautiful names of solidarity and fraternity, is going to assume proportions the extent of which the imagination hardly dares to measure. Here is how it will be done: Under the name of the *state* the citizens taken collectively are considered as a real being, having its own life, its own wealth, independently of the lives and the wealth of the citizens themselves; and then each addresses this fictitious being, some to obtain from it education, others employment, others credit, others food, etc., etc. Now the state can give nothing to the citizens that it has not first taken from them. The only effects of its intermediation are, first, a great dispersion of forces, and then, the complete destruction of the *equivalence of services*; for everyone will try to turn over as little as possible to the public treasury and to take as much as possible out of it. In other words, the public treasury will be pillaged. And do we not see something similar happening today? What class does not solicit the favors of the state? It would seem as if the principle of life resided in it. Aside from the innumerable horde of its own agents, agriculture, manufacturing, commerce, the arts, the theatre, the colonies, and the shipping industry expect everything from it. They want it to clear and irrigate land, to colonize, to teach, and even to amuse. Each begs a bounty, a subsidy, an incentive, and especially the *gratuitous* gift of certain services, such as education and credit. And why not ask the state for the gratuitous gift of all services? Why not require the state to provide all the citizens with food, drink, clothing, and shelter free of charge?

One class remained aloof from these mad demands,

One poor servant, at least, I still have left here  
Who has not been infected by this bad air.\*

It was the people properly so called, the innumerable working class. But now it too is asking for a "handout." It contributes a great amount to the treasury; in all justice, in virtue of the principle of equality, it has the same rights to this universal embezzlement for which the other classes have given it the cue. It is deeply to be regretted that on the day on which it made its voice heard, it was to demand a share in the pillage, and not to bring the pillage to an end. But could this class be more enlightened than the others? Is it not to be excused for being duped by the illusion that is misleading all of us?

However, if only because of the number of petitioners, which is today equal to the number of citizens, the error that I have pointed out here cannot be of long duration; and the time will come very soon, I hope, when only services within its competence will be asked of the state, such as justice, national defense, public works, etc.

We are confronted with still another cause of inequality, more active perhaps than all the others: *the war against capital*. The proletariat can be freed in only one way, by an increase in capital. When capital increases more rapidly than the population, two

unfailing effects follow, both of which contribute toward improving the lot of the worker: lower-priced products and higher wages. But, for capital to increase, it requires above all *security*. If it is afraid, it hides, secludes itself, and is dissipated and destroyed. It is then that labor is unemployed and is offered at the lowest price. The greatest of all evils for the working class is, then, to let itself be drawn by flatterers into a war against capital as absurd as it is disastrous. This is a constant threat of plunder, worse than plunder itself.

Finally, if it is true, as I have tried to demonstrate, that liberty—by which I mean the right to dispose of one's property as one wishes, and consequently the supreme affirmation of the right to property—if it is true, I say, that liberty tends inevitably to lead to the *just equivalence of services*, to bring about greater and greater equality, to raise all men up to the same, constantly rising standard of living, then it is not property that we should blame for the sad spectacle of grievous inequality that the world once again offers us, but the opposite principle, plunder, which has unleashed on our planet wars, slavery, serfdom, feudalism, the exploitation of public ignorance and credulity, privileges, monopolies, trade restrictions, public loans, commercial frauds, excessive taxes, and, lastly, the war against capital and the absurd demand of everyone to live and to develop at the expense of everyone else.

[\[Back to Table of Contents\]](#)

## Protest Of M. Considérant And Reply Of F. Bastiat. [14](#)

Dear Sir:

In serious public discussions concerning the social question, I am determined not to permit opinions that are not mine to be imputed to me or to allow my actual opinions to be presented in a light that misrepresents and distorts them.

I have not defended the right to *property* for twenty years against the Saint-Simonians, who deny the right of inheritance, against Babouvists, Owenists, and all varieties of Communists, in order to agree to my being placed among the adversaries of the *right to property*. I believe I have established the logical legitimacy of that right on foundations very difficult to destroy.

I have not fought, at the Luxembourg, the doctrines of M. Louis Blanc, I have not been many times attacked by M. Proudhon as one of the most tenacious defenders of property, in order to allow M. Bastiat, without protest on my part, to make me figure in your minds, with those two socialists, in a sort of *anti-property* triumvirate.

As I should not want to be forced to ask you to print, out of fairness, any very considerable specimens of my prose in your columns, and as you must be in agreement with my desire in this matter, I request of you permission to address to M. Bastiat, before he goes any further, certain observations designed to shorten greatly the replies that he may compel me to make to him and perhaps even spare me them entirely.

1. I do not want M. Bastiat, even when he believes he is analyzing my thought quite faithfully, to present within quotation marks, and as if they were textual citations from my pamphlet on the right to property and the right to employment, or from any other writings of mine, phrases which are his own, even though, notably in the next to the last of those that he attributes to me, they do render my ideas very exactly. This procedure is not a happy one and can lead the one who employs it very much further than he would want to go himself. Condense and analyze as you like—that is your right; but do not give the character of a textual citation to your analytic abbreviation.

2. M. Bastiat says: “They [the three socialists among whom I figure] seem to think that in the struggle that is going to take place, the poor have a stake in the triumph of the *right to employment* and the rich in the defense of the *right to property*.” I, for my part, do not believe, and I do not even believe that I *seem to believe*, anything of the kind. I believe, on the contrary, that the rich today have a greater stake than the poor in the recognition of the *right to employment*. That thought has dominated all my writing and was published for the first time, not today, but ten years ago, in an effort to give the government and property owners a salutary warning, and, at the same time, to defend property against the formidable logic of its adversaries. I believe, further, that the *right to property* is just as much in the interest of the poor as in that of the

rich; for I regard the denial of this right as the denial of the principle of individuality; and its suppression, in any state of society whatever, would appear to me as the indication of a return to the state of savagery, of which I have never, to my knowledge, shown myself very partisan.

3. Finally, M. Bastiat expresses himself thus:

“But I do not intend to examine M. Considérant's theory in detail..... I want to deal only with what is important and serious in the basis of this theory: I mean the question of *land rent*. The system of M. Considérant may be summarized thus: An agricultural product exists by virtue of the co-operation of two actions: the *action of man*, or labor, which prepares the way for the right to property; and the *action of Nature*, which should be free of charge, and which the landowners turn unjustly to their profit. This is what constitutes usurpation of the rights of the *human race*.”

I demand a thousand pardons of M. Bastiat, but there is not a word in my pamphlet that authorizes him to attribute to me the opinions that he ascribes to me quite gratuitously here. In general I disguise my thought very little, and when I mean “noon,” I am not in the habit of saying “2:00 P.M.” Let M. Bastiat, then, if he wants to do me the honor of attacking my pamphlet, direct his criticism against what I have set down there, and not against what he has put into it. I did not write a word against *land rent* there; the question of *land rent*, which I am aware of as everyone else is, is not touched on there even remotely, either in substance or even in appearance; and when M. Bastiat has me say, “that the action of Nature.... should be free of charge,” and that the landowners turn it “unjustly to their profit,” and “this is what constitutes,” according to me, “usurpation of the rights of the *human race*,” he remains still and always in a realm of ideas very far from any that I have ever held; he attributes to me an opinion which I consider absurd, and which is even diametrically opposed to my whole doctrine. I do not, in fact, complain at all that the landowners profit from the *action of Nature*; I demand for those who do not profit from it the right to an employment that will permit them, along with the landowners, to be able to create products and to live by their labor when property (agricultural or industrial) does not offer them the means.

For the rest, sir, I will not make so bold as to demand the right, in opposition to M. Bastiat, to set forth my opinions in your columns. It is a favor and an honor to which I am not entitled. Let M. Bastiat, then, make what he will of my system: I believe I have the right to claim your hospitality for a rebuttal only in so far as it is necessary to correct misunderstandings occasioned by his attributing to me doctrines of which I have in no wise assumed the responsibility. I know quite well that it is often easy to win an argument by representing one's opponent as saying what one wants him to have said instead of what he actually said; I know too that it is easier to win a triumph over the *socialists* when one attacks them en masse than when one criticizes the particular proposals of each of them; but, rightly or wrongly, I hold myself accountable for none but my own.

The discussion that M. Bastiat has undertaken in your columns bears, Mr. Editor, on such very delicate and such very serious subjects that, in this respect at least, you

must be of my opinion. Hence, I am quite certain that you will approve the justice of my reaction and that, in all fairness, you will give my protest a visible and prominent place in your columns.

V. Considérant

*Representative of the People*

Paris,

July 24, 1848

M. Considérant complains that I have misrepresented or distorted his opinion on property. If I have committed this error, it is quite involuntarily, and to correct it I can do no better than to cite the texts.

After having established that there are two sorts of rights—natural rights, which are the expression of the relations resulting from the very nature of things, and conventional or legal rights, *which exist only on condition that artificial relations be in force*—M. Considérant continues thus:

This much being granted, we say flatly that property, as it has generally been constituted *among all industrial peoples up to our day*, is tainted with illegitimacy and sins.... against human rights.... The human race has been put upon this earth in order to live and develop there. The human race is, then, the usufructuary of the surface of the earth....

Now, under the system of property established in all civilized nations, the common basis on which the human race has full rights to the usufruct has been trespassed upon; it is confiscated by the few to the exclusion of the many. Indeed, even if only one man were deprived of his rights, that deprivation would constitute in itself alone a violation of human rights, and the system of private property that consecrates it would certainly be unjust and illegitimate.

Could not every man who comes into the world in a civilized society, possessing nothing, and finding the land appropriated all around him, say to those who preach to him respect for the existing system of private property: “My friends, let us understand one another and make a few distinctions: I am a strong partisan of the right to property and am disposed to respect it in regard to others, on the sole condition that others respect it in regard to me. Now, in so far as I am a member of the human race, I have the right to the usufruct of the land, which is the common property of mankind, and which Nature has not, as far as I know, given to some at the expense of others. In virtue of the system of private property which I find established on arriving here, the common land has been appropriated and is very well guarded. Your system of private property is, then, founded on the theft of my right to the usufruct. Do not confuse the right to property with the particular system of property that I find established by your artificial right.”

The present system of property is, then, illegitimate, and rests basically on plunder.

M. Considérant finally gets around to formulating the *basic principle* of the right to property in these terms:

Every man legitimately possesses what his labor, his intelligence, or, more generally, his industry has produced.

To demonstrate the implication of this principle, he imagines a first generation cultivating an isolated island. The results of the work of this generation are divided into two categories.

The first comprises the products of the soil that belong to this first generation in its usufructuary capacity, increased, refined, and developed by its labor and industry: these raw or manufactured products consist either of consumers' goods or of tools of production. It is clear that these products belong, as fully legitimate property, to those who have produced them by their industry.....

Not only has this generation produced the aforementioned products, .... but it has added an *extra value* to the original value of the soil by cultivation, by construction, by all the work that it has performed on the land and the buildings erected on it.

This *additional value* evidently itself constitutes a product, a value due to the industry of the first generation.

M. Considérant recognizes that this second value is also a legitimate form of property. Then he adds:

We can, then, perfectly well realize that, when the second generation arrives, it will find two kinds of capital on the land:

A. *The original or natural capital*, which was not created by the men of the first generation, that is, the value of the virgin soil.

B. *The capital created* by the first generation, comprising, first, the products, commodities, and implements not consumed and used by the first generation; second, the *extra value* that the labor of the first generation will have added to the value of the virgin soil.

It is, then, evident and results clearly and necessarily from the basic principle of the right to property just established that each individual of the second generation has an equal right to the original or natural capital, whereas he has no right to the other capital, to the capital created by the first generation. Each individual of the latter can, then, dispose of his share of the created capital in favor of such individuals of the second generation as he pleases to select—children, friends, etc.

Thus, in this second generation there are two kinds of individuals, those who inherit created capital and those who do not. There are also two kinds of capital, the original or natural capital, and the created capital. The latter belongs legitimately to the inheritors, but the first belongs legitimately to everyone. *Each individual of the second generation has an equal right to the original capital.* Now, it has happened

that the inheritors of the created capital have also taken possession of the noncreated capital, have encroached upon it, usurped it, appropriated it. That is why the *present system* of property is illegitimate, contrary to justice, and rests basically on plunder.

I can certainly be mistaken; but it seems to me that this doctrine reproduces exactly, although in other terms, that of Buchanan, McCulloch, and Senior on *land rent*. They, too, recognize the legitimacy of property produced by labor. But they regard as illegitimate the usurpation of what M. Considérant calls the *value of the virgin soil*, and what they call the *productive powers* of the soil.

Let us see now how this injustice can be remedied.

Savages living in forest and plain enjoy four natural rights: hunting, fishing, food-gathering, and pasturing. Such is the form of man's original rights.

In all civilized societies, the man of the people, the proletarian who inherits nothing and possesses nothing, is purely and simply robbed of these rights. It cannot, then, be said that the original right has here changed its form, since it no longer exists. The form has disappeared with the land.

Now, what would be the form in which this right could be reconciled with the conditions of an industrial society? The answer is easy. In the primitive state, in order to make use of his right, man is *obliged to act*. The labors of fishing, hunting, food-gathering, and pasturing constitute the conditions under which his right can be exercised. The original right, then, is only the *right to these kinds of labor*.

In that case an industrial society which has taken possession of the land, and which has taken from man the faculty of exercising at will and in freedom his four natural rights on the surface of the land, is obliged to recognize, on behalf of the individual, in compensation for these rights of which it has robbed him, the *right to employment*. Then, in principle, and save for a suitable application, the individual will have nothing more to complain about. In fact, his original right was the right to labor performed in a poor workshop, or in the wilds of Nature; his present right would be the same right exercised in a workshop better and more richly equipped, where individual industry would be more productive.

The condition *sine qua non* for the legitimacy of property is, then, that society grant the proletarian the *right to employment*, and that it *assure* him at least as much of a livelihood in return for a given amount of labor as it would procure for him if he were living the life of a savage.

Now I leave it to the reader to judge whether I have misrepresented or distorted the opinions of M. Considérant.

M. Considérant believes himself to be a tenacious defender of the *right to property*. Undoubtedly he defends that right as he understands it, but he understands it in his own way, and the question is whether it is the right way. In any case, it is not everybody's way.

He himself says that, *although only a small dose of common sense would be required to solve the question of property, it has never been understood*. I do not agree with this condemnation of human intelligence.

It is not only theory that M. Considérant condemns. This much I should grant him, agreeing with him that in this matter, as in many others, it often goes astray.

But he also condemns universal practice. He says flatly:

Property, as it has generally been constituted *among all industrial nations up to our day*, is tainted with illegitimacy and sins in a singular manner against human rights.

If, then, M. Considérant is a tenacious defender of property, it is at least of a concept of property different from that which has been recognized and maintained among men since the beginning of the world.

I am quite convinced that M. Louis Blanc and M. Proudhon also call themselves defenders of property as they understand it.

For my part, I make no other claim than to have given an explanation of property which I believe true, and which perhaps is false.

I believe that landed property, as it is naturally formed, is always the fruit of labor; that it rests, consequently, on the very principle established by M. Considérant; that it does not exclude the proletarians from the usufruct of the virgin soil; that, on the contrary, it increases that usufruct for them tenfold and a hundredfold; that it is, then, not tainted with illegitimacy; and that everything that undermines it in our actions and in our convictions is as much a calamity for those who do not own land as it is for those who do.

This is what I should like to try to demonstrate in so far as it can be done in the columns of a newspaper.

F. Bastiat



[\[Back to Table of Contents\]](#)

7.

## Protectionism And Communism

To M. Thiers

Dear Sir:

Do not be ungrateful to the February Revolution. It surprised you, perhaps shocked you, but it also prepared unexpected triumphs for you as author, as orator, and as privy councillor.<sup>1</sup> Among these successes is one that is certainly very extraordinary. In recent days we read in *La Presse*:

The Association for the Defense of Domestic Industry [the former Mimerel Committee] has just addressed a circular to all its correspondents announcing that a subscription has been opened to contribute to the dissemination in the workshops of M. Thiers' book on property. The Association itself has subscribed for five thousand copies.

I should like to have been present when this flattering notice came to your attention. It must have afforded you some amusement.

There is good reason to say that the ways of God are as infallible as they are inscrutable. For if you will just grant me for a moment (what I shall very soon try to demonstrate) that protectionism, when it becomes widespread, becomes communism, just as a little carp becomes a big carp, provided that God lets it live, I shall show you how odd it is that a champion of protectionism should pose as the destroyer of communism; but what is still more extraordinary and still more reassuring is that a powerful organization that was formed to disseminate the theory and practice of communism (in so far as this is deemed profitable to its members) should today devote half of its resources to destroying the evil it has done with the other half.

This is, I repeat, a reassuring spectacle. It reassures us as to the inevitable triumph of truth, since it shows us the first authentic disseminators of subversive doctrines, frightened by their success, now concocting the antidote and the poison in the same laboratory.

This presupposes, it is true, the identity of the communist and protectionist principles, and perhaps you do not admit this identity, although, to tell the truth, it does not seem possible to me that you could have written four hundred pages on property without being struck by it. Perhaps you think that my few efforts devoted to the cause of *free trade*, my impatience with an inconclusive discussion, my ardor in combat, and the sharpness of the struggle have made me look at my adversaries' errors through a magnifying glass, as we polemicists are only too prone to do. Undoubtedly, you

believe, it is my imagination that is blowing up the theory of the *Moniteur industriel* to the same proportions as that of the *Populaire*, in order to win the argument with the protectionists. What likelihood is there that the great manufacturers, respectable landowners, rich bankers, and able statesmen have made of themselves, without knowing or desiring it, the initiators and the apostles of communism in France? And why not, I pray you? There are many workers full of a sincere faith in the *right to employment*, and consequently communists without knowing or desiring it, who would not tolerate their being considered as such. The reason for this is that in all classes of society, self-interest influences the will; and the will, as Pascal says, is the principal organ of belief. Many industrialists, otherwise quite respectable, promote communism (under another name), as people always do, that is, on condition that only the goods of others are to be divided and shared. But as soon as the principle has gained ground, and it is a matter of sharing their own property too, oh, then communism strikes them with horror. Previously, they circulated the *Moniteur industriel*; now they are distributing the book on property. To be astonished at this, one must be ignorant of the human heart, its inner springs, and its proclivity toward clever casuistry.

No, sir, it is not the heat of the struggle that has made me see the protectionist doctrine in this light; on the contrary, it is because I saw the doctrine in this light in the first place, before the struggle, that I committed myself to engage in it.<sup>2</sup> Please believe me, the motive that induced me to do so was never the hope of increasing our foreign trade a little, although this collateral result is surely not to be scorned. I believed and still believe that this is a question of property rights. I believed and still believe that our protective tariff, by virtue of the mentality that has brought it into being and the arguments by which it is defended, has opened a breach in the right to property through which all the rest of our legislation threatens to pass. In the existing state of public opinion, it seemed to me that a form of communism (unconscious of itself and of its extent, I must admit) was on the point of overwhelming us. It seemed to me that this form of communism (for there are several kinds) was availing itself of protectionist reasoning and doing no more than carrying it to its logical conclusion. Hence, it was on this ground that it seemed to me useful to fight communism; for, since it had armed itself with sophisms circulated by the Mimerel Committee,<sup>\*</sup> there was no hope of overcoming it so long as these sophisms held sway in the public mind.

This was our point of view at Bordeaux, at Paris, at Marseilles, and at Lyons, when we established the Association for *Free Trade*. Commercial freedom, considered in itself, is undoubtedly a precious good for the nations of the world; but, after all, if this was all we had in mind, we should have called our organization the *Association for Commercial Freedom*, or, still more shrewdly, *for the Gradual Reform of Tariffs*. But the term *free trade* implies *freedom to dispose of the fruit of one's labor*, in other words, *property*, and that is the reason we preferred it.<sup>3</sup> Certainly, we knew that this term would cause us many difficulties. It affirmed a principle, and hence it had to range among our adversaries all the partisans of the opposite principle. Moreover, it was extremely repugnant even to those who were the most disposed to side with us, that is, businessmen, who were more concerned at that time with reducing the tariff than with defeating communism. Le Havre, while entirely in sympathy with our views, refused to join us. People said to me from all sides: "We shall have a better

chance of obtaining some reductions in our tariffs if we do not make any absolute demands.”

I replied: “If that is all you have in view, act through your chambers of commerce.”

They said to me further: “The term *free trade* is alarming and will hinder your success.”

Nothing was more true; but I drew from the very fright caused by this term my strongest argument for its adoption. “The more it terrifies,” I said, “the more this proves that the notion of property is being obliterated in people's minds. The protectionist doctrine has led to the acceptance of false ideas, and false ideas have produced protection. To obtain by deception or through the good will of the Minister of Commerce an adventitious improvement in the tariff, is to palliate an effect, not to destroy the cause.”

Hence, I retained the term *free trade*, not in spite of, but because of, the obstacles that it would create for us; obstacles, which, in revealing the sickness of men's minds, were the certain proof that the very foundations of the social order were being threatened.

It would not have sufficed just to indicate our goal with a slogan; we had also to define it. That is what we did, and I transcribe here, in confirmation, the first act or manifesto of this Association.

At the moment of uniting in defense of a great cause, the undersigned feel the need of setting forth their *beliefs*; of proclaiming the *goal*, the *extent*, the *means*, and the *character* of their association.

*Exchange*, like *property*, is a natural right. Every citizen who has produced or acquired a product should have the option of applying it immediately to his own use or of transferring it to whoever on the face of the earth agrees to give him in exchange the object of his desires. To deprive him of this option when he has committed no act contrary to public order and good morals, and solely to satisfy the convenience of another citizen, is to legitimize an act of plunder and to violate the law of justice.

It is, further, to violate the conditions of public order; for what order can exist in a society where each industry, aided and abetted by the law and the public police force, seeks its success in the oppression of all the others?

It is to disregard the providential design that presides over men's destinies, as revealed in the infinite variety of climates, seasons, natural powers, and aptitudes—gifts that God has unequally distributed among men only in order to unite them, through trade, in the bonds of universal brotherhood.

It is to thwart the development of public prosperity; since he who is not free to exchange is not free to choose his work, and finds himself compelled to misdirect his efforts, his faculties, his capital, and the forces that Nature has placed at his disposal.

Finally, it is to jeopardize international peace, because it ruptures the commercial relations that render wars impossible by rendering them onerous.

The Association, then, has *free trade* as its goal.

The undersigned do not contest the right of a nation to levy on the merchandise that crosses its borders taxes reserved for the common expense, provided that they are determined solely by the needs of the public treasury.

But as soon as the tax, losing its fiscal character, has for its object the exclusion of a foreign product, to the detriment of the treasury itself, in order to raise artificially the price of a similar domestic product, and thus to exact tribute from the community for the profit of one class, from that moment protection, or rather plunder, makes its appearance; and this is the principle that the Association seeks to discredit and to efface completely from our laws, independently of any reciprocity or of systems that prevail elsewhere.

From the fact that the Association aims at the complete destruction of the protectionist system, it does not follow that it demands that such a reform be accomplished in a day and result from a single election. Even to return from bad to good and from an artificial state of things to a natural condition, precautions may well be recommended by prudence. These details of execution are for the authorities to work out; the function of the Association is to disseminate and to popularize the basic principle.

As for the means that it intends to make use of, it will never seek them elsewhere than in constitutional and legal ways.

Finally, the Association is completely nonpartisan. It is not in the service of any industry, class, or region. It embraces the cause of eternal justice, of peace, of unity, of free communication, of universal brotherhood, the cause of the general welfare, which is everywhere and in all respects identical with that of the *consumers*.

Is there a word in this program that does not reveal the ardent desire to strengthen or even to re-establish in men's minds the idea of property, which has been perverted by the protectionist system? Is it not evident that the commercial interest is secondary, and the social interest primary? Note that the tariff, in itself, whether good or bad from the administrative or fiscal point of view, concerns us little. But as soon as it acts *intentionally* in the protectionist sense, that is, as soon as it reveals its purpose to be plunder and the negation, in principle, of the right to property, we combat it, not as a tariff, but as a system. "*This*," we say, "is the idea that we are seeking to discredit, in order to make it disappear from our laws."

No doubt it will be asked why, having in mind a general question of this importance, we have restricted the struggle to the area of a particular question.

The reason for this is simple. We had to pit organization against organization, to enlist support and soldiers for our army. We knew well that the debate between protectionists and freetraders could not be prolonged without raising and ultimately resolving all the questions, moral, political, philosophical, and economic, that are

connected with property; and, since the Mimerel Committee, in concerning itself with a particular goal, had jeopardized the right to property, we hoped to reinstate it in principle by ourselves aiming directly at the opposite goal.

But what does it matter what I may once have said or thought? What does it matter that I may have perceived, or believed I perceived, a certain connection between protectionism and communism? The essential thing is to prove that this connection exists. This is what I propose to undertake.

You no doubt remember the day when, with your customary astuteness, you extracted from M. Proudhon this admission, which has become famous: "Give me my right to employment, and I will let you keep your right to property." M. Proudhon did not conceal the fact that in his eyes these two rights are incompatible.

If property is incompatible with the right to employment, and if the right to employment is founded on the same principle as protectionism, what are we to conclude from this, if not that protectionism is itself incompatible with property? In geometry, it is regarded as an incontestable truth that two things equal to a third thing are equal to each other.

Now, it happened that an eminent orator, M. Billault,\* believed he should make a speech in support of the right to employment. This was not easy in the face of the confession that M. Proudhon allowed to slip by. M. Billault understood very well that to make the state intervene to equalize wealth and keep everyone's standard of living at a given level is to set oneself on the road to communism. What, then, did he say in order to persuade the National Assembly to violate property rights? He told you quite simply that what he was asking you to do you were already doing through your tariffs. His demand did not go beyond a somewhat more extensive application of doctrines you have already accepted and applied.

Here are his words:

Look at our customs duties. By means of protective tariffs, discriminatory taxes, subsidies, and schemes of all kinds, society supports, retards, or advances all the plans of our national industry. [Very good!] Not only does it hold the balance between French labor, which it protects, and foreign labor, but it continually intervenes more and more in various domestic industries. Listen to the constant protests brought by some industries against others. Witness, for example, the industries that use iron complaining of the protection granted to French iron against foreign iron; those that use linen or cotton thread protesting against the protection granted to French thread by the exclusion of foreign thread; and so on with other industries. Society [he should have said, the government] finds itself, then, necessarily involved in all the struggles and all the difficulties of industry. It intervenes actively every day, directly and indirectly; and as soon as you have to deal with customs questions, you will see that you will be, whether you like it or not, compelled to take sides and to evaluate all these claims for yourselves.

It is no objection, then, against the idea that society owes a debt to the destitute worker, that this idea would require the government to intervene in the affairs of industry.

And please note that M. Billault, in resorting to this mode of argumentation, in no way intended to be ironic. He is no freetrader in disguise, taking delight in exposing the obvious inconsistency of protectionism. No, M. Billault is himself a bona fide protectionist. He is aiming at the equalization of wealth by law. In order to attain this goal, he deems the action of tariffs useful; finding the right to property an obstacle, he jumps over it, as you do. Next, the right to employment, which is a second step on the same road, is suggested to him. Again he finds the right to property an obstacle, and again he jumps over it. But when he looks back, he is quite surprised to see that you have not followed him. He asks you for the reason. If you were to reply to him, "I grant in principle that the law can violate property rights, but I find it inopportune that it should do so under the guise of the right to employment," M. Billault would understand you and would discuss with you this secondary question of opportuneness. But you counter with an appeal to property rights themselves. This astonishes him, and he thinks himself entitled to say to you, "Don't start preaching to me at this late date; for if you reject the right to employment, at least let it not be on the grounds of the right to property, since you violate this right by your tariffs when it suits you to do so." He could add with some reason: "By means of protective tariffs you often violate the property rights of the poor for the profit of the rich. By the right to employment you would violate the property rights of the rich for the advantage of the poor. Why are you so late in feeling any qualms of conscience?"<sup>4</sup>

There is, then, only one difference between M. Billault and you. Both of you travel along the same road, that of communism. But you have taken only one step, and he has taken two. In this respect, the advantage, at least in my eyes, is on your side. But you lose it when it comes to logic. For, since you proceed as he does, though more slowly, by turning your back on property, it is certainly quite ridiculous that you should pose as its champion. M. Billault has been able to avoid this inconsistency. But, alas, it is only to fall into a lamentable sophism! M. Billault is too enlightened not to feel, at least vaguely, the danger of each of his steps along a road that must end in communism. He does not make himself ridiculous in posing as a champion of property rights at the moment that he violates them. But what does he think of to justify himself? He invokes the favorite axiom of whoever wants to reconcile two things that are irreconcilable: *There are no absolute principles*. Private property and communism—let us have a little of each everywhere, according to circumstances.

In my view, the pendulum of civilization, which oscillates from one to the other principle, according to the needs of the moment, but which always keeps on indicating greater progress, is returning to the necessity of governmental action after having swung strongly towards the absolute liberty of individualism.

Thus, there is nothing true in the world, and there are no absolute principles, since the *pendulum must oscillate from one principle to the other, according to the needs of the moment*. O metaphor, where wouldst thou lead us, if only we let thee!<sup>5</sup>

As you said very judiciously on the rostrum, one cannot say—still less write—everything at once. It should be clearly understood that I am not examining here the economic aspect of the protective system, nor am I inquiring whether, from the point of view of our national wealth, it does more good than harm, or more harm than good. The only point that I want to prove is that it is nothing else than a manifestation of communism. Messrs. Billault and Proudhon have begun the demonstration. I am going to try to complete it.

In the first place, what must we understand by *communism*? There are several ways, if not of bringing about, at least of trying to bring about, the common ownership of goods. M. de Lamartine knows of four. You think that there are a thousand ways, and I agree with you. However, I think that all of them can be put into three general categories, of which only one, as I see it, constitutes a real danger.

First, two or more men can plan to work and live in common. As long as they do not try to disturb the security or restrict the liberty or encroach upon the property of others, directly or indirectly, then, if they do any harm at all, they do it only to themselves. The tendency of such men will always be to go into distant uninhabited places to make their dream come true. Whoever has reflected on these matters knows that these poor fellows will die of hardship, the victims of their illusions. In our day, communists of this kind have given to their fantastic Elysium the name of Icaria, as if they had had a sad forboding of the dreadful catastrophe toward which they were headed. We should lament their blindness; we should be obliged to warn them if they were prepared to listen to us; but society has nothing to fear from their fantasies.

Another form of communism, and certainly the most brutal, consists in putting all existing property into one heap and parceling it out *ex aequo*. This is plunder erected into a universal rule of law. It involves the destruction not only of property, but also of labor and of the very motive that impels a man to work. This kind of communism is so violent, so absurd, and so monstrous that I cannot really believe it to be dangerous. This is what I said some time ago before a considerable gathering of voters, the great majority of whom belonged to the suffering classes. An outburst of murmurs greeted my words.

I indicated my surprise at this. “What!” they said. “M. Bastiat dares to say that communism is not dangerous? Then he is a communist! Oh, well, we suspected as much, for communists, socialists, and economists are birds of a feather.” I had some difficulty in getting myself out of this predicament. But the interruption itself proved the truth of my thesis. No, communism is not dangerous when it appears in its most naive form, that of pure and simple plunder. It is not dangerous, because it inspires horror.

I hasten to add that if protectionism can be and should be compared to communism, it is not to this form of communism that I have just described.

But communism assumes a third form.

To make the state intervene, to give it the task of stabilizing profits and equalizing wealth by taking from some, without their consent, in order to give to others, without receiving anything in return on their part, to make the state responsible for achieving equality by means of plunder—this indeed is communism. The procedures employed by the state to attain this end do not matter, any more than the fancy names with which the idea is tricked out. Whether the state seeks to realize it by direct or by indirect means, by restrictive measures or by taxes, by tariffs or by the right to employment; whether it goes under the name of equality, solidarity, or fraternity, in no way changes the nature of things. The plunder of property is nonetheless plunder because it is accomplished in a regular, orderly, systematic way, through the action of the law.

I add that in our day this is the truly dangerous form of communism. Why? Because in this form we see it constantly ready to encroach on everything. Just look! Someone asks that the state furnish *tools of production* free of charge to craftsmen and farmers. This is tantamount to insisting that it steal them from other craftsmen and farmers. Another wants the state to make loans without interest. It could not do so without violating property rights. A third calls for gratuitous education at all levels. Gratuitous! That means at the expense of the taxpayers. A fourth demands that the state subsidize associations of workers, theatres, artists, etc. But these subsidies are just so much wealth taken away from those who have legitimately earned it. A fifth cannot rest until the state has artificially raised the price of a product for the advantage of the one who sells it. But this is to the detriment of the one who buys it. Yes, there are very few persons who, at one time or another, are not communists in this sense. You are, M. Billault is, and I fear that all of us in France are to some degree. It seems that the intervention of the state reconciles us to plunder by shifting the responsibility for it on everybody, that is, on nobody in particular, an arrangement that enables us to enjoy the property of others with a perfectly good conscience. Did not the honorable M. Tourret,\* one of the most upright men who have ever occupied a ministerial post, begin his statement of the reasons for the proposed law on advances to agriculture with these words: "It is not enough to give instruction in order to cultivate the arts; we must, in addition, furnish the tools of production"? After this preamble, he submitted to the National Assembly a draft of a law of which the first article reads as follows:

Art. 1. A credit of ten million francs is granted to the Minister of Agriculture and Commerce in the budget of 1849, for the purpose of making advances to the owners and the associations of owners of rural lands.

Admit that if legislative language plumed itself on its precision, the article should have been worded thus:

The Minister of Agriculture and Commerce is authorized, during the year 1849, to take ten million francs from the pockets of farmers who have great need of them and *to whom they belong*, in order to deposit them in the pockets of other farmers who are in equal need of them and *to whom they do not belong*.



Is this not a communist act; and, if it becomes widespread, does it not amount to giving legal status to communism itself?

