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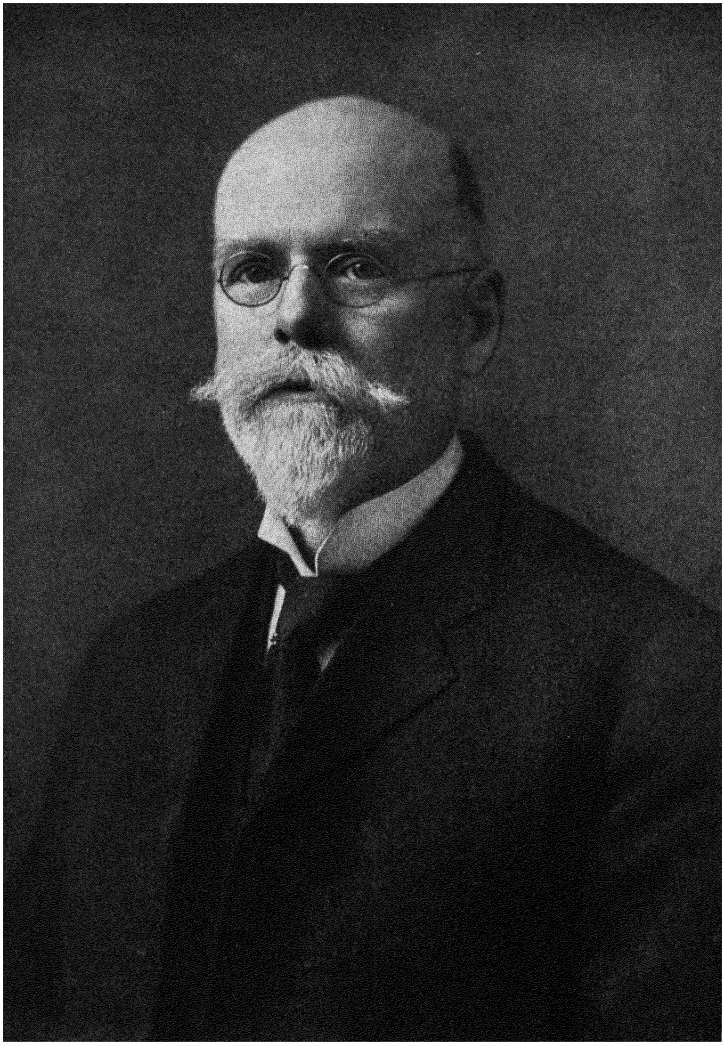
RECENT TIMES



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Wm A. Dunning

A HISTORY OF POLITICAL THEORIES

RECENT TIMES

ESSAYS ON CONTEMPORARY DEVELOPMENTS IN POLITICAL THEORY

CONTRIBUTED BY STUDENTS OF THE LATE

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IN AFFECTIONATE MEMORY AND GRATEFUL RECOGNITION OF HIS SCHOLARLY INSPIRATION AND SYMPATHETIC GUIDANCE AND COUNSEL

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WILLIAM ARCHIBALD DUNNING

On August 25, 1922, Professor Dunning passed away, after a lingering illness following his collapse in February of that year. Professor Dunning was born in Plainfield, New Jersey, in 1859. He received the degree of bachelor of arts from Columbia University in 1881; from the same institution the master's degree in 1884 and the doctorate in 1885. The forty years of his academic life were spent in Columbia, where he was successively fellow, lecturer, instructor, adjunct professor and professor. Since 1913 he had occupied the Lieber professorship of history and political philosophy. The degree of doctor of laws was conferred upon him in 1904 and doctor of letters in 1916. His leadership in scholarly work was evidenced by the double honor of the presidency of the American Historical Association in 1913, and of the American Political Science Association in 1922. His presidential address was to have been given at the December (1922) meeting of the latter association.

Professor Dunning's work was crowned with unusual success in three fields, as a teacher, as an editor, and as a scholar in the fields of history and government. As a university lecturer, Professor Dunning was a marvel of lucidity and keenness, and left an ineffaceable impression upon the hundreds of students who attended his courses during the long period of his academic career. He was equally notable in his power to interest and encourage students in special fields of inquiry, and in his many stimulating contacts with those who had passed out from the university halls as students. The hundred volumes of the Columbia publications in history, economics, and public law are full of acknowledgments of his friendly interest and counsel in the development of scholarly studies. His students published in 1914 *Studies in Southern History and Politics* as a testimonial to his inspiring work in this field, and the present volume is a product of the appreciation by his students in the history of political theory of his notable contributions to this department of learned endeavor.

He was one of the active group of editors of the *Political Science Quarterly* from 1890 to the time of his death, and managing editor from 1894 to 1903. His discriminating judgment and his editorial care and skill were significant factors in creating and maintaining the high standards of a periodical notable in the field of political science. Ten years of his life were largely occupied with this exacting labor, wearing upon the editor, but immensely useful to his collaborators in the field of government.

The contributions of Dr. Dunning to productive scholarship were made in the fields of American history and political theory, and particularly in the latter field. His doctoral dissertation was on *The Constitution of the United States in Civil War and Reconstruction* (1885). This was followed in later years by his *Essays on the Civil War and Reconstruction,* published in 1898, and *Reconstruction, Political and Economic,* a volume in the American Nation Series. In 1907 with Frederick A. Bancroft he edited *The Reminiscences of Carl Schurz* (1907-17). In 1914 he published a very remarkable survey of Anglo-American relations under the title of *The British Empire and the United States.*

His outstanding contribution to the study of political philosophy was his *History of Political Theories, Ancient and Mediæval* 1902), with the succeeding volumes, *From Luther to Montesquieu* (1905), and *From Rousseau to Spencer* (1920). These lucid and scholarly accounts of the development of systematic political thinking quickly superseded the earlier works of Bluntschli and Janet, and became the standard histories of the evolution of political thought, the indispensable guide for all serious students of formal political philosophy. Perhaps the most striking characteristic of the *opus magnum* was its dispassionate and objective quality, its detached point of view. Few men of equal ability have been able to resist the temptation to formulate an independent system and advance a dogmatic philosophy. In the final chapter of the concluding volume this attitude developed into a form of pessimism, which was not, however, characteristic of the study as a whole. No one in the last generation has done more than the author of these volumes to advance the study of formal political theory, and to prepare the way for the increasingly intensive study of the evolution of the political mind.

Finally, it may not be amiss to say that Professor Dunning was in the true sense of the term a noble man, as well as a great

scholar, and that his personal qualities endeared him to all who came within the bright circle of his acquaintance. He combined in unusual manner great keenness of mind with rare tolerance and breadth of sympathy. Spirited and witty in conversation, he never allowed the scholar to overshadow the man. In his benevolent rôle in his favorite haunt in the Century Club, he became almost an institution.

The departure of Professor Dunning in his sixty-fourth year was a heavy blow to American scholarship. With the death of Lord Bryce, a former president of the Political Science Association, the year 1922 marked the passing of two preëminent figures in the field of history and government. While their walks in life were far apart, and their types of experience widely different, yet they had in common many intellectual characteristics. In both there was a sympathetic understanding of all types of thought; in both a quality of facile and lucid expression; in both an aversion to dogmatic conclusions. In both there was a strain of weariness and pessimism at the end, but the lives of both radiate inspiration and cheer to those who seek the truth in the troubled maze of political events.

This volume has been prepared by students of Professor Dunning who seek in this manner to express their appreciation of what he gave them individually as students, and what he did for the systematic study of political science, and especially of political theory. This work was projected before Professor Dunning's untimely death, and was planned as a tribute to a living scholar. But as fate decreed it will be a memorial to one who has passed on. We cannot present the volume to him in person, but we can and do dedicate it to him and to the spirit of scholarship which he so long embodied and which still radiates from his memory.

The third volume of Professor Dunning's study of political ideas, *History of Political Theories, Rousseau to Spencer,* reached into the third quarter of the 19th century. Since that time there have been many interesting and significant developments in political thought, which the present volume presents and interprets. Some of the developments here discussed overlap slightly the field traversed by Professor Dunning, but only so far as is necessary to establish their continuity and to make clear their significance.

It is the hope of the writers that these chapters will provide

material for the understanding and appreciation of the more important movements in political theory during the recent period. It is true that the method and direction of some of these movements is not yet fully apparent, but it is believed that that task of interpreting our time will be made easier by the analysis here presented.

CONTENTS

CHAPTER		PAGE
I	RECENT TENDENCIES IN POLITICAL THOUGHT	1
	By *Charles E. Merriam,* University of Chicago	
	The Outstanding Social Forces of the Period	1
	Leading Groups that Developed Systems of Political Rationalization	6
	The Intellectual Equipment of Contemporary Political Theorists	12
	Methods of Political Inquiry	16
	Actual Progress in Political Speculation	21
II	SOME RECENT CRITICS AND EXPONENTS OF THE THEORY OF DEMOCRACY	46
	By *Malcolm M. Willey,* Dartmouth College	
	Introduction	46
	Uncritical Advocates of Democracy	49
	Antagonists of Democratic Theory	50
	Differential Biology and Psychology	57
	The Exponents of Democracy	61
	The Basic Problems	77
III	PLURALISTIC THEORIES AND THE ATTACK UPON STATE SOVEREIGNTY	80
	By *F. W. Coker,* Ohio State University	
	The Traditional Doctrine of State Sovereignty	80
	The Pluralistic Attacks	89
	State Sovereignty and Group Autonomy	89
	State Sovereignty and Internationalism	98
	State Sovereignty and Law	100
	Conclusions	111
IV	POLITICAL THEORY AND INTERNATIONAL LAW	120
	By *E. M. Borchard,* Yale University Law School	

CHAPTER PAGE

V Recent Political Theory Developed in Jurisprudence 141
By *Caleb Perry Patterson,* University of Texas
The Nature, Scope and Methods of Jurisprudence . 141
The Schools of Jurisprudence 145
The Analytical School 145
The Historical School 148
The Philosophical School 151
The Comparative School 158
The Sociological School 161
Recent Tendencies in Jurisprudence 176

VI Proletarian Political Theory 178
By *Paul H. Douglas,* University of Chicago
The Purpose and Setting of Proletarian Political Theory 178
Collectivism 182
Anarchism 197
Syndicalism 216
Guild Socialism 227
Consumers' Coöperation 234
Agrarian Distributivism 242
The Single Tax 246
Bolshevism 254

VII Influence of Political Tactics on Socialist Theory in Germany, 1863-1914 270
By *Carlton J. H. Hayes,* Columbia University
The Lack of Revolutionary Tradition in Germany . 270
The Influence of Lassalle 274
The Era of Persecution 284
Patriotism and Revisionism 294
The Fateful Election of 1907 and the Triumph of Revisionism 301

VIII Political Implications of Recent Philosophical Movements 313
By *Herbert W. Schneider,* Columbia University
The Rival Methods 314
Idealism 314

CHAPTER PAGE

Naturalism and Evolutionism 321
Pragmatism and Experimentalism 332
Fundamental Issues 338
Monism versus Pluralism 338
Moralism versus Non-Moralism 343
Democratic versus Aristocratic Ideals . . . 349

IX Some Contributions of Sociology to Modern Political Theory 357
By *Harry Elmer Barnes,* Smith College
Sociology and Political Science 357
The Sociological View of the Nature of the State . . 361
The Origins of Political Institutions 366
The Basic Factors in the State 370
The Forms of the State and Government . . . 377
The Processes and Mechanism of Government . . . 380
Sociological Opinion on Liberty and Rights . . . 385
Social Progress and the Scope of State Activity . . 388
International Relations 392
Extra-Legal Phases of Political Institutions . . . 395
Political Theory and the Social Environment . . 398
Concluding Estimate 399

X Social Psychology and Political Theory . . . 403
By *Charles Elmer Gehlke,* Western Reserve University
The Group and Social Control 403
Psychological Factors in Social Control . . . 407
The Cultural Analysis of Political and Social Facts . 417
Some Practical Applications of the Psychological Approach to Politics 421

XI Anthropological Theories of Political Origins . . 430
By *Alexander A. Goldenweiser,* New School for Social Research
The Basic Forms of Social Organization . . . 430
Theories of Social and Political Evolution . . . 433
Development of the Evolutionary Position . . . 433
Criticism of the Evolutionary Scheme of Morgan . 438
Primitive Political Organization 445

CHAPTER PAGE

XII Some Representative Contributions of Anthropo-geography to Political Theory 457

By *Franklin Thomas,* Columbia University

Introductory 457
Karl Ritter 460
Henry Thomas Buckle 465
Friedrich Ratzel 471
Ellen Churchill Semple 479
Jean Jacques Elisée Reclus 482
Halford John Mackinder 488
Ellsworth Huntington 494
Edwin Grant Dexter 500
Robert H. Lowie 504

XIII Race as a Factor in Political Theory 508

By *Frank H. Hankins,* Smith College

Introduction 508
Aryanism 512
Teutonism 517
Anthropo-Sociology 526
Anglo-Saxonism and Teutonism in America . . . 531
American Nordicism 540

Index 550

A HISTORY OF POLITICAL THEORIES

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CHAPTER I

RECENT TENDENCIES IN POLITICAL THOUGHT

Charles E. Merriam

I. The Outstanding Social Forces of the Period

In examining the political theory of this period, it may be found useful to take a bird's-eye view of the most significant social tendencies of the time and a sweeping view of the broad types of ideas developed. We may inquire: What were the outstanding social forces of this period? What were the most conspicuous groups that developed systems of political rationalization? What was the intellectual equipment, the reasoning technique of the various competing groups? What were, more specifically, the ways of arriving at political truth—the methods of political inquiry? If we know these factors—the social forces, the larger interest groups, the intellectual equipment of the time—it will facilitate the analysis and understanding of the systems of ideas that appeared from time to time. And finally, what progress was made in the discussion of what are commonly regarded as the fundamentals of political theory?

The outstanding social features of this period were the further development of industrialism and urbanism, the new contacts of diverse races or nationalities, and the rise of feminism. The development of political theory during this time can be more accurately viewed in the light of and in the spirit of these over-

shadowing forces, for they conditioned and influenced much of the political thinking of the time.

As in all other epochs the industrial forces of the period were extremely significant in their relation to political forms and forces and to the fundamental political presuppositions. The general characteristics of the industrial development were not radically different from those of the industrial evolution which had already been in process for more than a hundred years. The application of steam and other forces to machinery, the development of transportation, the rise of large scale enterprise, the divorce of the worker from the tool, the mass formation in industry—these general tendencies of the new industrialism were projected into this period with accelerated speed. Mechanical inventions and discoveries appeared with bewildering rapidity; the units of production grew larger and larger. Most of the earlier characteristics of the industrial epoch were intensified and deepened. There were, however, two new developments of note. These were: first, the organization of the workers—the group of toil; and in the second place, the remarkable expansion of industrial enterprise into those regions which came to be called "the backward states of the world."

The organization of the workers had already begun in the early part of the 19th century, progressing rapidly from the stage in which the union was outlawed to a point where the compact labor group at times threatens the dignity and authority of the political state. Unquestionably one of the most significant facts in social organization was the rapid rise of the sense of solidarity among working men; of forms of organization corresponding to this new field of strategy; of tactics, programs, and propaganda adapted to the needs of these new centers of power. Violence, corruption, and ignorance often marched at the front of what was termed the labor movement, but this in no way detracted from the fundamental significance of the steady grouping of the masses of workers throughout the industrial world. This movement of the laborers sometimes took the form of trade unionism, sometimes the more political and parliamentary form of state socialism. At other times it assumed the form of guild socialism or syndicalism, or the later manifestations of sovietism. In its influence upon those subtle processes by which political attitudes and values are determined, it may

be said that this movement was not less and probably more significant than democracy or religion or philosophy or science.

Another factor of high value in the development of contemporary industrialism was the expansion of economic enterprise into those regions of the world less civilized than western Europe, or at any rate less highly developed in the methods and technique of modern industrialism. This expansive movement was not, to be sure, a new fact in the history of the world and it had indeed been progressing for some three hundred years; but it became more and more pronounced with the improvements in methods of transportation and communication, and with the pressure of great industrial centers for new markets. There came, too, in increasing measure the invasion of the Orient by the Occident, of the tropical by the temperate zones, of the primitive peoples by the more sophisticated traders. In this period, furthermore, the zeal of the missionary was added to the energy of those who sought expansion of their markets. The spirit of the crusader supplemented the enterprise and persistence of the merchant. Before the vigorous efforts of the new industrial leaders most of the older peoples of the world proved to be helpless. They readily succumbed both industrially and politically. Japan alone emerged from the seclusion of a hermit kingdom with amazing rapidity and facility, assumed the garb and attitudes of modernism, and acquired an aptitude for economic organization and political aggressiveness not excelled by many of its Occidental educators.

In observing the evolution of modern political thought, the contacts, conflicts, and compromises between these varying types of civilizations, with their differing attitudes and ideals, are everywhere of fundamental importance. One of the immediate effects was the harsh jangle of imperialism, with its frequent accompaniments of shameful greed, exploitation and of military ruthlessness. On looking deeply into their inner significance, they also seem to foreshadow the growth of world interest and of world organization, pointing the way toward internationalism. With these contacts, there came notable developments of economic, social, and political speculation, attempting to rationalize the conflicting claims of diverse ethnic groups with rival economic, political and cultural claims.

In this period race problems continued to be storm centers of

political theory and practice. Nationalism, a modified form of race expression,[1] developed with the decline of feudalism, and already active in the earlier part of the 19th century, still further expanded at the end of the century and in the opening years of the 20th century. Nationalism as a political concept based upon somewhat ill defined ethnical, geographical, historical, philosophical bases, reigned supreme in the world of practical affairs. Neither localism nor internationalism could compete with its irresistible fascination for the human mind.

Toward the end of this period, the doctrine of "self-determination" was revived and found abundant expression in political-racial propaganda and in military activity. Never clearly and sharply defined, the theory of self-determination centered around the demand of ethnical, geographical, historical, cultural groups for independent political organization. The lines of delimitation of these ethnic groups, the definite location of geographic boundaries, was frequently a matter of bitter and apparently insoluble dispute. The treaty of Versailles recognized this principle in theory, although by no means executing it in practice. At the same time there appeared remarkable movements for political autonomy or home rule as it is sometimes called, at such widely separated points as India, South Africa, Egypt, Ireland, to say nothing of the weaker voices arising from all the continents and islands of the sea.

Yet at the moment of its supreme triumph, nationalism was sharply challenged in the domain of philosophy by redoubtable antagonists. To those who looked a little below the surface of events, there were increasing signs of the rise of significant opposition. The growing group of socialists and the labor group in general emphasized the international solidarity of the working class rather than the political unity of the national state. In practice they responded to the pleas of nationalistic patriotism, but in theory and in feeling, they drifted slowly away from the established code of the nationalists. Syndicalists and guild socialists still more sharply attacked the theoretical foundations of the national state and vigorously assailed its philosophical preconceptions as well as its practical development.

Another influence beginning to grow in importance in the first half of the century and advancing still more rapidly in

[1] See F. H. Hankins, "Race as a Factor in Political Theory," *infra*. Ch. XIII.

the last half was Urbanism. The great concentration movement in which the cities were the magnetic centers was visible everywhere in the western world, and most strikingly evident in the great industrial states. Industrialism and urbanism went hand in hand. Great throngs massed in the cities in constantly increasing numbers, creating new types and problems of social and political organization, far outstripping the capacity of society to keep even pace. In England, Germany and the United States, the drift toward the duty went on at an astonishing rate, transforming the ways of life in the most significant manner for millions of the human race. From the habits and reactions of the rural community to the habits and reactions of the crowded urban center was a difficult transition, and often it was not made without passing through depths of misery, suffering, and maladjustment, in many instances passing description. In any event, the process required significant readjustments in physical and mental attitude on the part of great masses of population. The urban way of life was not the rural way of life, and more and more the two sets of standards and ideals reacted upon each other. The greater states of the world quickly passed from the category of rural communities to the group of the urban industrial, and the urban standards and ideals tended more and more to dominate their social and political thinking. The Urban Revolution in fact was almost as significant as the Industrial Revolution. Both involved deep and far-reaching readjustments in the roots of human life and conduct, and no appraisal of the political phases of the human mind is complete which omits a most careful scrutiny of the effect of these basic conditions upon the general type and character of political thinking.

This period was also signalized by the rapid rise of woman's consciousness and the emancipation of women from many of the traditional restrictions in the field of education, of economic enterprise, and of political activity. The feminist movement was one of the outstanding features of the time, and historically may overshadow some of the movements to which greater attention is now given. In the western nations women re-entered the field of industrial activity from which they had been thrust with the decline of domestic manufacture, and achieved an independent status of great value. They entered the field of edu-

cation from which they had hitherto been banned, and wrested recognition from a none too friendly host. They began to acquire the equality of civil rights which they had always lacked, and finally they were given the franchise on terms of practical equality with men. But although a quiet revolution went on at the foundations of political authority, the political theory of feminism was not very elaborately developed. Nor was the opposition to woman's suffrage based upon any elaborate theory, but rather upon deep-seated custom and indifference, in which it is true much of womankind shared.

Of these forces, Urbanism and Feminism were relatively weaker in influence upon political thinking, while Industrialism and Nationalism were relatively more powerful. The urban political and social ideal tended to become stronger, as over against the rural, but the urban was by no means dominant. The feminist political ideal had not yet found its strength, although its pervasive influence was felt.

Leading Groups which Developed Systems of Political Rationalization

The various groups around which political theories had centered continued their development during this time. Of the industrial forces, the most striking was the working-class. Capitalism, represented by the employer's group, may be said to have held its own, while the middle class suffered a decline in practical authority if not in prestige. The working class advanced to power in all of the western nations, and in the East there were faint signs of imminent strength. Out of the working-class group came two great movements, trade unionism and socialism, both of which marched speedily forward to economic and political power. From this came the theoretical developments of scientific socialism, guild socialism, syndicalism, sovietism, communism, and in large measure, pacifism. Here were developed new fighting tactics adapted to the industrial era —the general strike, "direct action," applied to the immediate seat of economic power. Out of this movement came the great streams of human sympathy and the impulse to social welfare legislation, so conspicuous a feature of the latter part of the 19th century. Labor felt the stabbing wounds of the great industrial war and from labor came the emotional impulse to

remedial legislation. Out of this "group of toil" came such thinkers as Bebel, Bernstein, Loria, Jaurès, the Webbs, Wallas, Cole, Kropotkin, Tolstoi, Sorel, Lenine, although by no means all of them came personally from the ranks of the toilers. Without these thinkers, the political theory of this time would lose most of its vigor and almost all of its novelty. These writers touched the imagination and inspired the hopes of men as did no other group during this time. They seized the idealism of the day as the torch fell from the hands of the earlier *bourgeois* liberals.

The capitalistic group continued to develop its concentrated power, holding at bay the rising forces of organized labor in the western nations and reaching out into the backward states for new worlds to conquer. It supplied a mighty impelling force, thrusting the great states of the world into modern imperialism, and it furnished the accompanying theoretical formulas for expansion. Capitalism, also, reached for the doctrine of efficiency as applied to the operations of industry. It made industrial and efficiency engineering an important factor in the business world. The origins of these measures, it is true, are found in the technical and professional group, notably the engineers, but the results were communicated to the larger industrial interests. The practical conclusions of so-called scientific management were employed and often exploited.

Capitalism amplified the theory of *laissez-faire* early developed by the economists and later by the Spencerian sociologists. Capitalism made individualism and non-interference the slogan in all the great industrial states of the world, with the exception of Germany, where the paternalistic theory and practice prevailed. Writers like Mallock, Guyot, Beaulieu, Sumner, presented strongly reasoned and highly cultured defenses of the invulnerability of private property, and made this theory one of the basic maxims of the period.

In general, capitalism allied itself with the forms of democratic institutions, notably in England, France, and America. In Germany, on the other hand, capitalism identified itself with monarchy and the military feudal aristocracy in a close-knit combination of power and energy. In Japan also the capitalistic groups as distinguished from the military, the bureaucracy and the feudal group, continued to ally themselves with the *ancien*

régime, although not without a shrewd eye to the rising power of the democratic political parties.[1]

It was in this period, however, that capitalism began to assume a sense of responsibility for the care of the human forces in its employ, partly from the feeling of proprietorship, partly from the dictates of industrial engineers, indicating the productive possibilities of improved personnel processes, partly in response to the tide of emotion aroused by the protests of the aggressive labor group. Whatever the ultimate or immediate motive, the practical result was the beginning of a type of industrial and social reconstruction on the part of the property-owning group throughout the western nations of the world. The higher conservatism tended to prevail.[2]

The middle class continued to be immensely powerful and its traditional ideas were given wider and wider vogue in the East and West as time went on. Universal suffrage, representative government, constitutionalism, equality before the law, spread over the world in Occident and Orient alike. By the end of this period but few relics of hereditary government remained, and most of these seemed to be crumbling cases of nominal rather than actual authority. Japan alone remained as the bulwark of monarchy and hereditary rule.

But long before the day of the republics was fully established, there began to appear signs of dissatisfaction with republicanism. Already in the Revolutions of 1848 and 1870 new economic issues had thrust themselves to the fore, and the advocates of industrial democracy had begun to make their demands for recognition. Revolution henceforth combined an assault on monarchy and hereditary rule in the political world, with an attack on the power of capitalism in the industrial world. Usually, the former gave the color to the movement, especially when combined with the idea of nationalism, but almost everywhere there was a strong undercurrent of socialism in all the revolutionary struggles of this time. In the revolutions before the Great War, this was especially notable, and was nowhere more clearly marked than in the establishment of the new government in Russia; somewhat less so in Germany and in Austria.

[1] See Ushwaki, *The Working Forces in Japanese Politics*.

[2] See Robert Cecil, *Conservatism*, for an excellent example of the doctrines of the most responsible wing of the British conservative group: also Ramsay Muir, *Parliament and Industry*.

The middle class was weakened by capitalism absorbing their leaders and often assuming the guardianship of their democratic institutions, while the working class incessantly invaded their ranks, adding great blocks to the groups of organized workers. In England that section of the middle class based upon the small owners of land had long since disappeared, while in France and the United States the power of the small land owner continued to be very formidable, although not always intelligently led. The middle class suffered from and opposed the corruption and lawlessness and excesses of the larger property owners—who came to be called the Plutocracy—while at the same time they opposed with equal energy the violence and corruption arising among the labor group. And while business came to be more closely organized, and through party, press and propaganda to defend its power under the forms of democracy; and while the working class continued to add to its numbers, and to the effectiveness of its organization, the middle class was able to oppose no effective form of organization to counter these powerful forces that were rising up around it. Hence its actual influence tended to grow smaller, even at the time when its general doctrines were nominally most widely accepted.

This was true of industrial-urban districts, but in rural communities the middle class was strengthened by the democratization of land ownership. The large landed estates were broken up in many rural areas and the number of small landed proprietors was increased. Notably in Russia, Italy, Germany, Austria, this tendency was evident in or after the Great War, and in such instances the power of the middle class was increased in comparison either with the trader and manufacturer or with the working class.

The middle class produced large numbers of defenders and expounders of their theories. Conspicuous among them was Lord Bryce—the best exponent of their political ideals. In the philosophical-parliamentary field were leaders of the type of Gladstone, Lloyd George, Wilson, Roosevelt, Orlando, Milyukoff and Masaryk, political leaders of the democratic movement, and often widely heeded philosophers and guides. They held the middle ground between the extremes at the right and left wings, and with them lay the everyday interpretation of democracy

which became more and more important as more persons entered the electorate and began to assume at least a nominal share of responsibility for the conduct of common affairs.

While the group growing out of the industrial evolution of the period were most influential in shaping the form of political thought, there were others of deep significance. The ethnic, geographic, historical group called the nationalist or in a broader sense the racial was profoundly important.[1] The white, the black, the yellow, the Nordic, the Alpine, the Mediterranean, the Slav, the Teuton, the Latin, the Anglo-Saxon, the Pole, the Greek, the Hindu, the Turk, and many others were struggling for expression in the life of the time, for language, geography, for the "rights of minorities," for independent organization of political states. The struggles of these forceful groups were fundamentally significant in the social life of the time, as they were of far-reaching importance in the domain of political theory. The defenses, justifications, and rationalizations of the interests of these groups, were the immediate occasion for the elaboration of many types of political speculation. Sometimes these systems were thinly disguised racial or nationalistic or state propaganda, and at other times were but faintly touched with it. Many interesting practical situations arose when the theory or interest of the economic class clashed with the theory of the ethnic-geographic group.

The religious groups were powerful during this period, but they did not develop new types of religio-political philosophy. Germany, France, and Italy were the scenes of sharp struggles for power and prestige, but the theoretical by-product was not notable. There were no theories like those of the Monarchomachs after the Reformation, nor was there a Bonald or a Lammenais as in the post-Revolutionary period of the early 19th century. The older theologico-political doctrines were little expanded, except that as the end of the period drew near, Figgis and others developed the doctrine of the corporate independence of the Church within its strictly ecclesiastical or moral sphere. The spread of the missionary movement, the rise of Judaism and Zionism, the development of Christian Science and various forms of spiritualism, and the struggles of Catholicism in the Latin nations of Italy and France were notable events in this period,

[1] See T. Simar, *Étude critique sur la formation de la doctrine des Races.*

although not of fundamental significance from the point of view of political theory. Of deeper meaning in political philosophy was the beginning of the Christian social movement which arose in the 80's and spread rapidly over the continental countries, England and later America. This movement touched both the Protestant and the Catholic groups, and assumed various forms, ranging from socialism of the Marxian type to reformist developments of all shades and colors, deep-tinged and diluted.

It is important, in the next place, to look at the intellectual equipment of the times, with a view to observing the types of reasoning which politics found at hand and utilized in the construction of political argumentation and theory. Here we may turn toward religion, philosophy, and science, for clues to the political logic of the day.

The religious development of this period presented no features of revolutionary significance. The early struggle between science or biological science and religion came to a close in various forms of assimilation and reconciliation. The doctrine of evolution, at first condemned, was later taken over by the church in somewhat the same manner as Aristotle, "the heathen philosopher," was absorbed by the mediæval ecclesiasts. Agnosticism and scientific materialism remained grimly unreconciled, however.

The great breach in civilization represented by the lack of coordination between religion, science and philosophy continued to be one of the outstanding features in the psychology of the time. It left a tragic gap in the *mores* of the day, a disharmony in the epic of progress. The conflicts between these forces imperiled the fundamentals of duty and obedience, the bases of social discipline; in short, the most fundamental forces of social and political cohesion. Religion was hard pressed to give an answer to the question what is right and what is wrong in the midst of conflicting standards of capitalism and labor, of scientific materialism and old-time idealism. And since political philosophy pre-supposes other standards, political theory itself was embarrassed by the lack of agreement upon many of the fundamentals of human conduct.

On the whole, it is plain that religious rationalizations were less influential in shaping the logic and direction of political theory than in the preceding period, following the French Revolution.

The Intellectual Equipment of Contemporary Political Theorists

A landmark in the evolution of human thought in this time was the advancement of what came to be called "Science"—in the main the study of "natural" or "physical" science. Biology in particular received an immense impetus from the discoveries of its great student, Darwin, and advanced by leaps and bounds in the following generation. Chemistry and physics were almost equally stimulated and effected progress undreamed of in previous eras. At the very end of the period, the epoch-making discoveries of Einstein regarding the nature of time and space gave these ideas their latest expression.[1] Alike in the individual cell, in the atom, and the ion, and in the widest sweep of space, scientists sought to measure and compare the phenomena of physical life. At the same time, mechanical invention and appliance reached a stage of development and perfection hitherto unattained in any known era of the human race.

But the advances of science were not fully reflected in the domain of social phenomena where the earlier doctrines based upon tradition and the influence of class and group interpretations continued to be dominant. The cultural groups were more closely related to the religious and authoritarian forces in human life, more controlled by precedent, less familiar with the measurement, comparison, and standardization of the natural scientist. Only slowly was attention directed to the fact that human nature could not be omitted from scientific nature, and only slowly was a methodology undertaken and developed.

The attempt at application of scientific theory to problems of social and political control varied widely. Thus, Spencer developed a theory of *laissez-faire* in the terminology of social science, while Huxley was entirely at variance with Spencer's main conclusions, and continental scientists were but little affected by this controversy.[2] The eminent German scientist, Haeckel, worked out a theory of materialism in religion and of opposition to social democracy in the domain of politics; but,

[1] Libby, *History of Science;* and Sedgwick and Tyler, *History of Science.*
[2] David Ritchie, *Darwinism and Politics.*

on the other hand, the equally eminent scientist, Wallace, became a great champion of democracy and a strong opponent of the existing forms of capitalism.[1] Eminent biologists defended the necessity of war, while others equally conspicuous decried and denounced it.

All types of political and social theory conjured with the term, scientific. There was scientific socialism, scientific democracy, scientific aristocracy, scientific anarchism, scientific militarism and scientific pacificism; scientific paternalism, and scientific *laissez-faire;* scientific materialism and scientific spiritualism; scientific selfishness and survival of the fittest and scientific altruism. But on the whole the name and authority of science were more frequently coveted and appropriated than its efficient spirit and objective method which reached for the truth without regard to struggles of interests for power, or without respect to authority or convenience rooted in the past. Of scientific social studies it might truthfully be declared that not every one who saith, "Lord, Lord," shall enter into the kingdom.