Similarly, the manufacturer who would rather die than steal a centime does not hesitate in the slightest to make this request of the legislature: "Make a law that will raise the price of my cloth, my iron, and my coal and will put me in a position to fleece my buyers." Since the basis for his request is that he is not satisfied with the profit he makes by exchanging freely or by free trade (which I declare to be the same thing, whatever may be said about it); and since, on the other hand, we are all dissatisfied with our profits and inclined to appeal to the legislature; it is clear, to me at least, that if the legislature does not hasten to reply: "That is no concern of ours; we are not authorized to violate property rights, but to guarantee them," we are plunged into complete communism. The means of execution set in operation by the state may differ, but they have the same end and stem from the same principle.

Suppose that I appear before the National Assembly and say: "I am engaged in business, and I find that my profits are insufficient. That is why I request you to issue a decree authorizing the tax collectors to take just one little centime from each French family." If the legislature approves my request, one may, if one wishes, see in this only an isolated case of legal plunder, which does not yet deserve the name of communism. But if all Frenchmen, one after another, come to make the same petition, and if the legislature examines their requests with the avowed aim of equalizing wealth, it is in this principle, followed by its effects, that I see, and that you yourself cannot fail to see, communism.

It matters little whether, in order to attain this end, the legislature makes use of the customs officer or the tax collector, direct taxation or an indirect levy, restrictive measures or subsidies. Does it believe itself authorized to *take* and to *give* without compensation? Does it believe that its function is to equalize profits? Does it act in accordance with this belief? Does most of the public approve and favor this kind of action? In that case, I say that we are on the road to communism, whether we are aware of it or not.

And if I am told: "The state does not act thus on behalf of everyone, but only on behalf of a few classes," I shall reply: "Then it has found the means to make even communism worse."

I am aware, sir, that it is very easy to cast doubt on my reasoning by confusing the issue. Quite legitimate administrative facts will be cited, cases where the intervention of the state is as equitable as it is useful; then, an apparent analogy between these cases and those against which I protest having been established, I shall be placed in the wrong and told: "Either you should not see communism in protective tariffs, or you should see it in all governmental action."

This is a trap into which I do not wish to fall. That is why I am obliged to seek for the precise circumstance that gives the intervention of the state a communist character.

What is the function of the state? What are the things that the citizens should entrust to the organized force of government? What are those that it should reserve for private activity? To answer these questions would be to give a course in political philosophy. Fortunately, I do not need to do this in order to solve the problem that concerns us here.

When the citizens, instead of performing a service for themselves, turn it into a public service, that is, when they judge it opportune to join together to get work done or to procure a satisfaction *in common*, I do not call this *communism*, because I do not see here the element that constitutes the hallmark of communism: *leveling by means of plunder*. The *state* takes, it is true, by way of taxation, but *gives back* by way of service. This is a particular but legitimate form of *exchange*, the foundation of all society. I will go further. In entrusting a special service to the state, the citizens may be performing a good or a bad action. They are performing a good one if, by this means, the service is done better and more economically; it is bad on the contrary hypothesis. But in neither case do I see the principle of communism making its appearance. In the first instance, the citizens succeeded; in the second, they were mistaken; that is all; and if communism is an error, it does not follow that all error is communism.

Political economists are in general quite suspicious of governmental intervention. They see in it inconveniences of all kinds—a diminution of individual liberty, energy, prudence, and experience, which constitute the most precious resources of any society. Hence, it often happens that they oppose this intervention. But it is not at all from the same point of view and for the same reasons that they reject protectionism. Therefore, our predilection, perhaps too pronounced, for liberty should not be cited as an argument against us, nor should it be said: “It is not surprising that these gentlemen oppose the protectionist system, for they oppose every form of state intervention.”

In the first place, it is not true that we oppose it in regard to everything. We grant that it is the function of the state to maintain order and security, to protect persons and property, to repress frauds and acts of violence. As for the services which have, so to speak, an industrial character, we have no other rule but this: that the state should assume the burden if it can thereby effect an aggregate saving in resources. But, for Heaven's sake, in making the reckoning, let us take into account all the innumerable inconveniences of a state monopoly.

Next, I am compelled to repeat, it is one thing to vote against a new grant of power to the state on the ground that, taking everything into account, it is disadvantageous and would constitute a national loss; and it is quite another to vote against this new grant of power because it is illegitimate and spoliative, and authorizes the government to do precisely what its rational function is to prevent and to punish. Now, against the protectionist system, as it is called, we have these two kinds of objections, but it is the latter that carries the greater weight in our determination to wage implacable war against it—by legal means, of course.

Thus, if, for example, the question is submitted to a municipal council whether it would be better to let each family send a half mile for its water, or whether it is

preferable that the municipal authority should levy an assessment to bring the water to the village square, I should have no objection *in principle* to an investigation of this question. The calculation of the advantages and the disadvantages for all would be the sole element in the decision. There might be a mistake in the calculation, but an error that results in a loss of property does not itself constitute a systematic violation of property rights.

But if the mayor proposes to oppress one industry for the profit of another, to forbid wooden shoes for the benefit of the shoemakers, or something of the sort, then I should say to him that this is no longer a question of calculating advantages and disadvantages; what we are concerned with in this case is an abuse of authority, a perverse use of the public police force. I should say to him: "How can you, who are the trustee of the public authority, bound to enforce the law in order to punish plunder, dare to use that authority and force to protect and organize plunder?"

If the mayor's idea triumphs; if I see, following the precedent thus set, all the industries of the village agitating to solicit favors at the expense of one another; if in the midst of this tumult of unscrupulous ambitions I see the very idea of property foundering; it will be quite permissible for me to think that, in order to save it from going down, the first thing to do is to sound a warning against what is unjust about the measure that constituted the first link in this deplorable chain.

It would not be difficult for me, sir, to find in your work passages that bear on this subject and corroborate my views. In fact, it would suffice to open it at random. Yes, if, playing once again a childish game, I were to plunge a pin into this book, I should find on whatever page I chanced to hit, the condemnation, implicit or explicit, of the protectionist system, the proof that this system is identical, in principle, with communism. And why do I not make this test? Good; here I go. The pin has lighted on page 283. There I read:

It is, then, a grave error to lay the blame on competition and not to see that, if the nation is a producer, it is also a consumer, and that in receiving less, on the one hand [which I deny, and you yourself deny a few lines lower], and paying less, on the other, there remains then, to everyone's profit, the difference between a system that restrains human industry and one that gives it infinite scope by telling it never to stop.

I defy you to say that this does not apply as well to the competition that takes place across the Bidassoa\* as it does to that which occurs across the Loire. Let us try sticking the pin in again. This time we are at page 325.

Either rights exist, or they do not exist. If they exist, they involve absolute consequences.... Furthermore, if a right exists, it exists at every moment. It is absolute today, yesterday, tomorrow, the day after tomorrow, in summer as in winter, not when it pleases you to declare it in force, but when it pleases the worker to invoke it!

Would you maintain that an iron manufacturer has an unlimited, perpetual right to prevent me from producing indirectly two hundredweight of iron where I work, which is in a vineyard, for the advantage of producing directly only one hundredweight in

his factory, which is an ironworks? This right too either exists or does not exist. If it exists, it is absolute today, yesterday, tomorrow, the day after tomorrow, in summer as in winter, not when it pleases you to declare it in force, but when it pleases the *iron manufacturer* to invoke it!

Let us try our chances again. We find ourselves on page 63. There I read this aphorism:

Property does not exist if I cannot give it as well as *consume* it.

We, for our part, say: "Property does not exist if I cannot *exchange* it as well as *consume* it." And permit me to add that the *right to exchange* is at least as precious, as socially important, as characteristic of property, as the *right to make a gift*. It is to be regretted that in a work designed to examine all aspects of property, you felt obliged to devote two chapters to *gifts*, which are hardly in danger, and not a line to *exchange*, the right to which has been so boldly violated under the very authority of the law.

Another prick of the pin. Ah! It puts us on page 47.

Man has a primary property right to his person and his labor. He has a second, less a part of his being but no less sacred, to the products of his labor, which comprise all that is called worldly goods, and which society has the highest interest in *guaranteeing* to him. For, without this guarantee, no work would be done, and without work, there would be no civilization, not even the necessities, but poverty, robbery, and barbarism.

All right, sir, let us expatiate, if you so desire, on this text.

Like you, I consider the right to property to consist in the *freedom* to dispose first of one's person, then of one's labor, and finally, of the products of one's labor—which proves, incidentally, that, from a certain point of view, freedom and the right to property are indistinguishable from each other.

I should hardly dare to say, as you do, that the right to own the products of our labor is less a part of our being than our productive skills themselves. Physically speaking, this is incontestable; but whether a man is deprived of the use of his labor or of its products, the result is the same, and this result is called *slavery*—a further proof of the essential identity between freedom and the right to property. If I use force to turn another man's labor to my profit, that man is my slave. He still is, if, though allowing him to work freely, I find the means, by force or by cunning, to get hold of the fruits of his labor. The first type of oppression is more odious; the second is more astute. When it was observed that free labor is more intelligent and more productive, the masters said: "Let us not directly pre-empt the labor of our slaves, but let us appropriate the more abundant products of their free labor, and let us give to this new form of servitude the fine name of *protection*."

You say, besides, that society is interested in *protecting* property. We are in agreement; only I go much further than you, and if by *society* you mean the *government*, I say that its sole function in regard to property is to *protect* it; that if it

tries to *equalize* it, by that very fact it violates property rights instead of guaranteeing them. This point deserves further examination.

When a certain number of men, who cannot live without labor and without property, join together to support a *common police force*, their aim is evidently to work and to enjoy the fruit of their labor in complete security, and not to put their labor and their property at the mercy of that force. Even before the institution of any form of regular government, I do not believe that the *right to self-defense*, the right of individuals to defend their persons, their freedom of labor, and their property, can be contested.

Without pretending to philosophize here on the origin and extent of the rights of governments, a vast subject quite frightening to my weak brain, permit me to submit an idea for your consideration. It seems to me that the rights of the state can be nothing but the regularizing of *pre-existent* personal rights. For my part, I cannot conceive a *collective right* that does not have its foundation in an *individual right* or presuppose it. Hence, to know whether the state is legitimately invested with a right, we must ask whether the individual has that right in virtue of his nature and in the absence of all government. It is on this basis that I rejected a few days ago the right to employment. I said: Since Peter does not have the right to require Paul directly to give him employment, he is not authorized to exercise this pretended right through the intermediation of the state; for the state is only the *common police force* created by Peter and by Paul, at their expense, for a definite end, which could never be to render just what is not just. It is by this touchstone that I also judge between the *protection* and the *equalization* of property by the state. Why does the state have the right to *protect*, even by force, each man's property? Because that right pre-exists in the individual. One cannot deny to individuals the *right to legitimate self-defense*, the right to employ force, if necessary, in order to repel aggression directed against their persons, their freedom of labor, or their property. It is understandable that this individual right, since it belongs to all the citizens, may assume a collective form and legitimize the *common police force*. And why does the state not have the right to equalize property? Because, in order to do so, we must take it away from some and bestow it on others. Now, since none of the thirty million Frenchmen has the right to take property by force under the pretext of equalizing wealth, we do not see how they could invest the *common police force* with this right.

And note that the right to *equalize* property is destructive of the right to have it protected. Take the case of savages who have not yet founded a government. Each of them has the *right to legitimate self-defense*, and it is not difficult to see that it is this right that will become the basis of a *legitimate common police force*. If one of these savages has devoted his time, his energy, and his intelligence to making a bow and arrows, and another tries to take them away from him, all the sympathies of the tribe will be for the victim; and if the case is submitted to the judgment of the elders, the despoiler will be condemned without fail. It is only one step beyond this to the organization of a public police force. But does this force have as its function, at least as its legitimate function, the task of regulating the act of the one who defends his property, in virtue of his right, or the act of the one who encroaches on the property of others, in violation of that right? It would be very strange if the collective force were to be based, not on the right of the individual, but on its permanent and systematic

violation! No, the author of the book that I have before me cannot support such a thesis. But it is not enough that he does not support it; perhaps he should also fight against it. It is not enough to attack the crude and absurd form of communism that a few sectarians propose in some disreputable pamphlets. It would perhaps have been good to expose and discredit that other bold and subtle form of communism, which, by the simple perversion of the just idea of the rights of the state, has wormed its way into some branches of our legislation and threatens to invade all of them.

For, sir, it is indeed incontestable that, by the action of tariffs, by means of the so-called *protectionist* system, governments have brought about the monstrous situation that I have just described. They cease to uphold the right to legitimate self-defense preexisting in every citizen, which is the basis on which they are constituted and the essential function which they exist to perform, in order to arrogate to themselves a pretended right to equalize wealth by way of plunder, a right that, not residing previously in anyone, cannot, by the same token, reside in the community.

But what good is it to insist on these general ideas? What good is it to demonstrate here the absurdity of communism, since you have done so yourself (save for one of its manifestations, and, in my opinion, the most threatening in actual practice) much better than I could do?

Perhaps you will tell me that the protectionist system is not, in principle, opposed to the right to property. Let us look, then, at the procedures of that system.

There are two of them: export bounties and restrictions on imports.

As for subsidies, their effect is obvious. I defy anyone to maintain that the system of export bounties, if carried to its ultimate extreme, would not culminate in absolute communism. The citizens work under the protection of the common police force, responsible, as you say, for *guaranteeing* to each his own, *suum cuique*. But here is the state, with the most philanthropic intentions in the world, undertaking a responsibility that is quite novel, quite different from, and, as I see it, not only incompatible with, but destructive of, its primary responsibility. It is pleased to set itself up as the arbiter of profits, to decide that one type of labor is not adequately remunerated, and that another is too much so; it is pleased to play the role of *stabilizer* and to make, as M. Billault says, the pendulum of civilization swing to the side opposed to the *liberty of individualism*. Consequently, it levies a tax on the entire community in order to make a gift, under the name of subsidies, to the exporters of a particular kind of products. It professes to be promoting industry; it should rather say, *one* industry at the expense of *all* the others. I shall not stop to demonstrate that it stimulates the sterile branch at the expense of the fruitful branches; but, in entering on this path, does not the government authorize every worker to come clamoring for a subsidy if he can prove that he is not earning as much as his neighbor? Is it the function of the state to hear and evaluate all these requests and to do each one justice? I do not think so, but those who do think so should have the courage to give their thought its proper expression and to say: "The function of the government is not to protect property, but to equalize it. In other words, there is no property."

I am concerned here only with a question of principle. If I wanted to examine the economic effects of export bounties, I should show them in the most ridiculous light, for they constitute nothing but a gratuitous gift by France to foreigners. It is not the seller who receives it, but the buyer, in virtue of that law which you yourself have stated in regard to taxes: It is the consumer who, in the last analysis, bears all the burdens, as he receives all the advantages, of production. Accordingly, the most mortifying and the most mystifying thing possible has happened to us in regard to these bounties. Some foreign governments have reasoned thus: "If we raise our customs duties by an amount equal to the subsidy paid by the French taxpayers, it is clear that nothing will be changed for our consumers, since the net price will be the same for them. Merchandise reduced by five francs at the French border will pay five francs more at the German border; this is an infallible means of making the French treasury bear the burden of our public expenditures." But other governments, I am assured, have been still more ingenious. They have said to themselves: "The bounty paid by France is indeed a gift that it makes to us; but if we raise the duty, there is no reason for more of this merchandise to enter our country than in the past; we shall ourselves be setting a limit to the generosity of these excellent Frenchmen. Let us, on the contrary, provisionally abolish these duties; let us thus encourage an extraordinary importation of their cloth, since each yard of cloth brings with it an absolutely gratuitous gift." In the first case, our bounties go to the foreign treasury; in the second, they profit the individual citizens, but on a much larger scale.

Let us proceed to restrictions on imports.

I am a craftsman—a woodworker, for example. I have a small workshop, tools, and some raw materials. All this is incontestably mine, for I have made these things, or, what comes to the same thing, I have bought them and paid for them. Moreover, I have strong arms, a certain amount of intelligence, and a great deal of determination. It is with these resources that I can provide for my needs and for those of my family. Note that I cannot produce directly anything that I need—neither iron nor wood nor bread nor wine nor meat nor cloth, etc.—but I can produce *what they are worth*. In the last analysis, these things must, so to speak, emerge in another form from my saw and my plane. It is to my interest to receive honestly the greatest quantity possible of these necessities for each given quantity of my labor. I say honestly, for I do not desire to encroach upon anyone's property or liberty. But no more, indeed, do I want anyone to encroach upon mine. The other workers and I, agreed on this point, impose sacrifices on ourselves and turn over a part of our labor to men called *public officials* because we entrust to them the special *office* of protecting our labor and its fruits from all encroachment, whether from without or from within.

With things arranged thus, I get ready to put my intelligence, my strength, my saw, and my plane to work. Naturally, I always keep my eyes fixed on the things that are necessary to my existence. These are the things that I must produce indirectly by producing *what they are worth*. The problem for me is to produce them in the most advantageous way possible. Consequently, I survey the world of *values*, as expressed in what are called current prices. I observe, on the basis of information concerning these current prices, that the way for me to obtain the greatest possible quantity of

fuel, for example, with the smallest possible quantity of labor, is to make furniture and to sell it to a Belgian, who will give me coal in return.

But there is in France a worker who digs for coal in the bowels of the earth. Now, it has happened that the public officials to whose support both the miner and I have *contributed* so that they would protect for each of us our freedom to work and to dispose of our products (i.e., our property) have had another idea entirely and have taken upon themselves quite another function. They have got it into their heads that they must *balance* my labor and that of the miner. Consequently, they have forbidden me to warm myself with Belgian fuel, and when I come to the border with my furniture to receive the coal, I find that these public officials prevent the coal from entering, which comes to the same thing as if they prevented my furniture from leaving. I say to myself then: If we had not thought of paying public officials in order to spare ourselves the trouble of defending our property, would the miner have had the right to go to the border to forbid me an advantageous exchange, under the pretext that it was better for him that this transaction should not take place? Certainly not. If he had made such an unjust attempt, we should have come to blows on the spot, he impelled by his unjust claim and I strong in my right to legitimate self-defense. We have designated and paid a public official precisely to avoid such conflicts. How, then, does it happen that I find the miner and the public official agreed to restrict my freedom and my industry, to narrow the scope in which my productive capacities can be exercised? If the public official had sided with me, I should understand his right to do so; it would derive from my own, for legitimate self-defense is indeed a right. But whence does he derive the right to aid the miner in his injustice? I learn, then, that the public official has changed his role. He is no longer a simple mortal, invested with rights delegated to him by other men, who, consequently, possess them. No, he is a being superior to the rest of mankind, deriving his rights from himself; and among these rights, he arrogates that of equalizing profits, of keeping all stations of life and strata of society at an even level. "Very well," I say. "In that case, I am going to overwhelm him with claims and requests, so long as I see a man richer than I anywhere in the land."

"He will not listen to you," is the reply; "for if he did, he would be a communist; and he takes good care not to forget that his function is to *protect* property, not to distribute property equally."

What a disordered and confused policy! Yet what else could you possibly expect to result from disordered and confused ideas? You will get nowhere in your struggle against communism; as long as you are partial to it, pamper it, cherish it in that part of the law which it has invaded, your efforts will be in vain. It is a serpent that, with your approval, by your own solicitude for it, has slid its head into our laws and customs, and now you are indignant that the tail has appeared in its turn.

It is possible, sir, that you may grant me one concession. You will perhaps say to me: "The protectionist system is founded on the principle of communism. It is contrary to justice, to property rights, to liberty. It diverts the government from its proper path and invests it with arbitrary prerogatives that have no rational basis. All this is only



too true. But the protectionist system is *useful*; without it, the country, succumbing to foreign competition, would be ruined.”

This would lead us to examine restrictions on imports from the economic point of view. Setting aside all considerations of justice, of morality, of equity, of property rights, of freedom, we should have to resolve the question of pure utility, the mercenary question, so to speak, and, as you know, that is not my subject here. Besides, take care lest, in relying on utility to justify your disdain for morality, you seem to be saying: “Communism, or plunder, condemned by justice, can nonetheless be accepted as an expedient.” Surely you will agree that such an avowal is full of danger.

Without my seeking to resolve the economic problem here, permit me one assertion. I affirm that I have made an arithmetical reckoning of the advantages and disadvantages of protectionism solely from the economic point of view, apart from every consideration of a higher order. I affirm, besides, that I have reached the conclusion that every restrictive measure produces one advantage and two disadvantages, or, if you will, one gain and two losses, each of these losses equal to the gain; whence there results a clear, net loss, which serves to confirm in a reassuring way the fact that in this, as in many other things, and I dare say in all, utility and justice are in accord.

This is only an assertion, it is true; but it can be supported by mathematical proofs.

What misleads public opinion on this point is that the gain from protectionist measures is visible to the naked eye, while of the two equal losses that it entails, one is infinitely divided among all the citizens, and the other appears only to the inquiring eye of the mind.

Without pretending to demonstrate this point here, let me indicate its basis.

Two products, A and B, have in France a normal value of 50 and 40. Let us postulate that A is worth only 40 in Belgium. On this hypothesis, if France adopts the protectionist system, it will get possession of A and B by diverting from the whole of its efforts a quantity equal to 90, for it will be forced to produce A directly. Under a system of free trade, this sum of efforts, equal to 90, will suffice for: (1) the production of B, which it will deliver to Belgium in exchange for A; (2) the production of another B for itself; (3) the production of C.

It is this portion of available labor applied to the production of C in the second case, that is, creating new wealth equal to 10, without thereby depriving France of either A or B, that causes all the difficulty. In place of A, put iron; in place of B, wine, silk, Parisian products; in place of C, any form of wealth that is lacking—you will always find that protectionist policies impair the national welfare.<sup>6</sup>

Would you like us to have done with all this tedious algebra? I certainly want to. You will not deny that if the protectionist system has succeeded in doing some good to the coal industry, it has done so only by raising the price of coal, nor will you deny that

this increase in price, from 1822 to the present, has resulted in a greater expenditure, for each unit of heat produced, on the part of all those who use this fuel—in other words, that it represents a *loss*. Can it be said that the producers of coal have received, as a result of these restrictive measures, an *extra benefit* equivalent to this loss, beyond the interest on their capital and the ordinary profits of industry? This would have to be the case for protection, without ceasing to be unjust, odious, spoliative, and communistic, to be at least *neutral* from the purely economic point of view, for it to deserve to be likened simply to common plunder, which reallocates wealth without destroying it. But you yourself assert on page 236 “that the mines of Aveyron, Alais, Saint-Étienne, Creusot, and Anzin, the most famous of all, have not produced an income of four per cent on the capital invested”! For capital in France to yield four per cent, there is no need of protection. Where, then, is there the profit to offset the loss here indicated?

Nor is this all. There is another national loss involved. Since all the consumers of coal have suffered a loss as a result of the relative increase in the price of fuel, they have had to restrict their other consumption proportionately, and the whole of our national industry has necessarily been discouraged to that extent. It is this loss that is never taken into account, because it does not attract any attention.

Allow me again to make a point that I am surprised should not have been more widely observed, namely, that the protection of agricultural products shows itself in all its odious iniquity in the effect it has on the so-called proletarians, while ultimately harming the landed proprietors themselves.

Let us imagine an island in the South Seas on which the land has become the private property of a certain number of the inhabitants.

Imagine in this limited and already appropriated area a proletarian population always increasing or tending to increase.<sup>7</sup>

The members of this latter class will not be able to produce *directly* the indispensable necessities of life. They will have to sell their labor to men who are in a position to supply them, in exchange, with food and even with raw materials—cereals, fruits, vegetables, meat, wool, flax, leather, wood, etc.

It is obviously in the interest of the proletarians that the market where these things are sold should be as extensive as possible. The greater the abundance of these agricultural products available, the more the workers will receive for each given quantity of their own labor.

Under a system of free trade, a great number of boats will go in search of food and raw materials on the neighboring islands and continents, bringing them manufactured products in exchange. The landowners will enjoy all the prosperity to which they are entitled; a just balance will be maintained between the value of industrial labor and that of agricultural labor.

But in this situation the landowners of the island reckon thus: “If we prevent the proletarians from working for foreigners and from receiving provisions and raw materials from them in exchange, the workers will be forced to apply to us. As their number constantly increases, and as the competition among them becomes ever keener, they will clamor for that part of the food and materials which we have left to sell after we have taken what we need for ourselves, and we cannot fail to sell our products at a very high price. In other words, the balance between the relative value of their labor and of ours would be destroyed. They would devote a greater number of hours of labor to our satisfactions. Let us, then, make a law prohibiting this commerce, which is so obnoxious to us; and for the execution of that law let us create a body of public officials for whose remuneration the proletarians will pay taxes along with us.”

I ask you, would this not be the height of oppression, a flagrant violation of the most precious of all freedoms, of the first and most sacred of all property rights?

However, observe that it would perhaps not be difficult for the landowners to induce the workers to accept this law as beneficial by telling them:

“We have not done this for ourselves, but for you. We are little concerned with our own interests; we think only of yours. Thanks to this wise measure, agriculture is going to prosper; we landowners will become rich, which will put us in a position to give you much more work and to pay you good wages. Without this measure we should be reduced to poverty, and what would become of you? The island would be inundated with provisions and materials coming from abroad. Your boats would always be at sea. What a national calamity! You would, it is true, live in the midst of abundance, but would you share in it? Do not say that your wages would be maintained at their present height or raised because the foreigners would do nothing but increase the number of those bidding for your labor. Who assures you that it will not strike their fancy to give you their products for nothing? In that case, having no more labor or wages, you will perish from inanition in the midst of plenty. Believe us; accept our law with gratitude. Increase and multiply; whatever provisions remain on the island over and above those we ourselves consume will be given to you for your labor, which by this means will always be assured to you. Above all, avoid succumbing to the belief that what is at issue here is a dispute between you and us, in which your freedom and property are at stake. Do not ever listen to those who tell you that. Be assured that the dispute is between you and the foreigner, that barbarous foreigner—God curse him!—who obviously wants to exploit you by making you perfidious offers, which you are free to accept or to reject.”

It is not unlikely that such a discourse, agreeably seasoned with sophisms on legal tender, the balance of trade, our national industry, agriculture as the nurturer of the state, the prospect of a war, etc., etc., would obtain the greatest success and would induce the oppressed themselves, if they were consulted, to sanction the oppressive decrees. This has happened before and will happen again.

But the preconceptions of the landowners and of the proletarians do not change the nature of things. The result will be a poverty-stricken population, famished, ignorant,

perverted, cut down by malnutrition, illness, and vice. The further result will be the sad destruction of the ideas of morality, property, freedom, and the true prerogatives of the state.

And what I would like very much to be able to demonstrate here is that the punishment will very soon redound upon the landowners themselves, who will have prepared their own ruin by the ruination of the consuming public; because the people of this island, as their circumstances became increasingly straitened, will be reduced to consuming food of the lowest quality. Here they will live on chestnuts, there on corn, elsewhere on millet, buckwheat, oats, or potatoes. They will no longer know what wheat or meat tastes like. The landowners will be quite dismayed to see agriculture decline. In vain will they bestir themselves, form committees, and repeat eternally the well-known adage: "Let us raise forage; with forage one can have animals; with animals, manure; with manure, wheat." In vain will they create new taxes to distribute subsidies to the producers of clover and alfalfa. They will always come to grief on this obstacle: a poverty-stricken population unable to pay for meat and, consequently, unable to give the first impetus to this familiar cycle. They will come to learn in the end, at their own expense, that it is better to endure competition for rich customers than to be invested with a monopoly over impoverished customers.

That is why I say: Not only is protection communism, but it is communism of the worst kind. It begins by putting the skills and the labor of the poor, their sole property, at the disposition of the rich; it involves a clear net loss for the entire population and ends by involving the rich themselves in the common ruin. It invests the state with the peculiar right to take from those who have little in order to give to those who have much; and when, invoking the same principle, the disinherited of the world call upon the state to bring about a more equitable distribution by an act of intervention in the opposite direction, I really do not know what reply can be made to them. In any case, the first reply, and the best, would be to renounce oppression.

But I am anxious to have done with these calculations. After all, what is the issue on which the debate turns? What do we say, and what do you say? There is one point, and it is the main point, on which we agree: it is that the intervention of the legislator to distribute property equally by taking from some what he bestows on others, is *communism*, which means the end of all labor, of all thrift, of all well-being, of all justice, of all society.

You, for your part, perceive that this harmful doctrine has found its way into newspapers and books of all kinds—in a word, into the domain of pure thought—and there you attack it vigorously.

I, for my part, believe that I have discovered that it had previously penetrated, with your assent and assistance, into our laws and into the domain of policy and action, and it is there that I seek to combat it.

Next, I would have you note the inconsistency into which you would fall if, while opposing communism in theory, you were to spare—and even encourage—communism in practice.

If you reply to me: "I act thus because the kind of communism brought about by means of tariffs, although opposed to freedom, property rights, and justice, is nonetheless in accord with general utility, and this consideration makes me disregard all the others," do you not feel that you undermine in advance the whole success of your book, that you nullify its message, that you deprive it of its force and side with the communists of all shades, at least in regard to the philosophical and ethical part of the question?

And then, sir, could a mind as enlightened as yours admit the hypothesis of a radical antagonism between the useful and the just? Do you wish me to speak frankly? Rather than risk so subversive, so impious an assertion, I should say: "This is a special question in which, at first glance, it seems to me that utility and justice are in conflict. I am glad that all those who have spent their lives in examining this question judge otherwise. Undoubtedly, I have not studied it enough." I have not studied it enough! Is this, then, so painful an admission that, in order not to make it, one is prepared to be so far inconsistent as to deny the wisdom of the providential laws that preside over the development of society? For what more arrant denial of divine wisdom can there be than to declare justice and utility to be essentially incompatible? It has always seemed to me that the cruelest agony with which an intelligent and conscientious person can be afflicted is to go astray at this point. What side to take, indeed, how to make up one's mind in the face of such an alternative? Shall one decide in favor of utility? This is what men who call themselves practical are disposed to do. But unless they are unable to see the connection between one idea and another, they will undoubtedly be frightened at the consequences of systematized plunder and iniquity. Shall one decide to embrace the cause of justice resolutely, whatever the cost, saying: "I will do what is right, come what may"? This is what upright men are inclined to do. But who would want to take the responsibility of plunging his country and the whole of mankind into misery, desolation, and death? I defy anyone, if he is convinced of this antagonism, to make a decision one way or the other.

I am mistaken. The decision will be made, and the human heart is so constituted that self-interest will be put before conscience. This is what the facts demonstrate, since wherever the protectionist system was believed to be favorable to the welfare of the people, it was adopted, in spite of all considerations of justice; but then the inevitable consequences occurred. Respect for property was destroyed. People said, as did M. Billault: Since property rights have been violated by protectionist measures, why should they not be violated as well by the right to employment? Others, following M. Billault, will take a third step, and still others, following these, a fourth, until communism has triumphed completely.<sup>8</sup>

Good, sound thinkers, like you, are horrified by the swiftness of this descent. They try to climb back up; they do indeed climb back, as you have done in your book, as far as the protectionist system, which is the first step and the only step taken by society down the fatal slope. But if, when confronted with this living denial of the right to property, in place of the maxim stated in your book: "Either rights exist, or they do not exist. If they exist, they involve absolute consequences," you substitute this one: "Here is a special case in which the national welfare requires the sacrifice of a right,"

at that moment all the strength and logic that you have tried to put into this work becomes only weakness and inconsistency.

That is why, sir, if you want to complete your work, you must declare your position in regard to the protectionist system, and to do so it is indispensable to begin by solving the economic problem. You must concentrate on the alleged utility of that system. For, even supposing that I obtain from you a judgment of condemnation on it from the point of view of justice, that would not suffice to kill it. I repeat, men are so constituted that, when they think they have to choose between a *concrete good* and *abstract justice*, the cause of justice runs a great danger. If you want palpable proof of this, consider what happened to me.

When I came to Paris, I found myself confronted with schools of thought that call themselves democratic and socialist, and that, as you know, make great use of the words “principle,” “altruism,” “self-sacrifice,” “fraternity,” “equity,” and “harmony.” They treat wealth with haughty disdain, as something, if not despicable, at least secondary; so much so that, because we hold it of great account, we are treated as cold economists, egoists, individualists, bourgeois, heartless men, grateful to God only for base self-interest.<sup>9</sup> “Good!” I said to myself; “here are men of noble heart, with whom I do not need to discuss the economic point of view, which is very subtle and requires more application than Parisian political theorists are generally able to give to a study of this kind. But, with these people, the question of self-interest could not be an obstacle; either they believe it, through faith in the divine wisdom, to be in harmony with justice, or they will sacrifice it gladly, for they are anxious to be self-sacrificing. If, then, they once grant me that free trade is an abstract right, they will enroll resolutely under its standard. Accordingly, I shall address my appeal to them.” Do you know what answer they gave me? Here it is:

“Your free trade is a beautiful utopia. It is founded on morality and justice; it establishes liberty; it consecrates property; it would result in international harmony, in peace and fraternity among men. You are right, a thousand times right, in principle, but we shall fight implacably and by all means against you, because foreign competition would be fatal to the industry of the nation.”

I took the liberty of replying to them thus:

“I deny that foreign competition would be fatal to the industry of the nation. In any case, if it were so, you would have to choose between self-interest, which, according to you, is on the side of a policy of protectionism, and justice, which, as you admit, is on the side of freedom! Now, when I, the worshipper of the golden calf, leave the choice to you, how is it that you, who profess to be self-denying, trample principles underfoot in order to hold fast to self-interest? Do not declaim, then, so much against a motive which governs you just as much as it governs ordinary mortals.”

This experience taught me that first of all we must solve this awesome problem: Is there harmony or antagonism between justice and utility?—and, consequently, we must investigate the economic aspect of the protectionist system. For, since the apostles of brotherhood themselves waver when faced with a possible loss of *money*,

it is clear that it is not enough to safeguard the cause of universal justice; we must also satisfy that unworthy, lowly, despicable and despised, but all-powerful motive, self-interest.

This was what occasioned a little dissertation in two volumes which I take the liberty of sending to you with the present letter, [10](#) thoroughly convinced, sir, that if, as the economists do, you judge the protectionist system adversely as far as its morality is concerned, and if we differ only in so far as its utility is concerned, you will not refuse to inquire carefully whether these two great elements of the definitive solution are mutually incompatible or are in harmony.