The philosophical development of this period was not striking, particularly in its bearings upon political and social theory. Few attempts were made to bridge the gap between science and philosophy by further efforts like those of Lotze in his *Microcosmus* (1864) or to construct a synthetic interpretation of human knowledge as of Herbert Spencer.[2] Theoretical science had not yet encompassed philosophy, and philosophy had not yet extended its boundaries to include and assimilate modern science, although there were some tendencies in this direction. Psychology was a connecting link, but not yet thoroughly established in its methods or scope.[3]

The philosophy which had dominated the European mind in the first half of the 19th century, had now declined in power in the next generation, but revived somewhat in the later form of neo-Hegelianism, in Germany, in England and in the United States. Yet it no longer exercised a commanding influence on the formation of political thought.[4] Pessimism and Agnosticism were widely prevalent types of philosophical speculation, the

[1] A. R. Wallace, *The Revolt of Democracy.*
[2] Compare with this Von Humboldt's earlier *Cosmos.*
[3] Merriam, "The Significance of Psychology for the Study of Politics," *Am. Pol. Sc. Rev.*, Aug., 1924.
[4] Merz, *History of European Thought in the 19th Century;* R. B. Perry, *The Present Conflict of Ideals:* Hoernlè, *Studies in Contemporary Metaphysics.*

former with especial strength in Germany and the latter in England. Realism and Idealism continued their struggle for the priesthood of the mind, the former invoking the aid of science and the latter inclining to ally itself with religion and mysticism. But while there were elaborations and new applications of these idea systems, there were no strikingly new developments of the philosophical views already developed in the earlier part of the century. Materialism undoubtedly came to the aid of *Realpolitik* as did Idealism to the assistance of *Idealpolitik*, but these relationships may be too strongly stressed.[1] Thus social idealism, especially as seen in the advance of the socialistic movement, was based ostensibly at least upon a materialistic philosophy, while opposition to radical change in the social or economic or political world might rest upon idealism approaching religion in its attitudes and general point of view. Whether the connection between Nietzsche's pessimism and materialism with militarism was as intimate as some believe may well be doubted, in view of the development of nationalism and imperialism in other situations at the same time. The objective student will not be too much moved by heated war propaganda, but will weigh the social and industrial situations more calmly than we are perhaps able to do to-day.

Toward the end of this period there appeared new forms of philosophy in the shape of Bergsonism[2] and of Pragmatism. The French philosophy was a protest against the mechanism and mechanistic interpretation of the time—a revolt against a mechanical age.[3] The *élan vital* of Bergson was relied upon to furnish a spiritual interpretation of human life and conduct, more satisfying than scientific materialism. With dramatic swiftness the ideas of the French advocate of this new intuitionism and spiritualism spread through the philosophical world, but its vogue waned in the light of the advances of modern science and the appearance of more recent psychology. In the political world its influence was negligible.

Pragmatism, developed by James, Dewey and others, was a reaction from any absolute system, whether materialistic or spiritual, mechanical or vital, and it struck out for a "plural-

[1] Dewey, *German Philosophy and Politics.*
[2] See A. W. Moore, *Pragmatism and Its Critics;* also *Creative Evolution* by Dewey and others.
[3] Compare Tagore and the Indian anti-Western civilization doctrines.

istic" interpretation of life. The pragmatists contended for truth as tested by reality and its fruits, for the pragmatic union of life and philosophy in the form of practical values, as against the absolute values of the earlier dogmatists.[1] In their view, the working or experimental test of truth is the soundest. European philosophy, says Dewey, arose when intellectual methods and scientific results moved away from social traditions, and philosophy will revive when it coöperates with the course of events and makes clear and coherent the meaning of the daily detail. "To further this articulation and revelation of the meanings of the course of events is the task and problem of philosophy in days of transition."

It cannot be said, however, that either Bergsonism or Pragmatism exerted a wide influence on the course of political thought, in the period under discussion, whatever power they may later wield, or that current political theory made wide use of its forms or methods. Locke, Mill, Hegel, Comte, Spencer, were still the most significant factors, projecting their influence into this later period. More remote influences were those of Plato and Aristotle, one in the field of the Utopias and the other in that of practical prudence and sagacity. More variations of types and forms were supplied by psychology in the recent period than by the older philosophy, and more by natural science than by these. Neither of these branches of human knowledge, however, undertook to formulate comprehensive views and interpretations of human life, and these were still supplied by the formulas and assumptions of the older philosophy. Under the surface of political struggles, of social groups struggling for the mastery and for justifications of power achieved or in prospect, the older philosophies enjoyed an uninterrupted reign. Plato and Aristotle were the basis of many politico-philosophical systems. St. Thomas was revived and his doctrines lived again in the minds of many. Kant and Hegel, Locke and Mill and Spencer underlay many a fine spun political doctrine. Hobbes and Rousseau were not without their quiet influence, especially in the case of the French philosopher.[2]

Concluding these general considerations regarding the background of political thought during the last generation, it is now

[1] John Dewey, *Reconstruction in Philosophy.*

[2] See Herbert W. Schneider, "Political Implications of Recent Philosophical Movements," *Infra,* Ch. VIII.

possible to examine more closely the development of political theory.

Methods of Political Inquiry

Within the field of political inquiry various types of methods were developed and applied.[1] Among these were the earlier philosophical systems employing in the main the weapons of abstract theory. In this group are found representatives of all classes and types of economic and social interest. Bosanquet's philosophical theory of the state supplies a notable type of Neo-Hegelianism, but of sharper significance is Dewey's pragmatic theory of democracy. The studies of Bertrand Russell, the eminent mathematician in the field of politics, afford an interesting example of this type of theorizing, as do the writings of Cole and Sorel in the field of guild socialism and syndicalism. Hobhouse and Hobson may be classed in the philosophical school. Nietzsche and Tolstoi developed their systems of thought in philosophico-literary forms of expression.

In the juristic field there were many students of politics. This list includes Gierke and Jellinek in Germany, Wurzel and Berolzheimer in Austria; Duguit in France; Maitland, Pollock and Dicey in England; Pound in the United States—all of whom elaborated political systems primarily from the viewpoint of the lawyer's logic, with many variations from the traditional point of view. Generally, however, juristic theory was absorbed in the mighty task of keeping the process of juristic application abreast of the rapidly changing times, which made old facts and theories out of date and constantly necessitated the greatest perspicacity and flexibility on the part of those who made the interpretation of the law.[2]

The continental jurists in particular struggled hard with the adaptation of the law of changing social and economic needs, in this respect following the precedents earlier set by Von Ihering. The "subjective" public law of Jellinek and the "projection" theory of Wurzel, are notable examples of the sharp reasoning of the juristic group. Here also we find the

[1] "Recent History of Political Thinking," *Am. Pol. Sc. Rev.*, XVII, 275-295; Robert Piloty, *Politik als Wissenschaft*, in *Handbuch der Politik*, vol. I.

[2] See *Infra*, Ch. V.

beginnings of masterly effort to interpret law in terms of economic and social environment conspicuously displayed in the writings of Menger and Berolzheimer. The application of modern psychology to jurisprudence penetrated more slowly, and then through other channels than the established expounders of the law. It advanced through the study of criminology which during this period made very rapid progress and far outstripped the current legalists—to such an extent in fact that their practical recommendations only with the greatest difficulty found their way to recognition by the courts of law.

During this period the international jurists further developed the doctrines and practices of international law. This was on the whole, however, a very stony field. The considerations of nationalistic policy on the one hand and on the other the inflexibility of the jurists, made it difficult to take full account of the notable and significant developments in the field of economic and social relations. The jurists in the main lived in the atmosphere of precedent and custom, adequate when not too rapidly outgrown.[1]

The greater number of students of politics was claimed by the historical and comparative method, established in the first half of the 19th century and then developed and applied in the latter half. The genesis of political institutions and the careful analysis and comparison of various types interested many of the leading authorities in the domain of politics at this time. This group was represented by such writers as Bryce, Sidgwick, Seely, Lowell, Hasbach, Meyer, Burgess, Orlando, and an imposing array of writers of comparative studies and monographs of various types. A large number of historians who after all were chiefly occupied with the task of developing institutional political history may properly be placed in the list of these thinkers. They searched the world for specimens of institutions past and present, analyzed and classified material, but without much success in the development of general principles of politics. In fact, many of them expressly repudiated the possibility of discovering any general principles or ideas in the realm of the political.

The outstanding representative of this group was Lord Bryce, who for two generations carried on a series of practical and

[1] See Ch. IV of this volume.

theoretical inquiries into the working of modern political institutions, finally embodying the results of his rich experience in *Modern Democracies*, (1921). History and observation combined with practical experience are here most conspicuous, while philosophy and psychology are subordinated, but by no means excluded. Bryce distrusted the past performances of philosophy, but was not yet assured of the possibilities of the rising science of political psychology. A pre-eminent German student of similar range of observation was Kohler, who delved into the legal practices and ways of all peoples everywhere, endeavoring to establish the genesis of juristic institutions.

The chief mechanisms of political inquiry developed during this period were those of statistics and psychology. Statistics was not a new instrument of social observation, but it was much more highly developed during this period than ever before in the history of mankind.[1] Quantitative measurement of social phenomena was undertaken by large groups of observers, employing the machinery of the government in some instances and private foundations in others. Notable progress was made in this highly important direction. Statistics of population and of wealth in particular were advanced far beyond any development reached in earlier times. Statistical tabulation often took the place of, or at any rate supplemented, the broad generalizations and philosophical conclusions which had frequently been the limit of scientific inquiry in politics. Even the most superficial comparison of the older treatises upon politics with those of more recent date shows the extent to which additional fact material has been brought into play in the later forms of discussion of political problems. Governmental publications advanced notably in the extent and variety of statistical material regarding social, economic and political phenomena, although of course still far from complete in their range of observation.

In the field of psychology, progress was much more rapid, and in many ways far surpassed the dreams of the most prophetic minds a century ago. Advancing from purely philosophical inquiry to standardized and comparable methods of observation, psychology became an instrument of relative precision and uniformity in its application.[2] It was no longer introspective and

[1] John Koren, *History of Statistics.*
[2] Brett, *History of Psychology.*

meditative alone, but developed instruments of observation standardizable and comparable, and began to make possible a clearer understanding of human conduct, and of what had hitherto been charted as the great unknown in human nature. The significance of psychology for political inquiry was not at first fully appreciated, but in time the results of the psychological method began to be taken up by the jurists and the student of the processes of political control. Political psychology began to be a subject of discussion and the terminology of psychology came into common use in political inquiry, although it cannot be said to have received a genuine application to many problems.

In politics, the psychological tendency was best represented by the thought of the English philosopher, Graham Wallas, especially as seen in his *Human Nature in Politics* and later in his systematic study entitled, *The Great Society*. Wallas' work is an attempt to interpret political phenomena in terms of psychological forces rather than in terms of form and structure. The fundamental forces considered were those of Intelligence, Love, and Happiness, on the basis of which he endeavored to rebuild a political theory and a political structure. His work in this field was suggestive rather than conclusive, however, inspiring and stimulating further inquiry.[1]

Of great significance in the methods of political theory were the inquiries of anthropology, ethnology and archæology, which opened out wide vistas in the early development of man and in the characteristics of various races of men. In the field of quantitative measurement anthropology made material progress and endeavored to fix the characters of groups by physical standards and tests, without carrying the principles of scientific completion further. Even anthropology was often overlaid with race prejudice, or with national influence or propaganda of an absurdly transparent type. Sometimes the inquiries took the form of geographical studies, at times called anthropo-geography, the beginnings of which may be found in the political science of Bodin in the 16th century. The researches of Ratzel and others in this field were of special magnitude and value. In the most advanced form, these students undertook the interpretation of human relations in terms of geographic environment, but this was very speedily extended to cover more than is

[1] Walter Lippmann, *Preface to Politics; Public Opinion*, and other works.

usually contained within the limits of the term geography. On the whole, their inquiries were immensely useful in that they tended to shift the emphasis in political speculation from the traditional and authoritarian to the material, the measurable, the comparable factors of the present.

These inquiries did not yet supply answers to many of the most significant questions raised regarding the nature of races and nations. What are the specifically innate characteristics of the various races or groups or nationalities, by whatever name known? What are the specifically acquired characteristics, the social heritage as it came to be known, of these groups? How far may they be determined and defined? What is the difference between the biological heritage and the social heritage of the English and the Chinese, or the Italian and the Russian? To these questions the answers were vague and obscure, rhetorical or emotional or patriotic, without being accurate or scientific, or in any sense definitive. Casual and superficial traits and characters were often taken for the temperament and attitude of the group, often with the most astounding disregard for the primary elements of scientific method.

It is evident that progress was being made in the methods of political science, but the process was a slow-moving one.[1] The impartial observer must conclude that the political philosophies of this time as of the earlier period were deeply colored with the obvious interests of race, class and nation—in short, with the defensive and aggressive propaganda of various groupings. But, while this was, all things considered, the dominant characteristic of political philosophy (and social and economic theory in no manner differed from it), there was shortly emerging an objective and scientific attitude. There is evident a distinct tendency and a conscious effort to rise above the limitations imposed by the peculiar needs of any particular group, whether nation, class or race. Little by little, and step by step, the standards of impartial intelligence were entering the domain of political theory. Comte's plea for a positive philosophy was not realized; yet the various disciplines of natural and social science were gradually converging their lines upon the problem of human nature and conduct, and specifically on the political

[1] For the influence of other social sciences upon that of politics see: "Recent History of Political Thinking. *loc. cit.*: and the concluding chapters of this volume.

nature, psychology, or behavior of man; upon the analysis of the constituent elements in the process of political control; and upon the possibilities of their training and adaptation by human intelligence. The language of traditional authority, of custom, or group propaganda was still the official language of the time; but there was coming into use beside it the international language of science, tentative and incipient, it is true, rather than dogmatic and authoritative, but still heard from time to time.

Actual Progress in Political Speculation

The specific discussion of political theory is a topic possible to examine satisfactorily only in considerable detail, but the broad outline of the scope and development of the main lines of political speculation may be set forth as an introduction to the more minute inquiries hereinafter presented.

The discussion of the origin and basis of the state was continued but upon somewhat different lines from those followed in the present century. The social contract theory already rejected in the preceding period was not revived by any very significant group of thinkers; and it was subjected to searching criticism.[1]

The origin of the state was now sought in various historical, anthropological and ethnological inquiries, which tended to take the place of the elaborate consideration of the fictitious state of nature, looming so large in the natural law philosophy. At this point attention was directed more and more to the rule of violence and conquest by ethnic or other types of groupings rather than to voluntary consent or agreement. The economic and social basis of the state was also considered by writers of the type of Gumplowicz,[2] Ratzenhofer,[3] and Oppenheimer.[4] The general tendency was toward the somewhat agnostic conclusion that scientific knowledge of the origin of the state still remained imperfect and that any conclusions must frankly be qualified and tentative.[5] In short, there was a disposition to agree with

[1] For example by Ritchie, David G., *Natural Rights.*
[2] *Sociologische Staatsidee.*
[3] *Wesen und Zweck der Politik.*
[4] *Der Staat.*
[5] Interesting studies of subhuman group were made by many students. *Cf.* A. Espinas, *Des Sociétés animales;* Fabre, *La vie des insects;* Wheeler, *Social Life Among Insects.*

the earlier statement of Rousseau that while the ideal state would be an association, the actual state seen in history had been largely an aggregation held together by force and fear.

Not only the beginnings but the continuing authority of the state, the basis of political obligation, was widely discussed during this time. As in all periods of political speculation, the problem why men obey or conform was one of fundamental importance. In this period especially the struggle between industrial groups led to the revival of the discussion of the principles of revolution and to searching inquiries into the nature of political obligation.[1] The authority of the state was threatened by the attacks of anarchism in the earlier part of the century, and to the aid of anarchy came syndicalism and anti-authoritarian socialism. The syndicalist theory identified the state with the institution of capitalism, and hence challenged its authority and hailed its dissolution. Syndicalist champions undertook to create a new form of organization, not to be called a state, within the shell of the old. The detail of this new method of association was only vaguely developed, but there was no vagueness in the emphatic protest against the state, and the contention by champions of the new order that no organization could claim political obligation from its members unless that group was founded upon a labor or proletarian basis.

Anarchism challenged outright the binding power of the state, and particularly through Count Tolstoi and Prince Kropotkin further developed the theory of Proudhon. Tolstoi undertook to establish anarchism on the basis of the New Testament and the doctrines of Jesus, and was widely influential in spreading the theory of non-resistance. Prince Kropotkin emphasized the function of co-operation in the formation and continuance of social organization.[2] In its later form anarchism denied the validity of political obligation upon biological grounds primarily, following in general the theories of Kropotkin and Spencer upon this point.

The gospel of force, the modern theory that might makes right, projected by Nietzsche, the militarists and the *Realpolitiker*, made power the basis of the state, and obedience to it a matter

[1] See Delisle Burns, *The Principles of Revolution;* Hyndman, *The Evolution of Revolution;* Georges Sorel, *Reflections on Violence,* Fr. (trans.); Lenine, *The Proletarian Revolution in Russia* and other works.

[2] Especially in *Mutual Aid a Factor in Evolution.*

of compulsion rather than of co-operation. These doctrines were widely accepted, although not always openly and frankly avowed by those who followed them. Those who possessed the will to power and the facility to execute this will, so the theory went, are the natural rulers of mankind, regardless of social contracts or theories of association among men. No other explanation is required or can be found. Accompanied by a philosophical guard of pessimism and materialism, this doctrine was widespread throughout the world. It has also its connections with the doctrine of the survival of the fittest in the biological world and the theory of free competition in the industrial world. In international relations and in the business world, the doctrine of ruthlessness was widely adopted in practice even when not in theory.

Why do or why should men obey, was one of the major problems of the time to which theorists of varying types addressed themselves. Significant types of these are Thomas Hill Green's *Principles of Political Obligation* and Bosanquet's *Philosophical Theory of the State,* both largely under the influence of the Hegelian philosophy. One of the most ingenious suggestions was that of the French jurist, Duguit, who evolved a principle of "social obligation," which he undertook to substitute for the earlier doctrine of political obedience. Obligation, in this theory, became a form of "social service" to which individuals are bound by virtue of the necessities of social organization, rather than because of the power of the government or a contract to obey or any utility or advantage involved in obedience.[1]

In many quarters the Aristotelian doctrine that man is by nature a political animal was revived and restudied in the light of modern discoveries in the field of ethnology and psychology. The general tendency was to place the discussion of the nature of political obedience more and more upon the ground of fundamental impulses, ethnic, economic or psychological, rather than upon the basis of abstract philosophy as in the 18th and early 19th centuries. The most usual rationalization of obedience to the state was unquestionably some form of the theory of contract and consent of the governed,[2] but the notable new tendency was to scrutinize the fact of command and obedience more objec-

[1] *Law and the Modern State.*
[2] See Willoughby, *Social Justice,* on "The Right of the State to Be."

tively and with some effort at any rate toward scientific appraisal and measurement of the process.

On the whole, this particular generation was characterized by a remarkable development of "anti-stateism," converging from many points in an attack upon the validity of the state. The anarchist, the syndicalist, certain of the religious groups,[1] some of the socialistic sects, all united in the warfare against the power of the state and against the duty of obedience to it, in the sense of philosophical obligation to obey its commands. At the same time no new hypothesis appeared to add strength and dignity to the wavering power and prestige of the state. Science had not come in to take the place of the weakening philosophies. At this point, political philosophy was clearly in a transition stage, with various hypotheses struggling for recognition, but with no one explanation generally accepted as definitive.

The specific forms of government were objects of extended political discussion during this period. The earlier classification of types of government remained little changed. Efforts were made to introduce new classifications, notably in the elaborate systems presented by Jellinek.[2] In international affairs, the suzerain state appeared as a new type to be placed beside the sovereign state, just as the federal state had appeared in the preceding generation. In internal affairs, plutocracy and communism appeared as types of industrio-political rule.

Special interest was developed in the discussion of democracy and monarchy or aristocracy, and great leaders of thought took part in this controversy which lasted throughout the entire era. Bryce's *Modern Democracies*, Hasbach's *Die Moderne Demokratie*, Lecky's *Democracy and Liberty*, Mallock's *Aristocracy and Evolution* are types of the discussion during this time. Practically, the democratic theory went around the world, taken up in nation after nation, and theoretically much the same triumphal march was made everywhere. The exceptions were Germany and Japan where the theory of hereditary monarchy survived, and at the end of the period Russia, where democracy was attacked by communism. The monarchical criticism of democracy centered upon its extravagance and incompetence while the communistic criticism was directed at the control of

[1] See J. N. Figgis, *The Church in the Modern State.*
[2] *Die Lehre von den Staatenverbindungen.*

the forms of government by industrial aristocracy or plutocracy, as it came to be called.[1] Other criticisms of democracy were those made by Lecky, who contended that the progress of popular government was hostile to the preservation of individual liberty, and intimated that greater tyranny was possible under democratic forms of rule than under any other.

The theory of monarchy rested no longer primarily upon divine right or upon the superiority of the hereditary process of transmitting political power, but rather found a justification in its capacity for efficiency.[2] Intelligent, energetic government, it was now said, is more readily obtained under monarchy with its concentrated authority and responsibility than under any other type of rule. As a matter of fact, however, all monarchies tended to become constitutional or restricted governments. Even Germany and Japan, the outstanding types of monarchy, reckoned with parliaments, political parties, and public opinion. At the close of the period, the monarchical form of government was left practically without theoretical defense, except in Germany.

The nature of representative government was widely discussed during this period.[3] The efficiency of the representative plan was attacked by those who were critical of democracy and distrusted its results, and it was proposed to replace the traditional territorial system of representation by occupational representation, in which various industrial or other occupational groups should be reflected. Sometimes this took the form of a demand for proportional representation, and again for occupational representation. The latter at the end of this epoch came to be known commonly as the Soviet system. The Webbs adroitly advocated a system in which there should be a Political Parliament and a Social Parliament.[4] Obviously, this discussion did not touch the bases of democracy, since a democratic system might theoretically rest its representative branches either upon a territorial or an occupational basis or upon both.

During this time, a check on the representative system in the form of the initiative and referendum became common in certain

[1] Best summarized in Hasbach, *op. cit.*; also Roscher, *Politik.*

[2] *Democracy and Liberty;* Compare Faguet, *The Cult of Incompetence.*

[3] See H. J. Ford, *Representative Government* (1924) for review of typical theories.

[4] Sidney and Beatrice Webb, *A Constitution for the Socialist Commonwealth of Great Britain.* 1920.

states. This demand for direct legislation rested partly upon a theory that democracy might function directly, and partly as a practical means of checking the excesses of unrepresentative government. Radicals opposed the direct system where they found themselves in power, and in like manner conservatives demanded these same devices when they seemed likely to give them a larger share in the government of the community. Thus the referendum became the child of the progressive group in America, and of the conservatives in England, Senator LaFollette and Lord Balfour both favoring it, but for different reasons, or rather because of different situations.

While there was a large body of discussion regarding the nature of democracy and its organization, there was perhaps an even greater amount of discussion of industrial democracy. The development of representative government went on as rapidly in industry as well. Limitation of authority through the participation of the workers in industrial control came to be a common feature of the time. Numerous forms of workmen's participation in the management of and responsibility for industry were found on every hand. Sometimes these processes were accompanied by theoretical discussion, but often were based on practical expediency rather than on a formulated principle.

The actual development of democracy can be accurately traced only by observing its gradual spread throughout the various branches of social organization.[1] Political democracy was only one phase of the broader movement which tended constantly to become industrial democracy, and in the broader sense of the term, social democracy. The theory of this new movement was developed sometimes by democratic liberals, sometimes by socialists, sometimes by syndicalists or by communists. It was often resisted, however, by the old-time advocates of democracy —the older liberals—who fixed the limits of democratic expansion at the "political" boundaries. On the other hand, workers' control of industry was at times urged by monarchists and the advocates of monarchical and aristocratic rule in the political field. Thus an industrial communist might occasionally be found favoring monarchy, while on the other hand staunch defenders of democracy might be found bitterly opposing shop councils

[1] See Webb's significant studies of industrial democracy.

or other forms of democratic participation in industrial and social control.

The doctrine of equality was freely discussed during this period in its political, economic and ethnic aspects. The demand for greater economic equality through land ownership had been significant in the French Revolution. Now the demand for economic equality in the industrial world, as distinguished from the land-owner's world, was an outstanding feature of the time. The struggle against the domination of industrial life by the few was as vigorous as that against landed aristocracy had been. The nature of the equalitarian principle in this field was not always sharply defined, and in fact was given many different interpretations by socialists, guild and otherwise, and by those who demanded democratic control of industry. At times political equality was defended by capitalism, and in many instances political equality was denounced as the snare of the bourgeois designed to catch the proletarian seeking economic equality in industry.

The democratic theory of equality in civil and political rights with wide inequality in the economic world was challenged not only by the communist, but also by the race groups who protested against their fundamental inequality. Japan's demand for race equality was as significant as Russian scorn for democratic equality. From the point of view of democratic theory and practice the equality of all races was not conceded and the ethnologist and the biologist were summoned to aid in demonstrating race disparities. The psychologists endeavored to show the differentials in the fundamental intelligence of human beings, and some drew conclusions adverse to democracy and equality from their results.[1]

The unit of political organization was a frequent topic of inquiry amid the changing conditions of this period, with its rich variety of ethnical and economic expansions and concentrations. Should class, race, or land become the basis of the state? Nationalism was the center of the struggle, with the forces of internationalism assailing it on the one side, and the prophets of pluralism on the other side. The nation maintained itself, indeed, more than held its own, and in the doctrine of "self-determination" developed at the very end of this period,

[1] See *infra*. Chs. II and XIII.

nationality attained its highest peak. The great apostles of nationalism in the early part of the 19th century, men of the type of Lincoln, Mazzini, and Bluntschli, were not surpassed during this time, but were followed by other eloquent defenders of the nationalistic state, such as Treitschke, Burgess, and a long series of continental expounders of the nationalistic point of view.[1] Pan-Germanism, Pan-Slavism, and other similar types of nationalism sprang up, demanding national expression for ethnic groups in all quarters of the globe—in Asia, in Africa, as well as in Europe and America. The Great War aroused the national spirit to its highest pitch. Nationalism in fact became a significant part of the war propaganda upon both sides of the controversy.

The term nation was variously defined by different authorities; but the chief definitions followed the line of the political organization of ethnic and geographic unities, without much regard to economic unity; indeed, in some instances, in absolute defiance of such considerations. The psychical aspects of nationalism were also considered by many thinkers, who endeavored to find in what they called the spiritual unity of the nation, or in its psychological unity, or in its symbolic unity, the essence of the specifically "national." The most general practice, however, was to employ a great drag-net, drawing in all of the factors, the ethnic, the economic, the historic, the spiritual, the psychological and the symbolic, and combining them to make in the aggregate an enumeration of the characteristics of a nation.

No part of the world escaped the influence of these nationalistic ideas. They were readily adopted by the versatile Japanese, and later found expression even in China where national tendencies had been for centuries almost extinguished. In India, the idea of self-determination took the shape of the Indian home-rule movement, which, little by little, grew stronger in the 20th century; and the pan-Islamic sentiment awoke from a long sleep. So strong was this tendency that it became difficult to obtain unbiased and objective estimates of nationalism, even by those who were presumably scholarly, critical and scientific analysts.

In the meantime, the theory of internationalism was also gain-

[1] Dunning, *History of Political Theories*, Vol. III, Ch. 8.

ing strength.[1] Its causes were found in the rapidly developing means of communication and transportation. The international relations alike of capital and labor, the tendency of science and learning, cross the boundaries of the national state. The constantly growing size of the national unit of government itself was seen in Great Britain, in the United States, in Germany and elsewhere. There were relatively few defenders of the world state as a unit of world organization, but there were on every hand advocates of the organization of the world on a scale larger than that set by the limits of nationalism alone. Labor, in particular, was in theory frankly international in its sympathies, although in practice nationalistic sentiment proved too strong for the broader sentiment of internationalism.

One of the outstanding features of the time was the development of federalistic theories of the state. The political theory of federalism, based largely on geographical isolation, had developed in the earlier part of the 19th century, notably in the United States and in Germany, and had found expression in a definite form of political organization; but with the consolidation of such states, both the theory and the practice of federalism had tended to fall into a decline. Economic federalism, however, had also developed in the early part of the 19th century, notably in the theory of Proudhon. With the sharper division of classes on an industrial basis, and of professional and vocational groupings, attention was again directed toward the federalistic doctrine as a means of political association and organization. Again and again, especially toward the end of this period, recurred the problem of the organization of the state upon the basis of economic or professional groups rather than upon a geographic or an ethnical basis, or upon some combination of ethno-geographic factors.[2]

Sometimes this line of thinking led to a doctrine of proportional or occupational representation, and at other times, to a theory of "political pluralism."[3] Among the pluralists were found the syndicalists, the guild socialists, and the regionalists,

[1] See Pitman B. Potter, *International Organization;* John A. Hobson, *Toward International Government,* 1915; Darby, *International Tribunals.*

[2] The group theory was given a legal basis in Otto Gierke's notable study, *Das deutsche Genossenschaftsrecht.*

[3] See the admirable article by F. W. Coker, "The Technique of the Pluralistic State," in *Am. Pol. Sci. Rev.,* Vol. 15, p. 168. Also Ellen Deborah Ellis, "Pluralistic State," *Ibid.,* Vol. 14, p. 393; Boncour, *Le Fédéralisme Economique.*

or those were sometimes called the economic federalists. The pluralistic political theory may be looked upon as a rationalization of actually existing and developing group solidarity, and in fact can be interpreted and understood successfully in no other way. Among the very vigorous advocates of these new doctrines were the French publicist, Duguit; the economist, Boncour; the English guild socialist, Cole, and the anarchist leader, Kropotkin. Whether the unit of political organization should be geographical blocks with "natural" boundaries, or ethnic groups with or without regard to "natural" boundaries, or economic classes with or without respect to "regions" or boundaries, remained a topic of intense interest, both theoretically and practically. In scientific theory there was no conclusion upon this point, and in the world of affairs there was the sharpest clash between conflicting jurisdictions.

The doctrine of sovereignty was less widely discussed than in the early part of the century, but was still an object of widespread controversy. Attempts were made to eliminate the term and the concept as well from the domain of public law as of political theory. A vigorous attack was made by Hugo Preuss, *Gemeinde, Staat, Reich als Gebietskoerperschaften,* proposing the substitution of the term *Herrschaft* for the hated "sovereignty." Duguit suggested the term "social solidarity" as better expressing the relations involved in authority; while Cole would substitute "a democratic supreme court of functional equity" instead of the power of the state. All of these groups insistently and persistently belabored the Austinian theory of sovereignty as they understood it, although it seemed to many that they did not take the trouble to scrutinize carefully the real significance of the Austinian jurisprudence.

The main attacks of the pluralists were directed against what they called the "monistic state." Its champions contended that the doctrine of the centralized state and the theory of sovereignty accompanying it had no longer any real vitality or usefulness. They endeavored to show that these concepts interfered with modern political organization. Whatever validity the older ideas may have possessed in the period of transition from feudalism to nationalism has long since been lost in the face of developing internationalism on the political side and economic federalism on the industrial side. The state, in the pluralistic

theory, is only one in a long series of groups, and possesses no special significance and no special authority in comparison with the others. The commercial group, the agricultural group, the ecclesiastical group, each is as significant as the state. Each has its own power to make rules and regulations covering its own group interests and group affairs, but no particular sanctity attaches to the command or orders of any one of these groups as compared with the demands of the others. The validity of the laws of any group depends upon the growth of the group or upon the conformity of the rule to certain assumed principles of right and justice. Instead, then, of one centralized state with absolute authority, we may have a series of groups, no one supreme over the others, each possessing its own authority. There is then no doctrine of sovereignty, since the only genuine sovereignty is that of reason, or justice, or right, as variously interpreted by different thinkers. Attention has already been directed to the close connection between this theoretical formulation and the actual growth of professional and vocational groupings.[1]

On the other hand, the doctrine of sovereignty was generally defended by the bulk of the jurists and students of politics.[2] Toward the end of this period a distinction was drawn between legal and political sovereignty by a notable group of thinkers, including Bryce, Dicey and Ritchie. They undertook to limit the field of legal sovereignty to the formal agencies or organs of government, as distinguished from the power that is ultimately obeyed in the political community, whether found in a formal legal system at the given moment or not. This latter type of sovereignty they called the political or the practical. The one may be called the lawyer's sovereignty, and the other the sovereignty of the statesman or the practical observer of political forces.