That harmony exists, or at least it is as evident to me as the light of day. May it be revealed to you as well! Then, applying your eminently persuasive talents to the struggle against communism in its most dangerous manifestation, you will inflict a mortal blow upon it.

Look at what is happening in England. It would seem that, if communism ought to have found any place in the world favorable to it, that place should have been the soil of Great Britain. Feudal institutions there, placing extreme poverty and extreme luxury side by side, should have rendered men's minds susceptible to infection by false doctrines. And yet, what do we see? While they throw the Continent into turmoil, such doctrines have not even caused a ripple on the surface of English society. Chartism has not been able to take root there. Do you know why? Because the organization that for ten years has been discussing the protectionist system has succeeded in throwing a clear light on the right to property and on the rational functions of the state. [11](#)

Undoubtedly, if to unmask protectionism is to injure communism, for the same reason and because of their close connection, both of them can also be struck down by following, as you have done, the opposite procedure. Protectionism could not very long resist a good definition of the right to property. And so, if anything has surprised and gladdened me, it is to see the association for the defense of monopolies devoting its resources to distributing your book. It is a most piquant spectacle, and it consoles me for the futility of my past efforts. This resolution of the Mimerel Committee will undoubtedly oblige you to publish many editions of your work. In that case, permit me to observe that, good as it is, it involves a serious omission. In the name of science, in the name of truth, in the name of the public welfare, I adjure you to supply the deficiency and urge you to reply to these two questions:

1. Is there an incompatibility in principle between the protectionist system and the right to property?
2. Is it the function of government to guarantee to each person the right to use his productive capacities and to dispose of the fruits of his labor as he pleases, that is, the right to property, or rather to take from some to give to others, so as to equalize profits, opportunities, and the standard of living?

Ah, sir, if you were to arrive at the same conclusions as I; if, thanks to your talent, to your fame, to your influence, you were to make these conclusions prevail in public opinion; who can calculate the extent of the service that you would render to French society? We should see the state restricted to its proper role, which is to guarantee to each person the right to use his productive capacities and to dispose of his property as he pleases. We should see it relieved both of its colossal illegitimate prerogatives and of the frightful responsibility that goes with them. It would confine itself to repressing the abuses of liberty, that is, to establishing liberty itself. It would assure justice to all and would no longer promise success to anyone. Citizens would learn to distinguish between what it is reasonable and what it is childish to ask of it. They would no longer overwhelm it with claims and demands; they would no longer blame it for their misfortunes; they would no longer base chimerical hopes upon it; and, in the ardent pursuit of a good of which the state is not the bestower, we should not see them at each disappointment accusing the legislator and the law, replacing men and changing the forms of government, piling institutions on institutions and debris on debris. We should see the abatement of the universal fever for reciprocal plunder through the costly and dangerous intervention of the state. The government, limited in its function and its responsibility, simple in its action, inexpensive, not making the costs of their own chains weigh down upon the governed, supported by the good sense of the public, would have a solidity that it has never had in our country, and we should have finally solved the great problem of *ending forever the threat of revolution*.



[\[Back to Table of Contents\]](#)

8.

## Plunder And Law<sup>1</sup>

### To The Protectionists Of The General Council Of Manufacturers:

Sirs: Let us have a little talk in a spirit of moderation and friendliness.

You do not want political economists to believe in and to teach free trade.

It is as if you were to say: “We do not want political economists to be concerned with society, trade, value, morality, law, justice, or property. We recognize only two principles: oppression and plunder.”

Is it possible for you to conceive of political economy without society, of society without exchange, of exchange without some relation between the two objects or the two services exchanged in regard to the value placed upon them? Is it possible for you to conceive of this relation, called *value*, otherwise than as the result of the *free* consent of those who are parties to the exchange? Is it possible for you to conceive how one product can be *worth* another if one of the parties to the transaction is not *free*? Is it possible for you to conceive of the free consent of the two parties in the absence of freedom? Is it possible for you to conceive of one of the parties as deprived of freedom without being oppressed by the other? Is it possible for you to conceive of exchange between oppressor and oppressed without the equivalence of services being impaired, and hence without violating law, justice, and property rights?

But what do you want? Speak frankly.

You do not want exchange to be free!

Then you want it not to be free?

So you want it to take place under the influence of oppression? For if it does not take place under the influence of oppression, it will take place in freedom, and that is what you do not want.

Admit that what embarrasses you is equity, i.e., justice; what embarrasses you is property—not yours, of course, but that of others. You are unwilling to allow others to dispose freely of their property (which is the only way of being a property owner); but you want to dispose of yours—and of theirs.

And then you require the economists to arrange this mass of absurdities and monstrosities into a systematic doctrine; to construct, for your use, the theory of plunder.

But that is what they will never do; for in their eyes plunder is a source of hatred and disorder, and an especially odious form of it is the *legal form*.<sup>2</sup>

Here, M. Benoît d'Azy,<sup>\*</sup> I must take you to task. You are a moderate, impartial, generous man. You are not preoccupied with your own interests or your own fortune; that is what you incessantly proclaim. Recently, at the General Council, you said: "If all that were needed to make the people rich were for the rich to give up their possessions, we should all be ready to do so." (Yes, yes! It's true!) And yesterday, in the National Assembly, you said: "If I thought it depended only on me to give all the workers the jobs that they need, I should give all I possess to accomplish this; .... unfortunately, it's impossible."

Although the futility of the sacrifice gives you the great pain of not making it and of saying, like Basile, "Money! Money! I despise it—but I hold on to it,"<sup>†</sup> certainly no one could doubt a generosity so resounding, although so sterile. This is a virtue that likes to cover itself with a veil of modesty, especially when it is purely latent and negative. You do not, for your part, lose any opportunity to display it before the whole of France on the rostrum, at the Luxembourg, and at the Legislative Palace. This shows that you cannot restrain your generous impulses, although you do regretfully repress their practical application.

But, after all, nobody asks you to give up your fortune, and I agree that it would not solve the social question.

You would like to be generous and you cannot be so effectively; what I venture to ask of you is that you be just. Keep your fortune, but let me keep mine. Respect my property as I respect yours. Is this too bold a request on my part?

Suppose that we were in a country where freedom of exchange prevailed, where everyone could freely dispose of his labor and his property. Your hair stands on end? Don't worry; it's only a hypothetical case.

We are, then, each of us equally free. There is, indeed, one law in the legislative code, but that law, fully impartial and just, far from impairing your freedom, guarantees it. It goes into effect only when we try to practice oppression, you against me or I against you. There is a body of public officials empowered to use force—magistrates and policemen—but they only execute the law.

This being the case, let us assume that you are an ironmaster and I am a hatter. I need iron for my personal use or for my shop. Naturally, I ask myself this question: "How can I procure the iron that I need with the least possible amount of work?" In considering my situation and the available data, I discover that it is best for me to make my hats and sell them to a Belgian, who will give me iron in return.

But you are an ironmaster, and you say to yourself: "I can certainly force that rascal [it's of me you're speaking] to come to my shop."

Consequently, you fill your belt with sabers and pistols, you arm your numerous servants, you appear on the border, and there, at the moment when I am about to make my exchange, you cry out to me: “Stop, or I’ll blow your brains out!”

“But, sir, I need iron.”

“I have some to sell.”

“But, sir, your price is too high.”

“I have my reasons for that.”

“But, sir, I also have my reasons to prefer iron at a low price.”

“Oh, well, here is what will decide between your reasons and mine. Men, take aim!”

In short, you prevent the Belgian iron from coming in, and, at the same time, you prevent my hats from going out.

On our present hypothesis, that is, under a system of free exchange, you cannot deny that this is on your part a flagrant act of oppression and plunder.

So I hasten to invoke the law, the magistrate, the public police force. They intervene; you are judged, condemned, and justly punished.

But all this suggests to you a brilliant idea.

You say to yourself: “I was indeed a fool to put myself to so much trouble. What! To risk killing or being killed! To have to leave my home, mobilize my servants, incur great expense, give myself the character of a plunderer, deserve to be punished by the courts of the country, and all this to force a wretched hatter to come to my shop to buy iron at my price! Suppose I were to put the law, the magistrate, and the police force on my side! Suppose I were to have them perform that odious act on the frontier which I went to do myself!”

Excited by this seductive prospect, you have yourself named a legislator, and you vote for a law set forth in these terms:

Article 1. A tax shall be levied on everyone, and especially on that damned hatter.

Article 2. The men who guard the frontier in the interest of the ironmasters shall be paid with the revenue from this tax.

Article 3. They shall see to it that no one exchanges hats or other merchandise with the Belgians for iron.

Article 4. The cabinet ministers, state prosecutors, customs officials, tax collectors, and jailers are charged, each in his own capacity, with the execution of the present law.

I acknowledge, sir, that in this form plunder would be infinitely easier, more profitable, and less dangerous than in the form in which you at first thought of it.

I acknowledge that this would be a most agreeable course for you to follow. Certainly you could laugh in triumph, for you would have shifted all the expense onto my shoulders.

But I assert that you would have introduced into society a source of ruination, immorality, disorder, hatred, and perpetual revolutions; that you would have opened the door to experiments of all kinds with socialism and communism.

No doubt you find my hypothesis too bold. All right, turn it against me. I agree to it for the sake of the argument.

Let us assume now that I am a worker; you are still an ironmaster.

It would be advantageous for me to get my tools cheaply, and even for nothing. Now, I know that there are axes and saws in your warehouse. Hence, without further ado, I break into your place and pick up everything I can use.

But you, availing yourself of the right to legitimate self-defense, first use force against force; then, calling to your aid the law, the magistrate, and the police, you have me thrown into jail—and you do rightly.

“Oh,” I say to myself, “I have been clumsy in all this. When you want to appropriate other people's property, you must act, not *in spite*, but *in virtue*, of the law, if you are not an idiot.” Consequently, as you became a protectionist, I become a socialist. As you arrogated to yourself the *right to profit*, I invoke the *right to employment* or to the tools of production.

Besides, while in prison I have read my Louis Blanc, and I know this doctrine by heart: “What the proletarians lack in order to emancipate themselves are the tools of production; it is the function of the government to furnish them to the workers.” And again:

Once it is admitted that, to be truly free, man must have the *power* to use and develop his productive capacities, it follows that society owes each of its members both education, without which the human mind cannot develop, and the tools of production, without which industry cannot be carried on. Now, by whose intervention will society give to each of its members suitable instruction and the necessary tools of production, if not by the intervention of the state?<sup>3</sup>

Hence, I too, since this requires revolutionary changes in my country, force my way into the legislative chamber. I pervert the law and make it perform, for my profit and at your expense, the same act for which it had punished me up to now.

My decree is modeled on yours.

Article 1. A tax shall be levied on all citizens, and especially on ironmasters.

Article 2. With the revenue from this tax the state shall pay an armed body of men that will take the title of *fraternal police*.

Article 3. The fraternal police shall enter the warehouses where axes, saws, etc., are stored, appropriate these tools, and distribute them to the workers who want them.

Thanks to this ingenious device, you see, sir, that I shall no longer incur the risks, the expense, the odium, or the guilt of plunder. The state will steal for me as it does for you. Both of us will play that game.

It remains to be seen what would happen to French society if the second of my hypothetical cases were to be made an accomplished fact, or at least what has already happened to it now that the first has been almost completely realized.

I do not want to treat here the economic aspect of the question. People believe that, when we demand free trade, we are motivated exclusively by the desire to allow labor and capital to take the direction most advantageous to them. Public opinion is mistaken on this point; this is merely a secondary consideration with us. What grieves us, afflicts us, horrifies us in the protectionist system is that it is the negation of law, justice, and property rights; that it turns the law, which should guarantee justice and the right to property, against them; that it both subverts and perverts the conditions under which society exists. And it is to this aspect of the question that I direct your most serious consideration.

What, then, is the law, or at least what should it be? What is its rational and moral function? Is it not precisely to maintain an exact balance among all rights, all freedoms, all forms of property? Is it not to make justice prevail among them all? Is it not to prevent and repress oppression and plunder, from whatever quarter they may come?

And are you not appalled by the immense, radical, and deplorable innovation which will be introduced into the world on the day when the law itself is authorized to commit the very crime that it is its function to punish—on the day when it is turned, in theory and in practice, against liberty and property?

You deplore the symptoms that modern society exhibits; you shudder at the disorder that prevails in institutions and ideas. But is it not your principle that has perverted everything, both ideas and institutions?

The law is no longer the refuge of the oppressed, but the arm of the oppressor! The law is no longer a shield, but a sword! The law no longer holds a balance in its august hands, but false weights and false keys! And you want society to be well ordered!

Your principle has placed these words above the entrance of the legislative chamber: “Whosoever acquires any influence here can obtain his share of legal plunder.”

And what has been the result? All classes have flung themselves upon the doors of the chamber, crying: “A share of the plunder for me, for me!”

After the February Revolution, when universal suffrage was proclaimed, I hoped for a moment that its great voice would be heard saying: “No more plunder for anyone. Justice for everyone.” For this is the true solution of the social problem. But that is not the way things happened; protectionist propaganda for centuries had too deeply corrupted men's feelings and ideas.

No; invoking your principle, every class came bursting into the National Assembly to make of the law an instrument of plunder. People demanded a progressive income tax, interest-free credit, the right to employment, the right to relief, guaranteed interest, a minimum wage, education free of charge, capital advances to industry, etc., etc. In short, everyone wanted to live and to develop at the expense of others.

And by what authority did they make these demands? On the basis of the precedent you set. What sophisms did they make use of? Those that you have been propagating for centuries. Like you, they spoke of *equalizing the conditions of labor*. Like you, they protested against *anarchistic competition*. Like you, they scoffed at *laissez faire*, that is, at *freedom*. Like you, they said that the law should not confine itself to being just, but that it should come to the aid of industries on the verge of failure, protect the weak against the strong, assure profits to individuals at the expense of the community, etc., etc. In short, socialism came in and developed, to use the expression of M. Charles Dupin, the theory of plunder. It did what you do, and what you want the professors of political economy to join with you in doing on your behalf.

It is in vain that you protectionists have been so astute, that you have softened your tone, boasted of your latent generosity, and bested your adversaries with emotional appeals; you still will not prevent logic from being logic.

You will not prevent M. Billault from saying to the legislator: “You grant favors to some; you must grant them to all.”

You will not prevent M. Crémieux\* from saying to the legislator: “You enrich the manufacturers; you must enrich the proletariat.”

You will not prevent M. Nadaud† from saying to the legislator: “You cannot refuse to do for the suffering classes what you have done for the privileged classes.”

You cannot even prevent your leader, M. Mimerel, from saying to the legislator: “I demand a 25,000 franc subsidy for the workers' retirement fund,” and from defending his motion in these terms:

Is this the first law of this nature that our legislature has passed? Is it your doctrine that the state may encourage everything, defray the expenses of a scientific education, subsidize the fine arts, support the theatre, give to classes already favored by fortune higher education, the most varied forms of recreation, the enjoyment of the arts, security in old age—all this to those who do not know what it means to suffer privation—and make those who have nothing pay their share for the benefits they do not receive, while you refuse them everything, even the necessities of life?

.... Gentlemen, our French society, our customs, our laws are so constituted that the intervention of the state, regrettable as we may consider it, is encountered everywhere, so that nothing appears stable, nothing appears permanent, unless the state has a hand in it. It is the state that makes Sèvres porcelains and Gobelin tapestries; it is the state that exhibits periodically and at its expense the products of our artists and our manufacturers; it is the state that compensates those who raise our livestock and those who breed our fish. All this costs a great deal; still another tax that everyone pays—everyone, you understand. And what direct good do the people get from it? What direct good do your porcelains, your tapestries, your exhibitions do them? I can well appreciate your desire to resist, as a matter of principle, what you call a state of overenthusiasm, although only yesterday you voted a subsidy for linen; I can appreciate it, but only if you consult the spirit of the times, and if, above all, you give evidence of your impartiality. If it is true that, by all the means I have just indicated, the state has appeared up to now to favor more directly the needs of the well-to-do classes than of those less well favored, *this appearance of favoritism must be brought to an end*. Will this be done by our ceasing to manufacture Gobelin tapestries and by prohibiting our expositions? Certainly not, but *by giving a direct share to the poor in this distribution of benefits*.<sup>4</sup>

In this long enumeration of the favors accorded to a few at the expense of all, one notes the extreme discretion displayed by M. Mimerel in glossing over the cases of tariff favoritism, although they are the most evident manifestation of legal plunder. All the orators who supported or opposed him showed the same reserve. This is very astute! Perhaps they hope, *by giving a direct share to the poor in this distribution of benefits*, to preserve the great iniquity by which they profit, but of which they do not speak.

They delude themselves. Do they think that after they have committed partial plunder by the device of customs barriers, other classes will not try to commit universal plunder by other devices?

I know, indeed, that you always have a sophism ready. You say:

The favors that the law grants us are not for the benefit of the industrialist, but of industry. The commodities which it permits us to withdraw from the general market at the expense of the consumers are only deposits in our hands.

They enrich us, it is true; but our wealth, since it places us in a position to spend ever more, to expand our operations, returns, like a refreshing dew, to the working class.<sup>5</sup>

Such is your language; and what I deplore is that your wretched sophistries have so perverted the public mind that they are relied upon today to justify all the processes of legal plunder. The suffering classes also say: “Let us take the possessions of others by way of legislation. We shall have more of the comforts and conveniences of life; we shall buy more wheat, more meat, more cloth, more iron, and what we shall receive by way of taxation will return, like a beneficial rain, to the capitalists and landowners.”

But, as I have already said, I am not discussing today the economic consequences of legal plunder. When the protectionists wish it, they will find me ready to examine *the sophism of chain reactions*,<sup>6</sup> which, besides, can be used to justify all types of thefts and frauds.

Let us confine ourselves to the political and moral effects of exchange deprived of freedom by legal enactment.

I say, the time has come to know definitively what the law is, and what it ought to be.

If you make of the law the palladium of the freedom and the property rights of all citizens, and if it is nothing but the organization of their individual rights to legitimate self-defense, you will establish on a just foundation a rational, simple, economical government, understood by all, loved by all, useful to all, supported by all, entrusted with a perfectly definite and very limited responsibility, and endowed with an unshakable solidity.

If, on the contrary, you make of the law an instrument of plunder for the benefit of particular individuals or classes, first everyone will try to make the law; then everyone will try to make it for his own profit. There will be tumult at the door of the legislative chamber; there will be an implacable struggle within it, intellectual confusion, the end of all morality, violence among the proponents of special interests, fierce electoral struggles, accusations, recriminations, jealousies, and inextinguishable hatreds; the public police force will be put at the service of unjust rapacity instead of restraining it; the distinction between the true and the false will be effaced from all minds, as the distinction between the just and the unjust will be effaced from all consciences; government will be held responsible for everyone's existence and will bend under the weight of such a responsibility; there will be political convulsions, fruitless revolutions, and ruins upon which all the forms of socialism and communism will be tried out. Such are the plagues that the perversion of the law cannot fail to let loose.

Such, consequently, are the calamities to which you protectionists have opened the door in making use of the law to suppress freedom of trade, that is, to suppress the right to property. Do not declaim against socialism; you are helping to build it. Do not declaim against communism; you are helping to build it. And now you ask us economists to make you a theory that will take your side and justify you! No, thank you! Do it yourselves!<sup>7</sup>



[\[Back to Table of Contents\]](#)

9.

## Academic Degrees And Socialism

### Honorable Representatives:

I have submitted to the Assembly an amendment that has as its object the *abolition of university degrees*.<sup>\*</sup> My health does not permit me to present it orally on the rostrum. Allow me to have recourse to a written communication. [1](#)

The question is an extremely serious one. However imperfect the law that has been drafted by your commission may be, I believe that it would mark a distinct advance over the present state of public education if it were amended as I propose.

The university system of academic degrees has the threefold inconvenience of making education *uniform* (uniformity is not unity), of imposing upon it *the most disastrous administration*, and then of making it *inflexible*.

If there is anything in the world that is progressive by nature, it is education. What is education, in fact, if not the transmission from generation to generation of the knowledge acquired by society, that is, of a treasure that is refined and increased every day?

How does it happen that education in France has remained uniform and stationary since the darkness of the Middle Ages? Because it has been monopolized and enclosed in an enchanted circle by university degrees.

There was a time when, in order to acquire any knowledge whatsoever, it was as necessary to learn Latin and Greek as it was indispensable to the Basques and the Bas-Bretons to begin by learning French. Living languages were not fixed; printing had not been invented; the human mind had not applied itself to penetrating the secrets of Nature. To be educated was to know what Epicurus and Aristotle had thought. People of the upper classes boasted of not being able to read. The only class that possessed and transmitted knowledge was the clergy. What, then, could that knowledge be? Evidently it had to be limited to the knowledge of dead languages, and principally of Latin. There were only Latin books; writing was done only in Latin; Latin was the language of religion; the clergy could teach only what they had learned—Latin.

Hence, it is understandable that in the Middle Ages education was confined to the study of the dead languages, quite improperly called the learned languages.

Is it natural, is it good, that the same should be true in the nineteenth century? Is Latin a necessary means for the acquisition of knowledge? Can religion, physics, chemistry,

astronomy, physiology, history, law, ethics, industrial technology, or social science be learned from the writings left to us by the Romans?

Knowing a language, like knowing how to read, means having possession of an instrument. And is it not strange that we should spend our whole youth in making ourselves masters of an instrument that is good for nothing—or not good for much, since nothing is more urgent when one begins to know it than to forget it? Alas, if one could only forget as quickly the impressions that this wretched study has left!

What should we say if at Saint-Cyr,\* in order to prepare our youth for modern military science, all they were taught was to throw stones with a slingshot?

The law of our country decrees that the most honorable careers are to be closed to whoever does not have a bachelor's\* degree. It decrees, further, that in order to earn that degree, one must have so far crammed his head with Latinity that nothing else can enter it. Now, what is the result? As everyone knows, young people *have calculated the exact amount strictly necessary to earn the degree*, and they rest content with that. You find all this deplorable. Well, do you not understand that this is the protest of the public conscience against the imposition of so much useless effort?

To learn an instrument which, as soon as one knows how to play it, gives out no further sound, is hardly rational. Why has this practice been perpetuated up to now? The explanation is to be found in a single word: *monopoly*. Monopoly is so constituted that it paralyzes all that it touches.

Hence, I wanted the Assembly to ensure the freedom, that is, the progress, of education. It has now decided that this is not to be. We shall not have complete freedom. Allow me to make an effort to save at least a shred of it.

Freedom may be considered from the point of view of persons and in relation to material things—*ratione personae et ratione materiae*, as the legal scholars say; for to abolish competition in methods of instruction is no less a violation of freedom than to abolish competition among men.

There are some who say: “Teaching as a career is going to be free, for everyone will be able to enter upon it.” This is a great illusion.

The state—or rather, the party, the faction, the sect, the man, that is in momentary and even quite legal possession of the governmental power—can give to education the desired direction and mold men's minds at will solely by means of the system of academic degrees.

Give a man the power to confer academic degrees and, while leaving anyone free to teach, education will be, in fact, in servitude.

I, the father of a family, and the teacher whom I hire for the education of my son, may both believe that genuine education consists in teaching what things are and what effects they produce, in the physical order as well as in the moral order. We may think that he is the best educated who has the most exact idea of phenomena and best

understands the connection between causes and effects. We should like to base education on this assumption. But the state has another idea. It thinks that to be learned is to be able to scan the verses of Plautus and to cite the opinions of Thales and Pythagoras on fire and air.

Now, what does the state do? It says to us: "Teach what you want to your student; but when he is twenty years old, I shall question him concerning the opinions of Thales and Pythagoras; I shall have him scan the verses of Plautus; and if he is not good enough in these matters to prove to me that he has devoted the whole of his youth to them, he will be able to become neither a physician nor a barrister nor a magistrate nor a consul nor a diplomat nor a teacher."

From that moment I am forced to submit, for I will not take upon myself the responsibility of closing to my son so many fine careers. You may tell me that I am free; but I say that I am not, since you reduce me to making a pedant of my son, at least from my point of view—perhaps a *frightful little rhetorician*—and unquestionably an unruly rebel.

If only the knowledge required for the bachelor's degree still bore some relation to the needs and the interests of our age! If at least it were merely useless! But it is deplorably harmful. To pervert the human mind—that is the problem which seems to have been posed and which has been solved by those to whom the monopoly of education has been handed over. This is what I am going to try to demonstrate.

Since the beginning of this dispute, the university and the clergy have been firing accusations at each other as if they were bullets.

"You pervert our young people with your philosophic rationalism," says the clergy.

"You stupefy them with your religious dogmatism," replies the university.

Conciliators enter, saying: "Religion and philosophy are sisters. Let us combine free inquiry and authority. University, clergy, each of you has had the monopoly in turn; share it, and let this dispute come to an end."

We have heard the venerable Bishop of Langres\* address the university in these terms: "It was you who gave us the socialist generation of 1848."

And M. Crémieux was not long in retorting to this rebuke in these terms: "It was you who educated the revolutionary generation of 1793."

If there is truth in these allegations, what must we conclude? That the two systems of education have been harmful, not in what differentiates one from the other, but in what they have in common.

Yes, that is my conviction; these two systems have one point in common: the abuse of classical studies, and it is by this means that both of them have perverted the judgment and the morality of the country. They differ in that the one makes religion the predominant element; the other, philosophy. But each of these elements, far from

having caused the harm, as they are accused of doing, has, in fact, mitigated it. We owe it to them that we have not become as barbarous as the barbarians who are constantly held up to us by the Latinists for our imitation.

Permit me a supposition which is perhaps a bit forced, but which will make my thought understood.

Suppose, then, that a nation exists somewhere, at the antipodes, which, hating and despising labor, has based its whole mode of life on the successive pillage and enslavement of all its neighbors. That nation has founded its politics, its morality, its religion, and its public opinion on the brutal principle that maintains and develops it. Since France has given the monopoly of education to the clergy, the latter find nothing better to do than to send all of French youth among this people to live its life, to become inspired with its sentiments and filled with its enthusiasms, and to breathe in its ideas like the air. But care is taken that each student who leaves is provided with a small volume called *The Gospels*. The generations raised in this way return to the homeland, and a revolution breaks out. I leave it to the reader to imagine the role that they will play in it.

Seeing what has happened, the state takes the monopoly of education away from the clergy and hands it over to the university. Faithful to tradition, the university, too, sends the young to the antipodes, among the plundering, slave-owning people, after having provided each of them with a little volume entitled *Philosophy*. Five or six generations thus educated have hardly touched their native soil again before a second revolution breaks out. Reared in the same school as their predecessors, they show themselves worthy emulators of them.

Then war breaks out between the monopolists.

“It is your little book that has caused all the evil,” says the clergy.

“It is yours,” replies the university.

No, gentlemen, your little books count for nothing in all this. What has caused the evil is the strange idea, conceived and put into practice by both of you, of sending the youth of France, with the intention of preparing them for labor, peace, and freedom, to drink in, and become imbued and saturated with, the feelings and the opinions of a nation of brigands and slaves.

I say that the subversive doctrines called *socialism* or *communism* are the fruit of classical education, whether provided by the clergy or by the university. I add that the bachelor's degree will forcibly impose a classical education even on those schools supposedly free, which should, it is said, come into existence as a result of the law. That is why I ask for the abolition of university degrees.

The study of Latin is much praised as a means of developing the intellect. This is purely a conventional judgment. The Greeks, who did not learn Latin, were not lacking in intelligence, and we do not see that French women are deprived of it any more than they are deprived of common sense. It would be strange that the human

mind could not be strengthened without becoming perverted. Will it never be understood that the altogether problematic advantage that is alleged to exist in a classical education, if it exists at all, is very dearly paid for by the terrible consequence of having allowed the soul of France to be penetrated, along with the language of the Romans, by their ideas, their sentiments, their opinions, and a caricature of their manners and customs?

Ever since God pronounced this judgment on men: “In the sweat of thy face shalt thou eat bread,” earning a living has been for them so great, so absorbing an affair that, depending upon the means that they employ to provide for their existence, there must be great differences in their manners, their opinions, their ethics, and their social customs.

People that live by hunting cannot be like people that live by fishing, nor can a nation of shepherds be like a nation of sailors.

But even these differences are nothing in comparison with those that must characterize two nations of which one lives by labor and the other by theft.

For among hunters, fishermen, shepherds, farmers, merchants, and manufacturers, there is this in common: that all seek the satisfaction of their wants in the action that they exert on things. What they want to subject to their control is Nature.

But those who live by plunder exert their action on other members of their species; what they ardently aspire to dominate are their fellow men.

In order for men to exist, it is necessary to exert upon Nature the action called labor.

The fruits of this action can profit the nation that devotes itself to it, but it is also possible that they may reach, at second hand and by force, another people that has the laboring nation under its control.

I cannot develop this idea fully here; but if one reflects on it, he will be convinced that, between two masses of men placed in conditions so opposed, everything—manners, customs, opinions, social organization, morality, and religion—must so far differ that even the words used to express the most fundamental relations, like the words “family,” “property,” “freedom,” “virtue,” “society,” “government,” “republic,” and “people,” cannot represent the same ideas to both nations.

A nation of warriors understands quite soon that family life can weaken military ardor (we feel it ourselves, since we forbid it to our soldiers). Yet the population cannot be allowed to stop growing. How is the problem to be solved? As Plato did in theory and Lycurgus in practice: by *promiscuity*. Yet Plato and Lycurgus are names that we are accustomed to pronounce only with idolatry.

As for property, I defy anyone to find in all antiquity a tenable definition of it. Nowadays we say: “Every man owns himself, and consequently his labor, and, accordingly, the product of his labor.” But could the Romans conceive such an idea?

As owners of slaves, could they say: "Every man belongs to himself"? Despising labor, could they say: "Every man is the owner of the product of his labor"? This would have been tantamount, in effect, to collective suicide.

On what, then, did antiquity base the right to property? On the law—a disastrous idea, the most disastrous that has ever been introduced into the world, since it justifies the use and abuse of everything that it pleases the law to declare *property*, even the fruits of theft, even man himself.

In those barbarous times, freedom could be no better understood. What is freedom? It is the sum total of all our freedoms. To be free, on one's own responsibility, to think and to act, to speak and to write, to labor and to exchange, to teach and to learn—this alone is to be free. Can a nation disciplined for endless battle conceive of freedom thus? No, the Romans prostituted this name to a certain boldness in the civil wars that the distribution of the spoils provoked among them. The leaders wanted everything; the people demanded their share. Hence the tumults in the forum, the refuges on Mount Aventine, the agrarian laws, the intervention of the tribunes, and the popularity of conspirators; hence the maxim: *Malo periculosam libertatem,\** etc., which has passed into our language, and with which I embellished all my textbooks in school:

O Liberty! What charm your storms  
Have for great hearts!†

Admirable examples, sublime precepts, precious seeds to plant in the soul of French youth!

What is to be said of Roman morality? And I am not speaking here of the relations of father and son, of husband and wife, of patron and client, of master and servant, of man and God—relations that slavery, by itself alone, could not fail to transform into a whole network of depravity; I wish to dwell only on what is called the admirable side of the Republic, i.e., *patriotism*. What was this patriotism? Hatred of foreigners, the destruction of all civilization, the stifling of all progress, the scourging of the world with fire and sword, the chaining of women, children, and old men to triumphal chariots—this was glory, this was virtue. It was to these atrocities that the marble of the sculptors and the songs of the poets were dedicated. How many times have our young hearts not palpitated with admiration, alas, and with emulation at this spectacle! It is thus that our teachers, venerable priests, full of years and of charity, prepared us for the Christian and civilized life. So great is the power of *conventional opinion!*

The lesson has not been lost; and it is from Rome undoubtedly that this adage comes to us, true in regard to theft, false in regard to labor: *one nation's loss is another nation's gain*—an adage that still governs the world.

To acquire an idea of Roman morality, imagine in the heart of Paris an organization of men who hate to work, determined to satisfy their wants by deceit and force, and consequently at war with society. Doubtless a certain moral code and even some solid virtues will soon manifest themselves in such an organization. Courage, perseverance,

self-control, prudence, discipline, constancy in misfortune, deep secrecy, punctilio, devotion to the community—such undoubtedly will be the virtues that necessity and prevailing opinion would develop among these brigands; such were those of the buccaneers; such were those of the Romans. It may be said that, in regard to the latter, the grandeur of their enterprise and the immensity of their success has thrown so glorious a veil over their crimes as to transform them into virtues. And this is precisely why that school is so pernicious. It is not abject vice, it is vice crowned with splendor, that seduces men's souls.

Finally, in regard to *society*, the ancient world has bequeathed to the modern world two false ideas that undermine its stability and will do so for a long time to come.

The first is that *society is a condition outside of Nature, the result of a contract*. This idea was not as erroneous in the past as it is in our day. Rome and Sparta were indeed two associations of men having a common and definite end: pillage; they were not exactly societies, but armies.

The second, a corollary of the preceding idea, is that *law creates rights*, and that, consequently, the legislator and the rest of mankind are in the same relation to each other as the potter and the clay. Minos, Lycurgus, Solon, and Numa molded the Cretan, Lacedemonian, Athenian, and Roman societies. Plato was the manufacturer of imaginary republics designed to serve as models for future *founders of peoples and fathers of nations*.

Now, observe that these two ideas constitute the characteristic feature, the distinctive mark, of *socialism*, taking this word in the unfavorable sense and as the common label of all social utopias.

Whoever, unaware of the fact that the body politic is, like the human body, constituted by virtue of the operation of natural laws, dreams of creating an artificial society and sets about manipulating the family, property, law, and mankind in any way he pleases, is a socialist. He is not studying physiology; he is wielding the sculptor's chisel on his fellow man. He is not making observations; he is inventing. He does not believe in God; he believes in himself. He is not a scientist; he is a tyrant. He does not serve his fellow men; he disposes of them. He does not study their nature; he changes it, following the advice of Rousseau.<sup>2</sup> He is inspired by antiquity: he follows in the footsteps of Lycurgus and Plato. In a word, he is, without a doubt, the holder of a bachelor's degree.