Broadly speaking, interest in the doctrine of sovereignty declined as interest in the refinements of the federal system declined throughout the world; but, on the other hand, interest in the abstract theory of sovereignty increased in connection with the vexed relation between sovereign and dependent powers; and the proposed relations between sovereign powers in various

[1] See Harold Laski, *The Foundations of Sovereignty, and infra.* Ch. III.
[2] See my *History of the Theory of Sovereignty since Rousseau* for detailed description of these movements down to 1900.

projections of the family or families of nations. In these latter cases, the theory of divided, diminished or modified sovereignty was found to be an extremely convenient formula for many troublesome situations, where the exact relations between powers were subjects of acute controversy. Sovereign states might steadily refuse to give up their sovereignty *in toto*, but they might be induced to consent to an arrangement in which the robes and symbols of authority were retained while some of the practical attributes of sovereignty were divided.

In the 17th century the chief value and the historical justification of the doctrine of sovereignty was its application in a period of transition from feudalism to nationalism. The abstract theory of sovereignty helped to bridge the gap to nationalism; later, it helped to smooth the path from federalism to nationalism; and in later times it eased the burdens of imperialism and internationalism. Little scientific advance was made in the doctrine, however. The attacks upon the theory, although numerous, were not impressive either in their insight or their acuteness; and they rested upon no deeper scientific foundation than did the defences of the ancient theory. On strictly juristic and legalistic grounds, if this was to be the field of discussion, there was little advantage in changing the older theory for the newer. A more thoroughly developed doctrine, illuminated by the psychology of social and political control, might have thrown clearer light upon the vexed question of sovereignty. But this was not yet forthcoming, and few of the inquiries seemed to forecast such a development.

This was on the whole a remarkable period of active law-making in the parliamentary bodies of the world—a period unsurpassed in the history of mankind for the rapidity and the ingenuity with which new social rules and regulations were laid down by the community. It was difficult to keep pace with the flood of laws and with the practical observations of them by thousands of social experts. This task, rather than the interpretation of the inner significance of the law-making process, absorbed the interest and energy of most of the students of the subject.

No notable theories of legislation appeared during this time, but significant progress was made in the assembling of comparative data regarding the laws of various jurisdictions. It

cannot be said, however, that equal progress was made in the development of principles and conclusions of scientific validity out of the great masses of legislative material assembled and analyzed.

The historical and comparative study of legislation was developed by many industrious toilers of the type of Kohler, one of many who scoured the world for material and pushed the comparative inquiry far beyond its earlier boundaries. From the Code of Hammurabi on down through the history of primitive systems to the most remote contemporary groups, little escaped their tireless and energetic search.

Concrete studies of the nature of the law-making process were also made by various observers in different lands. They strove to discover not merely the parliamentary technique of the process, or its legalistic aspects, but they were groping for the development of laws in relation to the social and economic conditions surrounding them. In this respect they followed Bodin and Montesquieu more closely than the natural law philosophers of the seventeenth and eighteenth centuries, who looked for an abstract law or abstract principles of justice, without much relation to time or place-given conditions. Economic and social determinists, especially, were active in inquiries into the nature of laws. About the same time many students of groups and classes also centered the field. The natural law philosophers had set up law as the expression of some abstract principle of justice, ideally applicable everywhere and always; the Austinians had made law a work of will or command, or authority definitely expressing itself in a specific rule, accompanied by a specific sanction. But the later tendency was to look upon laws as largely the work of historical evolution in which reason or volition play an important but probably exaggerated part.[1]

Many of the jurists undertook to draw a distinction between law and legislation, the one being the product of reason and the other the outcome of command based upon force or upon the majority. Rules of law developed by the courts are thus to be regarded as the outcome of a rational process, while rules of law laid down by the legislators are essentially the result of the conflict or compromise of contending social or economic groups.

[1] See the remarkable studies by Berolzheimer, *Kulturstufen* in his *System der Rechts- und Wirtschafts- Philosophie;* also Dicey, *Law and Public Opinion;* Roscoe Pound, *Interpretations of Legal History,* and other works.

There was even a certain distinguishable tendency to identify the judicial process with reason or even with truth itself. In more careful hands, however, no such attempt was made, although the practical superiority of the juristic process might be very strongly stressed. On the whole, it cannot be said that even from the point of view of logic and analogy alone, material progress was made in the evolution of the philosophy of the law. The broad social basis which had been given to law in the earlier part of the century by Ihering and others was utilized by many thinkers, but without notable progress in the elaboration of the fundamental scientific principles of the law. For this a much sharper technique in the way of statistics and psychology was essential, but it did not appear to be at hand.

At the end of the period came an attempt by Duguit and others to attribute the source of law to social obligation, or to some principle of social service rather than to command or force, or to custom and habit. This development bore many resemblances to the earlier French theory of the first half of the 19th century, based upon the presumed sovereignty of "reason" or "justice." But it was reënforced by many arguments drawn from modern sociological studies covering the nature of social obligation. This view of the law, which was that of certain of the pluralists also, took from legal command its peculiar sanctity, leaving to the law whatever authority its social usefulness at the given moment might confer upon it; and, at the same time, gave equal power and prestige to the rules of any other social group, whether characterized as legal or political or governmental or otherwise. Laws are group rules, said the pluralists, which have no special sanctity because they are put forward by a particular body of persons called the state, unless this state has social or moral force back of its decrees.

The scope of state activity was a subject of animated controversy during this time. This discussion took two forms—the internal function of the state, and its external function. In what classes of cases, or upon what principles should the government intervene in social relations? This had already been discussed by such apostles of *laissez-faire* as Mill and Spencer; of anarchism, as Proudhon; and of socialism in its varying forms, by Marx and his followers. Little was added by the advocates of *laissez-faire,* although elaborate argument was made by Mal-

lock in England, Guyot in France, and a group of individualists of the type of Sumner in America. Sidgwick's formulation of the "minimum" was a good statement of the modified doctrines of Mill. But both liberal and conservative included much more in the "legitimate" field of state activity than their predecessors of a generation previous. Notable illustrations of this are Ramsay Muir's *Liberalism and Industry* and Lord Cecil's *Conservatism.* Urban concentration of population and the tendency toward government regulation of industry, enlarged the practical application of government, and almost as inevitably aroused a protest against the steady expansion of governmental power.

The anarchistic theory that the state has no function made little progress beyond the fundamentals early prescribed by Proudhon. Kropotkin, however, in his notable study of *Mutual Aid a Factor in Evolution* endeavored to connect the position of anarchism with the scientific doctrine of evolution. Coöperation, as an element in group strength and ability to survive, he stressed as over against coercion. Thus voluntary action is emphasized as an element in human organization, while compulsory and coercive processes are minimized. Tolstoi, on the other hand, endeavored to provide a Christian basis for anarchism, and directly combatted the materialistic tendencies of many disciples of anarchism.

But in the 20th century anarchism as a protest slips over into another philosophy. Those who seek to destroy the state will now destroy political authority, but they will replace it with an economic political organization and authority in the form of communism. The new philosophy is not wholly that of protest against the state, for it now contemplates the reorganization of society upon a basis not primarily anti-authoritarian. The modern communist may, it is true, denounce the state, along with capitalism, but he does not rail against all authority; he merely changes the hateful name to one less odious historically.

No searching analyses were made of the nature of political liberty during this period, although some concept of liberty underlay the various doctrines regarding the proper scope of state activity. There was no analogue of the famous defences of liberty made by Milton and later by Mill.[1] Invasion of liberty was frequently charged, both practically and theoretically,

[1] G. L. Dickinson, *Justice and Liberty.*

but the objectors usually avoided stating what was meant by liberty. In the 18th and earlier 19th century liberty had often meant freedom from arbitrary conduct by a few and without set or predetermined procedure. But with the many in command. and procedure established, the problem assumed a different aspect.

When is one free? When protected by a written constitution and independent courts; when a part of the law-making process; when protected by the custom of the community; when freed from the pressure of economic necessity, or from the burdens of ignorance? These were answers to the inquiry, and there were many others. But it cannot be said that material progress was made either in philosophical or scientific analysis of the problem; and in class and nationalistic struggles the meaning of liberty was often obscured by the necessities, actual or alleged, of united group action.[1] Practically all of the theories of state activity, were interpretations or rationalizations of class struggles, in which the real problem was the logical or philosophical justification of conflicting class interests. Of objective inquiry into the relations between individuals and groups and the scientific appropriateness of varying degrees of social and political pressure or immunity there was relatively little.

The military function of the state was a subject of violent controversy during this period. The greatest war in human history and the greatest anti-war movement appeared during this half century. Political theory was conscripted to glorify war and to assail it. Tolstoi framed a subtle attack upon war, based upon a revival of New Testament Christianity, while Nietzsche developed a powerful literary defense of the philosophy of force and war. These two shared the honors in the field of unsystematic generalization. Comparable with Tolstoi is the later non-resistant or non-coöperation doctrine of Ghandi.[2] But scientific observers, biologists and economists at the van, attacked and defended war as a waste of human life, and as a biological necessity.

Angell's *Great Illusion* was one of the most significant publications of its day, and entered deep into human thought. The earlier 19th century had challenged the social value of war, but

[1] Trotzky's *Defense of Terrorism;* John Dewey, *Human Nature and Conduct,* 303-13.

[2] See M. K. Ghandi, *Young India: Sermons on the Sea.*

the religious and emotional appeals were supplemented now by biological,[1] medical and economic arguments, while class and cultural interests, as well as scientific improvement in the technique of transportation and communication, were powerful aids to the stimulus of anti-militaristic thought.

The fundamental factors in the criticism of war were the continuing pressure of interdependence on the one hand, and the development of forms of social coercion other than purely physical on the other. In the formulation of anti-militaristic theories the field was most favorable to scientific development of principles of intelligent social and political control, for neither nationalistic nor class prejudices were so closely intermingled in the lines of reasoning. On the contrary, nations, races and classes themselves struggled against their own prejudices and limitations in an effort to arrive at a detached and objective view of the central process of political control, and there were less serious deflections by varying types of economic and social propaganda.

In the main the struggle regarding the external function of the state and its internal function reflected the differences of interest and opinion of two great groups. The propertied class in general emphasized the right and duty of the state to provide for protection of its citizens and their property abroad and to maintain an adequate system of military defence. They also favored the development of an adequate military force for the protection of the state in the event of internal dissension, as in certain labor disputes. On the other hand, the working class was in general opposed to the development of the functions of military organization and activity, but favored the extension of the general welfare functions of the state in internal affairs, as in education and sanitation. At the same time the labor group supported the extension of state activities where deemed essential for the control of capitalistic combinations. The middle class mildly supported a military program, while lamenting its burdens, and likewise supported the development of agencies necessary for the maintenance of internal order. They were mildly enthusiastic regarding general welfare programs, with the exception of education, but stood by most efforts to develop the power of the state for the purpose of checking the power of great com-

[1] Nicolai, *The Biology of War.*

binations, yet hesitating at measures that seemed to touch the principle of private property too closely.

The scope of political speculation during this period covered other fields to which little or no attention had hitherto been given. Examples of these are public administration, public opinion and political parties.

Public administration came to have a very different status during the recent period under discussion. It is true that elaborate studies had been made of administration in various states, especially on the Continent. Now come careful analyses of the administrative function in acute studies like those of Jellinek in *Gesetz und Verordnung*. But there were studies also on the efficiency side. At this point, the influence of the modern psychologist and engineer is evident rather than of the traditional jurist. The rising consciousness of the public employees was also represented in the appearance of a literature of the anti-bureaucrats, especially in France, where the syndicalists became their spokesman.

Administration was studied especially on the continent, and with greatest care in France and Germany.[1] It also took root in America, where there came to be a more or less definite body of administrative law. The study of administration was made up of various types of inquiry. Sometimes administration was essentially a study of the technique of rules and regulations; sometimes administration took on the character of a personnel problem, dealing with the behavior of masses of men, or groups of men; or it became, from another point of view, a fundamental problem in public authority or in the philosophy of obedience. The first of these was essentially the older type of administrative study, originating under the Bourbons in France, and the enlightened despots in Prussia—a type of the older *Finanzwissenschaft*. Administration as a study of personnel was intimately related to the developments in the rising science of psychology. Administration in relation to the problem of public authority appeared in the attitude of public employees toward the government, and particularly in the case of the more important public services became a subject of theory as well as of practice. Strikes on government-operated railroads, in fire, police and

[1] R. Gneist, *Das Englische Verwaltungsrecht*, 1883-4; L. Aucoc, *Conférences sur l'Administration et Droit Administratif*, 1882-6; Frank J. Goodnow, *Principles of the Administrative Law of the U. S.*, 1905.

water departments of municipalities, sharply raised the question as to the basic relation between employees, government and the community at large in these critical situations.

In view, however, of the rapid increase in the numbers of administrative employees and of the increasingly important duties devolving upon them, the neglect of scientific study of public administration is one of the striking features of the whole period. The absence of skilled analysis of the important situations in administration imperilled the whole structure of government.

The nature and characteristics of public opinion came to be an object of inquiry during this period. It became more and more evident that there was behind the formally organized government another, an even more powerful force, which in the last analysis often controlled the ordinary agencies of government. This power came to be called public opinion, in lieu of another term more accurately describing it. The nature and conduct of this force, the analysis of its processes, came to be a subject of extensive speculation and observation. On the political side were Dicey, Wallas, Lowell and Lippmann. On the sociological side, Tarde, Tönnies, Cooley, Sighele and Ross, while others approached the problem from the point of view of social psychology.

These inquiries were suggestive and tentative, opening up vistas rather than definitely surveying areas or measuring forces. Dicey broadens the earlier juristic doctrine of custom in his discussion of the relation between law and public opinion. Wallas' explorations led him to the borders of political psychology, emphasizing at one time the intellectualist and at another the sub-intellectual motives in human behavior. Lowell analyzed certain aspects of public opinion in a democratic society, in a stimulating but incomplete study of the subject.

Sociologists approached the examination of public opinion from the point of view of social control, as a phenomenon of human association; one of the types of mass or group domination over the individual. They undertook to describe its processes, and as far as possible, but without much success here, to develop its laws or principles of action. Sometimes there were ingenious and daring generalizations without sufficient fact basis, and generally speaking they lacked the painstaking detail and the closely related conclusion of the typically scientific process.

Creation of classification and terminologies, keen flashes of insight, characterized the work of Le Bon, Tarde and others, rather than scientific ascertaining of constant sequences and their significance.

The theory and practice of political parties came to be a topic in the domain of political thought. The descriptive analysis and interpretation of these new institutions and processes was developed by Ratzenhofer, Ostrogorski, Bryce, Michels, Lowell and many others, who strove to appraise the party system. Most of the material was descriptive, but some was analytical of processes. Of the former type Ostrogorski and Bryce; of the latter Ratzenhofer, Michels, Wallas.[1] The publicists tended to characterize the party as a part of the government, as the governing process; sociologists to regard parties as social groupings, akin to many others. In either case the objective study of the party organization, processes, functions, values, became a part of the political thinking of the time. Here again the lack of carefully collected material, and the absence of an adequate political psychology made rapid progress difficult and indeed impossible. To scan accurately the behavior of the party, to fit it in with the structure and theory of democracy and systematic political science was obviously not the task of a day.

The question may be raised, to what extent and in what ways was the political theory of the period forward-looking and prophetic, if not scientific? Were there new utopias?[2] And to what did they aspire? In general, there was greater tendency toward historical inquiry than to anticipations among the students of politics. Utopian socialism had its widest vogue in the earlier part of the 19th century, and while there were many new schemes presented, these were not significant.[3]

The proletarian socialists were not so deeply interested in the depiction of the future world as in the organization of the working class for the attainment of power. The constitutional democrats and the larger propertied interests were not at all interested in glorifying the future, but in defense of existing institutions and in the traditions of the fathers—a type of political reasoning best exemplified by Burke in modern times. The

[1] These theories are summarized in Merriam, *The American Party System* (1922).

[2] Hertzler, *The History of Utopian Thought;* Lewis Mumford, *The Story of Utopias.*

[3] Bellamy's *Looking Backward* is an example of this type.

utopias of Wells and the Webbs were interesting projections of proposed modifications of the economic and political order, but were not presented as impossible or remote prospects.

Thus the working class and the groups in actual power were indisposed to speculation regarding the future development of political institutions. The students of government, on the other hand, were as a rule more interested in history than in the coming era, and developed no great ingenuity in forecasting the course of political events. They were not confident enough in their science to construct new types of society, nor prophetic enough to assume the rôle of the political evangelist with a vision of the future.