“You exaggerate,” I shall be told. “It is not possible that our studious young men acquire such deplorable opinions and sentiments from beautiful antiquity.”

And what else do you expect them to acquire than what is there? Make an effort to recall what state of mind you were in when, on leaving school, you entered the practical world. Did you not burn with the desire to imitate the despoilers of the earth and the agitators of the forum? For my part, when I see present-day society casting young people, by dozens of thousands, into the mold of Brutus and the Gracchi, in order to launch them forth later, incapable of all honest labor (*opus servile*), into the

mob in the street, I am astonished that they withstand this ordeal. For classical education not only has the imprudence to plunge us into Roman life; it plunges us into it while accustoming us to become enthusiastic about it, to consider it as the ideal model for all mankind, the sublime type, too exalted for modern men, but one that we must strive to imitate without ever pretending to attain it.<sup>3</sup>

Will it be objected that socialism has taken possession of the classes that do not aspire to the bachelor's degree?

I reply with M. Thiers:

Secondary education teaches the ancient languages to the children of the well-to-do classes..... It is not only words that are taught to the children when they learn Greek and Latin; it is also noble and sublime things [plunder, war, and slavery]; it is the history of mankind in simple, great, *indelible* images..... Secondary instruction forms what are called the enlightened classes of a nation. Now, although the enlightened classes do not constitute the entire nation, they do give it its character. Their vices, their qualities, their good and evil propensities soon become those of the entire nation; they determine its form by the contagion of their ideas and their sentiments.<sup>4</sup>

Nothing is truer, and nothing better explains the harmful and unnatural perversities of our revolutions.

“Antiquity,” M. Thiers adds,

let us dare to say it to a century full of self-pride: antiquity is *what is most admired in the world*. Please, gentlemen, let childhood abide in antiquity, as in a *calm, peaceful, and healthful* sanctuary, so that it may be kept fresh and pure.

The calm of Rome! The peace of Rome! The purity of Rome! Oh, if the long experience and the remarkable common sense of M. Thiers have not been able to preserve him from so strange an infatuation, how do you expect our ardent youth to defend itself from it?<sup>5</sup>

Recently the National Assembly witnessed a comic dialogue, surely worthy of the pen of Molière.

M. Thiers, addressing himself from the height of the rostrum, and without laughing, to M. Barthélemy de Saint-Hilaire:<sup>\*</sup> “You are wrong, not in regard to art, but *in regard to morality*, to prefer Greek to Latin letters, especially for the French, who are a Latin nation.”

M. Barthélemy de Saint-Hilaire, also without laughing, “What about Plato?”

M. Thiers, still not laughing: “They have been wise, they have been very wise, to encourage Greek and Latin studies. I prefer Latin studies *for a moral purpose*. But they have also required these poor young people at the same time to know German, English, the exact sciences, the physical sciences, history, etc.”



*To know what is, is evil. To be steeped in Roman ways is morality!*

M. Thiers is neither the first nor the only one who has succumbed to this illusion—I might almost say, to this mummery. Let me indicate briefly how profound an impression classical education has left on French literature, morality, and politics. I have neither the leisure nor the intention to paint the whole picture, for what writer would not have to be included in it? I shall content myself with a sketch.

I need not cite Montaigne.\* Everyone knows how Spartan he was in his velleities, little as he was so in his tastes.

As for Corneille, of whom I am a sincere admirer, I believe he performed a disservice to the spirit of his age in clothing in beautiful verse, in giving a stamp of sublime grandeur, to strained, unnatural, fierce, antisocial sentiments such as the following:

To sacrifice what one loves to the public weal,  
To engage in combat against a part of oneself.....  
Such a virtue only we possessed.....  
Chosen by Rome to be its arm, I make no scruple:  
With a joy as full and sincere  
As I married the sister I shall fight the brother. [2020](#)

And I confess that I feel disposed to share the feeling of Curiace, not in regard to a particular fact, but with respect to the whole history of Rome, when he says:

I thank the gods I'm not a Roman  
And still keep something in me human.

## Fénelon

Today *communism* fills us with horror because it frightens us; but did not long association with the ancients make a communist of Fénelon, the man whom modern Europe rightly regards as the most admirable typification of moral perfection? Read his *Télémaque*, the book that parents are so quick to place in the hands of their children. There you will see Fénelon, in the borrowed robes of Wisdom herself, laying down the law to the legislators. And on what plan does he propose to organize his model society? On the one hand, the legislator reflects, invents, acts; on the other, society, impassive and inert, allows itself to be acted upon. The moral impulse, the principle of action, is thus forcibly taken from all men to become the prerogative of only one man. Fénelon, the precursor of the boldest of our modern proponents of an artificially planned social order, is the one who decides on the food, clothing, housing, diversions, and occupations of all the inhabitants of Salente. He is the one who says what they shall be permitted to eat and drink, on what plan their houses are to be constructed, how many rooms they are to have, and how they are to be furnished.

He says—but I shall let him speak for himself:

Mentor set up magistrates to whom the merchants were accountable for their stock, their profits, their expenses, and their business ventures..... In other respects, there was complete freedom of trade..... He forbade the importation of any foreign products that might lead to luxury and soft living..... He eliminated a great number of merchants who sold brocade, etc..... He established rules and regulations regarding clothing, food, furniture, and the size and ornamentation of houses for all the different degrees and conditions of men.

“Set up rules for the various ranks established by birth,” he said to the king; “.... those of the first rank, after you, will be dressed in white; .... those of the second rank, in blue; .... the third, in green; .... the fourth, in yellow; .... the fifth, in pale red or pink; .... the sixth, in gray linen; .... and the seventh, which will be the last, in a mixture of white and yellow. These are the clothes of the seven different degrees of free men. All the slaves will be dressed in dark gray. No alteration *is to be* tolerated either in the type of cloth used or in the shape of the garments.”

He regulated in the same way the food of both the citizens and the slaves.

He then eliminated soft and effeminate music.

He set simple and gracious standards of architecture. He wanted every house of any consequence to have a parlor and a peristyle, with little rooms for all *the free people*.

Yet the moderation and frugality of Mentor did not prevent him from authorizing the construction of large buildings to be used for horse and chariot races and for *wrestling and boxing matches*.

Painting and sculpture seemed to Mentor to be arts that should not be allowed to die out, but he wanted only a few practitioners of these arts to be permitted in Salente.

Does one not recognize here an imagination inflamed by the reading of Plato and by the example of Lycurgus, amusing itself by making experiments on men as if they were so much raw material?

One should not seek to justify such idle fancies by saying that they are the fruit of an excessive benevolence. There is as much of it here as there is in any of those who propose to organize or disorganize societies.

## Rollin\*

Rollin is another, almost the equal of Fénelon in intelligence and depth of feeling, and concerned to an even greater extent than Fénelon with education. Alas, to what depths of intellectual and moral degradation was this good man not reduced by his long association with antiquity! One cannot read his books without a feeling of sorrow and pity. One cannot tell whether he is Christian or pagan, so impartial is he between God and the gods. He is as ready to believe the legends of the heroic age of antiquity as he is the miracles recounted in the Bible. Over his placid countenance one always sees passing the shadow of warlike passions; he speaks of nothing but javelins, swords,

and catapults. For him, as for Bossuet, one of the most interesting of social problems was whether the Macedonian phalanx was better in battle than the Roman legion. He extols the Romans for being devoted only to sciences that have domination for their object: eloquence, politics, war. In his eyes, all other knowledge is a source of corruption, fit only to incline men towards peace; hence, he is careful to ban it from his schools, to the plaudits of M. Thiers. All his homage is paid to Mars and Bellona; he can hardly spare more than a few grains of incense for Christ. Sad dupe of the *conventional judgment* that has given classical education the predominant position, he was so set on admiring the Romans that, where they were concerned, he took simple abstention from the most heinous offenses as a manifestation of the highest virtue. Alexander, in having regretted assassinating his best friend, and Scipio, in not taking a woman away from her husband, give proof, in his eyes, of inimitable heroism. In short, if he has made of each of us a *living contradiction*, surely he is himself the most perfect example of it.

Rollin is thought to be an admirer of communism and of Spartan institutions. Yet let us do him justice; his admiration is not entirely unqualified. With suitable circumspection, he reproves the Spartan legislator for having marred his work with four slight imperfections: idleness, promiscuity, infanticide, and the mass slaughter of slaves. But once having expressed these four reservations, the good man, again falling under the spell of *conventional opinion* concerning classical antiquity, sees in Lycurgus, not a man, but a god, and finds his polity perfect.

The intervention of the legislator in all things seemed to Rollin so indispensable that he quite seriously congratulates the Greeks on the fact that a man named Pelasges came to show them how to eat acorns. Before that, he says, they grazed on the land like cattle.

Moreover, he says:

God gave the Romans their empire as a reward for their great virtues, which cannot but be obvious. He would not have done them justice if He had accorded to these virtues, which have nothing materialistic about them, any less compensation.

Does one not see clearly here conventional opinion and Christianity in conflict over a poor lost soul in the person of Rollin? The sentence we have quoted sums up the very essence of all the works written by the founder of education in France. To contradict oneself, to make God contradict Himself, and to make us learn to contradict ourselves—this is the whole of the teaching of Rollin and the sum and substance of the kind of education that leads to the bachelor's degree.

If promiscuity and infanticide caused Rollin to have certain qualms about the institutions of Lycurgus, he was enthusiastic about everything else, and he even found a way of justifying theft. This is a curious fact and one sufficiently relevant to my subject to warrant being reported. Here is how he did it.

Rollin begins by assuming, in principle, that *the law creates property*—a deplorable principle, common to all the proponents of artificial social orders, and one that we

shall find repeated by Rousseau, Mably, Mirabeau,\* Robespierre, and Babeuf. Now, since property has its basis in the law, could the law not also be the basis of theft? How oppose this argument?

Theft was permitted in Sparta. It was severely punished among the Scythians. The reason for this difference is obvious: the law, *which alone determines the right to property and the use of goods*, granted a private individual no right, among the Scythians, to the goods of another person, whereas in Sparta the contrary was the case.

Then, the good man, in the ardor of his plea on behalf of theft and of Lycurgus, invokes the most incontestable of authorities, that of God:

Nothing is more common than the existence of similar rights to the goods of another person; thus, God has not only given the poor the power to gather grapes in the vineyards and to glean in the fields and to take away whole sheaves but has also granted to every passer-by without distinction the freedom to enter as often as he likes the vineyard of another person and to eat as many grapes as he wants, *in spite of the owner of the vineyard*. God Himself gives the first reason for this. It is that the land of Israel belonged to Him and that the Israelites enjoyed possession of it only on that onerous condition.

No doubt it will be said that this doctrine is peculiar to Rollin. This is precisely what I say. I am trying to demonstrate to what a state of moral infirmity the habit of consorting with the frightful society of antiquity can reduce the most admirable and the most honest of intellects.

## Montesquieu

It has been said of Montesquieu that he rediscovered the rights of man. He is one of those great writers whose every phrase has the privilege of being authoritative. God forbid that I should seek to diminish his glory! But what is to be thought of classical education if it so far succeeded in misleading that noble mind as to induce him to admire in antiquity the most barbarous institutions?

The ancient Greeks, imbued with the necessity of *training in the virtues* those who were to live under a popular government, designed institutions peculiarly fitted for this end..... The laws of Crete served as the model for those of Sparta, and those of Plato corrected the latter.

I invite the reader's attention to the great genius these lawgivers must have had: in flying in the face of all accepted customs, in confounding all the virtues, they showed the world *their wisdom*. Lycurgus, in combining larceny with the spirit of justice, the harshest slavery with extreme liberty, the most atrocious sentiments with the greatest moderation, gave stability to his city. He seemed to be depriving it of all its resources, arts, commerce, money, and defenses; there was ambition, but no hope of being better off; *there were natural affections*, and yet no man was either child or husband or father; even chastity was no longer regarded as respectable. *This is the way that*

*Sparta was led to grandeur and glory; but so infallible were its institutions that nothing was gained in winning battles against it if the victor did not succeed in depriving it of its polity.*<sup>7</sup>

Those who would like to have similar institutions will set up a regime in which property is communally owned, as in Plato's republic, and in which there will be the respect that he demanded for the gods and the separation of the natives from foreigners for the preservation of morality, with the state, not the citizens, engaging in commerce; they will give us our arts without our luxury and will satisfy our needs rather than our desires.

The great influence that the ancients attributed to music Montesquieu explains in these terms:

I believe I can explain this. One has to put oneself into the spirit of the Greek city-states, especially those that had war *as their chief object*. All the gainful occupations and professions were regarded as *unworthy of a free man*. "Most of the arts," says Xenophon, "weaken the body; those who practice them must sit in the shade or by the fire; they have time neither for their friends nor for the republic." It was only with the *corruption* of certain democracies that artisans attained the status of citizens. This is what Aristotle teaches us, and he maintains that a good republic will never grant them civil rights.

Agriculture was still a *servile* occupation and was ordinarily carried on by a conquered people: the helots among the Spartans, the Perioecians among the Cretans, the Penestaeans among the Thessalians, and other enslaved peoples in other republics.

In short, all commerce was *ignoble* in the eyes of the Greeks. *It would have required that a citizen render services to a slave, to a tenant, to a stranger, an idea repugnant to the spirit of Greek liberty*. Hence, Plato wants the laws to punish any citizen who engages in commerce.

There were *considerable inconveniences and difficulties* involved in putting these ideas into practice in the Greek republics. On the one hand, the citizens *were not supposed* to engage in commerce, agriculture, or the arts; on the other, they *were not supposed* to be altogether idle, either. They occupied their time in gymnastic exercises and in those *relating to war*. Their institutions allowed them no other occupations. The Greeks must, then, be regarded as a society of athletes and warriors. Now, these exercises, so well fitted to make people fierce and hardy, needed to be tempered by others that could polish and refine their manners. Music, which touches the spirit by way of the organs of the body, was very well suited to this end.<sup>8</sup>

This is the idea that classical education gives us of liberty. And now let us see how it teaches us to understand equality and thrift:

Although equality of wealth is the very essence of the democratic state, it is, nevertheless, so difficult to establish that it is not always expedient to aim at extreme exactitude in this regard. It suffices to reduce and fix the differences within certain

limits, after which it will be the function of particular laws to equalize, so to speak, the remaining inequalities by the taxes that they impose on the rich and the relief they grant to the poor.[9](#)

It is not enough, in a good democracy, that all land allotments be equal; they must be small, as among the Romans.....

As equality of wealth involves thrift, so thrift maintains equality of wealth. The two things, although different, are such that one cannot subsist without the other.[10](#)

The Samnites had a custom which, in a small republic, and, above all, in one situated as theirs was, was bound to produce *admirable results*. All the young people were assembled and judged. He who was declared the *best* took whatever girl he liked as his wife; then the next best after him was allowed his choice, and so on..... It would be difficult to imagine a reward more noble, more magnificent, less costly to a small state, more capable of acting as an incentive for both sexes.

The Samnites were the descendants of the Spartans; and Plato, whose laws are but *the perfection* of those of Lycurgus, hardly equaled this in his own system.[11](#)

## Rousseau

No man exerted a greater influence on the French Revolution than Rousseau. "His works," says Louis Blanc, "were on the table of the Committee of Public Safety. His paradoxes, which his own age took for literary extravagances, soon came to be regarded in the public assemblies of the nation as dogmatic truths *as incisive as a sword*." And, so that the moral link that connects Rousseau with antiquity may not be overlooked, the same panegyrist adds: "His style recalls the moving and passionate language of a *disciple of Corneille*."

Who does not know, besides, that Rousseau was one of the most ardent admirers of the ideas and the customs generally attributed to the Romans and the Spartans? He himself said that the reading of Plutarch made him what he was.

His first essay was directed against the human mind. Its very first pages bear his characteristic stamp:

Shall I forget the city that once flourished in the heart of Greece and that we long to see raised up again, as famous for its *happy ignorance* as for the *wisdom* of its laws, that republic of *demigods rather than men*, so superior their virtues seem to those of ordinary humanity? O Sparta, eternal shame of an empty doctrine! While the vices fostered by the fine arts found their way into Athens, while a tyrant collected there with so much care the work of the prince of poets, thou didst banish from thy confines the arts and the artists, the sciences and the scholars![12](#)

In his second work, the *Discours sur l'inégalité des conditions*, he inveighed with even greater vehemence against all the foundations of society and civilization. He did this because he believed himself to be the interpreter of classical wisdom:

I shall imagine myself in the Lyceum at Athens, repeating *the lessons of my masters*, having Plato and Xenocrates as my judges, and the human race as my auditors.

The essential idea of this famous work can be summarized as follows: The most frightful fate awaits those who, having the misfortune of being born after us, will add their knowledge to ours. The development of our productive capacities already makes us very unhappy. Our ancestors were less so, since they were more ignorant. Rome came near to perfection; Sparta realized it—so far, that is, as perfection is at all compatible with living in society. But man's true bliss is to be found in living in the woods, alone, naked, without ties, without affections, without language, without religion, without ideas, without family—in short, in a condition in which he was so little different from the beasts that it is really doubtful whether he stood upright and whether he did not have paws rather than hands.

Unhappily, that golden age did not last. Mankind passed through an intermediate stage, which was not without certain charms:

As long as they were content to live in rustic cabins, to clothe themselves in skins, to adorn themselves with feathers and shells, to paint their bodies different colors .... as long as they engaged in occupations that an individual could carry on *alone*, they were free, healthy, good, and happy.

Alas, they did not know enough to stop at this first stage of civilization!

.... From the moment when one man *needed the help of another* [society made its fatal appearance]; from the moment when it became apparent that it was useful for a lone individual to have resources for two, equality disappeared, property was introduced, labor became a necessity.....

Metallurgy and agriculture were the two arts whose invention produced this great revolution. For the poet, it is gold and silver, for the philosopher, it is iron and wheat, that have civilized man and led to his *perdition*.

It then became necessary to leave the *state of nature* and enter *society*. This is the subject of Rousseau's third work, *The Social Contract*.

It would not be pertinent to my topic for me to analyze this work here; I shall confine myself to pointing out that virtually every page of it reproduces Greco-Roman ideas.

Since society is a covenant, every man has the right to make his own terms.

Only those who associate together have the right to regulate the conditions of their association.

But this is not easy.

How shall they regulate these conditions? Shall it be by common agreement, or by a sudden inspiration?.... How is a blind multitude of men, who often do not know what

they want, to accomplish of themselves such a great and difficult enterprise as that of devising a system of legislation?... Hence the necessity of a lawgiver.

Thus, universal suffrage is no sooner accepted in theory than it is scuttled in practice.

For how will this lawgiver begin, who *has to be, in every respect, an extraordinary man*, who, *in daring to undertake the founding of a nation, has to feel himself capable of changing human nature, of altering the physical and moral constitution of man*, who has, in a word, *to invent the machine* for which men are the raw material?

Rousseau demonstrates very clearly here that the lawgiver cannot rely on either force or persuasion. How, then, is he to proceed? By imposture.

This is what, in all times, forced the founding fathers of nations to have recourse to the intervention of Heaven and to give credit to the gods for their own wisdom..... The decrees of sublime reason, which is above the reach of the common herd, are imputed by the lawgiver to the immortal gods, so as to win by divine authority the support of those whom human wisdom could not move. But it is not for every man to make the *gods* speak. [*The gods! The immortal gods!* A reversion to classical ideas.]

Like Plato and Lycurgus—his masters—like the Spartans and the Romans—his heroes—Rousseau gives the words “labor” and “liberty” a meaning according to which they express two incompatible ideas. In society, it is necessary to make a choice: either one must renounce freedom, or one must die of hunger. Yet there is a way out of the difficulty; namely, slavery.

From the moment the people of a nation elect representatives, they are no longer free.

Among the Greeks, all that the populace had to do it did for itself. The people were constantly assembled in the market place; *slaves did all their work; their great concern was their liberty*. No longer enjoying these advantages, how preserve the same rights? You concern yourself more with the improvement of your material well-being than with your liberty, and you fear slavery less than poverty.

What! Liberty can be preserved only if supported by slavery? Perhaps. The two extremes meet. Everything that is unnatural has its inconveniences, and civil society even more than anything else. There are unfortunate situations in which one man's liberty can be preserved only at the expense of another's, and where the citizen can be perfectly free only on condition that the slave be abjectly a slave. This was the case with Sparta. You nations of the modern world have no slaves, but you yourselves are slaves, etc.

Here we have a fine example of the conventional opinion of classical antiquity. The ancients were impelled to adopt slavery by their brutal instincts. But as it is a foregone conclusion, a tradition, in academic circles to find everything that they did admirable, all sorts of sophisticated reasoning on the essential nature of liberty are imputed to them.



The opposition that Rousseau set up between the state of nature and society is as fatal to private morality as it is to public morality. According to his system, society is the result of a contract that gives rise to the law, which in turns produces, *ex nihilo*, justice and morality. In the state of nature there is neither justice nor morality. The father has no duty to his son, nor the son to his father, the husband to his wife, the wife to her husband. "I do not owe anything to anybody to whom I have not promised anything; I recognize as belonging to another only what is not useful to me; I have an unlimited right to everything that tempts me and that I can acquire."

It follows from this that if the social contract, once agreed upon, is later dissolved, everything is at once destroyed—society, law, morality, justice, duties. "Each," says Rousseau, "regains his pristine rights and his natural liberty in losing the conventional liberty for the sake of which he renounced them."

Now, we must know that it takes very little to dissolve the social contract. It happens every time any individual violates his agreements or commits any unlawful act whatsoever. The moment a condemned criminal escapes when society says to him, "It is fitting that you die"; the moment a citizen refuses to pay his taxes; the moment an accountant dips his hand into the public till; the social contract is *forthwith* broken; all moral duties come to an end; justice no longer exists; fathers, mothers, children, husbands and wives owe one another nothing; each has an unlimited right to everything that tempts him—in a word, the whole population reverts to a state of nature.

I leave it to the reader to imagine the havoc such doctrines must wreak in times of revolution.

They are no less fatal to private morality. What young man, going out into the world full of ardor and passion, does not say to himself: "The impulses of my heart are the voice of Nature, which is never mistaken. The institutions that stand in my way are man-made and are only arbitrary conventions to which I have never given my consent. In trampling these institutions underfoot, I shall have the double pleasure of satisfying my inclinations and of believing myself a hero."

Need we recall here that lamentable and melancholy page from the *Confessions*?

My third child was then sent to the foundling hospital, as were the first two, and the same was done with the two following; for I have had five altogether. This arrangement seemed to me to be so good that, if I did not publicly boast of it, the motive by which I was withheld was merely my regard for their mother.... In abandoning my children to public education .... *I regarded myself as a member of Plato's republic!*

## Mably

There is no need of quotations to prove the Greco-Roman mania of Abbé Mably. A man who was all of a piece, with a narrower mind and a less responsive heart than Rousseau, he accepted the idea with fewer qualifications and alien admixtures.

Convinced, like all the classic authors, that mankind is raw material for the social planners, he preferred, like them, being the planner to being the raw material for the plan. Consequently, he set himself up as a lawgiver. In this capacity he was first called upon to *found* Poland, but he does not appear to have been successful. Then, he offered the Americans the black broth of the Spartans, but he failed to persuade them of its merits. Incensed by this blindness on their part, he predicted the collapse of the Union and gave it no more than five years to exist.

Let me introduce a qualification here. In citing the absurd and subversive doctrines of men like Fénelon, Rollin, Montesquieu, and Rousseau, I certainly do not mean to say that we do not owe to these great writers many pages full of wisdom and morality. But what is false in their works is derived from their acceptance of the conventional view of classical antiquity, and what is true is derived from quite another source. My thesis is precisely that exclusive instruction in Greek and Latin literature makes of all of us *living contradictions*. It turns us violently towards a past of which it glorifies even the worst horrors; while Christianity, the spirit of the present age, and that fund of good common sense which cannot be denied its rights show us the ideal as something to be realized in the future.

I spare the reader quotations from Morelly, Brissot,\* and Raynal justifying—nay, extolling—the love of war, slavery, the impostures practiced by the priesthood, the common ownership of property, and idleness. Who could be mistaken about the impure source of such doctrines? That source, I must repeat, is the classical education imposed upon us in the course of acquiring the baccalaureate degree.

It is not only works of literature that antiquity—so *calm, peaceful, and pure*—has infected with its poison, but also the works of the jurists. I defy the reader to find in any of their writings anything that even approaches a rational conception of the right to property. And yet what must be the character of any legislation from which such a conception is absent? Recently I had occasion to open Vattel's\* *Traité du droit des gens*. I note that the author has devoted a chapter to the examination of the following question: *Is the abduction of women permissible?* It is clear that we are indebted to the legend of the Romans and the Sabines for this precious tidbit. After having weighed the pros and the cons with the utmost gravity, he decides in favor of the affirmative. He owed this to the glory of Rome. Were the Romans ever wrong? There is a *conventional opinion* that prohibits us from thinking so. They are Romans; that is enough. Fire, pillage, rape, and all that flows from them are *calm, peaceful, and pure*.

Will it be objected that what I have been attacking here are just personal opinions peculiar to these writers? For the uniform action of classical education, reinforced by the concurrence of Montaigne, Corneille, Fénelon, Rollin, Montesquieu, Rousseau, Raynal, and Mably, not to have contributed to the formation of the general opinion in favor of antiquity, our society would have to have enjoyed some happiness. That remains to be seen.

Meanwhile, we have the proof that the idea of communism gained ascendancy, not just over certain individuals, but over whole bodies of men, among them the most learned as well as the most influential. When the Jesuits wanted to organize a social

order in Paraguay, what were the plans that their studies suggested to them? Those of Minos, Plato, and Lycurgus. They established a communist society, which, in its turn, did not fail to have its unhappy consequences. The Indians sank several degrees below the state of savagery. Nevertheless, such was the inveterate prepossession of the Europeans in favor of communist institutions, which had always been presented to them as typifying perfection, that the happiness and the virtue of these creatures without a name (for they were no longer men), vegetating under the crosier of the Jesuits, was everywhere extolled.

Did those great proponents of the missions, Rousseau, Mably, Montesquieu, and Raynal, ever take the trouble to verify the facts? Not in the least. Could the Greek and Latin books be wrong? Could anyone go astray in taking Plato as his guide? Then, the Indians of Paraguay were happy, or they should have been, on pain of being miserable against all the rules. Azara,<sup>\*</sup> Bougainville,<sup>†</sup> and other travelers started out on their voyages under the influence of these preconceived opinions in order to admire so many marvels. When the sad reality first struck their eyes, they could not believe it. But they had to accept the evidence, and they ended by declaring, to their great regret, that communism, seductive in fancy, is frightful in reality.

Given the premise, the conclusion is inescapable. It is perfectly obvious that the authors I have just cited did not dare to push their doctrine to its logical conclusion. Morelly and Brissot took it upon themselves to correct this lack of consistency. As true followers of Plato, they openly preached common ownership of property and of women; and they did so, be it noted, by constantly invoking the examples and the precepts of that wonderful age of classical antiquity which everyone agrees is so admirable.

Such was the state to which the education provided by the clergy had reduced public opinion in France in regard to the family, property, liberty, and society, when the Revolution broke out. No doubt it is explicable in terms of other causes than classical education. But can it be doubted that this education was a *mélange* of false ideas, brutal sentiments, subversive utopias, and fatal experiments? One has only to read the speeches delivered in the legislative assembly and at the National Convention. Their language is that of Rousseau and of Mably. They are nothing but prosopopoeias, invocations, and apostrophes to Fabricius, to Cato, to the two Brutuses, to the Gracchi, and to Catiline. If an atrocity is to be committed, a Roman example is always found to glorify it. What education has put into the mind expresses itself in action. It is agreed that Sparta and Rome are paragons; then, they must be imitated or parodied. One wants to bring back the Olympic games; another, the agrarian laws; and a third, black broth in the streets.

I cannot hope to exhaust this subject here, for it deserves a practiced hand and something more than a pamphlet on “The Influence of Greek and Roman Literature on the Mentality of our Revolutions.” I must confine myself to a few salient points.

Two great figures dominate the French Revolution and seem to personify it: Mirabeau and Robespierre. What were their views on the question of property?

We have seen that those nations which, in antiquity, had based their way of life on plunder and slavery were never able to establish property on its true foundation. They were obliged to regard property as a matter of convention; and they based the right to it on the law, thereby making it possible to justify slavery and theft, as Rollin so naively explains.

Rousseau too had said: "Property is a human convention and institution, whereas liberty is a gift of Nature."

Mirabeau professed the same opinion:

Property is a *social creation*. The laws not only protect and maintain property; *they constitute it as such and bring it into being*; they determine its scope and the extent that it occupies in the rights of the citizens.

And when Mirabeau expressed himself thus, it was not simply to formulate a theory. His real aim was to persuade the legislator to limit the exercise of a right that was altogether dependent upon his discretion, since he had created it.

Robespierre repeats the definitions of Rousseau:

In defining liberty, the first of man's needs, the most sacred of his *natural* rights, we have said, quite correctly, that its limit is to be found in the rights of others. Why have you not applied this principle to property, *which is a social institution*, as if natural laws were less inviolable than *human conventions*?

After this prologue, Robespierre proceeds to the definition:

Property is the right that each citizen has of enjoying and disposing of the goods that are guaranteed to him *by the law*.

Thus, we have a sharply defined antithesis between liberty and property. These are two rights of different origin. One comes from *Nature*; the other is a *social institution*. The first is *natural*; the other *artificial*, a matter of convention.

Now, who makes the law? The legislator. He can therefore impose upon the exercise of the right to property, since he confers that right, whatever conditions he pleases.

Hence, Robespierre is not long in deducing from his definition *the right to employment, the right to poor relief, and the progressive income tax*.

Society is obliged to provide for the support of all its members, whether by giving them work or by assuring a livelihood to those who are out of work.

The aid needed to support the indigent is a debt that the rich owe to the poor. It is *for the law* to determine the manner in which this debt is to be discharged.

The citizens whose income does not exceed what is necessary for their subsistence are exempt from the obligation to contribute to the public expenses. The rest are obliged to make their contribution on a *progressive* basis, according to their wealth.

Robespierre, says M. Sudre,\* thus adopted all those measures which, in the minds of their proponents, as well as in reality, make possible the transition from the system of private property to communism. By the application of the principles expounded in Plato's *Laws*, he proceeded, without realizing it, to establish the society described in the *Republic*.

(It is well known that Plato wrote two books: one, the *Republic*, to describe the ideal society [common ownership of property and of women]; the other, the *Laws*, to describe the steps in the transition to it.)

Robespierre can be considered, besides, as an enthusiastic admirer of the calm, the peaceableness, and the purity of classical antiquity. Even his speech on property is full of eloquent praises for these qualities: Aristides would not have envied the treasures of Croesus! The thatched hut of Fabricius has no need to envy the palace of Croesus! Etc.

Once Mirabeau and Robespierre grant the legislator, in principle, the prerogative of fixing the limits of the right to property, the point at which they judged it expedient to set these limits is of little importance. They might find it opportune not to go further than the right to employment, the right to poor relief, and the progressive income tax; but others, more consistent, did not stop there. If the law that creates and disposes of property can take one step toward equality, why should it not take two? Why not achieve absolute equality?

And so, as was inevitable, Saint-Just went beyond Robespierre, and, no less inevitably, Babeuf went beyond Saint-Just. If one takes this path, there can be only one reasonable stopping place. It has been pointed out by the divine Plato.

Saint-Just—but I have narrowed the scope of my subject too much in confining it exclusively to the question of property. I am forgetting that I have undertaken to show how classical education has perverted all our moral ideas. In the conviction that my reader is perfectly prepared to take my word for it when I say that Saint-Just went beyond Robespierre on the way to communism, I return to my theme.

First, it should be understood that the errors of Saint-Just are connected with his classical studies. Like all the men of his age and ours, he was imbued with the spirit of antiquity. He liked to think of himself as a Brutus. Kept far from Paris by his political commitments, he wrote:

O God! Brutus must languish, forgotten, far from Rome! I have committed myself, nevertheless, and if Brutus does not kill others, he will kill himself.

To kill! This seems to be man's destiny here on earth.

All the admirers of ancient Greece and Rome are agreed that the basis of a republic is *virtue*, and God knows what they mean by that word! That is why Saint-Just wrote:

A republican government is founded on virtue, if not on terror.

It was also the prevailing opinion in antiquity that industry is ignoble. Accordingly, Saint-Just condemns it in these terms:

Trade ill becomes the true citizen. The hand of man was made only to till the soil and to bear arms.

And it was to prevent anyone from debasing himself by practicing a trade that he wanted to distribute land to everyone.

As we have seen, the legislator, according to the ideas of the ancients, bears the same relation to mankind as the potter does to the clay. Unfortunately, when this idea prevails, nobody wants to be the clay, and everyone wants to be the potter. Saint-Just, quite understandably, assigned this fine role to himself:

On the day when I become convinced that it is impossible *to give* the French virtues conducive to peace and a spirit alert and inexorably resistant to tyranny and injustice, I shall die by my own hand.

If the people are virtuous, everything will go well. Institutions are needed to refine the moral fiber of the public. The first step toward improving their morality is to satisfy their needs and their interests. Everyone must be given land.

Children are to be dressed in linen throughout the year. They are to lie on mats and sleep for eight hours. They are to be fed in common; and they are to live only on roots, fruit, vegetables, bread, and water. They are not to eat meat until after the age of sixteen.

Men twenty-five years of age will be required every year to make a public declaration, in the temple, of the names of their friends. Whoever abandons his friends without good and sufficient reason will be banished!

Thus, Saint-Just, in imitation of Lycurgus, Plato, Fénelon, and Rousseau, arrogates to himself, in regard to the morals, the feelings, the wealth, and the children of the French people, more rights and more power than all of them have together. How insignificant mankind is beside him! Or rather, it lives only in him. His brain is the brain, and his heart is the heart, of mankind.

This, then, was the course imposed upon the Revolution by the conventional preconception in favor of classical antiquity. Plato had indicated the ideal to be realized; and both priests and laymen, in the seventeenth and eighteenth centuries, set to work extolling it. When the time for action came, Mirabeau took the first step; Robespierre, the second; Saint-Just, the third; Antonelle,\* the fourth; and Babeuf, more consistent than all his predecessors, went all the way down to the last, to absolute communism, to pure Platonism. I could cite quotations from his works here,

but I shall confine myself to pointing out, for this is characteristic of him, that he signs them *Gaius Gracchus*.