Summarizing the development of these types of political theory, we may say that the outstanding features of the time were the elaboration of the claims of the working class group into more systematic form, and the appearance of doctrines of internationalism. The working class theories were met by the further refinement of the "higher conservatism" and the internationalistic ideas were offset by the intensification of nationalism. But after all the significant fact was not the strength of conservatism, but the vigor of the new industrial radicalism, centering around the factory and the mine, the product of the modern capitalistic system. Likewise, the significant fact was not the defense of nationalism, with which the world was already familiar, but the gradual spread of the idea that some broader form of national coöperation must be found. The question whether in case of conflict the rationalizations supporting economic classes would prove stronger than the rationalizations in support of race or ethnic-state group was answered in this period in the Great War by the overwhelming demonstration of the superior strength and tenacity of the ethnic-state complex. Nevertheless, from the point of view of theory, it is significant that both of these idea-types possessed great strength, and that both survived the shock of wars, both great and small, and still retained vast strength.

This period is also notable for significant shifts in the attitude of various groups. Thus the "right of revolution" as a political principle was taken over by the working class group and abandoned by the capitalistic; the doctrine of "equality" was taken over by the "backward" races and the working class group and

little emphasized by the older liberals of the middle class or the upper economic class;" liberty" became the slogan of the capitalistic group in the form of *laissez-faire* and the "liberty of labor," while the labor groups themselves were indifferent to the older theories of liberalism and to the liberty of unorganized labor. In the international field the capitalistic group and the group of toil made common cause, while the middle class timidly recoiled from internationalism either of the bankers or the workers. Nationalism, which had been the companion of the democratic group in the first half of the 19th century, became the friend of the monarchists and reactionaries in many instances, and met with the opposition of those who fought for democracy in the industrial field.[1]

Underneath all the surface struggles came the development of significant protests against the state itself and the swift growth of anti-stateism in its many forms. Government itself was threatened both by general distrust in the workers' group and by the lack of support in the conservative groups; and perhaps was never in graver peril of losing its equilibrium. The newer rulers of the world had lost the prestige and to some extent the *savoir faire* of the older rulers, and the response to their commands or suggestions was less ready than in the earlier days. They had not established the confidence of the new democracy, itself not yet trained to political insight and self-control. What is still more significant, they had not kept pace with the advance of modern science and modern efficiency. The ruling group lost the old prestige that came from the occult, the divine, the sacred, but had not yet taken on the new prestige and authority that comes with established habit of self-government or from the demonstration of evident social and economic advantage to the community. The transition period was a dangerous one for social equilibrium, both in theory and in practice, more in theory than otherwise perhaps, but still heavy with the menace of impending loss.

Bolshevism, *facismo,* syndicalism, direct action by many groups, rich and poor, using violence or corruption or intimidation as occasion offered, were characteristic of the time, and they shook the foundations of the state and the whole structure of the political world. Lenine and Mussolini were symptoms of a

[1] S. Sighele, *Il Nazionalismo,* Cap. IV.

general discontent. Still more significant was the fact that many of these projects were not constructive but destructive. They planned or projected no alternate state, as in the days when democracy was demanded in place of monarchy or aristocracy. They cut the cord of political obligation, leaving to the future the determination of the result to follow in a mass of struggling individual and social interests. Each group hoped and believed that out of its dictatorship would spring the new type of government, and the new forms of political obedience and obligation —after their revolution had shattered the old.

It has been said that the characteristic feature of this recent period was the emphasis on the economic rather than the political aspects of human life, but this is an error, for as already indicated the struggles for democracy had always possessed an economic content. The difference was in the emphasis on democracy in relation to capitalism, industrial democracy, as distinguished from democracy in relation to the ownership of land, seen in the earlier democratic struggles and still evident in many of the more recent revolutions. In each case, however, there was the most intimate relationship between the demand for changes in form of government and the demand for changes in the organization of economic institutions. The programs of the agrarian democracy and those of the urban-industrial were different in form, but they were not different in their essence.

All in all, the problem of this time was not wholly unlike that which has engaged the attention of political philosophers for ages past—the nature and forms of human authority, with the perpetual struggles between the many and the few, the center and the circumference, between equality and justice, between discipline and revolt, between authority and liberty. Equilibrium, obedience, leadership, morale and discipline and dissent were at stake, and the political theories of the day were powerful weapons of offense and defense in the warfare of the time. There is far less variation in the fundamental processes of politics than in their application to time and place given problems. The processes recur; the struggling classes and groups change their color and form as problems change. The theories of this period were chiefly rationalizations of the struggles of various contending individuals and groups for power and prestige, with some anticipations of the scientific control of human behavior. Race

propaganda, nationalistic propaganda, class propaganda, the interested efforts of sundry groups, the necessities of group discipline as a defense against disintegration—these still dominated the political theory of the day.

From arbitrary force to the reign of law, expressed in a rational formula, is a long journey which we have not yet accomplished. From this to the systematic and intelligent ordering of social and political control is still another journey upon which we have not traveled far. The "scientific" is far beyond the "justiciable"; and we have not yet reached the latter.

We may appropriately raise the question, how far and in what directions has the human mind advanced during this period toward the understanding and control of the political forces and the political process? In the movement toward the substitution of rule and order for arbitrary act, we have both gained and lost. In international affairs we have advanced toward a common rule and law, notwithstanding the collapse of the system of world order in the Great War; indeed by reason of that very catastrophe. This is partly because of the great mechanical, industrial and cultural forces impelling us toward interdependence and cooperation, and partly a result of intelligent consideration of the problem of organization. To some extent the rationalizing process has accelerated the movement toward the more effective organization of human interdependency.

Internal order for the time being is perhaps less advanced than half a century ago. This follows because of the sharp division of states into classes whose bitter rivalries defy the formulation of juristic rules. Disputes arise so fundamental as to be scarcely justiciable and certainly not yet adjudicated in the dustrial world. Authority within the state is weaker than it was, and perhaps will be more so, while we search for class compromise or some formula that may effect a new harmony.

Great progress has been made in the general rationalization of the political process during the last half century, through the growth of leisure and the progress of universal and compulsory education. The mass judgment is increasingly informed and sophisticated. It is true that larger proportions of the community now participate in the government and that the problems of state are increasingly complex, but the shortening of the labor day, together with obligatory and universal education,

more than offset this. Leisure and learning, hitherto the property of the few, are now in fuller measure the heritage of the many; and they are the basis of rational government. Thus the material is provided for the intelligent consideration of human conduct—and it is out of such situations that invention and discovery spring, and to which in return response is given.

In the technical study of the political process the human mind has made perceptibly slow progress in the last half century. First of all, we may reckon an increased number of observers and students and somewhat improved facilities for research. Accumulation of historical data, broader observation of political prudence, some advance in the statistical measurement of political phenomena, the beginnings but only the faint beginnings of political psychology, adumbrations of social psychology not yet achieved;—these constitute the advances toward technical knowledge of the political process. These are the signs of dawn, but assuredly they are not the day.

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CHAPTER II

SOME RECENT CRITICS AND EXPONENTS OF THE THEORY OF DEMOCRACY

Malcolm M. Willey.

I. Introduction

For a discussion of the subject of democracy there is perhaps no better sentence to bear in mind at the outset than that of John Locke: "If anyone shall consider the errors and obscurity, the mistakes and confusion that are spread in the world by an ill use of words, he will find some reason to doubt whether language, as it has been employed, has contributed more to the improvement or hindrance of knowledge among mankind."

Democracy, as it is discussed from Plato to the present, appears in retrospect as the Hydra of political science—a many headed concept that so tends to perplex whomsoever approaches it that each challenger, under its awe, describes differently that with which he has been in encounter. There is in consequence no end of confusion in the literature. In part this confusion arises from the fact that as yet no systematic treatment of the philosophy of democracy has been written. The writings of DeTocqueville and Bryce are admirable as descriptions of the actual workings of democratic governments, but they leave almost untouched such important phases of the subject as democracy as a social force, an ethical concept, or a political ideal. Yet, at the same time, special aspects of the problem have been adequately analyzed. Public opinion, the party system, municipal administration, majority rule, democracy and imperialism, democracy and education, democracy and religion, and more recently industrial democracy have all been the objects of study. But this piece-meal approach has not brought a synthesis. Moreover, students have not been at all in agreement

concerning what is meant by the term democracy itself. The writer who bases his study on democracy as a mere form of government will, though he discuss the same phase of the subject, come to conclusions widely divergent from the student who premises his research on democracy as a form of social control. The essential distinction between political, economic and social democracy is far too often ignored. This fact again adds to the bewilderment. And lastly, it is becoming generally recognized that social theories reflect the age in which they are formulated. Consequently as one looks back at the writing on democracy for the past centuries, he must recognize that with changes in the cultural life of mankind there will be variations in the formulation of the theory. Just as the conditions of ancient Greece vary from those of the modern United States, so will the theory of democracy as expounded by Aristotle vary from the theory of democracy as outlined by Giddings or Croly. No end of confusion has resulted from failure to recognize this. Writers who attempt to discuss in relation to problems of today the theory of democracy as stated by the Greeks—or even by Jefferson or Jackson—without regard to changed environmental factors, inevitably end in disorder and chaos, and becloud rather than clarify their problem. Neglect of the fact that democracy is not an ultimate abstraction but bears a direct relation to actual life conditions has been the source of much loose thinking and investigation. These three factors, then, account for some of the difficulties in a consideration of democracy.

There is also another and more subjective element that adds bewilderment. In the western world democracy has become so widely accepted, and so generally a part of the *mores*, that a clear-cut, unimpassioned analysis is difficult. The concept has been wrapped in a cloak of emotion that hides the true features. While the view of Sumner may be somewhat extreme, the point he emphasizes in this matter does undoubtedly have a bearing, and retard the development of a much needed survey of the history and appraisal of democratic theory.[1]

Yet, one fact remains. The democratic movement is spread-

[1] "It is impossible to discuss or criticise it [democracy]. It is glorified for popularity, and is a subject for dithyrambic rhetoric. No one treats it with candor or sincerity. No one dares analyze it as he would aristocracy. He would get no hearing, and only much abuse." *Folkways*, pp. 76-77. This at least suggests why the critics of democracy are for the most part from the continent of Europe.

ing. If one accept for the moment the definition that democracy is "a form of social organization in which the participation of each individual in the various phases of group activity is free from such artificial restrictions as are not indispensable to the most efficient functionings of the group, and in which group policy is ultimately determined by the will of the whole people,"[1] it can be seen that there is, in theory at least, a trend toward this form of social organization. But this is not entirely the consequence of a rational acceptance of the democratic principle; it is not by any means the result of a general conviction that popular government is the ideal form. For it is not at all agreed that democracy in any of its phases is the blessing it is sometimes thought to be. The group of dissenters from democratic philosophy is not negligible. And even those who argue for democracy are forced to admit that its operation is menaced by problems of such a perplexing nature that they threaten the efforts to attain democratically organized states. However, the spread of the democratic movement, coupled with the fact that democracy presents problems of a most profound nature, makes it advisable to survey the analyses that have been made by students of sociology and political science. In the United States the experiment has continued for nearly a hundred and fifty years. This country has been the laboratory of democracy, and if from here nothing else of lasting value has been contributed to the archives of political science, at least there has been radiating from this continent the influence of the serious attempt to achieve a democratically organized form of government. The experiment is unfinished and most of the data are still in unrelated disarray. The time for stock-taking is at hand. "Today, perhaps more than at any time during our life time, we are looking hopefully and fearfully at the whole democratic régime —on the one hand encouraged by a profound belief that a nation, acknowledging the principle that the masses of men should have free opportunity to work out their own destiny,

[1] Harry Elmer Barnes, "An Outline of the History of Democracy," 1918 edition, *Encyclopedia Americana*. This is one of the most concise bibliographical surveys of the development of democracy. Also, C. E. Merriam, *History of American Political Theories*, 1903; *American Political Ideas*, 1865-1917 (1922). Vol. xiv, *Pub. Amer. Sociological Society*, "The Problem of Democracy," contains papers of varying merit. Cf. F. A. Cleveland and Joseph Schafer (editors), *Democracy in Reconstruction*, 1919; Ernest Barker, *Political Thought in England from Herbert Spencer to the Present Day*, 1915; Harry Elmer Barnes, *Sociology and Political Theory*, 1924.

must in the end satisfy the actual needs of men, and not the ambitions of privilege; on the other doubting whether mass government with its heedlessness, wastefulness, incoherence, and absence of foresight can actually maintain itself as a conquering world force." [1]

While it is impossible to classify with any rigidity the writers on the subject of democracy, in a general way they fall under three heads. First are the writers who sing nothing but praise for democracy in theory and practice. A second group comprises those who can see no good in any democratic philosophy, or who see the evils, irremediable, far outweighing the benefits. The third group, and the largest, contains the students who, admitting that democracy in practice is by no means perfect and unaccompanied by problems, still consider it of all forms of government or social organization the most promising and advantageous, and who are hopeful for its improvement.[2]

II. Uncritical Advocates of Democracy

The first group scarcely merits attention. Perhaps it is best typified by writers of the George Bancroft frame of mind, whose faith in democracy constitutes a veritable religion, and who sing its praises blindly. Believing that democracy, as they see it, is the ultimate form of government, and that its operation automatically brings the nearest approximation to societal perfection, they allow their hopes and dreams to overwhelm critical faculties.[3]

Even less worthy of consideration are the works of many writers who flooded the western allied nations during the war period with publications on the subject of democracy. Fired by the enthusiasm of war, writing in undefined terminology, urged by emotion and the zeal of the true propagandist, little or no care was taken to make objective analyses. By them democracy was accepted blindly; it was to sweep the earth; it was an obsession.

[1] Andrew C. McLaughlin, "History and Democracy," *American Historical Review*, vol. xx, 1915, p. 256.

[2] This chapter will be confined to recent critics and exponents of the theory of democracy. The field from Plato down to the middle of the last century has been so completely dealt with elsewhere, and the writings so widely reviewed, that this long period will not be dealt with here. The period covered by this chapter extends, roughly, from 1870 to the present. Further, it is not intended to trace the historical background here for this also has been done adequately in other places.

[3] Cf. George Bancroft, *History of the United States of America*, 1885, vol. i, pp. 1-3, 602-613.

The movement in this country for *Americanization*, in the popular sense, had its roots in this hysterical war clamor. Patriotic rather than scientific, this vast literature is passed here as having no place in a critical survey of analyses of the democratic movement.

III. Antagonists of Democratic Theory

To most of the irreconcilable critics of democracy, democracy is regarded as a form of the government, or as a form of the state. The danger of such a narrow conception has been lucidly demonstrated by Professor Giddings[1] who argues that democracy may be either a form of the government, a form of the state, a form of society, or a combination of all three.[2] It is failure to understand democracy in its wider meaning, as a form of society, and also that there is an interacting process, that leads to many of the really untenable charges of its critics.

These attacks on the theory are variations, in general, of two major criticisms: (1) that democracy is inherently fragile; (2) that democracy is inevitably the rule of the incompetent and untrained. Corollary to this latter is the idea that all social progress comes from aristocracy — the Straussian doctrine that History is a sound Aristocrat.

Sir Henry S. Maine has made one of the most penetrating assaults upon the accepted democratic position.[3] With an essentially conservative background, and legal training, it was almost inevitable that Maine should hold aristocracy to be the mother of all progress. Maine states at the outset that he is considering democracy as a form of government.[4] He attacks the common assumption that democracy is the most stable of all governmental forms, and by reviewing history seeks to show the instability of popular governments.[5] "Experience," he concludes, "rather tends to show that it [popular government] is characterized by great fragility, and that since its appearance, all forms of government have become more insecure than they were before."[6] The explanation of this is in the growth of

[1] F. H. Giddings, *Democracy and Empire*, 1901, pp. 199-214; especially pages 204-5; cf. *Elements of Sociology*, 314-15.
[2] *Elements*, pp. 314-15.
[3] Henry S. Maine, *Popular Government*, 1886.
[4] *Op. cit.*, pp. 6, 59, 76.
[5] *Ibid.*, pp. 8-21.
[6] *Ibid.*, p. 20.

imperialism and radicalism (extension of political power), two inconsistent doctrines, between which there arises a conflict. The doctrine of liberty being irreconcilable with that of equality again adds to the democratic weakness and paves the way for the domination and operations of wire-pullers.[1] Popular government, moreover, is antagonistic to liberalism, and universal suffrage would have blocked most of the world's advance because it stereotypes opinion and will not admit what is new.[2] With popular government leadership declines because leaders listen to the unintelligent masses, and thus descend to the dead level of commonplace opinion. Democracy being the government of the state by the Many, it assumes that Demos makes up its mind in the same manner as an individual, but this assumption, Maine contends, is false, for Demos merely accepts the opinions given it by leaders who cater to the level of mass intelligence.[3] All that makes for greatness, Maine holds comes from a minority.[4] In view of these weaknesses, democracy is kept alive only by the aid of two forces: party government, which Maine holds consists "in half the cleverest men in the country taking pains to prevent the other half from governing;"[5] and corruption and generality.[6] In the United States, which is no exception to the generalization, success has come because, while the government is popular it is not democratic, but operates with checks and constitutional provisions.[7]

But Maine is alone in his contentions. Faguet,[8] Cram,[9] Lecky,[10] LeBon,[11] Mallock,[12] Stephen,[13] the German philosophers Nietzsche and Treitschke, Woods,[14] Hasbach,[15] Ludovici,[16]

[1] *Ibid.*, pp. 23-30.
[2] It is interesting to notice that Maine employs the same figure of speech used so effectively more recently by Walter Lippmann.
[3] *Ibid.*, pp. 88-89.
[4] *Ibid.*, pp. 97-98.
[5] *Ibid.*, p. 99.
[6] *Ibid.*, pp. 102-107.
[7] *Ibid.*, Essay iv, "The Constitution of the United States."
[8] Emile Faguet, *The Cult of Incompetence*, 1911; *The Dread of Responsibility*, 1914.
[9] Ralph Adams Cram, *The Nemesis of Mediocrity*, 1917.
[10] William E. H. Lecky, *Democracy and Liberty*, 1899.
[11] Gustave LeBon, *The Crowd*, 1896; *The Psychology of Socialism*, Paris, 1898 (translated, New York, 1899); *La psychologie de l'education*, 1904; *The Psychology of Revolution*, Paris, 1912 (translated, New York, 1913).
[12] William H. Mallock, *Aristocracy and Evolution*, 1898; *The Limits of Pure Democracy*, 1918.
[13] J. F. Stephen, *Liberty, Equality, Fraternity*, 1873.
[14] J. A. Woods, *Democracy and the Will to Power*, 1922.
[15] William Hasbach, *Die moderne Democratie, eine politische Beschreibung*, Jena, 1912.
[16] Anthony M. Ludovici, *A Defense of Aristocracy: A Text Book for Tories*, 1915.