The whole mentality of the Revolution, as regards what concerns us here, can best be seen from certain quotations. What did Robespierre want? “To raise men to the level of republican virtue attained by the nations of antiquity.”<sup>13</sup> What did Saint-Just want? “To offer us the happiness of Sparta and of Athens.”<sup>14</sup> He wanted, besides, “all citizens to carry on their persons the dagger of Brutus.”<sup>15</sup> What did the bloodthirsty Carrier<sup>†</sup> want? “That every youth henceforth contemplate the fire of Scaevola, the hemlock of Socrates, the death of Cicero, and the sword of Cato.” What did Rabaut Saint-Étienne\* want? “That, following the example of the Cretans and the Spartans, the state take charge of every man from his cradle and even from his birth.”<sup>16</sup> What did the section of the Quinze-Vingts<sup>†</sup> want? “That a church be consecrated to liberty, and that an altar be erected on which will burn an eternal fire tended by vestal virgins.”<sup>17</sup> What did the whole Convention want? “That the population of our towns henceforth consist only of Brutuses and Publicolas.”<sup>†18</sup>

Yet all these sectaries were acting in good faith, and this made them all the more dangerous; for a sincere commitment to error is fanaticism, and fanaticism is a potent force, especially when it acts on masses of men prepared to submit to its influence. Universal enthusiasm for a particular type of society can hardly be without issue; and public opinion, whether enlightened or misguided, is nonetheless mistress of the world. When one of these fundamental errors, such as the glorification of classical antiquity, implanted by education in every mind from the very first moments of its intellectual awakening, becomes firmly established as a *conventional* judgment, unquestionably accepted and agreed to by everybody, it tends to proceed from theory to practice, from thought to action. And when a revolution strikes the hour for the theory to be put to the test, who can say in what frightful guise he who a hundred years earlier was called Fénelon will make his appearance? He had expressed his idea in the form of a novel; now he dies for it on the scaffold. He had been a poet; now he is made a martyr. He had amused society; now he subverts it.

Yet there is in reality a power superior to the most widely held conventional judgment. When education has sown a fatal seed in the soil of public opinion, there is in the body politic a force of self-preservation, *vis medicatrix*, that enables it to rid itself, at long last, after many sufferings and tears, of the baneful germ with which it has become infected.

Thus, after communism had sufficiently frightened and imperiled society, a reaction became inevitable. France began to retreat toward despotism. In its ardor it did not even spare the legitimate conquests of the Revolution. It had the Consulate and the Empire. But alas, need I point out that its infatuation with everything Roman persisted even in this new phase? Antiquity is always there to justify all forms of violence. From Lycurgus to Caesar, how many models there are to choose from! Then—and I here borrow the language of M. Thiers—“we who, after having been Athenians with Voltaire, tried for a while to be Spartans under the Convention, ended by becoming soldiers of Caesar under Napoleon.” Is it possible to be unaware of the imprint that our love affair with Rome has left on our age? Merciful heavens, the signs of it are to

be found everywhere—in our houses, in our monuments, in our literature, in the very styles of the Empire period, in the absurd names we have given all our institutions! It was certainly no accident that we saw arising on every hand *consuls*, an *emperor*, *senators*, *tribunes*, *prefects*, *senatusconsulta*, *eagles*, *Trajan's arches*, *legions*, *Champs de Mars*, *prytaneums*, and *lyceums*.

The struggle between revolutionary and counterrevolutionary principles, it would seem, should have come to an end after July of 1830. The intellectual energies of this country were thereafter turned toward the study of social questions—in itself a perfectly natural and beneficial pursuit. Unfortunately, the University still sets the course of our intellectual life and is directing it once again toward the poisoned springs of classical antiquity; so that our unhappy country has been reduced to repeating its past, starting all over again from the beginning, and going through the same trials anew. It seems to be condemned to keep on going round in the same circle: utopia, experimentation, reaction; literary Platonism, revolutionary communism, military despotism; Fénelon, Robespierre, Napoleon! How can it be otherwise? With the reappearance of literature and journalism, our young men, instead of seeking to discover and expound the natural laws of society, confine themselves to supporting the Greco-Roman axiom: *The social order is a creation of the legislator*—a lamentable principle that opens up a limitless field for the imagination and is nothing but the perpetual rebirth of *socialism*. For, if society is something invented, who does not wish to be its inventor? Who does not wish to be either Minos or Lycurgus or Plato or Numa or Fénelon or Robespierre or Babeuf or Saint-Simon or Fourier or Louis Blanc or Proudhon? Who does not find it glorious to be the *founder of a nation*? Who is not delighted to be called *father of nations*? Who does not aspire to combine, as if they were chemical elements, the family and property in some fancied mixture?

But in order to give free scope to such imaginings beyond the columns of a newspaper, it is necessary to have power, to be in command of the central point from which all the lines of political power radiate. This is the indispensable prerequisite of every social experiment. Every sect, every school of thought will therefore bend all its efforts to drive the dominant school or sect from its seat of power in the government; so that, under the influence of classical education, political life cannot be anything but an interminable series of struggles and revolutions to determine which utopian is to have the prerogative of making experiments on the people as if they were so much raw material!

Yes, I accuse the course of instruction leading to the baccalaureate degree of wantonly preparing the whole of the youth of France for socialist utopias and social experiments. And this is undoubtedly the reason for a very strange phenomenon; I mean the inability of the very people who believe themselves threatened by socialism to refute it. Men of the middle classes, landowners, capitalists, the systems of Saint-Simon, of Fourier, of Louis Blanc, of Leroux, and of Proudhon consist, after all, in nothing but doctrines. They are false, you say. Why do you not refute them? Because you have drunk from the same cup; because association with the ancients and your infatuation with everything Greek or Roman have imbued you with socialism.



Your soul is a little tainted with it.

Your proposals for equalizing wealth by means of tariffs, your poor-relief laws, your demands for free public education, your bounties and incentive subsidies, your centralization, your faith in the state, your literature, your theatre—all testify that you are socialists. You differ from the apostles of socialism only in degree, but you are all of the same bent. That is why, when you feel that you have been outdone, instead of offering a refutation, which you do not know how to do and could not do without condemning yourselves, you wring your hands, you tear your hair, you call for repressive measures, and you say piteously: “France is done for!”

No, France is not done for. For this is what is happening: While you indulge in fruitless lamentations, socialism is refuting itself. Its proponents are at loggerheads with one another. The phalanstery has had its day; the triad\* has had its day; the national workshop has had its day; and your equalization of wealth will have its day. What is there still standing? *Interest-free credit*. Why have you not demonstrated its absurdity? Alas, because it is you yourselves who have invented it. You have been preaching it for these many years. When you were not able to eliminate interest entirely, you regulated it. You fixed a *maximum* rate of interest in your usury laws, thereby giving the impression that *property is a creation of the law*, which is precisely the idea of Plato, of Lycurgus, of Fénelon, of Rollin, of Robespierre, and which is, I venture to say, the very essence and quintessence not only of socialism, but of communism. Do not tell me, then, how good a course of instruction is which has taught you nothing of what you ought to know and which leaves you dumbfounded and mute in face of the first wild idea that it pleases some fool to conjure up. Since you are not in a position to oppose truth to error, at least let the errors destroy one another. Refrain from muzzling the utopians and thereby setting up their propaganda on the pedestal of persecution. The great mass of the workers, if not the middle classes, have taken an interest in the great social questions, and they will resolve them. They will succeed in finding for the words “family,” “property,” “liberty,” “justice,” and “society” other definitions than those provided by our system of education. They will rout not only the socialism that proclaims itself such, but also the socialism that does not know it is socialism. They will destroy your system of totalitarian state intervention, your centralization, your artificial national unity, your protectionist system, your official philanthropy, your usury laws, your barbarous diplomacy, and your monopolistic education.

And that is why I say: No, France is not done for. It will emerge from the struggle happier, more enlightened, better organized, greater, freer, more moral, and more religious than you have made it.

After all, please keep this in mind: When I attack classical studies, I do not demand that they be *forbidden*; I demand only that they not be *imposed*. I do not call upon the state to compel everyone to accept my opinion, but rather, not to force me to accept anybody else's opinion. There is a great difference between the one and the other; let us make no mistake about it.

M. Thiers, M. de Riancey,\* M. de Montalembert, and M. Barthélemy Saint-Hilaire think that the atmosphere of Rome is excellent for shaping the heart and the mind of youth. Very well; let them plunge their own children into it; I leave them free to do so. But let them leave me free to remove my own children from it as from pestiferous air. What seems sublime to you conservatives seems odious to me; what satisfies your conscience alarms mine. All right! Follow your ideals, but let me follow mine. I do not force you. Why would you force me?

You are quite convinced that from the social and moral point of view the ideal model is to be found in the past. I, for my part, see it in the future. "Let us dare to say to a century full of self-pride," M. Thiers declared, "antiquity is *what is most admirable in the world.*" As for me, I am happy not to share that distressing opinion. I say distressing, for it implies that by a fatal law, mankind is continually in process of deterioration. You place perfection at the beginning of time; I put it at the end. You believe that society is retrogressing; I believe it is progressing. You believe that our opinions, our ideas, our whole way of life should be, as far as possible, cast in the antique mold; I, who have studied the social order of Sparta and of Rome, see in them only acts of violence, injustice, fraud, perpetual wars, slavery, degradation, false politics, false morality, and false religion. What you admire, I abhor. But you hold to your judgment, and let me hold to mine. We are not lawyers here, one pleading for, the other against, classical education, before an assembly obliged to render a decision that will violate either my conscience or yours. I demand of the state only its neutrality. I demand liberty for you as well as for me. I at least have the advantage over you of impartiality, moderation, and modesty.

Three sources of education are going to be made available: that of the state, that of the clergy, that of the so-called free teachers.

What I ask is that the latter be free, in fact, to try new and fruitful methods in their instruction. Let the state university teach what it cherishes, Greek and Latin; let the clergy teach what it knows, Greek and Latin. Let both of them produce Platonists and demagogues; but let them not prevent us from training, by other methods, men for our country and for our century.

For, if this freedom is forbidden to us, what a bitter mockery it is to come and say to us at every moment: "You are *free!*"

In the session of February 23, M. Thiers declared for the fourth time:

I shall keep on repeating what I have said: The freedom that the law which we have drafted gives is freedom in accordance with the Constitution.

I defy you to prove anything else. Prove to me that it is not freedom; I, for my part, maintain that there is no other kind possible.

Formerly, one could not teach without the permission of the government. We have abolished prior authorization; everyone will be free to teach.

Formerly it was said: Teach such and such things; do not teach such and such others. Today, we say: Teach what you want to teach.

It is a painful thing to hear such a challenge and to be condemned to silence. If the weakness of my voice had not prevented my mounting the rostrum, I should have replied to M. Thiers in these terms:

Let us see, then, from the viewpoint of the teacher, of the father of a family, and of society, to what this freedom which you call so complete has been reduced.

In virtue of your law, I establish a preparatory school. With the students' tuition fees I must buy or lease the premises, provide food for the pupils, and pay the teachers. But next door to my school, there is a state school. It does not have to trouble itself about finding the means to pay for its premises and teachers. The taxpayers, *including me*, take care of these expenses. The state school, then, can reduce the students' tuition fees so as to render my enterprise impossible. Is this freedom? One recourse, however, remains to me: to provide an education so superior to yours, so sought after by the public, that students come to me in spite of the relatively high fees which you have forced me to charge. But at this point you intervene, and you say to me: "Teach what you want; but, if you depart from my methods and curriculum, all the learned professions will be closed to your students." Is this freedom?

Now, suppose I am the father of a family. I put my sons in a "free" institution. What situation do I face? As their father, I pay for the education of my children, without anyone coming to my assistance; as a taxpayer and as a Catholic, I pay for the education of the children of others, for I cannot avoid the tax that pays for the state schools or exempt myself in the Lenten season from throwing into the hat of a mendicant friar the coin that must support the clerical schools. In the latter respect, at least, I am free. But am I free in regard to the tax? By no means! Say that you are establishing *solidarity*, in the socialist sense, but do not profess to be establishing freedom.

And this is only a minor aspect of the question. What is more serious is this. I prefer free education, because your official education (to which you force me to contribute, without my profiting from it) seems to me communist and pagan; my conscience is unwilling to have my sons imbued with Spartan and Roman ideas which, in my eyes at least, are nothing but a glorification of violence and brigandage. Consequently, I submit to paying tuition fees for my own children and to paying the tax for the children of others. But what do I find? I find that your mythological and martial education has been indirectly imposed on the free school through the ingenious mechanism of your academic degrees, and that I must bend my conscience to your views, on pain of making of my children social pariahs. You have told me four times that I am free. If you say it to me a hundred times, I shall reply to you a hundred times: I am not free.

Be inconsistent, since you cannot avoid it, and I shall grant you that in the present state of public opinion you could not close the official preparatory schools. But set a limit to your inconsistency. Do you not complain every day about the socialistic

mentality and tendencies of our young men, of their estrangement from religious ideas, of their passion for martial expeditions, a passion so great that, in our deliberative assemblies it is hardly permitted to utter the word *peace*, and one must take the most ingenious oratorical precautions in order to speak of justice when it has reference to foreigners? Such deplorable attitudes have a cause, undoubtedly. Is it not possible that precisely your mythological, Platonic, bellicose, and seditious education had something to do with this situation? However, I do not tell you to change the curriculum; that would be asking too much of you. But I do say to you: Since you allow so-called *free* schools to spring up beside your state schools and in conditions already quite difficult, permit them to try, at their own peril and risk, a Christian and scientific curriculum. The experiment is worth making. Who knows? Perhaps it would be an advance. And you want to nip it in the bud!

Finally, let us examine the question from the point of view of society, and observe, first of all, that it would be strange for society to be free in regard to education if the teachers and the fathers of families are not.

The first sentence of the report of M. Thiers on secondary education, in 1844, proclaimed this terrible truth:

Public education is perhaps the greatest concern of a civilized nation; and, for this reason, control over it is *the foremost objective of political parties*.

It seems that the conclusion to draw from this is that a nation that does not want to be the prey of political parties should hasten to abolish *public* education, that is, education *by the state*, and to proclaim freedom of education. If the educational system is in the power of the government, political parties will have one more reason for seeking to gain power, since, by the same token, they will have control over the educational system, which is *their foremost objective*. Is not the ambition to govern inspired enough by covetousness already? Does it not provoke enough struggles, revolutions, and disorders? And is it wise to arouse it further by the lure of such a potent influence?

And why do political parties aspire to take over the direction of education? Because they know the saying of Leibnitz: "Make me the master of education, and I will undertake to change the world." Education by governmental power, then, is education by a political party, by a sect momentarily triumphant; it is education on behalf of one idea, of one system, to the exclusion of all others. "We have made the Republic," said Robespierre; "it remains for us to make republicans"—an attempt that was renewed in 1848. Bonaparte wanted to make only soldiers; Frayssinous,\* only religious zealots; Villemain,† only orators; Guizot,‡ only doctrinaires; Enfantin,\* only Saint-Simonians; and I, who am indignant to see mankind thus degraded, if I were ever in a position to say: "I am the state," would perhaps be tempted to make only economists. Shall we never realize the danger of furnishing political parties, as they seize power, with the opportunity to impose their opinions—nay, their errors—universally and uniformly *by force*? For it is indeed using force to forbid by law every other idea than that with which one is oneself infatuated.

Such a demand is essentially monarchist, although no one proclaims it more resolutely than the republicans; for it rests on the assumption that the governed are made for the governors, that society belongs to the wielders of political power, and that they must make society in their own image; whereas, according to our law, so dearly won, political power is only an emanation of society, one of the manifestations of its thought.

For my part, I cannot conceive, especially as coming from republicans, a more absurdly vicious circle than this: From year to year, by means of universal suffrage, national opinion will be embodied in the magistrates, and then the magistrates will mold national opinion as they like.

This doctrine implies the following two propositions: National opinion is wrong. Governmental opinion is infallible.

If this is so, then, republicans, re-establish at the same time autocracy, state education, monarchy, the divine right of kings, and the power of the government as absolute, irresponsible, and infallible, since all these are institutions having a common principle and emanating from the same source.

If there is in the world an infallible man (or sect), then turn over to him (or to it) not only education, but complete and plenary power, and have done with it. If not, let us enlighten ourselves as well as we can, but let us not abdicate.

Now, I repeat my question: From the social viewpoint, does the law that we are discussing establish freedom?

Formerly there was a state university. Its permission was required in order to teach. It imposed its ideas and its methods, and one had to be satisfied with them. It was, then, according to Leibnitz's view, the mistress of the ages, and it was for that reason undoubtedly that its leader took the significant title of *Grand Master*.

Now all this has been brought to an end. Only two prerogatives are to be left to the state university: first, the right to say what one must know in order to obtain an academic degree; second, the right to close off innumerable careers to those who will not comply.

That is hardly anything at all, we are told. And I say it is everything.

This leads me to say something about a word that has often been used in this discussion: the word *unity*; for many people see in the bachelor's degree the means of turning all minds in a single direction, if not reasonable and useful, at least unitary, and therein good.

The admirers of unity are very numerous, and that is understandable. By a providential decree, we all have faith in our own judgment, and we believe that there is only one right opinion in the world, namely, our own. Therefore we think that the legislator could do no better than to impose it on everyone; and, the better to be on the safe side, we all want to be that legislator. But legislators come and go, and what is

the result? With every change, one kind of unity replaces another. State education, then, makes uniformity prevail, if we consider each period separately; but, if we compare successive periods, for example, the Convention, the Directory, the Empire, the Restoration, the July Monarchy, and the Republic, we rediscover diversity, and, what is worse, the most subversive of all diversities, that which produces in the intellectual domain, as in a theatre, changes of scene at the whim of the stagehands. Shall we always allow the national mind and the public conscience to descend to this depth of degradation and indignity?

There are two kinds of unity. One is a point of departure. It is imposed by force, by those who momentarily have force at their command. The other is an end result, the great consummation of human perfectibility. It results from the natural gravitation of men's minds toward the truth.

The first kind of unity is based on contempt for the human race, and despotism is its instrument. Robespierre was a proponent of this kind of unity when he said: "Now that I have made the Republic, I am going to set about making republicans." Napoleon was a partisan of this kind of unity when he said: "I love war, and I will make all Frenchmen warriors." Frayssinous was committed to this kind of unity when he said: "I have a faith, and by means of education I will mold all consciences in that faith." Procrustes was enamored of this kind of unity when he said: "I will shorten or lengthen whoever is too long or too short for the dimensions of this bed." The bachelor's degree imposes this kind of unity when it says: "Life in society will be forbidden to whoever does not follow my curriculum." And let no one allege that the Supreme Council will be able to change this curriculum every year; for, certainly, one could not imagine a more vexatious circumstance. Well, then, is the entire nation to become like the clay that the potter breaks when he is not satisfied with the form that he has given to it?

In his report of 1844, M. Thiers showed himself an ardent admirer of this kind of unity, though regretting that it was hardly in conformity with the spirit of modern nations.

The country in which freedom of education does not prevail would be one in which the state, animated by an absolute will, wishing to cast the whole of the country's youth in the same mold and to stamp it, like the coinage, with its own image, would permit no diversity in the system of education, and for several years would make all the children wear the same clothing, eat the same food, apply themselves to the same studies, submit to the same exercises, bow, etc.....

Beware of denigrating this demand on the part of the state to impose unity of character on the nation and of regarding it as an inspiration of tyranny. One might almost say, on the contrary, that this resolve on the part of the state to make all citizens conform to a common type is proportionate to the patriotism of each country. It was in the republics of antiquity, where the fatherland was most adored and best served, that it showed itself most rigorous and exacting in regard to the morals and ideas of the citizens..... And we, who in the last century experienced every type of human society, we, who after having been Athenians with Voltaire, tried for a while

to be Spartans under the Convention and soldiers of Caesar under Napoleon, if we once dreamed of imposing the yoke of the state in an absolute manner over education, it was under the National Convention, at the moment of the greatest patriotic exaltation.

Let us do M. Thiers justice. He did not propose to follow such examples. "We must," he said, "neither imitate nor stigmatize them. It was delirium, but the delirium of patriotism."

The fact remains, nevertheless, that M. Thiers still shows himself here faithful to the judgment he pronounced earlier: "Antiquity is what is most admirable in the world." He reveals a hidden predilection for the absolute despotism of the state, an instinctive admiration for the institutions of Crete and of Sparta, which gave the legislator the power to cast the whole of the country's youth in the same mold, to stamp it, like the coinage, in his image, etc., etc.

And I cannot but point out here, for it well accords with my subject, the vestiges of that *conventional judgment* in favor of classical antiquity which would have us admire in it as virtue what was the result of the harshest and most immoral of necessities. Those ancients that are so frequently extolled, I cannot repeat too often, lived by brigandage and would not for anything in the world have laid their hands on a tool. They had the whole human race as their enemy. They were condemned to perpetual warfare and faced the alternative of either always winning or perishing. Consequently, there was and there could be for them only one occupation, that of the soldier. The community had to concentrate on developing the military virtues in all its citizens uniformly, and the citizens submitted to the *unity* that was the guarantee of their existence.<sup>19</sup>

But what is there in common between those times of barbarism and our own age?

For what precise and definite object are all the citizens today to be stamped, like the coinage, with the same image? Is it because they are all destined for different careers? On what basis would they be cast in the same mold? *And who will possess the mold?* A terrible question, which should give us pause. *Who will possess the mold?* If there is a mold (and the bachelor's degree is one), everyone will want to have control of it: M. Thiers, M. Parisis, M. Barthélemy Saint-Hilaire, I, the Reds, the Whites, the Blues, the Blacks. We must fight, then, to settle this preliminary question, which will arise again continually. Is it not simpler to break this fatal mold and honestly proclaim freedom?

For freedom is the soil in which genuine unity grows and the atmosphere that makes it fruitful. The effect of competition is to encourage, bring to light, and diffuse good methods and to eliminate bad ones. It must be recognized that the human mind has a more natural affinity with the truth than with error, with what is good than with what is evil, with what is useful than with what is harmful. If this were not the case, if what is true were necessarily doomed to failure and what is false were predestined to succeed, all our efforts would be vain; humanity would be headed, as Rousseau believed, for inevitable and progressive degradation. We should have to say with M.

Thiers: "Antiquity is what is most admirable in the world," which is not only an error but a blasphemy. Men's interests, rightly understood, are harmonious with one another, and the inner light that reveals them to men shines with an ever more vivid brilliance. Hence, their individual and collective efforts, their experience, their gropings, even their disappointments, their competition—in a word, their freedom—make men gravitate toward that unity which is the expression of the laws of their nature and the consummation of the common good.

How has it happened that the *liberal* party has fallen into the strange contradiction of disregarding the liberty, the dignity, the perfectibility of man, and of preferring to them an artificial, stationary, degrading unity, imposed by turns by all despotic regimes on behalf of the most diverse systems?

There are several reasons for this: First, the liberal party too has been imbued with the Roman character by classical education. Do they not have holders of bachelor's degrees as their leaders? Secondly, they hope, through parliamentary upsets, to see that precious instrument fall into their hands—that intellectual *mold* which is, according to M. Thiers, the object of all ambitions. Finally, the necessities of defense against the unjust aggression of Europe in 1792 contributed not a little to popularize in France the idea of a powerful national unity.

But of all the motives that impel the liberals to sacrifice freedom, the most powerful is the fear that the encroachments of the clergy in the matter of education inspire in them.

I do not share that fear, but I understand it.

Consider, say the liberals, the situation of the clergy in France: its learned hierarchy, its strong discipline, its militia forty thousand strong (all unmarried and occupying the most prominent posts in their respective communities), and the influence it has on people's daily lives in the exercise of its functions. Speaking from the pulpit with uncontradicted authority and murmuring commands in the confessional, it draws ever tighter the bonds which tie it to the state, which assure it of funds from the national budget, and which at the same time subject it to a spiritual head who is a foreign king. It has further resources in contributions from an ardent and devoted membership and in the alms it distributes. Consider that it regards as its primary duty the control of education. Now, tell me whether under these conditions freedom of education is not a trap.

A volume would be necessary to treat this vast question and all the rest that go with it. I shall confine myself to one consideration:

*Under a free system, it is not the clergy who will take command of education, but education that will take command of the clergy. It is not the clergy that will stamp the century with its image, but the century that will make the clergy in its image.*

Can it be doubted that education—once freed from the shackles of the state university by virtue of the abolition of its academic degrees and from the conventional



prepossession in favor of classical antiquity—would venture, under the stimulus of competition, into new and fruitful paths? The free institutions, which will with difficulty arise beside the state schools and church schools, will feel the necessity of giving the human mind its true nourishment; namely, the knowledge of what things are, and not the knowledge of what was said about them two thousand years ago. Antiquity is the childhood of the world, says Bacon, and, properly speaking, it is our time that is antiquity, the world having acquired knowledge and experience in growing old.\* The study of the works of God and of Nature in the moral order and in the material order—this is genuine education, and this is what will prevail when the schools are free of government control. The young people who receive this kind of education will show themselves superior in force of understanding, sureness of judgment, and aptitude for practical life to the *frightful little rhetoricians* that the state university and the clergy will have saturated with doctrines as false as they are out of date. While the former will be prepared for the social responsibilities of our age, the latter will be forced at first to forget, if they can, what they have learned, and then to learn what they need to know. In face of results like these, the fathers of families will tend to prefer the unregimented schools, full of vigor and life, to those that succumb to the slavery of routine.

What will happen then? The clergy, too, always eager to preserve its influence, will have no other recourse than to substitute the kind of education that concerns itself with things rather than words, with the study of positive truths rather than with conventional doctrines, and with the substance rather than the appearance of things.

But to teach, one must know; and to know, one must learn. The clergy will, then, be forced to change the direction of its own studies, and reforms will be introduced even in the seminaries. Now, do you think that a different diet will not produce different temperaments? For, let us not forget, what will have to be changed is not only the content but also the method of clerical education. Knowledge of the works of God and of Nature is acquired by other intellectual methods than those needed in the study of theogonies. To observe facts and their concatenation is one thing; to accept without inquiry a sacred text and to draw consequences from it is another. When science replaces intuition, inquiry is substituted for authority, and the method of philosophy takes the place of mere reliance on dogma; another end requires another procedure, and other procedures give other dispositions to the mind.

It is not to be doubted, then, that the effect of introducing science into the seminaries, which must be the inevitable result of freedom of education, cannot fail to modify even the intellectual habits prevalent in those institutions. And this is a change that, I am convinced, will herald the dawn of a great and desirable revolution—one which will achieve religious unity.

I said just now that the *conventional prepossession* in favor of classical antiquity makes living contradictions of all of us—French by necessity and Romans by education. Could it not also be said that from the religious point of view we are living contradictions?

We all feel in our hearts an irresistible power that impels us toward religion, and, at the same time, we sense in our minds a force no less irresistible that alienates us from it—the more so, in point of fact, the more we have cultivated our minds, so that a great scholar\* has said: *Literati minus credunt*: “Learned men are those who have the least faith.”

Oh, what a sad spectacle! For some time now, we have been hearing doleful lamentations about the weakening of religious beliefs; and, what is most strange, the very ones who have allowed the last spark of faith to be extinguished in their souls are the most disposed to find skepticism—on the part of others—in bad taste. “Surrender your reason,” they say to the people. “Unless you do, all is lost. It is all right for me to rely on my reason, for mine is of a special temper; and, in order to observe the Decalogue, I have no need to believe it to be revealed. Even when I deviate from it somewhat, the evil is not great; but you—that's different: you cannot violate it without imperiling society .... and my tranquillity.”

It is thus that fear seeks refuge in hypocrisy. One does not believe, but one makes a pretense of believing. While skepticism lurks in the depths, a calculated religiosity shows itself on the surface, and a new *conventional opinion*, of the worst kind, dishonors the human mind.

And yet all is not hypocrisy in this kind of talk. Even though everything is disbelieved, even though there is no formal religious observance, there is in the depths of men's hearts, as Lamennais says, a root of faith that never dries up.

How does this strange and dangerous situation come about? Could it not be that, to religious truths, primordial and fundamental, to which all sects and all schools of thought agree in adhering, there are added, with the passage of time, institutions, practices, and rites that the understanding, in spite of itself, cannot accept? And have these human additions any other support, even in the minds of the clergy, than the dogmatism by which they are connected with primordial truths that are not contested?

Religious unity will be achieved, but only when each sect abandons those parasitical institutions to which I have alluded. It may be recalled that Bossuet made short shrift of them when he discussed with Leibnitz the means of restoring to unity all the Christian confessions.\* Would what appeared possible and good to the great scholar of the seventeenth century be regarded as too daring by the scholars of the nineteenth? In any case, freedom of education, in making new intellectual habits permeate the clergy, will undoubtedly be one of the most powerful instruments of the great religious revival that alone can henceforth satisfy men's consciences and save society.

Men have such a need of morality that the institution that has been made, in the name of God, the guardian and dispenser of morality, acquires an unlimited authority over them. Now, it is a matter of experience that nothing corrupts men more than unlimited authority. A time comes, then, when, far from the priesthood remaining only an instrument of religion, it is religion that becomes the instrument of the priesthood. From that moment a fatal antagonism is introduced into the world. Faith and reason will each try to prevail over the other. The priest will constantly add to sacred truths

errors that he proclaims no less sacred, thereby providing the lay opposition with more and more valid objections, more and more serious arguments in support of its stand. The former will seek to pass off the false along with the true; the latter, to destroy the true along with the false. Religion becomes superstition; and philosophy, incredulity. Between these two extremes the masses drift in doubt, and it can be said that mankind is passing through a critical period. Meanwhile, the abyss becomes ever deeper, and the struggle is carried on not only between man and man, but even within the conscience of each man, with varied results. If a political disturbance happens to terrify society,\* it rushes in fear to the side of faith. A sort of hypocritical religiosity gains the ascendancy, and the priest believes himself the victor. But no sooner does calm reappear, no sooner does the priest try to take advantage of his victory, than reason reassumes its rights and sets to work again. When, then, will this anarchy cease? When will the alliance between reason and faith be ratified? When faith is no longer a weapon; when the priesthood, having become again what it should be, the instrument of religion, abandons the formulas and rituals, which are its chief concern, for the essence, which is what chiefly concerns mankind. Then it will not be enough to say that religion and philosophy are sisters; it will have to be said that they are indissolubly united.

But—to come down from these lofty heights and return to the subject of university degrees—I wonder whether the clergy will not be strongly averse to abandoning the routine methods of classical education. They will, in any case, be in no way obliged to do so.

Would it not be ironic indeed if Platonic communism, paganism, the ideas and the moral principles fashioned by slavery and brigandage, the Odes of Horace, and the *Metamorphoses* of Ovid, were to find their last defenders and teachers in the priests of France? It is not for me to give them advice. But they will allow me to cite here an extract from a newspaper which, if I am not mistaken, is edited by churchmen:

Who, then, among the doctors of the Church, are apologists for pagan education? Is it Saint Clement, who wrote that profane science is like the fruits and preserves which ought to be served only at the end of the meal? Is it Origen, who wrote that in the golden cup of pagan poetry there are deadly poisons? Is it Tertullian, who calls the pagan philosophers the patriarchs of the heretics: *Patriarchae hoereticorum*? Is it St. Irenaeus, who declared that Plato has been the seasoning of all the heresies? Is it Lactantius, who observed that in his time learned men were those who had the least faith? Is it St. Ambrose, who said that it is very dangerous for Christians to occupy themselves with profane rhetoric? Is it, finally, St. Jerome, who, in his letter to Eustachius, vehemently condemning the study of pagan authors, said: “What is there in common between the light and the darkness? What agreement can exist between Christ and Belial? What has Horace to do with the Psalter, or Virgil with the Gospel? ....” St. Jerome regrets keenly the time that he devoted in his youth to the study of pagan letters: “Wretch that I was, I deprived myself of nourishment in order not to leave Cicero; early in the morning I had Plautus in my hands. If sometimes, returning to myself, I began the reading of the prophets, their style seemed to me uncouth; and because I was blind, I denied the light!”

But let us hear what Saint Augustine has to say:

The simple books that taught me to read and write were actually much more useful and solid than those I was later forced to apply myself to—books about the adventures of a certain Aeneas, that made me weep over the fate of Dido, dying of love, while I, forgetting my own sins, found my own death in these harmful readings..... And this sort of madness is considered a *more honorable and more fruitful* kind of literature than that by which I was taught to read and write! *Tales dementiae honestiores et uberiores litterae putantur.* .... Let them cry out against me, these *merchants of fine literature*; I am not afraid of them, and I am doing everything I can to depart from the evil ways I have followed..... It is true that from these studies I have retained many expressions that it is useful to know, but these *can be learned elsewhere than in such frivolous readings*, and children should be led on a less dangerous road. But who dares to stay thy course, O evil torrent of custom!.... Is it not in order to follow your course that I read the story of Jupiter, who at the same time unleashes the thunder and commits adultery? We know well that these things are contradictory; but with the aid of this false thunder the horror that adultery inspires is diminished, and young people are influenced to imitate the actions of a criminal god.

And yet, thou stream of Hell, all the sons of men are cast into thy current, and much is made of this blameworthy custom, which goes on publicly, under the very eyes of the magistrates, for an agreed salary..... It was the wine of error that was presented to us in our childhood by our inebriated teachers; they punished us when we refused to drink of it, and we could not appeal from their sentence to any judge who was not as drunk as they. My soul was thus the prey of impure spirits, for there is more than one way of offering sacrifices to the demons.\*

Are not these very eloquent lamentations, adds the Catholic paper, this bitter criticism, these harsh reproaches, these touching regrets, these judicious counsels, addressed as much to our century as to the one for which St. Augustine wrote? Is not the same system of studies, against which St. Augustine inveighed with such vehemence, preserved under the name of classical education? Has not that torrent of paganism inundated the world? Are not thousands of children cast each year into its current, where they lose their faith and moral principles, the feeling of human dignity, the love of freedom, and the knowledge of their rights and their duties? Do they not emerge completely imbued with the false ideas of paganism, with its false ethics, its false virtues, as well as its vices and its deep contempt for mankind?

And this frightful moral disorder does not spring from the perversity of individuals abandoned to their own free will. No; it is imposed by law by means of university degrees. M. de Montalembert himself, while regretting that the study of ancient literature did not go far enough, cited the reports of the inspectors and the deans of the university faculties. They are unanimous in observing the resistance, I would almost say the revolt, of public sentiment against so absurd and so harmful a tyranny. All observe that the young people of France calculate with mathematical precision what they are required to learn and what they are allowed not to know about classical studies, and that they stop just at the point at which the degrees are obtained. It is by no means the same in the other branches of human knowledge. Is it not notorious that

for ten admissions, one hundred candidates present themselves, all superior to what the courses of study require? Let the legislator, then, show some consideration for public opinion and the spirit of the age.

Is it a barbarian, a Goth, a Pict, who dares to speak here? Is he ignorant of the supreme beauty of the literary monuments bequeathed by antiquity or the services rendered to the cause of civilization by the Greek democracies?

Certainly not; it cannot be too often repeated that he is not asking that the law proscribe, but that it not prescribe. He asks that it leave the citizens free to do as they will. They will be able to see history in its true light, to admire what is worthy of admiration, to stigmatize what merits contempt, and to free themselves from that *conventional prepossession* in favor of classical antiquity that plagues modern nations so disastrously. Under the influence of freedom, the natural sciences and profane letters, Christianity and paganism will be able to play in education the part that rightfully belongs to them; and in this way there will be reestablished among men's ideas, interests, and ways of life that harmony which is the condition of order as much for the individual conscience as it is for society.

[\[Back to Table of Contents\]](#)

10

## Declaration Of War Against The Professors Of Political Economy<sup>1</sup>

We know how bitterly the men who restrict the trade of others for their own advantage complain that political economy obstinately refuses to sing the praises of these restrictions. If they do not hope to obtain the suppression of this discipline, they at least seek the dismissal of those who profess it, taking from the Inquisition the wise maxim: “Do you want to win the argument with your opponents? Just shut their mouths.”

Hence, we were not all surprised to learn that, on the occasion of the draft of a law for the organization of the university faculties, they addressed a very lengthy memorandum to the Minister of Public Education, from which we reproduce a few extracts.

“Do you realize what you are doing, sir? You want to introduce the teaching of political economy into the university curriculum! But then it is a foregone conclusion that our privileges are to be brought into disrepute!

“If any maxim is venerable, it is certainly this: In all countries education must be in harmony with the system of government. Do you think that at Sparta or Rome the public treasury would have paid professors to declaim against the loot taken in war or against slavery? And in France you would permit them to discredit restrictions on trade!<sup>2</sup>

“Nature, sir, has willed that nations can exist only by the products of their labor, and at the same time it has made labor painful. That is why we observe among men in all ages and in all countries an incurable disposition to despoil one another. It is so agreeable to place the burden of pain on one's neighbor and to keep the remuneration for oneself!

“War was the first means to be thought of. There's no quicker and simpler way to get hold of other people's property.

“Slavery came next. It is a more refined means, and it has been demonstrated that it was a great step towards civilization to make a slave of the prisoner instead of killing him.

“Finally, the passing of time has substituted for these two crude modes of plunder a much more subtle one, which, precisely because of its subtlety, has much more chance of enduring, the more so as its very name, *protection*, is admirably fitted to conceal its odiousness. You have no idea how much names sometimes deceive us about things.

“You see, sir, to preach against protection in modern times would be the same as preaching against war and slavery in antiquity. It would mean disturbing the social order and troubling the peace of a very respectable class of citizens. And if pagan Rome showed great wisdom, a foresighted spirit of conservatism, in persecuting that new sect that had come into its midst to proclaim the dangerous words *peace* and *fraternity*, why should we have more pity today for the professors of political economy? Still, our ways are so gentle, our moderation so great, that we do not require that you throw them to the lions. Just keep them from talking, and we shall be satisfied.

“Or, at least, if they have such a passion for discussion, can they not carry it on with some impartiality? Can they not adjust their science a little to our wishes? By what fatality have the professors of political economy in all countries been given the right to turn the weapon of reason against the protectionist system? If this system has some inconveniences, certainly it also has some advantages, for it is convenient for us. Cannot the professors gloss over the inconveniences and emphasize the advantages?

“Besides, of what use are scholars if not to make scientific discoveries? Who keeps them from inventing a political economy just for us? Evidently there is some ill will on their side. When the Holy Inquisition at Rome deemed it bad that Galileo had made the earth turn, that great man did not hesitate to make it motionless. He even made his declaration on his knees. It is true that on arising he murmured, it is said: *E pur si muove*. (‘And yet it moves.’) Let our professors also declare publicly and on their knees that *freedom is worthless*, and we shall pardon them if they mutter, provided it is under their breath: *E pur è buona*. (‘And yet it is good.’)

“But we wish, besides, to push moderation still further. You will not deny, sir, that one must be impartial above all. All right, since there are two conflicting doctrines in the world, one bearing the motto: *Allow trade*, and the other: *Prevent trade*, for heaven's sake, keep the balance equal and have both doctrines professed. See to it that our variety of political economy is also taught.

“Is it not very discouraging to see science always siding with freedom, and ought it not to share its favors a little? But, no, a chair is no sooner set up than there appears, like a Medusa head, the face of a *freetrader*.

“It is thus that J. B. Say has set an example that Messrs. Blanqui,\* Rossi,† Michel Chevalier,‡ and Joseph Garnier§ have hastened to follow. What would have become of us if your predecessors had not taken great care to restrict this harmful teaching? Who knows? This very year we might have had to suffer the consequences of a low price for bread.

“In England, Adam Smith, Dugald Stewart,\* Nassau Senior, and a thousand others have produced the same scandal. Moreover, the University of Oxford creates a chair of political economy and puts in it .... whom?—a future archbishop;‡ and thereupon Mr. Archbishop sets about teaching that religion agrees with science in condemning that part of our profits which comes from the protective system. And so, what has been the result? Little by little public opinion has let itself be seduced, and within two

years the English will have the misfortune to be free in their selling and buying. May they be ruined as they deserve!

“The same thing is happening in Italy. Kings, princes, and dukes, great and small, have had the imprudence to tolerate instruction in economics, without imposing on the professors the obligation to make science produce views favorable to restrictions on trade. Innumerable professors, like Genovesi,<sup>†</sup> Beccaria,<sup>‡</sup> and, in our day, Sr. Scialoja,<sup>§</sup> as might have been expected, set themselves to preaching freedom; and now Tuscany has free trade, and Naples is cutting its tariffs.

“You know what have been the results in Switzerland of the intellectual movement that has always in that country directed men's minds towards economic knowledge. Switzerland is free and seems placed in the center of Europe, like a light in a chandelier, expressly to embarrass us. For when we say: “The consequence of free trade is to ruin agriculture, commerce, and industry,” people never fail to point to Switzerland. For a moment we did not know what to reply. Thank heaven, *La Presse* relieved us of our embarrassment by furnishing us this precious argument: *Switzerland has not been ruined because it is small.*

“Science, accursed science, threatens to let loose the same calamity in Spain. Spain is the classic land of protection. And look how it has prospered! And, without taking account of the treasures it has drained from the New World or of the richness of its soil, the protectionist system is enough to explain the degree of splendor to which it has attained. But Spain has professors of political economy, men like La Sagra\* and Florez Estrada;<sup>†</sup> and now the Minister of Finance, Sr. Salamanca,<sup>‡</sup> proposes to restore the credit of Spain and increase its income solely by the power of free trade.

“Well, sir, what more do you want? In Russia there is only one economist, and he is for free trade.

“You see, the conspiracy of all the scholars in the world against trade barriers is flagrant. And what self-interest impels them? None. They could just as well preach protection if they liked; they would be no nearer starvation. It is, then, pure spitefulness on their part. This unanimity has the gravest dangers. Do you know what people will say? Seeing economists so completely in agreement, people will conclude that they are united in the same belief for the same reason that all the geometers in the world think the same way, since the days of Archimedes, about the square of the hypotenuse.

“When, sir, we beg you to have two contradictory doctrines taught impartially, this can be only a makeshift on our part, for we foresee what will happen: he whom you entrust with the teaching of the protectionist doctrine may well be led by his studies to embrace the doctrine of freedom.

“The best thing is to proscribe, once and for all, economics and economists, and to return to the wise traditions of the Empire. Instead of creating new chairs of political economy, simply do away with those, fortunately few in number, that still remain. Do you know how political economy has been defined? *The science that teaches workers*



*to keep what belongs to them.* Obviously a good fourth of the human race would be lost if this fatal science were to be widely propagated.

“Let us hold fast to the good old classical education, which can do nobody any harm. Let us cram our young people with Greek and Latin. When they scan the hexameters of *The Eclogues* on their fingertips from morning to night, what harm can that do us? Let them live in Roman society, with the Gracchi and Brutus, in the midst of a Senate whose members always speak of war, and in a Forum where booty is always in question; let them be imbued with the gentle philosophy of Horace:

Tra la la la, our youth,  
Tra la la la, is formed there.

“What need is there to teach them the laws of labor and exchange? Rome teaches them to despise labor, *servile opus*, and not to recognize as legitimate any other exchange than the *vae victis!* (‘Woe to the conquered!’), the cry of the warrior slaveowner. In this way we shall prepare our youth well for life in our modern society. There are, to be sure, a few small dangers. Our young people will be somewhat republican; they will have strange ideas about freedom and property; in their blind admiration for brute force, they will be found, perhaps, a little disposed to pick quarrels with all Europe and to settle political questions in the street with the aid of paving stones. It is inevitable, and frankly, sir, thanks to Titus Livy, we have all more or less wallowed in that sink. After all, these are dangers of the kind you can take care of with a few good policemen. But what police force can you oppose to the subversive ideas of the economists, who have brazenly written at the head of their program the following atrocious definition of property: When a man has produced a thing with the sweat of his brow, since he has the right to consume it, he has the right to exchange it.<sup>4</sup>

“No, no, with such people it is labor lost to have recourse to refutation.

“Quick—a gag, two gags, three gags!”

[\[Back to Table of Contents\]](#)

11

## Speech On The Suppression Of Industrial Combinations<sup>1</sup>

Fellow Representatives:

I am here to support the amendment of my honorable friend, M. Morin; I cannot support it without also examining the proposal of the committee. It is impossible to discuss the amendment of M. Morin without entering involuntarily, so to speak, into the general discussion; this requires us to discuss the committee's conclusions as well.

In fact, M. Morin's amendment is more than a mere modification of the principal proposition; he is opposing one system to another system, and, to decide between them, we must compare them carefully.

Citizens, I do not bring into this discussion any partisan spirit or any class prejudice. I shall not seek to play upon your emotions, but the Assembly sees that my lungs<sup>\*</sup> cannot struggle against parliamentary tumults; I need its kindest attention.

To evaluate the committee's system, let me recall some words of its honorable reporter, M. de Vatimesnil.<sup>†</sup> He said: "There is a general principle in Article 44 and those that follow it in the Penal Code; namely: Combination, whether between employers or between workers, constitutes an offense only when an attempt or a beginning has been made to put it into effect." This is written into the law, and it is this that gave rise to an immediate response to an observation concerning it made by the honorable M. Morin. He said to you: "The workers, then, cannot join together, cannot come to their employer and honorably discuss their wages with him!" (That is the expression he used: "honorably discuss with him.")

"Pardon me; they can join together," interjects M. Vatimesnil; "they can decidedly do so, either by all coming to the employer together or by naming committees to come; the offense, according to the terms of the Code, begins only when an attempt or a beginning has been made to effect a combination, that is, when, after having discussed the conditions, and despite the spirit of conciliation that the employers in their own interest always bring to this kind of thing, the workers say to them: 'since you will not give all that we ask of you, we are going to quit, and, *by using our influence, by exerting pressures that are well known and that depend upon our identity of interests and our comradeship*, we are going to get all the other workers in other shops to go on strike.'"

After reading this, I ask myself what the offense consists in; for in this Assembly there cannot be, it seems to me, what is called a systematic majority or minority on such a question. We all wish to repress offenses; we all aim at not introducing fictitious, imaginary offenses into the Penal Code, just to have the pleasure of punishing them.

I ask myself what the offense consists in. Is it in the combination, in the strike, or in the pressure to which allusion has been made? It is said: "It is the combination itself that constitutes the offense." I cannot accept this doctrine, because the word *combination*\* is synonymous with association; it has the same etymology and the same meaning. Combination in itself, aside from the end it aims at and the means it employs, cannot be considered as an offense, and the honorable reporter feels that himself; for, replying to M. Morin, who asked whether the workers could discuss wages with their employers, the honorable M. de Vatimesnil said: "They certainly can; they can come separately or all together to *name committees*." Now, to name committees, they must certainly come to an understanding, plan together, associate; they must form a combination. Strictly speaking, then, it is not in the mere fact of combination that the offense consists.

Nevertheless, some would like to make this the offense, and they say: "A beginning has to be made in effecting a combination." But can the fact of beginning to put an innocent action into effect render that action culpable? I do not believe so. If an action is bad in itself, certainly the law cannot deal with it until it has been begun. Indeed, I say that it is the beginning of the action that brings the action into existence. Your language, on the contrary, is tantamount to saying that a look is an offense, but it does not become an offense until one begins to look. M. de Vatimesnil himself recognizes that it is not possible to seek for the thought behind a culpable action. Now, when the action is in itself innocent and is manifested by innocent deeds, it is evident that it is not incriminating and cannot change its nature.

Now, what is to be understood by the words "beginning to effect a combination"?

A combination can occur, can begin to be put into effect, in a thousand different ways. But no, the concern is not with these thousand different ways, but with the strike. In that case, if it is the strike that is necessarily the beginning of the combination, then say that the strike is in itself an offense, punish the strike, and say that the strike will be punished, that whoever refuses to work at wage rates that he does not accept will be punished. Then your law will be honest.

But is there any conscience that can admit that the strike is an offense in itself, independently of the means employed? Does a man not have the right to refuse to sell his labor at a rate that does not suit him?

The reply to me will be: "All this may be true when only a single individual is involved, but it is not true when men have associated together for this purpose."

But, gentlemen, an action that is innocent in itself is not criminal because it is multiplied by a certain number of men. When an action is bad in itself, I admit that if that action is performed by a certain number of individuals, one may say that it is aggravated; but when it is innocent in itself, it cannot become criminal because it is the deed of a great number of individuals. I do not understand, then, how one can say that a strike is criminal. If one man has the right to say to another: "I don't want to work under such and such conditions," two or three thousand men have the same

right; they have the right to quit. This is a natural right, which should also be a legal right.

However, my opponents need to impose a stigma of criminality on the strike. And how do they go about it? They slip between parentheses these words: “Since you will not give us what we ask of you, we are going to quit; we are going, *by exerting pressures that are well known* and that depend upon our identity of interests and our comradeship....”

This, then, is the offense: *the well-known pressures*—violence and intimidation. This is the offense; this is what you ought to punish. And, in fact, that is precisely what the amendment of the honorable M. Morin does. How can you refuse him your support?

But they adopt another line of reasoning and say: “Combination has two characteristics that can put it in the category of offenses; combination is culpable in itself, and it produces consequences that are harmful to the worker, to the employer, and to the whole of society.”

In the first place, that combination is culpable is precisely the point in question, *quod erat demonstrandum*; it is or is not culpable, depending on the end it proposes and, above all, on the means it employs. If the means are limited to mere inertia, to passivity, if the workers are in accord, have reached agreement, and say: “We do not want to sell our merchandise, which is labor, at such a price. We want another rate; and if you refuse, we are going to return to our homes or seek work elsewhere,” it seems to me that it is impossible to say that this is a culpable action.

But you contend that it is harmful. Here, despite all the respect that I profess for the talent of the honorable reporter, I believe that he has ventured into a type of reasoning that is confused, to say the least. He says: “The strike is harmful to the employer, since the absence of one or of several workers is troublesome for him. A strike has an adverse effect on his production, so that the strikers violate the freedom of the employer, and, consequently Article 13 of the Constitution.”

This is, in fact, the complete reverse of the truth.

I meet with an employer, we discuss the rate of pay, what he offers me does not suit me, I commit no violence, I leave—and you say that it is I who infringe on the employer's freedom, because my refusal to work on his terms has an adverse effect on his production! Note that what you proclaim is nothing else than slavery. For what is a slave, if not a man forced by law to work under conditions that he rejects? [*The Left*: “Hear! Hear!”]

You ask that the law intervene because I violate the property rights of the employer; do you not see that, on the contrary, it is the employer who violates mine? If he has the law intervene to impose his will on me, where is freedom, where is equality? [*The Left*: “Hear! Hear!”]

Do not say that I misrepresent your reasoning, for it is there in its entirety in the report and in your speech.

Next, you say that the workers harm themselves when they combine, and you conclude from this that the law should prevent strikes. I am in agreement with you that in most cases the workers do harm themselves. But it is precisely for this reason that I desire that they should be free, because freedom would teach them that they harm themselves. Yet you deduce the consequence that the law must intervene and bind them to the workshop.

You thus force the law to enter upon a very broad and dangerous road.

You accuse the socialists every day of wanting to make the law intervene in all things, of wanting to abolish personal responsibility.

You complain every day that wherever there is evil, suffering, or sorrow, man constantly invokes the law and the state.

I, for my part, do not want the law to say to a man, because he strikes and thereby consumes a part of his savings: “You must work in that shop, although they will not give you the wage rate that you ask for.” I cannot accept such a theory.

Finally, you say that the strike has a harmful effect on the whole of society.

There is no doubt that it does; but the reasoning is the same: a man judges that, by quitting work, he will obtain a better rate of wages in a week or ten days; undoubtedly this involves a loss of labor for society, but what would you do? Do you want the law to cure everything? It is impossible; in that case, we must say that a merchant who waits for a better time to sell his coffee or his sugar harms society. Then we must always invoke the law and call upon the state to intervene.

Against the proposal of the committee an objection has been made that, it seems to me, has been treated too lightly, for it is very serious. It has been said: “What is the issue? On the one side are employers, and on the other, workers; what is in question is the determination of wage rates. Evidently, what is desirable, if wages are determined by the natural play of supply and demand, is that the demand and the supply be equally free, or, if you will, equally constrained. To this end there are only two means: either we must allow combinations perfect freedom, or we must suppress them completely.”

It is objected—and you admit it—that it is absolutely impossible by means of your law to hold the balance equal; for combinations of workers, since they are formed on a very large scale and in full view, are much more easy to deal with than combinations of employers.

You admit the difficulty; but you also add: “The law cannot stop to consider these details.” I reply that it should stop to consider them. If the law can repress a supposed offense only by committing the most shocking and enormous injustice against an entire class of citizens, it should stop to consider what it is doing. There are a thousand analogous cases which the law does stop to consider.

You admit yourself that under the rule of your legislation supply and demand are no longer on an even footing, since combinations of employers cannot be apprehended; and it is evident that if two or three employers dine together and form a combination, no one knows anything about it. That of workers, on the other hand, will always be perceived, since it is made openly.

Since one side escapes your law, and the other does not, the law has the necessary consequence of bearing down on supply, but not on demand, i.e., of changing, at least in so far as it is effective, the natural rate of wages, and this in a systematic and permanent manner. This is what I cannot approve of. I say that since you cannot make a law equally applicable to all interests involved, since you cannot give them legal equality, then allow them freedom, which includes equality.

But if equality is not actually attainable as a result of the committee's proposal, is it at least achieved on paper? Yes, I certainly believe that the committee has made great efforts to attain at least apparent equality. However, it has not yet succeeded; and, for us to be convinced of this, it suffices to compare Article 414 with Article 415, that which concerns the employers with that which concerns the workers. The first is exceedingly simple: there can be no mistake; justice when it pursues the offender—and the latter when he defends himself—will know perfectly what the rule is.

“1. Any combination between employers of workers that tends to *force* the lowering of wages, if an attempt or a beginning has been made to put it into effect, will be punished.”

I call your attention to the word “force,” which gives great latitude to the employers' defense. “It is true,” they will say, “that two or three of us united; we took steps to lower wages, but we did not try to *force* the issue.” This is a very important word that is not found in the following article.

In fact, the following article is extremely elastic; it comprises not just one act, but a great number of acts.

“Any combination of workers to stop work simultaneously, to forbid work in the shops, to prevent appearing there before or after certain hours, and, in general, to suspend work in order to influence or raise the price of labor [it does not say ‘force’], if an attempt or beginning has been made to put it into effect, etc....”

And if it be said that I cavil about the word “force,” I call the attention of the committee to the importance that it has itself given to this word. [Uproar.]

[*A member on the Left*]: The Right will not grant you silence. When good things are said, they always interrupt. Say something false, and they will listen to you.

M. Frédéric Bastiat: In its desire to arrive at a certain impartiality, at least on paper, since it is impossible in fact, the committee had two ways to take in regard to the expressions “unjustly” and “abusively” that Article 414 contains.

Either the words that open so wide an area of defense for employers must evidently be suppressed in Article 414, or they must be introduced into Article 415 to open the same door to the workers. The committee has preferred the suppression of the words "unjustly" and "abusively." On what basis has the committee taken this action? Precisely on the basis of what immediately follows these words—the word "force"; and this word, underlined five times on one page of its report, proves that the committee attaches great importance to it. Indeed, the committee has expressed itself categorically on this point:

When an agreement for measures contrary to law has been made to *force* the reduction of wages, it is impossible to justify it. Such a deed is necessarily *unjust* and *abusive*; for to *force* the reduction of wages is to produce, by a pact as illicit as it is merciless, a reduction of wages that would not have resulted from the circumstances of industry and free competition; from which it follows that the use of the words "unjustly" and "abusively" offends good sense.

Thus, how have they justified the elimination they have made of the words "unjustly" and "abusively"? They have said: "The words are redundant; the term 'force' replaces all that."

But, gentlemen, when the workers were concerned, the word "force" was no longer inserted, and hence the workers do not have the same chance of defense; it has merely been set down that the workers cannot raise wages, no longer *unjustly* and *abusively* by *forcing* the raise, but solely by *raising* them. There is again, at least in the drafting, a flaw, an inequality, which has simply been grafted onto the greater inequality that I have just spoken of.

Such, gentlemen, is the system proposed by the committee, a system that, in my opinion, is vicious in every way, vicious theoretically and vicious practically, a system that leaves us in complete uncertainty as to what the offense is. Is it combination, is it striking, is it abuse, or is it force? We are not told. I defy anyone, even the most logical mind, to see where impunity begins and where it ends. You say to me: "Combination is an offense. Yet you may name a committee." But I am not sure of being able to name a committee and to send delegates when your report is full of considerations from which it follows that combination is the very essence of the offense.

Next, I say that from a practical point of view your law is full of inequalities; it is not applied exactly and proportionately to the two parties whose antagonism you would like to abolish. A peculiar way to abolish antagonism between two parties, to treat them in an unequal manner!

As for the system of M. Morin, I shall not spend much time on it. It is perfectly clear, perfectly lucid; it rests on an unshakable principle, admitted by everyone: freedom for use and suppression of abuse. There is no intellect whatsoever that does not give its assent to such a principle.

Ask the first comer, whomever you will, whether the law is unjust or partial when it confines itself to repressing intimidation and violence. Everyone will tell you: "These are the true offenses." Besides, laws are made for the ignorant as well as for the learned. Men's minds must instantly grasp the definition of an offense; the conscience must give its assent. While reading the law, one must say: "Truly, that is an offense." You speak of respect for the law; this immediate response is a constituent of that respect. How do you expect people to respect an unintelligent and unintelligible law? That is impossible. [Approval on the Left.]

What is happening here, gentlemen, seems to me to derive some importance from the perfect analogy with what has happened in another country of which M. de Vatimesnil spoke yesterday, England, which has had so much experience with combinations, labor disputes, and difficulties of that nature. I believe that that experience is worthy of being considered here.

You have been told of the numerous and formidable combinations that have appeared there since the abrogation of the relevant law or laws; but you have been told nothing of those that took place formerly. We must speak of them too; for, in order to judge the two systems, we must compare them.

Before 1824, England had been desolated by combinations so numerous, so terrible, so violent, that thirty-seven statutes were passed against this scourge in a country where, as you know, tradition constitutes, so to speak, a part of the law, and where even absurd laws are respected just because they are ancient. That country must indeed have been exhausted and tormented by the evil of combination to decide to pass one after another, and in a brief period of time, thirty-seven statutes, each more forceful than the one before. And what was the result? They did not achieve their end; the evil became more and more aggravated. One fine day they said to themselves: "We have tried many systems. Thirty-seven statutes have been passed. Let us try to see whether we can succeed by a very simple means: justice and freedom." I should like to see this reasoning applied to many questions. Then their solution would not be so difficult as is thought. In short, this time such reasoning prevailed and was applied in England.

Hence, in 1824, a law was introduced in accordance with the proposal of Mr. Hume,<sup>\*</sup> a proposal that resembled very strongly that of Messrs. Doutré,<sup>†</sup> Greppo,<sup>‡</sup> Benoît,<sup>§</sup> and Fould: it decreed the total repeal of the laws on combinations that had been passed up to that time. Justice in England thus found itself disarmed in face of combinations, even against violence, intimidation, and threat—deeds which, however, aggravate combination. To these deeds, only the laws relating to threats or to incidental street brawls could be applied; so that the next year, in 1825, the Minister of Justice asked for a special law that would allow complete freedom to combinations, but would increase the punishment for ordinary acts of violence. This is the essence of the law of 1825.

Article 3 declares: "Whosoever by intimidation, threats, or acts of violence does.... etc..... will be punished by imprisonment and a fine, etc....."



The words “intimidation,” “threats,” and “acts of violence,” reappear in each phrase. The word “combination” is not even mentioned.

And then come two other extremely remarkable articles that would probably not be allowed in France, because they are virtually comprised in the maxim: “What the law does not forbid is allowed.”

The law of 1825 says: “Those who unite or combine to seek to influence the rate of wages, or those who enter into verbal or written agreements, etc..... will not be subject to this penalty.”

In short, the broadest and most complete freedom is expressly granted there.

I say there is an analogy in the situation, for what the committee proposes for your consideration is the old English system, that of the statutes. The proposal of M. Doure and of his colleagues is the proposal of Mr. Hume, which repealed all the statutes and allowed no increased penalties for acts of violence that were planned in common; although one cannot fail to see that acts of violence planned by a certain number of men involve more danger than individual acts of violence committed in the street. In short, the proposal of the honorable M. Morin corresponds perfectly to the one that brought forth in England the definitive law of 1825.

Now, you are told: “Since 1825, England has not fared well with this system.” It has not fared well with it! I can only say that, for my part, I think that you make pronouncements on this question without having pondered it deeply enough. I have traveled through England several times, and I have asked a great number of manufacturers about this law. I can assert that I never met a person who did not praise it, and who was not quite satisfied that England in this case had dared to adopt freedom. And it is perhaps because of this that later it dared again to adopt freedom in regard to many other questions.

You cite the strike of 1832, which indeed was a formidable one; but we must take care not to present facts out of context. That year in England was one of scarcity: wheat was worth ninety-five shillings per quarter; there was a famine that lasted for several years.

M. de Vatimesnil, reporter: I cited the strike of 1842.

M. Bastiat: There was a famine in 1832 and another, severer one, in 1842.

Reporter: I spoke of the strike of 1842.

M. Bastiat: My argument applies with even more force to the year 1842. In times of scarcity like those, what happens? The income of nearly the whole population is used to buy necessities. They do not buy manufactured goods; the workshops are idle; many workers must be laid off; the labor market is glutted; and wages are lowered.

Indeed, when a great fall in wages occurs, and when this is connected with a terrible famine, it is not astonishing that in a country of complete freedom combinations are formed.

This is what took place in England. Did they change the law because of that? Not at all.

They knew the causes of these combinations, but they faced them. They punished threats and acts of violence wherever these appeared, but they did nothing else.

A frightful picture of these associations has been presented to us, and it is said that they tended to become political.

Gentlemen, at the time of which I speak, England was concerned with a great question, and that question was made more critical by the circumstances, by scarcity. There was a struggle between the industrial population and the landed proprietors, that is, the aristocracy, which wanted to sell wheat as dearly as possible, and therefore prohibited the importation of foreign wheat. What was the result? Those unions which yesterday were genially called "trade-unions," those unions which enjoyed freedom of combination, seeing that all the efforts made by their combination had not succeeded in raising the rate of wages....

A voice: That is what is bad.....

M. Bastiat: You say it is an evil; I say, on the contrary, that it is a great good. The workers perceived that the rate of wages does not depend on the employers, but on other social laws, and they said to themselves: "Why have not our wages risen? The reason for it is simple: it is because we are forbidden to work for export or at least to receive foreign wheat in payment. It is, then, wrong for us to blame our employers; we must blame the aristocratic class, which not only owns the soil but makes the laws, and we shall have an influence on wages only when we shall have won our political rights."

[*The Left*: "Hear! Hear!"]

M. Bastiat: Really, gentlemen, to find something extraordinary in this very simple and natural conduct on the part of the English workers is almost to bring to this tribunal a protest against universal suffrage in France. [More approval on the Left.]

It follows from this that the English workers have learned a great lesson by virtue of their freedom; they have learned that their employers are not always responsible for raising or lowering the rate of wages. Today England has just passed through two or three very difficult years following the potato blight, the poor harvest, the mania for railroads, and the revolutions that have desolated Europe and closed the outlets for England's industrial products. Never has it passed through such crises. Yet there has not been a single reprehensible act of combination or one deed of violence. The workers have renounced such acts after their experience; we have there an example to cite and to ponder on in our country. [Approval on the Left.]

In short, there is one consideration that strikes me as more important than all the rest. You want respect for the law, and you are quite right; but we must not obliterate the meaning of justice among men.

We are confronted by two systems: that of the committee and that of M. Morin.

Imagine alternatively that, by virtue of one or the other system, the workers are indicted. Suppose the workers are indicted in accordance with the present law on combinations. They do not even know what is required of them; they believed they were right up to a certain point to combine and to plan together, and you recognized it yourself in a certain measure. They say: "We have gone through our savings; we are ruined. It is not our fault; it is that of society which torments us, of bosses who harass us, of justice which pursues us." They come before the tribunals with resentment in their hearts; they present themselves as victims; and not only do they resist, but those who are not prosecuted sympathize with them: our young people, always so ardent, as well as the leading publicists, take up their cause. Do you believe that this is a good situation, favorable for the justice of the country?

On the other hand, prosecute the workers according to the system of M. Morin. Let them be indicted; let the Prosecutor of the Republic say: "We do not prosecute you because you combined; you are perfectly free to do so. You demanded an increase in wages; we said nothing. You planned together; we said nothing. You wanted to strike; we said nothing. You tried to use persuasion on your comrades; we said nothing. But you used arms, violence, threats; we have indicted you."

The worker whom you prosecute thus will bow his head, because he will feel he is wrong, and will acknowledge that the justice of his country has been impartial and equitable. ["Well said!"]

I will conclude, gentlemen, with one further consideration:

In my opinion, there are a number of questions now being discussed among the working classes about whose deep importance the workers are being misled. I call your attention to this point: whenever a revolution breaks out in a country where there are different ranks and classes and social strata, and where the uppermost class has arrogated to itself certain privileges, it is the class next lower in the social scale that gains the ascendancy; naturally, it calls the others to its aid by appealing to notions of fairness and justice. After the revolution, the second class comes to power. Usually it too is not long in granting itself privileges. The same is true of the third and the fourth class. All this is odious, but it is always possible, as long as there is a lower class that can pay the costs of the privileges involved.

But as a result of the February Revolution, the whole nation, the whole people, including the lowest strata of the population, reached the point, or could reach it, through election, through universal suffrage, where it governed itself. And then, in a spirit of imitation which I deplore, but which seems to me natural enough, the people thought they could cure their sufferings by granting themselves privileges too; for I

regard the *right to interest-free credit* and the *right to employment* and many other demands as really privileges. [Unrest.]

And in fact, gentlemen, these privileges can be granted to it, if there is beneath it, or within sight, another, even more numerous class, three hundred million Chinese, for example, who can bear the costs of it. [Laughter of agreement.] Now, such a class does not exist; that is why each of the privileges will have to be paid for by our own people, out of their own pockets, not only without any possible profit to them, but by means of a complicated apparatus of which they will have to bear all the cost.

Thus, the Legislative Assembly may be called upon to struggle against these demands, which it must not treat too lightly, because, after all, they are sincere. You will be obliged, I say, to struggle. How will you do so successfully if you refuse the working class when it asks only what is reasonable, when it asks purely and simply for justice and freedom? I believe that you will gain great strength by here giving a proof of your impartiality; you will be looked upon as the guardians of all classes and especially of this class, if you show yourselves completely impartial and just towards them. [Strong approval on the Left.]

To sum up: I reject the committee's proposal because it is only an expedient, and the characteristic of all expedients is weakness and injustice. I support M. Morin's proposal because it is based on a principle; and only principles have the power to satisfy men's minds, to win their hearts, and to gain the consent of their consciences. They have asked us: "Do you wish to proclaim freedom simply out of platonic love of freedom?" I, for my part, reply, "Yes." Freedom may entail trials for nations, but it alone enlightens, teaches, and edifies them. Outside of freedom, there is only oppression; and friends of order should bear in mind that this is no longer the time, if there ever was one, when the union of classes, respect for the law, security of interests, and the tranquillity of nations can be founded on oppression.

[\[Back to Table of Contents\]](#)

12

## To The Democrats

### Reflections On The Amendment Of M. Mortimer-Ternaux\*[1](#)

No, I am not mistaken; I feel, beating within my breast, a democratic heart. How, then, does it happen that I find myself so often in opposition to those who proclaim themselves the exclusive representatives of democracy?

Yet we must understand one another. Has this word two opposite meanings?

For my part, it seems to me that there is a connection between the aspiration that impels all men towards the improvement of their material, intellectual, and moral condition, and the faculties with which they are endowed to realize this aspiration.