Michels,[1] Carlyle,[2] Grant,[3] Stoddard,[4] and Ireland[5] vigorously attack the democratic theory in one phase or another, although it must be admitted that they constitute a minority of sociologists and political scientists.

Of this entire group Lecky gives the most systematic treatment, concerning himself with the relation between democracy and liberty. He dissents from the doctrines of Rousseau and the advocates of absolute equality.[6] The basic question to Lecky, who considers democracy as a form of the state, is whether government is to be by ignorance or intelligence.[7] He assumes that a decision upon the basis of a popular vote is ultimately the rule of ignorance, and quotes Maine with approval in substantiating his argument that history shows intelligence resides with the few, and not with the many.[8] Where ignorance rules, liberty is curtailed. Whatever success democracy may have had in the United States is the result of fortunate conditions, and not inherent in democracy.[9] Many of the causes of American governmental vices are traceable to the democratic form of the state. The greater part of Lecky's two volumes is given to illustrative data designed to prove that democracy instead of extending liberty actually curtails it through restrictive legislation. He cites confiscation of Irish land by the act of 1881, Sunday legislation, gambling legislation, regulatory marriage laws, socialistic tendencies, labor bills, factory laws, and the advocacy of woman suffrage as examples of popular restriction of individual liberties, and increasing popular domination.[10]

A French student, Emile Faguet, carries the doctrine of democracy as hopeless rule of ignorance to its extremes, and makes democracy synonymous with incompetence. Democracy, he maintains, obstructs all specialization, which is contrary to the known fact that that country "stands highest in the scale,

[1] Robert Michels, *Political Parties*, 1915.
[2] Thomas Carlyle, *Heroes and Hero Worship*, 1885.
[3] Madison Grant, *The Passing of the Great Race*, 1918.
[4] T. L. Stoddard, *The Rising Tide of Color against White World Supremacy*, 1920; *The Revolt Against Civilization*, 1922.
[5] Alleyne Ireland, *Democracy and the Human Equation*, 1921; cf. Popenoe and Johnson, *Applied Eugenics*, 1918.
[6] *Op. cit.*, vol. I, pp. 12 ff.
[7] *Ibid.*, p. 25.
[8] *Ibid.*, p. 26.
[9] *Ibid.*, pp. 34-85.
[10] Professor Giddings rather effectively met Lecky's argument by pointing out (1) that he errs in limiting his concept of democracy to a "form of the state" and (2) by omitting a discussion of mass deference to leadership. Giddings, *Democracy and Empire*, pp. 199-214. Cf. Wilhelm Hasbach, *op. cit.*, where it is argued that democracy is the unfree state, constitutional monarchy, the free.

where the division of labor is greatest, where specialization is most definite, and where the distribution of functions according to efficiency is most carried out."[1] Aiming to elect to office the mentally incompetent, representatives who are replicas of mass mediocrity, seeking always to level down, trying to do everything itself rather than rely on experts, driving the efficient into other spheres of activity, democracy becomes a great and meddlesome organ of mediocrity, dealing in hand to mouth legislation, living only in the present, and utterly destructive of the slightest superior ability.[2] Government officials instead of serving the public wisely make of themselves the incompetents that mass desires demand, and this official incompetence permeates all branches of the government, though especially showing itself in the judiciary. Eventually the entire life of the people becomes contaminated.[3] The blame for this Faguet places in part upon the school systems which standardize because they are dominated by the democratic philosophy of absolute equality.[4] The extension of democratic crudity is shown in the decline of manners in democracies, an inevitable consequence of the clamoring for equality. "Rudeness is democratic."[5] His solution, Faguet himself labels "A Dream."[6] He pleads for a social state in which aristocracy will be recognized, and in which this aristocracy of talent will work for the good of the people.

The factor of leadership in a democracy has been widely considered, but there are those who maintain, as does Faguet, that with democracy the leaders inevitably become of lower caliber. Ralph Adams Cram surveys history to find that in religion, art, education, and government modern leaders are not comparable to those of earlier times. He recognizes that people always will have leaders, but now they are picking inferior types of men. "Democracy has achieved its perfect work and has now reduced all mankind to a dead level of incapacity where great leaders are no longer wanted or brought into existence, while society is unable, of its own power as a whole, to lift itself from the nadir of its own uniformity."[7] Cram pictures true democracy as a form of society where privilege is abolished, equality of oppor-

[1] *The Cult of Incompetence*, p. 17; democracy he considers as a form of the state.
[2] *Ibid.*, Chs. i-iii.
[3] *Ibid.*, Ch. vii; cf. *The Dread of Responsibility.*
[4] *The Cult of Incompetence*, p. 145.
[5] *Ibid.*, p. 161.
[6] *Ibid.*, Ch. xii.
[7] *The Nemesis of Mediocrity*, p. 22.

tunity established, and ability recognized—all of which democracy as it is now known has failed utterly to achieve.[1] Like Faguet he blames the educational system,[2] but more especially mongrelization in consequence of racial mixture, continuation of which for a generation or two he predicts will bring the end of culture and civilization.[3]

The assailants of democracy never fail to indicate that in an era of growing social complexity the need for special knowledge is requisite for the successful control of government, and it is their contention that democracy by its worship of the average, or the masses, and its insistence upon the equality of all men, makes such deference to the specialist impossible. In addition to those considered already, Gustave LeBon, J. F. Stephen, Carlyle, and in some respects, Wells, are of this view. It is denied by no one that there is a growing diversity in organized social life; but there is difference of opinion as to whether or not democracy and its methods can cope with this cultural complexity. The theorists who hold democracy to be a mere form of government, or form of the state, agree generally that it cannot; for they consider the intricacies beyond the comprehension of the masses. To them democracy means the rule of the people, and they argue the incapacity of the people to deal with the vast problems of modern complex society. To the writers to whom democracy has a wider meaning and is interpreted as a social ideal, and to whom mass deference to leadership is essential, the problem does not seem so hopeless.

LeBon is of the former group. Contending that nature knows no such thing as natural equality, which he sees as the basis of popular government, he argues that progress is a function of aristocracy,[4] for advance in all things has come through differentiation. Even where there is political equality, its significance is crushed because of social distinctions.[5] Until the laws of heredity equalize men, democratic doctrines will remain mere words.[6]

This is the inevitable fact, says LeBon, and that the multitudes can have the capacity to select capable officers is a shocking idea. Crowds, and LeBon identifies *crowds* and *masses*,

[1] *The Nemesis of Mediocrity*, p. 26. [2] *Ibid.*, p. 32. [3] *Ibid.*, p. 39.
[4] *The Psychology of Revolution*, pp. 296 ff.
[5] *Ibid.*, p. 303. [6] *Ibid.*, p. 296.

have only the opinion of their leaders, and hence countries are only apparently governed by universal suffrage at best.[1] LeBon has analyzed in detail the phenomena of crowd behavior, showing its essentially unconscious motivation, which analysis he draws upon in his attacks upon democracy.[2]

Like LeBon and others of this group, H. G. Wells stands for the trained man, and attacks the present electoral systems as devices designed to give power to skilful electioneers.[3]

This whole point of view is expounded in detail by Mallock[4] who in considering what is meant by *general will*,[5] which underlies concepts of democracy, concludes that such, strictly speaking, cannot be said to exist, for there are but few questions upon which unanimity of thought can prevail. Most of the problems of modern governments are composite and complex, and have to be dealt with by the few, who later mould the vague feelings of the many who have not the equipment, facts, or time to deal directly with the problems themselves. The oligarchy is essential. Mallock's conclusion is that democracy alone can never exist, and that to talk of democracy as the sole factor in government is inconceivable because it is always coupled with another principle, oligarchy. Neither of these two alone gives government. There must be the combination. Democracy and oligarchy are to government, to use Mallock's own example, as chlorine and sodium are to table salt.[6]

Another staunch defender of aristocratic principles is Anthony M. Ludovici whose thesis is that democracy means death, and aristocracy life. Since men are born with unequal abilities, with all kinds of distinctions between them, the wisest régime becomes that in which such inequality is not ignored, but is actually exploited and turned to best advantage.[7] Democracy, he insists, opposes this by asking that untrained voters raise their voices as high as those of the profound students.[8]

[1] *The Psychology of Revolution*, pp. 307 ff.
[2] Cf. *The Crowd*; also, Scipio Sighele, *La folla delinquente*.
[3] *Anticipations of the Reaction of Mechanical and Scientific Progress upon Human Life and Thought*, 1904, p. 58.
[4] *The Limits of Pure Democracy*, pp. 1-46.
[5] Defined by him as "the sum of the spontaneous and identical judgments of all." *Op. cit.*, p. 375.
[6] *Ibid.*, p. 392.
[7] *Op. cit.*, p. 15.
[8] *Ibid.*, p. 89: "Democracy means admitting into the deliberations concerning life one, or many, who can be right about life only by a fluke, only by the merest accident, and who could no more be expected to voice the likes and dislikes of healthy permanent life, than a kangaroo could be expected to go foraging for pheasants," p. 251.

A slightly different although effective objection to democracy is raised by Michels, whose analysis of political parties is of the utmost importance. Michels argues that democracy is impossible without organization, but this fact at the very outset endangers the democratic principle by introducing oligarchy. His approach is thus suggestive of Mallock. With masses of men, direct government is impossible, for great numbers cannot successfully deliberate together without chiefs or leaders of some kind. This involves and introduces organization, and with growth in complexity of society, necessitating further complexity of organization and specialization, the leaders assume more and more control while the populace becomes further removed from them. This leads to bureaucracy, and the decline of democracy. Neither can representative democracy succeed, for with highly heterogeneous society strict representation of all interests is impossible.[1] Once in a position of leadership, the leader for his own ends plays upon the masses whose general disinterestedness and readiness to succumb to crowd conditions make their manipulation possible. As the bureaucracy grows, the leaders become more autocratic, and this domination is increased through nepotism and control of the press.[2] This, in turn, makes for arrogance and vanity of those in control and increases their ambition for domination and enlargement of power.[3] The democratic system is eventually reduced to the right of the masses at occasional intervals to choose the masters to whom they will give unconditional obedience until the next opportunity for such expression of choice.[4] The referendum and syndicalism, devices designed to restrict the influence of leaders, are really incapable of doing so.[5] Michels, like Pareto, Taine and Gumplowicz, realizes the necessity of leaders in society, but sees the tendency of leadership to degenerate into oligarchy. One dominant class, he holds, inevitably succeeds another. "Thus the majority of human beings, in a condition of eternal tutelage, are predestined by tragic necessity to submit to the dominion of a small minority, and must be content to constitute the pedestal of an oligarchy."[6] Perhaps Michels is not rightly included in the group of uncompromising opponents of democracy, for he does admit that it is the social system

[1] Michels, *Op. cit.*, pp. 1-40. [2] *Ibid.*, pp. 93-185. [3] *Ibid.*, pp. 205-234.
[4] *Ibid.*, p. 222. [5] *Ibid.*, pp. 333-365. [6] *Ibid.*, p. 390.

of least evils. But his rather hopeless view leads to discussion of him here.

The writers whose theories have been discussed are not alone in pointing out democratic shortcomings. Nearly all of the advocates of democracy in one form or another, admit stupendous problems, and repeatedly call attention to them. It is in the possibility of finding a remedy that the group just considered differs from the group soon to be taken up. The former see democracy already as a complete failure, or its future hopeless. The latter recognize all dangers but are insistent that, evils though there may be, democracy is preferable to any other form of government, state, or social organization, and that the problems are capable of solution. But before considering these exponents of democracy, it is necessary to touch upon the studies of the differential biologists and psychologists, whose work has a direct bearing upon social theory. Without an appreciation of it, no sound appraisal of the theory of democracy can be undertaken.

IV. Differential Biology and Psychology

The problem of the biologist and the psychologist as it bears upon democratic theory is dual: (1) a consideration of the inherent differences, physical and mental, between races of mankind; (2) the inherent differences, physical and mental, between individuals of the same race.[1] The doctrines of racial superiority date back to early times, although Ammon, Lapouge, Gobineau, and H. S. Chamberlain have been the dominant influences in shaping the most modern work in this field.[2] Madison Grant,[3]

[1] No attempt is to be made here to cover completely the sources on this phase of the subject, which is a study in itself. Certain outstanding sources will be suggested as a means of indicating the relation of the work of the psychologists and biologists to the immediate problems of democracy. Cf. Harry E. Barnes, "Sociology and Political Theory," *Amer. Pol. Science Review*, vol. xv, No. 4, 1921, pp. 503-505; also his *Sociology and Political Theory*, pp. 59-64.

[2] Otto Ammon, *L'ordre sociale et ses bases naturelles* (tr. from German, 1911).
Vacher de La Pouge, *Les selections sociales*, 1896.
Joseph Arthur Gobineau, *The Inequality of the Human Races*, 1854.
H. S. Chamberlain, *The Foundations of the Nineteenth Century* (tr. from the German, 1911).
Wilhelm Schallmayer, *Vererbung und Auslese im Lebenslauf der Völker*, 1903.
Cf. W. Z. Ripley, *Races of Europe*, 1899; Roland B. Dixon, *Racial History of Mankind*, 1923; Clark Wissler, *Man and Culture*, 1923; W. Bateson, *Biological Fact and the Structure of Society*, 1912; *The Evolution of Man*, 1922, Chs. v and vi. A. G. Keller, *Societal Selection;* S. J. Holmes, *The Trend of the Race*, 1921; E. G. Conklin, *The Direction of Human Evolution*, 1921.

[3] *Op cit.*

William McDougall,[1] T. L. Stoddard,[2] and Cram,[3] have been especially vehement in expounding the doctrine of racial superiority, while Galton,[4] Pearson,[5] and Davenport[6] have proceeded somewhat more carefully in their analyses of the problem. In the works of these writers the assumption is made that progress in civilization has been in consequence of superior racial stock, and that whatever impairs this stock thereby strikes at the roots of civilization. Thus McDougall[7] maintains that decline in civilization is the result of inadequacies, largely biological, of the people who are the bearers of it. Races vary in the same manner as individuals. Similarly Grant sees the Nordic race as superior, although tending at present toward destruction through the ravages of war, alcohol, disease and race suicide. In America unrestricted immigration hastens the process.[8]

Carl C. Brigham, another of this group, seeks to use the intelligence tests to study racial differences, and finds the results of his applications of them supporting Grant's theories of Nordic superiority.[9] He urges selective and restrictive immigration into the United States as one step toward preventing a decline of American intelligence through race admixture.

The antagonism of the racial superiority theorists with democratic philosophy is clear. Since democracy is based upon doctrines of equality it does not look sufficiently askance at race mixture, which to these writers is a blending of superior and inferior stocks in many instances.