Hence, I should like each man to have, on his own responsibility, the free disposition, administration, and control of his own person, his acts, his family, his transactions, his associations, his intelligence, his faculties, his labor, his capital, and his property.

This is how they understand freedom and democracy in the United States. There each citizen is vigilant with a jealous care to remain his own master. It is by virtue of such freedom that the poor hope to emerge from poverty, and that the rich hope to preserve their wealth.

And, in fact, as we see, in a very short time this system has brought the Americans to a degree of enterprise, security, wealth, and equality of which the annals of the human race offer no other example.

However, there as everywhere, there are men who do not scruple to violate for their personal advantage the freedom and property rights of their fellow citizens.

That is why the law intervenes, through the instrumentality of the public police force, to prevent and repress such aggressive inclinations.

Everyone co-operates, in proportion to his means, in the maintenance of this force. This is not a case, as has been said, of *sacrificing a part of one's liberty to preserve the rest*; it is, on the contrary, the most simple, just, efficacious, and economical means of guaranteeing the freedom of all.

And one of the most difficult problems of politics is to keep the trustees of this public police force from doing themselves what they are charged with preventing.

The French democrats, so it seems, see things in an entirely different light.

Undoubtedly, like the American democrats, they condemn, reject, and hold in contempt the acts of plunder that citizens might be tempted to commit on their own authority against one another—every act of aggression committed against the property, labor, and freedom of one individual by another individual.

But plunder, which they reject between individuals, they regard as a means of equalizing property, and, consequently, they entrust plunder to the *law*, to the *public police force*, which I thought was instituted to prevent it.

Thus, while the American democrats, having empowered the public police force to punish individual plunder, are very much concerned that this force should not itself become spoliative; the French democrats, on the contrary, make of this force an instrument of plunder, and this seems to be the very foundation and essence of their system.

To this system they give the grand names of organization, association, fraternity, and solidarity. They thereby remove all scruples from the most brutal appetites.

“Peter is poor; Mondor is rich. Are they not brothers? Are they not answerable for one another? Must they not be associated, organized? Then, let them share, and all will be for the best. It is true that Peter should not take from Mondor. That would be wrong. But we will make laws and create forces that will be charged with carrying out that operation. Thus, the resistance of Mondor will be treated as rebellion, and Peter's conscience can be at ease.”

In the history of this legislature there have been occasions when plunder appeared under an especially hideous aspect. This has been so whenever the law has worked to the advantage of the rich and the detriment of the poor.

But even in such cases the Montagnards have been known to applaud. Is it not because they want above all to see the principle of legal plunder securely established as a precedent? Once the legal plunder of the poor for the profit of the rich is made legitimate by the support of the majority, how reject the legal plunder of the rich for the benefit of the poor?

Unhappy country, where the sacred forces that were meant to support each man's rights are perverted to accomplish themselves the violation of these rights!

Yesterday at the Legislative Assembly, we witnessed a scene from that abominable and distressing spectacle which may well be called the *comedy of dupes*.

Here is what it was about.

Every year 300,000 children reach the age of twelve. Of these 300,000 children, perhaps 10,000 enter the state *collèges* and *lycées*. Are their parents all rich? I know nothing about that. But it can most certainly be affirmed that they are the richest in the nation.

Naturally, they must pay the costs of feeding, instructing, and bringing up their children. But they find them too high. Consequently, they have demanded and obtained a law that, by taxes on drinks and salt, takes money from the poor parents of 290,000 children, to be distributed to them, the rich parents, by way of gratuity, encouragement, indemnity, subsidy, etc., etc.

M. Mortimer-Ternaux has demanded that this monstrous situation be brought to an end, but he has failed in his efforts. The extreme Right finds it very convenient to make the poor pay for the education of rich children, and the extreme Left finds it very politic to seize such an occasion to have the system of legal plunder established and sanctioned.

At which I ask myself: Where are we going? The Assembly must direct itself by some principle; it must commit itself to justice everywhere and for everybody, if it is not, in fact, to rush headlong into the system of legal and reciprocal plunder, to the point of completely equalizing all classes, that is, to the point of communism.

Yesterday it declared that the poor must pay taxes to relieve the rich. How can it have the cheek to reject taxes that will soon be proposed to it to "soak the rich" in order to relieve the poor?

For my part, I cannot forget that when I presented myself before the voters, I said to them:

"Would you approve a system of government which was based on the following arrangement: You would have the responsibility for your own existence. You would demand, in exchange for your labor, your effort, and your industry, the means of feeding, clothing, lodging, and enlightening yourselves, of attaining affluence, well-being, and perhaps prosperity. The government would concern itself with you only to guarantee you against all disturbance and unjust aggression. For its part, it would ask of you only the very modest tax indispensable for accomplishing this task."

And all cried out: "We ask nothing else of it."

And now, what would be my position if I had to present myself anew before those poor farmers, those honest artisans, those fine workers, to say to them:

"You are going to pay more in taxes than you were expecting to pay. You are going to have less freedom than you hoped for. It is to some extent my fault, for I have departed from the system of government you had in view when you elected me. On April 1, I voted for an increase in the tax on salt and drinks, in order to come to the aid of the small number of our countrymen who send their children to the state schools."

Whatever happens, I hope never to put myself in the sad and ridiculous position of having to make such a speech to those who have placed their trust in me.

[\[Back to Table of Contents\]](#)

13

## The Balance Of Trade<sup>1</sup>

The balance of trade is an article of faith.

We know what it consists in: if a country imports more than it exports, it loses the difference. Conversely, if its exports exceed its imports, the excess is to its profit. This is held to be an axiom, and laws are passed in accordance with it.

On this hypothesis, M. Mauguin\* warned us the day before yesterday, citing statistics, that France carries on a foreign trade in which it has managed to lose, out of good will, without being required to do so, two hundred million francs a year.

“You have lost by your trade, in eleven years, two billion francs. Do you understand what that means?”

Then, applying his infallible rule to the facts, he told us: “In 1847 you sold 605 million francs' worth of manufactured products, and you bought only 152 millions' worth. Hence, you *gained* 450 million.

“You bought 804 millions' worth of raw materials, and you sold only 114 million; hence, you *lost* 690 million.”

This is an example of the dauntless naïveté of following an absurd premise to its logical conclusion. M. Mauguin has discovered the secret of making even Messrs. Darblay† and Lebeuf‡ laugh at the expense of the balance of trade. It is a great achievement, of which I cannot help being jealous.

Allow me to assess the validity of the rule according to which M. Mauguin and all the protectionists calculate profits and losses. I shall do so by recounting two business transactions which I have had the occasion to engage in.

I was at Bordeaux. I had a cask of wine which was worth 50 francs; I sent it to Liverpool, and the customhouse noted on its records an *export* of 50 francs.

At Liverpool the wine was sold for 70 francs. My representative converted the 70 francs into coal, which was found to be worth 90 francs on the market at Bordeaux. The customhouse hastened to record an *import* of 90 francs.

Balance of trade, or the excess of imports over exports: 40 francs.

These 40 francs, I have always believed, putting my trust in my books, I had gained. But M. Mauguin tells me that I have lost them, and that France has lost them in my person.



And why does M. Mauguin see a loss here? Because he supposes that any excess of imports over exports necessarily implies a balance that must be paid in cash. But where is there in the transaction that I speak of, which follows the pattern of all profitable commercial transactions, any balance to pay? Is it, then, so difficult to understand that a merchant compares the prices current in different markets and decides to trade only when he has the certainty, or at least the probability, of seeing the exported value return to him increased? Hence, what M. Mauguin calls *loss* should be called *profit*.

A few days after my transaction I had the simplicity to experience regret; I was sorry I had not waited. In fact, the price of wine fell at Bordeaux and rose at Liverpool; so that if I had not been so hasty, I could have bought at 40 francs and sold at 100 francs. I truly believed that on such a basis my *profit* would have been greater. But I learn from M. Mauguin that it is the *loss* that would have been more ruinous.

My second transaction had a very different result.

I had had some truffles shipped from Périgord which cost me 100 francs; they were destined for two distinguished English cabinet ministers for a very high price, which I proposed to turn into pounds sterling. Alas, I would have done better to eat them myself (I mean the truffles, not the English pounds or the Tories). All would not have been lost, as they were, for the ship that carried them off sank on its departure. The customs officer, who had noted on this occasion an export of 100 francs, never had any re-import to enter in this case.

Hence, M. Mauguin would say, France gained 100 francs; for it was, in fact, by this sum that the export, thanks to the shipwreck, exceeded the import. If the affair had turned out otherwise, if I had received 200 or 300 francs' worth of English pounds, then the balance of trade would have been unfavorable, and France would have been the loser.

From the point of view of science, it is sad to think that all the commercial transactions which end in loss according to the businessmen concerned show a profit according to that class of theorists who are always declaiming against theory.

But from the point of view of practical affairs, it is even sadder, for what is the result?

Suppose that M. Mauguin had the power (and to a certain extent he has, by his votes) to substitute his calculations and desires for the calculations and desires of businessmen and to give, in his words, "a good commercial and industrial organization to the country, a good impetus to domestic industry." What would he do?

M. Mauguin would suppress by law all transactions that consist in buying at a low domestic price in order to sell at a high price abroad and in converting the proceeds into commodities eagerly sought after at home; for it is precisely in these transactions that the imported value exceeds the exported value.

Conversely, he would tolerate, and, indeed, he would encourage, if necessary by subsidies (from taxes on the public), all enterprises based on the idea of buying dearly

in France in order to sell cheaply abroad; in other words, exporting what is useful to us in order to import what is useless. Thus, he would leave us perfectly free, for example, to send off cheeses from Paris to Amsterdam, in order to bring back the latest fashions from Amsterdam to Paris; for in this traffic the balance of trade would always be in our favor.

Yet, it is sad and, I dare add, degrading that the legislator will not let the interested parties decide and act for themselves in these matters, at their peril and risk. At least then everyone bears the responsibility for his own acts; he who makes a mistake is punished and is set right. But when the legislator imposes and prohibits, should he make a monstrous error in judgment, that error must become the rule of conduct for the whole of a great nation. In France we love freedom very much, but we hardly understand it. Oh, let us try to understand it better! We shall not love it any the less.

M. Mauguin has stated with imperturbable aplomb that there is not a statesman in England who does not accept the doctrine of the balance of trade. After having calculated the loss which, according to him, results from the excess of our imports, he cried out: "If a similar picture were to be presented to the English, they would shudder, and there is not a member in the House of Commons who would not feel that his seat was threatened."

For my part, I affirm that if someone were to say to the House of Commons: "The total value of what is exported from the country exceeds the total value of what is imported," it is then that they would feel threatened; and I doubt that a single speaker could be found who would dare to add: "The difference represents a profit."

In England they are convinced that it is important for the nation to receive more than it gives. Moreover, they have observed that this is the attitude of all businessmen; and that is why they have taken the side of *laissez faire* and are committed to restoring free trade.

## Notes

Notes To Chapter 1

Notes To Chapter 2

Notes To Chapter 3

Notes To Chapter 4

Notes To Chapter 5

Notes To Chapter 6

Notes To Chapter 7

Notes To Chapter 8

Notes To Chapter 9

Notes To Chapter 10

Notes To Chapter 11

Notes To Chapter 12

Notes To Chapter 13

[\[Back to Table of Contents\]](#)

## About The Publisher

The Foundation for Economic Education was established in 1946 by Leonard E. Read to study and advance the moral and intellectual rationale for a free society.

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[\[Back to Table of Contents\]](#)

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[\[Back to Table of Contents\]](#)

## Economic Harmonies

Originally published in 1850, just before Bastiat's death, *Harmonies* is a natural complement to *Economic Sophisms*. Bastiat uncovers the great truth that lies at the heart of society, namely that the interests of all people are fundamentally compatible, that there is and can be no antagonism between the welfare of one and the welfare of all, and that all people can live in peace and harmony provided there is a free and open market for goods and services.

[\[Back to Table of Contents\]](#)

## Economic Sophisms

Although written 150 years ago, Bastiat's devastatingly accurate attacks of the illogical self-serving arguments of protectionists remain both relevant and entertaining. Among the gems in *Sophisms* are “The Negative Railroad,” “Petition of the Candlemakers,” and “The Physiology of Plunder.”

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[\*][In French, *Jacques Bonhomme*, used like “John Bull” in English to represent the practical, responsible, unassuming average man.—Translator.]

[\*][Newspaper of the Committee for the Defense of Domestic Industry, a protectionist organization.—Translator.]

[\*][Auguste, Vicomte de Saint-Chamans (1777–1861), Deputy and Councillor of State under the Restoration, protectionist and upholder of the balance of trade. His celebrated stand on the “obstacle” here quoted by Bastiat comes from his *Nouvel essai sur la richesse des nations*, 1824. This work was later (1852) incorporated in his *Traité d'économie politique*.—Translator.]

[\*][In Act II of *The Barber of Seville*, Basile, the musician, says: “I have arranged several proverbs with variations.”—Translator.]

[\*][Adolphe Thiers (1797–1877), French statesman and distinguished historian. In his long political career he was Deputy and Prime Minister (1836 and 1840), and, as a final tribute, was elected President of the Third Republic in 1871.—Translator.]

[\*][Alphonse Marie Louis de Lamartine (1790–1869), one of the great poets of French romanticism and subsequently a distinguished statesman. First elected Deputy in 1834, he attained his greatest glory at the time of the Revolution of 1848, when he was a prime mover in the establishment of the Republic. By his eloquence he calmed the Paris mobs that threatened to destroy it and became the head of the provisional

government. More an idealist and orator than a practical politician, however, he soon lost influence and retired to private life in 1851.—Translator.]

[\*][This refers to the Great Exhibition, in Hyde Park, London, in 1851, sponsored by the London Society of Arts, an association devoted to the development of arts and industries. The first in a series of great international exhibitions, or “world fairs,” it was famous for the Crystal Palace, a remarkable architectural structure, in which the exhibitions were displayed. Albert, Queen Victoria's Prince Consort, presided over the exhibition.—Translator.]

[\*][I.e., from City Hall to the theatrical suppliers on the Left Bank.—Translator.]

[\*][Charles Dupin (1784–1873), distinguished French engineer and economist, professor at the Conservatory of Arts and Crafts, Deputy, and Senator. His greatest contribution to political economy was in the field of economic statistics.—Translator.]

[\*][Achille Fould (1800–1867), politician and financier.—Translator.]

[\*][Jean Martial Bineau (1805–1855), engineer and politician, Minister of Finance in 1852.—Translator.]

[\*][Originally a parade ground in Paris on the Left Bank of the Seine, the Champ-de-Mars is now a park between the Eiffel Tower and the Military Academy.—Translator.]

[\*][Failures in the grain and potato crops in northern and western Europe in 1846 resulted in a rise of food prices in 1847, the year of “dear bread” and of agricultural, industrial, and financial depressions.—Translator.]

[†][“Hunger is an evil counsellor.” Virgil's *Aeneid* VI, 276.—Translator.]

[\*][References to Claude Henri de Rouvroy, Comte de Saint-Simon (1760–1825), historic founder of French socialism; to the phalanstères, or common buildings, proposed by Francois Marie Charles Fourier in 1832 in his newspaper *Le Phalanstère* to house “phalanges” of sixteen hundred persons each as part of a socialistic scheme; and to *Voyage to Icaria*, a utopian book by Étienne Cabet (1788–1856).—Translator.]

[†][In French, “*M. Prohibant*”: this ironic term for a protectionist, coined, as Bastiat says, by Charles Dupin, could be roughly translated as “Mr. Restrainer-of-Trade” or “Mr. Protectionist.”—Translator.]

[\*][Jacques Bénigne Bossuet (1627–1704), bishop of Condom and of Meaux, was the outstanding pulpit orator of his day, his funeral orations for members of the royal family ranking as brilliant examples of French classical style and power. As tutor to the heir apparent, the son of Louis XIV, he wrote his *Histoire universelle*, one of the classics on which French school children were raised for generations. His vigorous stand against Protestantism and his successful leadership of the Gallican movement, which brought increased independence to the French Catholic Church, reveal him as an important ecclesiastical, as well as literary, figure.—Translator.]



[\*][Popular demonstrations against Prime Minister Guizot on February 22, 1848, resulted in his dismissal by King Louis Philippe. This prudent move, however, proved unavailing for the King, because the next day troops fired on a group of demonstrators, and the people of Paris responded with an armed revolt, which brought about the abdication of Louis Philippe and the establishment of the Second Republic.—Translator.]

[\*][The new regime brought in by the February Revolution sponsored national workshops to deal with the unemployment problem and also added forty-five centimes to the rate of indirect taxation. The workshops proved to be an unsatisfactory solution of the unemployment problem, a farcical system of handouts for little or no work. When it was decided to abolish the national workshops and find the unemployed places in the army, public works, or private industry, the workingmen of Paris, incensed at the government's betrayal of the “right to employment,” revolted and were subdued, after fierce fighting, in June, 1849.—Translator.]

[\*][Vicomte François René de Chateaubriand (1768–1848), a forerunner of the romantic movement in French literature, and a royalist of the Bourbon stamp in politics. He served the restored Bourbon monarchy, after Napoleon's fall, as ambassador to England and Germany and as Minister of Foreign Affairs. His most famous works were *The Genius of Christianity* and *Memoirs from beyond the Tomb*.—Translator.]

[\*][Pierre Auguste Remi Mimerel de Roubaix (1786–1872), textile manufacturer and politician. After his protectionist activities, which aroused Bastiat's ire in 1848–49, he was appointed by Napoleon III to the Advisory Council and to the Commission of Manufacturers. He was elected Representative in 1849 and named Senator by Napoleon in 1852.—Translator.]

[\*][Charles, Count de Montalembert (1810–1870), publicist and exponent of liberal Catholicism.—Translator.]

[†][Pierre Carlier (1799–1858), French politician and police administrator. Chief of Paris police during both the 1830 and the 1848 revolutions, he was named Prefect of Police in 1849.—Translator.]

[\*][Bastiat is alluding here to the lung trouble that was to prove fatal to him. Cf. p. 301 *infra*.—Translator.]

[\*][For the rendering of the original French *la spoliation* by the English word “plunder” rather than “spoliation,” cf. the footnote to the title of chap. 6, p. 152 *infra*.—Translator.]

[\*][François de Salignac de La Mothe-Fénelon (1651–1715), Archbishop of Cambrai, preceptor to the grandson of Louis XIV, author of a collection of *Fables*, the *Dialogues of the Dead*, and *Télémaque*.—Translator.]

[†][In French, *Salente*, the legendary city where Fénelon establishes his utopian government in *Télémaque*.—Translator.]

[\*][In *Télémaque* Mentor is the tutor of the young prince.—Translator.]

[†][Olivier de Serres (1539–1619), one of the fathers of French agriculture and advisor to Henry IV.—Translator.]

[\*][This is the answer of Alceste to his friend, Philinte, who has just hypocritically praised a very bad sonnet. (Molière, *Le Misanthrope*, Act I, scene ii.)—Translator.]

[\*][The Abbé Guillaume Raynal (1713–1786), historian and philosopher, particularly known for his works on French medieval literature.—Translator.]

[\*][Gabriel Bonnot de Mably (1709–1785), historian and philosopher, brother of the more famous Condillac.—Translator.]

[\*][Étienne Bonnot de Condillac (1715–1780), one of the important figures of the French Enlightenment and author of the *Treatise on Sensations*, which advanced Locke's theories deriving all knowledge and experience from the senses. His ideas on political economy are to be found in his *Le Commerce et le gouvernement*.—Translator.]

[\*][Louis Antoine Léon de Saint-Just (1767–1794), an important figure in the French Revolution. He was a member of the Committee of Public Safety responsible for the Reign of Terror. An ardent disciple of Robespierre, he was guillotined, like his master, when their government was overthrown.—Translator.]

[†][Jean Nicolas Billaud-Varenne (1756–1819), member of the Convention during the Revolution; first a supporter, then an enemy, of Robespierre; later deported for his part in the Reign of Terror.—Translator.]

[\*][Louis Michel Lepéletier de Saint-Fargeau (1760–1793), member of the Revolutionary Convention, assassinated after he had voted for the death of Louis XVI.—Translator.]

[\*][A relatively obscure eighteenth-century philosopher, known almost entirely through his works, which reveal a praiseworthy zeal to reform the social abuses of his day (*Essai sur l'esprit humain*, *Essai sur le coeur humain*, 1745; *Physique de la beauté*, 1748; *Le Prince .... systeme d'un sage gouvernement*, 1751). His *Nauffrage des îles flottantes ou Basiliade*, 1753, a utopian “epic,” and his *Code de la nature*, 1755, contained radical notions of pure communism which strongly influenced Babeuf.—Translator.]

[†][Noël Babeuf (1764–1797), founder of *La République des Égaux* dedicated to a doctrine of complete social and economic equality. In 1796 he organized with his followers (*les Babouvistes*) a conspiracy to overthrow the Directory. The conspiracy was exposed and led to the arrest of the leaders and the death of Babeuf.—Translator.]

[\*][Robert Owen (1771–1858), British reformer and socialist, active in efforts to improve factory workers' conditions.—Translator.]

[§][Louis Blanc (1811–1882), French politician and historian, creator of the social “workshop,” which combined elements of the co-operative and the trade-union. He attributed the evils of society to the pressures of competition, proposing instead “to each according to his needs, from each according to his abilities.”—Translator.]

[\*][Victor Considérant (1808–1893), as a socialist of the Fourier school, is the frequent object of Bastiat's criticism.—Translator.]

[\*][Followers of Étienne Cabet (1786–1856), French socialist, theorist, and experimenter. He founded associations in France; in Red River, Texas; and in Nauvoo, Illinois, to put into practice the theories set forth in his *Voyage to Icaria*.—Translator.]

[\*][Followers of Pierre Joseph Proudhon (1809–1865), French social theorist and experimenter, a prolific writer on political and economic questions, for the most part radical or anarchistic in viewpoint. Bastiat and he had a fiery controversy over his proposal of loans without interest.—Translator.]

[\*][Pierre Laurent Barthélemy, Comte de Saint-Cricq, member of the Chamber of Deputies, Minister of Commerce from January 4, 1828 to August 8, 1829, and later a Peer of France.—Translator.]

[\*][Armand de Melun (1807–1877), a prominent philanthropist, leader in the Society of Saint Vincent de Paul, and in politics a moderate conservative.—Translator.]

[†][Louis Adolphe Thiers (1797–1877), French statesman and historian, opponent of free trade, and, in Bastiat's time, advocate of an aggressively anti-English policy for France.—Translator.]

[\*][Jacques de Vaucanson (1709–1782). His claim to fame rests on his automatons, of which “The Flute Player” and “The Duck” were best known.—Translator.]

[\*][Félicité de Lamennais (1782–1854), French philosopher, Catholic priest, reformer, and ardent champion of the working classes.—Translator.]

[\*][“The right to use and abuse.”—Translator.]

[\*][Gaius Luscinius Fabricius, distinguished Roman general and consul whose integrity so impressed Pyrrhus when he was sent as an ambassador to treat for the ransom and exchange of prisoners in 280 B.C. that they were released without ransom. He died so poor that the state had to provide for his daughter.—Translator.]

[†][Lucius Licinius Lucullus (110–56 B.C.), Roman general and plutocrat famous for the sumptuousness and elegance of his mode of life and especially for his extravagant gourmet meals.—Translator.]

[\*][The meeting-place of the National Assembly.—Translator.]

[\*][This title of address used during the French Revolution has, of course, an ironic connotation here, much like the term “Comrade” in our time.—Translator.]

[†][François Vidal (1814–1872), journalist, politician, and writer on economic subjects. An ardent advocate of government intervention in the relations between labor and capital, he edited a number of publications, including *La Presse*. After the Revolution of 1848, Louis Blanc made him secretary of the commission for the organization of labor. He later took an active part in the political opposition to Louis Bonaparte. His most famous work, to which Bastiat's French editor makes reference on p. 327 *infra*, is entitled *De la répartition de richesses ou De la justice distributive en économie sociale* (1846). It is a critical examination of the economic doctrines of his day.—Translator.]

[\*][In 1846, Bastiat helped to organize the first Association for Free Trade in Bordeaux, and soon thereafter he was named secretary of a similar association established in Paris—Translator.]

[\*][Writing before the time of Karl Marx, Bastiat uses this term, of course, to designate generally those political theorists, like the others whose names follow, who advocated collectivism as a means to advance equality.—Translator.]

[†][Pierre Leroux (1797–1871), French philosopher, publisher, and encyclopedist, a disciple of Saint-Simon. Editor of *Le Globe*.—Translator.]

[\*][Publius Decius Mus, father and son, both military leaders of the Roman Republic between 350 and 275 B.C., are said to have performed acts of self-devotion by hurling themselves into the midst of the enemy when the Roman column each was leading was repulsed.—Translator.]

[\*][“Unto death, even death on the Cross.”—Translator.]

[\*][Armand Barbès (1809–1870), follower of Babeuf and organizer, in 1838, with Louis Blanqui and Martin Bernard, of the “Society of the Seasons,” which attempted an unsuccessful insurrection in 1839. The death sentence pronounced upon him for his part in this affair was commuted to life imprisonment, but he was liberated by the Revolution of 1848 and died in voluntary exile.—Translator.]

[†][Marie Joseph Sobrier (1825–1854), editor, in collaboration with George Sand, Eugène Sue, and others, of *La Commune de Paris, journal du citoyen Sobrier, moniteur des clubs, des corporations, d'ouvriers et de l'armée*, a daily newspaper that began publication in May, 1848, and ceased at the end of September, 1849.—Translator.]

[\*][A local tax on certain commodities (foodstuffs, fodder, liquids, fuels, building materials, etc.) imposed as a condition of their being brought into a town or district.—Translator.]

[\*][In 1848, members of the Socialist Democrat Party. The name, of course, goes back to the militant “Mountain” Party of Danton and Robespierre during the French Revolution.—Translator.]

[\*][In French, *la spoliation*. While the English cognate “spoliation” has exactly the same meaning of “theft by force or fraud,” it is so infrequently used that the word “plunder” is substituted in these pages as coming closer to the emotional connotations of *la spoliation*.—Translator.]

[\*][John Ramsay McCulloch (1789–1864), British economist and statistician and author of *Principles of Political Economy* (1825).—Translator.]

[†][David Buchanan, the younger (1779–1848), journalist and author on economic subjects, editor of Adam Smith's works in 1814.—Translator.]

[‡][David Ricardo (1772–1823), English economist of the classical school.—Translator.]

[§][George Poulett Scrope (1797–1876), English economist and geologist, prolific writer of pamphlets, particularly in refutation of the Malthusian theory.—Translator.]

[\*][Nassau William Senior (1790–1864), English economist and first professor of political economy at Oxford.—Translator.]

[\*][This is an allusion to an anecdote, *The Miller of Sans-Souci* (*Le Meunier de Sans-Souci*), recounted by Andrieux, an eighteenth-century wit, poet, and playwright. When Frederick the Great was making plans to construct his estate of Sans-Souci, he discovered that the view of one of the proposed avenues was blocked by a mill. He summoned the owner and offered to purchase the offending mill at a good price. The miller stubbornly refused to sell at any price. Becoming angry, Frederick said, “Don't you know that if I wanted to, I could take your mill away from you by force and not pay you anything?”

“Ah, yes, you could do that,” replied the miller, “if there weren't any judges in Berlin.”

Highly amused at this naïveté, Frederick, according to Andrieux, allowed the miller to keep his mill. Bastiat evidently found this story an apt illustration, for he refers to it elsewhere.—Translator.]

[\*][Members of an eighteenth-century philosophic and economic school founded by François Quesnay (1694–1774). Since they believed in a natural law (the *jus naturae*) governing all human relations as well as the physical universe, they were opposed to any man-made interference, particularly in agriculture and industry. The phrases, *laissez faire*, *laissez passer*, were coined by them to epitomize their doctrine. They also regarded all wealth as derived from the powers of Nature and therefore declared the latter to be the only legitimate sources of public finance. Because of the heavy,

labored style of their writings, they were held up to ridicule by Voltaire and others, but their doctrines were accepted in part by Adam Smith and J. B. Say.—Translator.]

[\*][Jean-Baptiste Say (1767–1832), French professor of political economy, champion of free trade. His views influenced Bastiat greatly.—Translator.]

[\*][Pierre Jean de Béranger (1780–1857). The song in question, named simply *La Liberté*, was written in 1822 in protest against the suppression of free speech under the Restoration. The original French words cited by Bastiat are:

*Mon coeur en belle haine  
A pris la liberté.  
Fi de la liberté!  
À bas la liberté!*—Translator.]

[\*][Sir Thomas More (1478–1535), whose *Utopia*, published in Latin in 1516 and later in English, satirized the government and society of his day by comparing them with a fictitious island commonwealth, modeled on Platonic principles, in which goods would be owned in common.—Translator.]

[†][James Harrington (1611–1677), English political philosopher, whose work on the ideal state, entitled *Commonwealth of Oceana*, emphasizing a written constitution, indirect election of the president, the secret ballot, and rotation in office, is believed to have influenced political thought in the United States and other democracies.—Translator.]

[\*][Chrysale, the sensible husband in Molière's *Femmes savantes* ("The Highbrow Ladies"), says this about his household. Following his wife's example, all his servants, save one, have gone in for "culchah" to the neglect of their household duties.—Translator.]

[\*][A businessmen's association headed by P. A. R. Mimerel de Roubaix (1786–1871), a textile manufacturer. Cf. note on p. 59 *supra*.—Translator.]

[\*][Auguste Adolphe Marie Billault (1805–1863), French lawyer and politician. Eloquent and ambitious rather than possessing any firm political convictions, he was an influential figure during both the February Revolution of 1848 and the Second Empire. For the latter he served as Minister of Interior, Senator, and Minister without Portfolio.—Translator.]

[\*][Charles Gilbert Tourret (1795–1857), engineer and politician, Deputy in 1837, Minister of Agriculture and Commerce under Cavaignac.—Translator.]

[\*][River forming the frontier between France and Spain in Guipúzcoa.—*Translator*.]

[\*][Denis Benoît d'Azy (1796–1880), French politician, Deputy under Louis Philippe, Vice President of the Legislative Assembly of 1849. He was an arch conservative and protectionist. As a financier and railroad administrator he rendered notable services to the nation.—Translator.]

[†][One of several quotations Bastiat makes from Beaumarchais' *The Barber of Seville*. In this instance he apparently quoted from memory, for approximately these words are spoken by old Bartolo, the guardian, not by the music master.—Translator.]

[\*][Adolphe Isaac Moïse Crémieux (1796–1880), a Deputy from 1842 to 1848. A moderate, he joined the revolutionary governments of 1848 and of 1870–71 as Minister of Justice. One of the most prominent Jews of his time, he secured voting rights for the Algerian Jews and founded the Alliance Israélite Universelle. Under the Second Empire he was imprisoned for a time for his opposition to Napoleon III. He became Senator for life in 1875.—Translator.]

[†][Martin Nadaud (1815–1898), French politician and a follower of Cabet. Elected to the Legislative Assembly in 1849, he voted with the “Mountain” (cf. p. 149 *supra*), was exiled by Napoleon in 1853, returned in 1870, and served several terms as Deputy thereafter.—Translator.]

[\*][It is important to distinguish between the American system of independent colleges and universities, free, within very broad limits, to establish their own requirements for academic degrees, and the French system, established by the First Empire, against which Bastiat protests. In France all higher education was completely unified under a university corps, the “University” (*l'Université*), headed by a “Grand Master” (*le grand maître*) and a “Supreme Council” (*le Conseil Supérieur*). This corps had full control over curriculum, methods, and requirements leading to the various academic degrees in all the schools and universities in the country. Bastiat does not exaggerate, therefore, the monopolistic power held by the “University.” Reforms in the direction of liberalization did not come until the decade of 1875–1885 under the Third Republic.—Translator.]

[\*][The French West Point.—Translator.]

[\*][The French *baccalauréat*, corresponding roughly, in time, to the first two years of college in America, is conferred by the secondary schools (the *collège* or the *lycée*). The standards, however, are high, and the work is intensive, so that the student, on receiving his *baccalauréat*, is presumed to have completed his general education and to be qualified to study for more advanced degrees in the universities.—Translator.]

[\*][Pierre Louis Parisis (1795–1866), French prelate and politician, Bishop of Langres, 1835–1851, and of Arras, 1851–1866. Elected a delegate to the Constitutional Convention of 1848, he showed himself an outspoken monarchist and champion of reaction; also from 1848 on, he served as a member of the Supreme Council of the “University,” although Napoleon's *coup d'état* in 1852 ended his political career in other respects.—Translator.]

[\*][“I prefer liberty, even though fraught with peril.”—Translator.]

[†]

[“*O liberté! que tes orages  
Ont de charme pour les grands coeurs!*”—Translator.]

[\*][Jules Barthélemy de Saint-Hilaire (1805–1887), French scholar and author, professor of Latin and Greek in the Collège de France, Minister of Education under Cousin in 1840. He entered politics in 1848, serving as first head of the Secretariat of the Provisional Government, then as Deputy. During this time he publicly defended the existing “University” system against the attacks of Bastiat and others on the occasion of the “Law of 1850.” Known as very conservative and even reactionary, he became much more liberal in his later political career. As a protest against Napoleon III, he resigned his professorship and administrative duties at the Collège de France. After 1870, as a supporter of Thiers, he was elected to the National Assembly, became a member of the Thiers cabinet, was elected Senator for life in 1875, and, in 1880, served as Minister of Foreign Affairs.—Translator.]

[\*][Michel de Montaigne (1533–1592), famed humanistic essayist of the Renaissance.—Translator.]

[\*][*Horace*, II, iii.—Translator.]

[\*][Charles Rollin (1661–1741), educator, defender of the privileges of the University, and champion of classical studies. He was the author of *Traité des Études* (1726).—Translator.]

[\*][Honoré Gabriel Riqueti, Comte de Mirabeau (1749–1791), one of the great figures of the early years of the French Revolution, whose plan to set up a constitutional monarchy failed, owing to the resistance of the King and the Queen and to the radically changed political situation after 1789. He was president of the Jacobin Club, which included some of his inveterate opponents, and of the National Assembly, as well as reporter of the diplomatic committee of the Assembly.—Translator.]

[\*][Jacques Pierre Brissot (1754–1793), pamphleteer, journalist, social reformer, and revolutionary. In the early years of the First French Republic he was an influential Jacobin Deputy and editor of the *Patriote français*. Active in the French movement to abolish the slave trade, he was the leader of the Girondins, a moderate group of republicans whose members were at first called Brissotins. He was evicted with them from the Convention and was guillotined in 1793.—Translator.]

[\*][Emerich de Vattel (1714–1767), Swiss jurist, whose *Law of Nations* (1758) sought to apply the natural law to international relations. Liberal and humanitarian in temper, he defended the rights of neutrals in time of war, and his work influenced the subsequent development of international law.—Translator.]

[\*][Don Felix de Azara (1746–1811), for twenty years Spanish commissioner for delimiting the boundaries between the Spanish and the Portuguese territories of South America, and author of *Voyage dans l'Amérique méridionale depuis 1781 jusqu'en 1801* (Paris, 1809), incorporating observations on the natural history of South America and an account of the discovery and history of Paraguay.—Translator.]

[†][Louis Antoine de Bougainville (1729–1811), French navigator and explorer, who described his circumnavigation of the globe (1767–1769) in his *Voyage autour du*



*monde* (1771). The largest of the Solomon Islands, which he sailed by on this voyage, is named after him.—Translator.]

[\*][Théodore Rose Léon Alfred Sudre (b. 1820), publicist and economist, author of *Histoire du communisme, ou Réfutation historique des utopies socialistes* (1848).—Translator.]

[\*][Pierre Antoine, Marquis d'Antonelle (1747–1817), journalist and politician, author of *Catéchisme du tiers état* (1789). He presided at the trial of Marie-Antoinette and the Girondins.—Translator.]

[†][Jean Baptiste Carrier (1756–1794), one of the most notorious administrators of the Terror. To make Nantes safe against the Vendée revolt, he set up a revolutionary tribunal that condemned masses of prisoners to the guillotine, the firing squad, and—most ingenious and efficient—the *noyades*, vessels with trapdoors for bottoms in which he had prisoners sunk in the Loire. He himself ended on the guillotine in December, 1794.—Translator.]

[\*][Jean Paul Rabaut Saint-Étienne (1743–1793), political leader active in securing the removal of legal disabilities from non-Catholics. A Girondin, he was guillotined with the downfall of his party.—Translator.]

[†][Hospice de Quinze-Vingts, originally founded as an almshouse for three hundred blind poor. It was later placed under the jurisdiction of a special administration of that name and established as a workshop for the inmates.—Translator.]

[†][Publius Valerius Publicola, Roman general who took a leading part in the expulsion of the Tarquins in 510 B.C. and successfully defended Rome against the Volscians, the Etruscans, and the Sabines.—Translator.]

[\*][One of the divisions of Fourier's *phalanges*.—Translator.]

[\*][Henri Léon Camusat de Riancey (1816–1870), French publicist and politician with Catholic and royalist leanings, editor of the journal *L'Union* which he founded in 1850. Elected to the Assembly in 1845, he was outspoken in his opposition to republican government and to change in the educational system.—Translator.]

[\*][Denis de Frayssinous (1765–1841), an ardent churchman and Grand Master of the University (1822).—Translator.]

[†][François Villemain (1773–1854), a Sorbonne professor, literary critic, and Minister of Public Education (1839–1844).—Translator.]

[†][François Pierre Guillaume Guizot (1787–1874), French statesman and historian, professor of history at the Sorbonne. He began his long political career as Secretary-General of the Ministry of the Interior under the Restoration government, became Minister of Public Education in 1832 under the Louis Philippe government, and finally, 1840–1848, its head. Although he was a liberal in his earlier years, his growing conservatism made him unacceptable to the leaders of the 1848 Revolution,

and, from that date on, his political influence waned rapidly. As an historian and organizer of historical research, he was one of the eminent figures of his day.—Translator.]

[\*][Barthélemy Prosper Enfantin (1796–1864), an engineer and also one of the founders of Saint-Simonianism.—Translator.]

[\*][“And to speak the truth, antiquity, as we call it, is the young state of the world; for those times are ancient when the world is ancient; and not those we vulgarly account ancient by computing backwards; so that the present time is the real antiquity.” *Advancement of Learning*, Book I.—Translator.]

[\*][Lactantius—Translator.]

[\*][Bossuet's proposal was simply for all dissenting sects to return to the authority of the Roman Catholic Church.—Translator.]

[\*][Like the Revolution of 1848.—Translator.]

[\*][St. Augustine, *Confessions*, Bk. I, xiii-xvii.—Translator.]

[\*][Jérôme Adolphe Blanqui (1798–1854), French economist and head of the Paris École de Commerce.—Translator.]

[†][Pellegrino Luigi Eduardo Rossi (1787–1848), politician, jurist, and distinguished political economist. Exiled for fighting for Italian unification, he became (1819) professor of law at the Academy of Geneva, as well as Deputy from Geneva to the Federal Diet. He became professor of political economy in the Collège de France in 1833, and professor of constitutional law at the Sorbonne in 1834. He was assassinated in 1848. Along with J. B. Say, he represented the practical idealism which for Bastiat was the essence of political economy.—Translator.]

[‡][Michel Chevalier (1806–1879), French economist and publicist. After an early period of enthusiasm for Saint-Simonianism, during which he was editor of *Le Globe*, he became the champion of enlightened industrialism as the means of assuring both social progress and individual liberty. In this respect, and also in his advocacy of free trade, he was an associate of Bastiat. Along with Cobden he negotiated the famous Anglo-French commercial treaty of 1860.—Translator.]

[§][Clement Joseph Garnier (1813–1881), commentator on Adam Smith and generally recognized as one of the ablest of the French economists. Professor in the Paris École de Commerce.—Translator.]

[\*][Dugald Stewart (1753–1828), Scottish philosopher of the “common sense” school, initiated by Thomas Reid, and political economist of the classical school.—Translator.]

[†][Antonio Genovesi (1712–1769), Italian philosopher and economist, professor at the University of Naples. As a liberal and a disciple of Locke, he reflected the spirit of the French Enlightenment.—Translator.]

[‡][Cesare Bonesana de Beccaria (1738–1794), Italian philosopher, criminologist, and economist. He was an ardent disciple of the French Enlightenment and in his own country an eloquent and beloved advocate of justice and more humane criminal procedures. His work *Crimes and Punishments* (1764) is a classic treatise on criminal justice.—Translator.]

[§][Antonio Scialoja (1817–1877), Italian economist and statesman, professor of political economy at the University of Turin, and advocate of free trade. After 1860 he served the Italian government as Deputy and cabinet minister.—Translator.]

[\*][Ramón de La Sagra (1798–1871), botanist, member of the Cortes, and economist. His important works in the last capacity include *Lecciones de economía social* (1840), *Organización de trabajo* (1848), and *Banco del pueblo* (1849).—Translator.]

[†][Alvaro Florez Estrada (1765–1833), Spain's most distinguished economist of the first half of the nineteenth century.—Translator.]

[‡][José de Salamanca y Mayol (1811–1883), Spanish banker and politician. In addition to serving as Minister of Finance, he was later both Deputy and Senator. He was also a builder of Spanish railroads.—Translator.]

[\*][The reader will recall that only a little more than a year later Bastiat died of tuberculosis.—Translator.]

[†][Antoine François Henri Lefebure de Vatimesnil (1789–1860), magistrate and politician of reactionary clerical sympathies. Minister of Public Education in 1828, he supported Louis Philippe after the July revolution.—Translator.]

[\*][Original French: *la coalition*.—Translator.]

[\*][Joseph Hume (1777–1855), British statesman and Liberal reformer, a follower of James Mill and Jeremy Bentham, active in opposing the old combination laws that favored the employers and in bringing about the repeal of the laws prohibiting the export of machinery and the emigration of workers.—Translator.]

[†][Paul Émile Doutre, a lawyer who published a treatise on electoral rights in 1846.—Translator.]

[‡][Louis Greppo (1810–1890), a politician of the extreme Left.—Translator.]

[§][Adrien Théodore Benoît-Champy (1805–1872), judge, diplomat, Deputy, and Senator.—Translator.]

[\*][Louis Mortimer-Ternaux (1808–1871), French politician and historian. A political reactionary, he served at various intervals from 1830 to 1871 in government posts and

as a member of the Assembly and as Deputy. His views are best expressed in his *Histoire de la Terreur*.—Translator.]

[\*][François Mauguin (1785–1854), French lawyer and orator. A liberal by conviction, he won fame as legal defender of numerous individuals whom he considered the victims of governmental oppression. First elected Deputy in 1827, he rose to his greatest prestige under the government of Louis Philippe.—Translator.]

[†][Auguste Adolphe Darblay (1784–1873), industrialist, and Deputy from 1840 to 1848.—Translator.]

[‡][Louis Lebeuf (1792–1854), financier, and Regent of the Banque de France in 1835. One of the leaders, along with Messrs. Odier and Mimerel, of the protectionist Committee for the Defense of Domestic Industry, he was elected Deputy in 1837 and Senator in 1852.—Translator.]

[1.][This pamphlet, published in July, 1850, is the last that Bastiat wrote. It had been promised to the public for more than a year. Its publication had been delayed because the author had lost the manuscript when he moved his household from the rue de Choiseul to the rue d'Algen. After a long and fruitless search, he decided to rewrite his work entirely, and chose as the principal basis of his demonstrations some speeches recently delivered in the National Assembly. When this task was finished, he reproached himself with having been too serious, threw the second manuscript into the fire, and wrote the one which we reprint.—Editor.]

[2.][See chap. 10 of *Economic Harmonies*.—Editor.]

[3.][See chap. 3 of *Economic Harmonies*.—Editor.]

[4.][The author has often invoked the presumption of truth which is connected with the *universal assent* manifested by the practice of all men. See especially chap. 13 of *Economic Sophisms*, the end of chap. 6 of the *Essays* (in the French edition), and in *Economic Harmonies* the appendix to chap. 6 entitled “Morality of Wealth.”—Editor.]

[5.][See in Vol. V, pages 86 and 94 (of the French edition), chaps. 14 and 18 of the first series of *Economic Sophisms*; as well as chap. 7 (of this volume).—Editor.]

[6.][See in *Economic Harmonies* chaps. 3 and 8.—Editor.]

[7.][See the end of the twelfth letter on *Interest-free Credit*, Vol, V, pages 282 ff. (of the French edition).—Editor.]

[8.][The Honorable Minister of War has recently affirmed that each individual transported to Algeria has cost the state eight thousand francs. Now, it is certain that the poor people involved could have lived very well in France on a capital of four thousand francs. How, I should like to know, do you help the French people when you take away one man and the means of existence for two?

[9.][See note 5 *supra*.—Editor.]

[10.]If all the consequences of an action redounded on its author, we should soon enough receive our education. But this is not the case. Sometimes the visible good effects are for us, and the invisible bad effects are for others, which makes them all the more invisible. We must therefore wait for the reaction to come from those who have to endure the bad consequences of the act. Occasionally this takes a long time, and that is what prolongs the reign of error.

A man does something that produces good effects equal to ten, to his profit, and bad effects equal to fifteen, divided among thirty of his fellows in such a way that each of them receives only one half. In the total there is a loss, and there must necessarily be a reaction. We must concede, however, that it will be all the longer in coming because the bad effects are spread out so widely among the masses, while the good are concentrated at one point. [Unpublished fragment of the author.]

[1.][It was in June, 1850, that the author, during a few days spent with his family at Mugron, wrote this pamphlet.—Editor.]

[2.][See (in chap. 8 of this volume) the two last pages of the essay entitled “Plunder and Law.”—Editor.]

[3.][General Council of Manufacturing, Agriculture, and Commerce. (Session of May 6, 1850.)—Editor.]

[4.]If protection were granted in France to only one class—for example, to the ironmasters—it would be so absurdly spoliative that it could not be maintained. So we see all the protected industries banding together to make common cause and even to recruit members in a way calculated to make the association appear inclusive of the whole of *national industry*. They feel instinctively that plunder is masked by being made general.

[5.][In the pamphlet “Academic Degrees and Socialism” (chap. 9 in this volume), the author, by a series of analogous citations, shows again how this same error has been handed down from the past.—Editor.]

[6.]For a nation to be happy, it is indispensable that the individuals that compose it have the foresight, the prudence, and the confidence in one another that is born of security.

Now, these things can be acquired only by experience. People become foresighted when they have suffered for not having been so; prudent when their rashness has been punished; etc., etc. It follows that liberty always begins by being accompanied by the evils that result from the unconsidered use that is made of it.

Seeing this, men arise who demand that liberty be proscribed. “Let the state,” they say, “be foresighted and prudent for everyone.”

To them I put these questions:

1. Is this possible? Can an experienced state emerge from an inexperienced nation?
2. In any case, will this not inhibit the growth of experience from the very beginning? If specific acts are imposed on men by force, how will the individual be instructed by the consequences of his acts? Will he, then, be under guardianship forever?

And the state, having ordered everything, will be responsible for everything.

There is in this the seed of revolutions without end, since they will be undertaken by a people to whom progress has been forbidden at the same time as experience.

[Observation excerpted from the manuscripts of the author.]

[7.] Political economy takes priority over political science. The former determines whether human interests are naturally harmonious or antagonistic. The latter must know this before establishing the prerogatives of government.

[1.] [Article printed in the May 15, 1848, issue of the *Journal des Économistes*.—Editor.]

[2.] [See, in Vol. I (of the French edition), the account of the work of M. Vidal on "The Distribution of Wealth" and, in Vol. II (of the French edition), the reply to five letters published by M. Vidal in the newspaper *La Presse*.—Editor.]

[3.] [See, in Vol. I (of the French edition), the letter addressed in January, 1845, to M. de Lamartine on "The Right to Employment."—Editor.]

[4.] [See, in Vol. II (of the French edition), the collection of articles on the question of subsidies and (chap. 7 of this volume), "Protectionism and Communism."—Editor.]

[5.] [See (in this volume) chap. 8, "Plunder and Law," and chap. 10, "Declaration of War against the Professors of Political Economy."—Editor.]

[1.] [Article printed in the June 15, 1848, issue of the *Journal des économistes*.—Editor.]

[2.] [See the pamphlet "Capital and Rent" and, in *Economic Harmonies*, chap. 7.—Editor.]

[3.] In practice, men have always distinguished between a business transaction and an act of pure benevolence. I have sometimes had the pleasure of seeing in action the most charitable man, the most devout heart, the most fraternal soul that I know. The priest of my village carries to a rare degree of self-sacrifice the love of his neighbor and particularly of the poor. This goes so far that when, in order to come to the aid of the poor there is need of getting money from the rich, this honest man is not very scrupulous about his choice of means. He had given shelter in his home to a seventy-year-old nun, one of those who had been displaced by the Revolution. To provide an hour of distraction to his lodger, my friend, who had never touched a card, learned to

play piquet; and you should have seen him pretend to be enthusiastic about the game, so that the nun would think that she was being useful to her benefactor. This went on for fifteen years. But here is what transformed an act of simple condescension into a veritable act of heroism: the good nun was devoured by a cancer, which gave off around her a horrible stench, of which she was never conscious. Now, it was noted that the curé never took tobacco during the game for fear of making known to the poor invalid her sad condition. How many people were given the cross of the Legion of Honor this past May Day who are incapable of doing for a single day anything as heroic as my old priest did for fifteen years!

Well, I have observed this priest, and I can avow that, when he made a bargain, he was as vigilant as any honest Paris merchant. He defended his own interest in the matter of weight, measure, quality, and price, and considered himself in no wise bound to mix charity and fraternity in a business transaction.

Let us take away, then, from this word *fraternity* all the false, puerile, declamatory additions that have been made to it in recent times. [Unpublished draft of the author, written towards the end of 1847.—Editor.]

[4.][See (in this volume chap. 6) “Property and Plunder,” including the *final* note. See also, in Vol. II (of the French edition), the reply to a letter of M. Considérant.—Editor.]

[5.][Several chapters of *Economic Harmonies* had already been published then in the *Journal des économistes*, and the author was obliged to continue this work without delay.—Editor.]

[6.][At the moment when a public convention in favor of free trade was being proposed at Marseilles in August, 1847, Bastiat encountered M. de Lamartine in that city and conversed a long time with him about commercial freedom, and then about freedom in general, the fundamental dogma of political economy. See, in Vol. II (of the French edition), the note that follows the address delivered at Marseilles. See also, in Vol. I, the two letters to M. de Lamartine.—Editor.]

[7.]“There are three regions in which mankind can dwell: a lower, that of plunder; a higher, that of charity; and an intermediate, that of justice.

“Governments perform only actions having force as their sanction. Now, it is permitted to force someone to be just, but not to force him to be charitable. Law, when it would do by force what ethics does by persuasion, far from rising to the region of charity, falls into the domain of plunder.

“The proper domain of law and governments is justice.”

[This thought of the author was written in his hand in an album of autographs that the Society of Men of Letters sent in 1850 to the Exposition in London. We reproduce it here because it seems to us to sum up the doctrine expounded in the preceding pamphlet.—Editor.]

[1.] [To understand the form of this composition, note that it was printed in the *Journal des débats*, issue of September 25, 1848.—Editor.]

[2.] [This last phrase is from M. de Lamartine. The author cites it also in the pamphlet (chap. 2 of this volume) entitled “The Law.”—Editor.]

[3.] [See chap. 17 of *Economic Harmonies* and, in the first volume (of the French edition), the pamphlet of 1830 entitled “To the Electors of the Department of Landes.”—Editor.]

[1.] See the little volume published by M. Considérant under the title, *Théorie du droit de propriété et du droit au travail (Theory of the Right to Property and of the Right to Employment)*.

[2.] *Op. cit.*

[3.] M. Considérant is not the only one who holds it, as witness the following passage, taken from *The Wandering Jew* of Eugène Sue:

“*Mortification* would best express the complete lack of those things essential to life that an equitably organized society would owe, yes, would compulsorily owe, to every active and honest worker, since civilization has dispossessed him of all rights to the soil, and he is born with only his hands as his patrimony.

“The savage does not enjoy the advantages of civilization; but at least he has the animals of the forests, the birds of the air, the fish of the rivers, and the fruits of the earth to nourish him, and the trees of the great woods to shelter and warm him.

“Disinherited of these gifts of God, the civilized man who regards property as holy and sacred can, then, in return for his hard daily labor which enriches the country, demand a wage sufficient to *live healthily*—nothing more, and nothing less.”

[4.] [This proposition is more fully developed in chap. 5 and chap. 9 of *Economic Harmonies*.—Editor.]

[5.] [See at the end of this pamphlet the protest that this first letter provoked from M. Considérant, and the reply of Bastiat.—Editor.]

[6.] [See the Conclusion to the first series of *Economic Sophisms*.—Editor.]

[7.] “It is not enough that value does not reside in matter or in the forces of Nature. It is not enough that it resides exclusively in *services*. It is also necessary that the services themselves should not have an exaggerated *value*. For what does it matter to a wretched worker who pays dearly for wheat whether the landowner is being paid for the productive powers of the soil or is being paid inordinately for his own industry?

“It is the task of competition to equalize services on the basis of justice. It works at it unceasingly.” [Unpublished note by the author.]



[For developments of the ideas of *value* and of *competition*, see chaps. 5 and 10 of *Economic Harmonies*.

See further the examples cited in *Economic Sophisms*, chap. 4, First Series.—Editor.]

[8.][On the question of middlemen, see section 2 of the pamphlet, “What Is Seen and What Is Not Seen” (chap. 1 of this volume), and the beginning of chap. 16 of *Economic Harmonies*.—Editor.]

[9.]We have recently heard it said that land rent is an illegitimate form of income. Without going that far, many people find it hard to understand why capital should yield a perpetual revenue in the form of interest. “How,” they say, “can capital, once formed, yield a perpetual revenue?” Here is the explanation of this perpetuity and of its legitimacy, illustrated by an example:

I have one hundred sacks of wheat. I could use them to live on while I devote myself to useful labor. Instead of that, I put them out on loan for a year. What does the borrower owe me? The full return of my hundred sacks of wheat. Does he owe me only that? In that case, I would have rendered a service without getting anything. He owes me, then, besides the simple return of my loan, a *service*, a remuneration whose amount will be determined by the laws of supply and demand: that is, *interest*. It is evident that at the end of the year I still have one hundred sacks of wheat to loan, and so on forever after. The interest is a small portion of the labor that my loan has put the borrower in a position to perform. If I have enough sacks of wheat so that the interest suffices for my existence, I can be a man of leisure without harming anyone; and it would be easy for me to show that the leisure thus achieved is itself one of the spurs to the progress of society.

[10.][This hypothesis was examined anew by the author in the last part of his letter to M. Thiers. See (in chap. 7 of this volume) the last twelve pages of “Protectionism and Communism.”—Editor.]

[11.][On landed property, see chap. 9 and chap. 13 of *Economic Harmonies*. See also, in Vol. II (of the French edition), the second parable in the speech delivered September 29, 1846, at Montesquieu Hall.—Editor.]

[12.][On the objection based on the so-called monopoly of natural resources, see, in Vol. V (of the French edition), the twenty-fourth letter on “Interest-free Credit,” and, in *Economic Sophisms*, First Series, the two last pages of chap. 14.—Editor.]

[13.][On *spared effort*, considered as the most important element of value, see chap. 5 of *Economic Harmonies*.—Editor.]

[14.][Published by the *Journal des débats*, July 28, 1848.—Editor.]

[1.] [At the moment when this pamphlet appeared, that is, in January, 1849, M. Thiers was held in high esteem at the Elysée Palace (the residence of Louis Napoleon as President of the Republic).—Editor.]

[2.] [See, in Vol. I (of the French edition), the letters addressed to M. de Lamartine in January, 1845, and October, 1846, and, in Vol. II, the article entitled "Communism," dated June 27, 1847.—Editor.]

[3.] [See, in Vol. II (of the French edition), the article entitled "Free Exchange," dated December 20, 1846.—Editor.]

[4.] [This idea, with which, according to the author, M. Billault could strengthen his argument, was soon to be adopted by another protectionist. It was developed by M. Mimerel in a speech given on April 27, 1850, before the General Council of Manufacturing, Agriculture, and Commerce. See the passage in this speech cited in the pamphlet, "Plunder and Law" (chap. 8 in this volume).—Editor.]

[5.] [See chap. 18 of *Economic Sophisms*.—Editor.]

[6.] [See, in Vol. II (of the French edition), "One Profit against Two Losses, Two Losses against One Profit."—Editor.]

[7.] [See the third letter of "Property and Plunder" (chap. 6 of this volume).—Editor.]

[8.] [See the last pages of the pamphlet entitled "Plunder and Law" (chap. 8 of this volume).—Editor.]

[9.] [See, in Vol. II (of the French edition), most of the articles comprised under the rubric, "Polemics against the Newspapers," and notably the article entitled "The Democratic Party and Free Trade."—Editor.]

[10.] [These two small volumes, which the author actually sent to M. Thiers, were the first and second series of *Economic Sophisms*.—Editor.]

[11.] [See the Introduction to Vol. II (of the French edition).—Editor.]

[1.] [On April 27, 1850, following a very curious discussion, published in the *Moniteur*, the General Council of Manufacturing, Agriculture, and Commerce passed the following resolution:

"That professors paid by the government should teach political economy not only from the theoretical viewpoint of free trade, but also and especially from the viewpoint of the facts and of the laws which regulate French industry."

It is to this resolution that Bastiat replied with the pamphlet, "Plunder and Law" (chap. 8 of this volume), first published in the *Journal des Économistes*, May 15, 1850.—Editor.]

[2.] [The author had expressed this opinion three years before in the November 28, 1847, issue of the paper *Le Libre Échange*. Replying to the *Moniteur industriel*, he had said:

"Let the reader pardon us if we assume the role of casuist for a moment. Our

adversary compels us to don the learned doctor's cap and gown, and we feel all the more justified in doing so because he often delights in referring to us as 'doctor.'

“An *illegal* act is always *immoral* solely because it is disobedience of the law; but it does not follow that it is immoral in itself. When a mason (we beg pardon of our colleague for calling his attention to such a little thing), after a hard day's work, exchanges his pay for a piece of Belgian cloth, he does not commit an intrinsically immoral act. It is not the act in itself that is immoral; it is the violation of the law. And the proof is that if the law happens to be changed, no one will find fault with this exchange. It is in no way immoral in Switzerland. Now, what is in itself immoral is so everywhere and always. Will the *Moniteur industriel* maintain that the morality of one's acts depends on time and place?

“As there are *illegal* acts that are not *immoral*, so there are *immoral* acts that are not *illegal*. When our colleague changes our words while trying to find a meaning in them that they do not have; when certain persons, after having declared privately that they are for freedom, write and vote against it; when a master makes his slave work by beating him; the legislative code may not be violated, but the conscience of every good person is revolted. It is in the category of these acts and among the most infamous that we place restrictions on trade. Suppose one Frenchman says to another, his equal or one who should be: ‘I forbid you to buy Belgian cloth, because I want you to be forced to come to my shop. This may disturb you, but it suits me; you will lose four francs, but I shall gain two, and that will suffice for me.’ We say that this is an immoral action. Whether he who ventures to do it does so by using force himself or has recourse to the aid of the law changes nothing in the character of the act. It is immoral by nature, in its very essence. It would have been immoral ten thousand years ago; it would be immoral at the antipodes; it would be immoral on the moon; because, whatever the *Moniteur industriel* may say, the law, which can do so much, cannot make what is evil into something good.

“In fact, we do not hesitate to say that the complicity of the law aggravates the immorality of the deed. If the law were not involved in it; if, for example, the manufacturer hired men to put into effect the restrictions he desired, the immorality would shock the *Moniteur industriel* itself. But now see what has happened! Because this manufacturer has found a way to spare himself the trouble, and, by putting the public police force at his service, to burden the oppressed with a part of the cost of the oppression, what was immoral has become meritorious!

“It can happen, to be sure, that men thus oppressed imagine that it is for their own good, and that the oppression results from an error common to both oppressors and oppressed. This suffices to justify their intentions and to remove from the act what would otherwise render it odious. In that case, the majority sanctions the law. One must submit to it; we will never say the contrary. But nothing will prevent us from saying to the majority that in our opinion it is mistaken.”—Editor.]

[3.] *Organisation du travail*, Introd., pp. 17 and 24.

[4.] *Moniteur* of April 28, 1850.

[5.] *Moniteur* of April 28. See the opinion of M. Devinck.

[6.] [It is implicitly refuted in chap. 12 of the first series, and chaps. 4 and 13 of the second series, of *Economic Sophisms*.—Editor.]

[7.] [In this reply to the protectionists, which he addressed to them at the time of his departure for the department of Landes, the author, obliged to indicate briefly his views on the rational domain of legislation, felt the need to set them forth at greater length. That is what he did, a few days later, during a short stay at Mugron, by writing "The Law" (chap. 2 of this volume).—Editor.]

[1.] [Twenty years before, the author, in his first essay, had already pointed to freedom of education as one of the reforms that the nation should strive to obtain. See, in Vol. I (of the French edition), the pamphlet entitled "To the Electors of the Department of Landes."—Editor.]

[2.] "He who ventures to found a nation must feel himself capable of changing, so to speak, human nature, .... of altering the physical and moral constitution of man, etc." (*Social Contract*, chap. 7.)

[3.] [See "The Law" (chap. 2 of this volume).—Editor.]

[4.] Report of M. Thiers on the Law of Secondary Education, 1844.

[5.] Distance contributes not a little to give to ancient figures a quality of grandeur. If someone speaks to us of the Roman citizen, we ordinarily do not picture to ourselves a brigand occupied with acquiring booty and slaves, at the expense of peaceful peoples; we do not see him half-naked, shockingly dirty, going about muddy streets; we do not surprise him in the act of flogging a slave until the blood flows or putting him to death if he shows a bit of energy and spirit. We prefer to picture to ourselves a beautiful head crowning an impressive and majestic body draped like an ancient statue. We like to think of him as meditating on the high destinies of his country. He seems to us to be seeing his family gathering around the hearth, which is honored by the presence of the gods; the wife preparing the simple repast of the warrior and glancing with confidence and admiration at her husband's face; the young children attentive to the discourse of an old man who whiles away the hours by recounting the exploits and the virtues of their father.....

Oh, what illusions would be dissipated if we could evoke the past, walk down the streets of Rome, and see close up the men whom, from afar, we admire so naively! .... [Unpublished fragment of the author, a little before 1830.]

[6.] Those who would like to knead society as if it were dough sometimes are too modest to say, "I shall do, I shall arrange....." They prefer to make use of the indirect, but equivalent form: "It is to be done, it is to be arranged....."

[7.] *Spirit of the Laws*, Bk. IV, chap. 6.

[8.] *Op. cit.*, Bk. IV, chap. 8.

[9.] *Op. cit.*, Bk. V, chap. 5.

[10.] *Op. cit.*, Bk. V, chap. 6.

[11.] *Op. cit.*, Bk. VII, chap. 16.

[12.] *Discours sur le rétablissement des sciences et des arts.*

[13.] 3 Nivôse,\* Year III.

[14.] 23 Nivôse, Year III.

[15.] *Ibid.*

[16.] December 16, 1792.

[17.] November 21, 1794.

[18.] March 19, 1794.

[19.] [In the fragment from which we borrowed note 5 above, the author examines these two questions: First, whether self-sacrifice is a preferable political motive to self-interest. Second, whether the ancient peoples, and notably the Romans, practiced this self-sacrifice better than modern peoples.

As is well known, his conclusion is in the negative in regard to both questions. Here is one of his reasons in regard to the second:

“When I give up a part of my fortune to have walls and a roof built to protect me from thieves and from the intemperance of the weather, it cannot be said that I am animated by self-sacrifice, but that, on the contrary, I am seeking my own preservation.

“Similarly, when the Romans sacrificed their internal divisions to their safety, when they exposed their lives in battle, when they submitted to the yoke of an almost unbearable discipline, they were not sacrificing their own interests; quite the contrary, they were embracing the sole means that they had to protect themselves and to avoid the extermination by which they were constantly threatened by the reaction of subjugated peoples against their acts of violence.

“I know that some Romans gave proof of great personal self-sacrifice and devoted themselves to the welfare of Rome. But this is easily explained. The self-interest that determined their political organization was not their sole motive. Men accustomed to triumphing together and to detesting all that is foreign to their association, must have a national pride, a very exalted patriotism. All warrior nations, from the most savage hordes to the civilized peoples, who make war only occasionally, indulge in such flights of patriotism. All the more reason for the Romans to do so, whose very existence was a permanent war. Such exalted national pride, joined to the courage that warrior customs bestow, to the contempt for death that such courage inspires, to the love of glory, and to the desire to live in posterity must frequently produce spectacular

actions.

“Therefore, I do not say that no virtue can emerge from a purely military society. Such a statement would be belied by the facts; for even bands of brigands offer us examples of courage, of energy, of devotion, of contempt for death, of generosity, etc. But I do contend that, like bands of plunderers, the plundering peoples have no superiority over the industrious peoples in the matter of self-sacrifice; and I add that the enormous and permanent vices of the former cannot be erased by a few spectacular actions, unworthy perhaps of the name of virtue, since they are directed toward the injury of mankind.” (Unpublished fragment of the author, a little before 1830.)—Editor.]

[1.] [Three years before the resolution that provoked the pamphlet “Plunder and Law” (chap. 8 of this volume), the dismissal of the professors and the abolition of the chairs of political economy had been formally demanded by the members of the Mimerel Committee, which soon became more moderate and limited itself to demanding that the theory of protection must be taught as well as that of free trade.

It was with the weapon of irony that Bastiat, in the June 13, 1847, issue of the newspaper *Le Libre Échange*, fought this demand, which was put forward then for the first time.—Editor.]

[2.] [That this is evidently the germ of “Academic Degrees and Socialism” (chap. 9 of this volume) will become even more apparent in the following pages.—Editor.]

[3.] [Mr. Whateley, Archbishop of Dublin, who established a chair of political economy in that city, had a professorship at Oxford.—Editor.]

[4.] [See, in Vol. II (of the French edition), the declaration of principles of the Society for Free Trade.—Editor.]

[1.] [Articles 413, 415, and 416 of the Penal Code punish, though in a very unequal manner, combinations of employers and of workers. A proposal to repeal these three articles had been referred by the Legislative Assembly to a committee, which judged repeal inadmissible and thought that it was absolutely necessary to maintain the repressive provisions, while modifying them, however, to make them impartial.

This aim, one may say, was not attained by the proposed modifications. M. Morin, manufacturer and representative from Drôme, convinced that the sole basis on which harmony between workers and employers could be established was equality before the law, wanted to amend the conclusions of the committee in conformity with this principle. The amendment that he presented was supported by Bastiat at the session of November 17, 1849.—Editor.]

[1.] [At the Legislative Assembly's session of April 1, 1850, during the discussion of the budget for public education, M. Mortimer-Ternaux, one of the Representatives, proposed an amendment to decrease by 300,000 francs the expenditures on *lycées* and *collèges*, institutions attended by the children of the middle class.

On this question the Representatives of the extreme Left voted with the extreme Right. The amendment, put to the vote, was rejected by a slight majority.

On the very next day Bastiat published in a daily newspaper the opinion on this vote which we reproduce here.—Editor.]

[1.] [At the time of the discussion of the general budget of expenditures in 1850, M. Mauguin naïvely expounded the old and false theory of the balance of trade. (*Moniteur* of March 27.) Bastiat, who had already refuted it in his *Economic Sophisms*, believed he ought to attack it anew; and as his health no longer permitted him to mount the rostrum, he sent to a daily newspaper, on March 29, 1850, the reflections which we here reproduce. It is to be noted that he simplifies the hypothetical calculations whereby he elucidates his thesis, excluding some of the items that he had employed in 1845. (See chap. 6 of *Economic Sophisms*, First Series.)—Editor.]

[13.] 3 Nivôse,\* Year III.

[\*] [Nivôse was the fourth month in the French revolutionary calendar.—Translator.]