The entire position has been attacked penetratingly by the American group of anthropologists, under Franz Boas. Boas[10] shows how fragile is the evidence now presented by those maintaining doctrines of racial superiority, and how carefully their methodology must be scrutinized before their conclusions can be allowed. At present their position is untenable upon the basis of the evidence they have to offer. To Boas, historico-cultural factors are basic in the seeming inequality of different groups of man. Kroeber, Ogburn, Lowie, and Goldenweiser

[1] *Is America Safe for Democracy?* 1921; *The Group Mind*, 1920.
[2] *Op. cit.* [3] *Op. cit.* [4] Francis Galton, *Hereditary Genius.*
[5] Karl Pearson, *National Life from the Standpoint of Science*, 1901; and publications of the Galton Laboratory for National Eugenics.
[6] C. B. Davenport, *Heredity in Relation to Eugenics*, 1911.
[7] *Is America Safe for Democracy?* pp. 7-12; pp. 160 ff.
[8] *Op. cit.*, pp. 227-28.
[9] Carl C. Brigham, *A Study of American Intelligence*, 1923, p. 182.
[10] *The Mind of Primitive Man*, 1911.

have all emphasized cultural rather than biological factors in explaining race differentiations, and have succeeded in casting almost complete doubt as to the validity of the racial difference theories.[1]

While there is this marked disagreement upon the subject of the nature of the differences between races, whether they are biological or cultural, there is universal agreement that differences do exist between individuals of the same racial group. Galton, Bateson, Pearson, Conklin and Davenport have demonstrated the variation in human traits and the need for care in mating. The entire eugenist program grows from a recognition of such variation. Through the operation of heredity, it is held, a crossing of physically or mentally inferior individuals will degrade the social stock. To the extent that the democratic theory of equality interferes with putting into operation a program of intelligent mating, it is to be opposed.

A. A. Tenney has surveyed the literature dealing with biological aspects of democracy, and he discovers no inherent antagonism between biological facts and democratic theory,[2] while Bateson finds biological doctrine and the equality doctrines of democracy in opposition, and sees a remedy in a modified form of socialism.[3] Alleyne Ireland has attempted to bring the data together,[4] and considers that because of hereditary inequalities those people are governed best where the masses have the least control. Progress comes only with accumulated expert knowledge and firm leadership, which fact is neglected in politics where it is assumed in practice that any man can fill any position. To Ireland the facts in the case against democracy are

[1] A. L. Kroeber, "The Superorganic," *American Anthropologist*, n. s. vol. xix, 1917, pp. 163-213; *Anthropology*, 1923, chs. iii-iv.
William F. Ogburn, *Social Change*, 1922.
Robert Lowie, *Culture and Ethnology*, 1917; *Primitive Society*, 1920.
A. A. Goldenweiser, *Early Civilization*, 1922.
A fairly complete bibliography on this subject will be found in the *American Journal of Sociology*, September, 1923, "The Cultural Approach to Sociology," Melville J. Herskovits and Malcolm M. Willey. Further important material is contained in Julius Drachsler's *Democracy and Assimilation*, and in his *Intermarriage in New York City: a Statistical Study of the Amalgamation of European Peoples*, 1919, which aim to provide the basis for a program of assimilation. Cf. Jerome Dowd, "Race Segregation in a World of Democracy," *Pub. Amer. Soc. Society*, vol. xiv, pp. 189-202, where a policy of restricted immigration is advocated; also, Melville J. Herskovits, "What Is a Race?" *The American Mercury*, June, 1924; and R. H. Lowie, "Psychology, Anthropology, and Race," *American Anthropologist*, July-September, 1923.

[2] Alvan A. Tenney, *Social Democracy and Population*, 1907.

[3] *Op. cit.*

[4] *The Journal of Heredity*, vol. ix, December, 1918; vol. x, November, 1919.

(1) non-inheritance of acquired characteristics, making education of no lasting good; (2) the inheritance of mental and moral traits, and the doctrine of mental levels; (3) assortative mating, which depresses one end of the mental-moral scale and raises the other; (4) the fact that the individual, not the masses, is the source of progress. Taking the opposite stand from Tenney, Ireland finds democracy and biology incompatible. Grant and Prescott Hall endorse this view, while O. F. Cook, R. C. Cook and Conklin, while admitting the biological basis of Ireland's argument, dissent from the conclusions drawn therefrom.[1] To Conklin,[2] democracy recognizes the biological facts, and is the system that attempts in the light of them to equalize opportunities in society. Democracy does not mean biological equality, but the right of all citizens to be rated according to their merits.[3]

Differential psychology utterly blasts the hopes of the older equality theorists. The theory of mental levels[4] set forth by psychologists posits that in the growth of the brain and the nervous system, deviations develop, and are symmetrically distributed in the case of group measurements. The degree of mental development of an individual, regardless of chronological age, can be measured by various tests, on the basis of which the population can be classified, and mental levels established. Results of such testing in the United States army show, according to the published figures, that about 4½% of the draftees were of superior intelligence; 30% above average intelligence; and the remainder merely average or below average. The numbers tested in the army are assumed to be a fair sample of the population at large. Considering average intelligence as approximately a thirteen year old mentality, the problem of democracy in a complex civilization becomes gigantic if the masses actually are to rule. The significance of the results obviously rests on

[1] *The Journal of Heredity*, vol. x, April, 1919.
[2] *The Direction of Human Evolution*, pp. 100 ff.
[3] *Ibid.*, p. 133.
[4] H. H. Goddard, *Human Efficiency and Levels of Intelligence*, 1922.
J. P. Lichtenberger, *Pub. Amer. Soc. Society*, vol. xv, pp. 102-115, "The Social Significance of Mental Levels."
L. M. Terman, *The Measurement of Intelligence*, 1916; *The Intelligence of School Children*, 1919.
C. S. Yoakum and R. M. Yerkes, *Army Mental Tests*, 1920; a vastly extended account of the army testing has been published as a Memoir of the National Academy of Sciences.
Carl C. Brigham, *Op. cit.*

this last point. If, as Faguet, LeBon, Ireland and Cram maintain, democracy does mean the rule of the masses, then the problem is acute. If, on the other hand, as is maintained by Giddings, Conklin, Cooley, Goddard and others, the masses are ever willing or can be taught to defer to the leadership of the extremely capable 4½%, and the 30% above the average, then there is hope for a democratic-aristocracy that will make for societal welfare.[1]

While the data on this whole subject are still in the period of accumulation, the significance is unquestioned, and the bearing of the ultimate findings upon the doctrine of democracy will be of the utmost importance. Perhaps it is yet too soon to pass judgment [2] but it is safe even now to indicate that this psycho-biological material is giving sociology and political science a firmer basis for their inductions, and will enable these sciences to rely less on speculation and more upon the solid ground of objective fact in their analyses of democracy.

V. The Exponents of Democracy

The writers who may be termed exponents of democracy, although they differ in many details, are agreed on the whole that democracy is something more than a form of the state, and to conceive it solely in terms of popular suffrage or mass rule is to err egregiously. There are a few outstanding exceptions to this. Bryce and Dicey follow the definition of Austin, and adhere to the idea that democracy is a form of government—"any government in which the governing body is a comparatively large fraction of the entire nation." [3] And Godkin makes democracy the rule of all, "the participation of the whole community in the work of government."

[1] Goddard, *op. cit.*, ch. iv. The entire position of the mental testers has been attacked by Walter Lippmann, and defended by Terman and E. G. Boring and others in the pages of the *New Republic*. The volumes for 1922 and 1923 are full of correspondence and articles touching this matter. It is Lippmann's contention that the tests are arbitrary, the mental classes or levels established equally arbitrary, and that, after all, there is no certainty that it is intelligence, whatever that may be, that is actually being measured. Cf. *The New Republic*, vols. xxxii and xxxiii.

[2] Professor F. H. Hankins is now engaged in analyzing with great care the social significance of this biological-psychological material. See *infra*, ch. xiii.

[3] John Austin, *A Plea for the Constitution*, 1859; cf. Bryce, *Modern Democracies*, vol. i, pp. 23-26; A. V. Dicey, *Law and Opinion in England*, 1905, p. lxii, p. 50, p. 52; E. L. Godkin, *Problems of Modern Democracy*, 1896, p. 238, and *Unforeseen Tendencies of Democracy*, 1898, pp. 28-47; W. G. Sumner, *The Challenge of Facts, and Other Essays*, 1914, pp. 221 ff., pp. 241 ff.

But to most of this group democracy means more than this; the concept is broadened to include not only the form of government, or the form of the state, but the form of society as well. It is even conceived of as an ideal, or spirit. To this extent the formalistic definitions of the past give way to dynamic conceptions. Such writers as Conklin, Giddings, Cooley, Croly, Weyl, Hobson, Small, Dewey, McLaughlin, Ellwood, Mecklin, Hobhouse, Barnes, Addams, J. H. Robinson, Sims, Tenney, Tufts, Willoughby, and A. L. Lowell regard democracy in some wider scope. With the extension of the concept, the old egalitarian doctrines are discarded. Accepting the findings of differential psychology and granting the obvious variations in human ability, the term equality is interpreted to mean equality of opportunity, or in the phraseology of Lowell, democracy becomes that form of society in which every man has a chance and knows he has it.[1]

These writers do not deny the existing shortcomings of democracy; they have persistently pointed to them. And in this no one has been more active than Viscount Bryce. Bryce stands as one of the greatest champions of democracy, and its most sympathetic critic. His two monumental works [2] are indispensable to political scientists, even though they omit consideration of important social phases of the problem, tend to dismiss without proper weight the growth of self-conscious groups within society, and underestimate the true signifiance of industrial democracy and the trend in that direction. To Bryce democracy is the rule of the people expressing their sovereign will through their votes.[3] Ultimately this reduces itself to the rule of the majority.[4] Bryce carefully points out that "the people" has been a varying term, and that by extension it has come to mean something vastly different from what it meant to Aristotle, or even Lincoln. This extension, Bryce shows, came gradually, not in response to abstract principles, but in the attempt to meet specific ills and the pressures of immediate grievances.[5] The justification for democracy Bryce finds in the concept of relativity, for excellences or defects can be seen only

[1] James Russell Lowell, *Democracy and Other Essays*, 1887, p. 37.
[2] *The American Commonwealth*, 1893; *Modern Democracies*, 1921.
[3] *Modern Democracies*, vol. i, p. viii.
[4] *Ibid.*, p. 20.
[5] *Ibid.*, p. 46. Cf. Giddings, *Principles of Sociology*, pp. 345 ff., as showing how suffrage has been extended.

by comparison.[1] The test of governments is the welfare of the people, and that form of government is to be preferred which gives human tendencies the fullest scope and most constant stimulation. The standard by which to measure the merit of a form of government is the adequacy with which it performs the chief functions of government, the protection from internal and external enemies, the securing of justice, efficient administration of common affairs, and the bestowal of aid to individual citizens in their several occupations.[2] History shows that these functions can be carried out by democracies as well as by any other form of government. In addition to this, democracy stimulates to self-education, for participation in governmental activities opens wider horizons for the individual, and leads to broadened interests. This participation by the people is not actual rule by them, for the people rather determine the ends toward which their government shall aim, and watch over those into whose hands they have placed the actual power of administration.[3] While democracy may not have led to world brotherhood, has not brought fraternity, has not drafted the best trained minds to state service, or dignified and purified politics, in comparison with governments of the past it has justified itself. Things may be bad today, but they were worse yesterday.[4]

Of the existing evils Bryce enumerates six outstanding ones: the power of money interests to pervert administration or legislation; the tendency to allow politics to become a trade, entered for gain and not for service; extravagance; the failure to evaluate properly the skilled man, and to abuse the doctrine of equality; party politics; and the tendency of politicians to "play" for votes.[5] But, as Bryce points out, the first three of these are no more chargeable to democracy than to any other form of government, and while the last three are associated more closely with it, they are not insurmountable evils. Democracy has closed some of the old channels of evil; it has opened some new ones; but it has not increased the stream.[6]

Democracy must also face self-interest and irresponsibility of

[1] *Modern Democracies*, vol. ii, p. 535. [2] *Ibid.*, vol. ii, p. 577.
[3] *Ibid.*, vol. 1, pp. 161-169; vol. ii, p. 580.
[4] Ibid., vol. ii, pp. 583 ff.; cf. T. J. Shotwell, *Pol. Sci. Quart.*, vol. xxxvi, 1921, "Democracy and Political Morality" where he argues that practices today do not seem as corrupt as formerly; and that protection against corruption is the experience which can be gained by a widening of democratic control. Also see his *Intelligence and Politics*, 1921.
[5] *Ibid.*, vol. ii, ch. lxviii.
[6] *Ibid.*, vol. ii, p. 459.

power, both of which underlie its major problems. In its fight against these democracy has two powerful weapons, law and opinion; and in the latter, democracy has a safeguard that citizens of no other governments have.[1] In spite of criticism against it, democracy tends to spread; more and more power is being conferred upon the people, as shown by the growth of the initiative, referendum and recall, and the direct elections. At the same time a steady urbanization in the large democracies complicates the problem, to which is added the development of labor groups and ideas of proletariat dictatorship, which Bryce looks upon without favor, and dismisses with insufficient appreciation. But these factors are not the result of democracy; they grow because of existing conditions and democracy has simply failed to prevent them.[2] The question of the permanence of democracy is centered in the problem whether man is increasing in wisdom, for while no government gives so much to the citizen as does a democracy, at the same time no government demands so much.[3] Democracy will never perish as long as there is Hope.

Many of the criticisms of democracy in operation that have been described by Bryce have been analyzed in great detail by other writers. The evils of political parties[4] have been treated most fully by Ostrogorski, who gives a gloomy picture of the part played by them in government.[5] It is to the inadequacy of the party system that he traces the degradation of legislatures, the corruption of state and city administration, the lack of public responsibility, and inadequate leadership. Parties, Ostrogorski shows, especially distort public opinion so that their own ends rather than social welfare may be achieved, and in this the money interests are usually dominant. Parties thus become levers for private interests. This state of affairs can exist because of the general subordination of politics to money making, the general toleration of corruption so long as it involves no direct personal loss, and the deadening of sensibilities through crass materialism. Only unbounded resources have kept the United States from destruction. There is hope, however, for a

[1] *Modern Democracies*, vol. ii, pp. 485-88.
[2] *Ibid.*, vol. ii, ch. lxxviii.
[3] *Ibid.*, vol. ii, pp. 606-607.
[4] Bryce, *The American Commonwealth*, vol. ii, Part iii, pp. 3-237; *Modern Democracies*, vol. i, chs. xi, xxx, xxxiv; vol. ii, chs. xl, xlix, and Part iii.
[5] M. Ostrogorski, *Democracy and the Organization of Political Parties*, 2 vols., 1903; abridged in *Democracy and the Party System*, 1910.

better working of popular government for the public conscience is awakening, party ties are loosening, and voting is becoming more enlightened.[1] It is the party system, a tool for use in the days before real democracy and carried over to a period in which it is not adapted, that has brought the miscarriage of democratic principles. This does not mean democracy is to be condemned for there are remedies. For the party system Ostrogorski would substitute temporary organizations, formed for achieving particular ends and to be dissolved when the ends are attained. In this manner he believes independence of mind would be created, formalism which now characterizes parties would disappear, free opinion would form and be expressed, and the mechanistic characteristics of government would be destroyed.[2]

Miss Follett,[3] who conceives democracy as a spiritual ideal, like Ostrogorski, sees its attainment impossible with the present political organization. She would establish a group principle upon which government would function, believing that in this way the true interests of the individual could gain expression, which is impossible under the present and illogical system of basing representation solely upon territory.

Following Ostrogorski, Sumner, Weyl, Croly, Nearing, Lippman, Follette, Godkin, Sims, F. C. Howe and others see the danger to political society that lies in the domination of great economic groups to whom party machines are tools for personal gain. But that this is inherently associated with democratic principles as they define them, or that these same evils are peculiar to democratic régimes is not conceded by them. Defenders of democracy constantly argue that the problems which are attributed to democracy are found with equal or greater frequency in all other forms of government.[4]

Thus F. C. Howe has especially emphasized that the control of privilege over politics, the press, and education is democracy's most pressing problem. To him, the political state is now a tool of private interests and is little concerned with group welfare.[5] But these evils are not attributable to democracy but

[1] *Democracy and the Organization of Political Parties*, vol. ii, Part. v, ch. 10.
[2] *Ibid.*, Part vi.
[3] M. P. Follett, *The New State*, 1918; *Creative Experience*, 1924.
[4] See W. R. Thayer, *Democracy: Discipline: Peace*, 1919. The same view is also taken by Viscount Morley, *Notes in Politics and History*, 1914, pp. 44-5.
[5] *Revolution and Democracy*, pp. 103 ff.

to the operation of privilege within democracy, and by organization they can be met by the people, as the example of Denmark has shown.[1]

Godkin ascribes many of the evils now experienced in countries attempting the democratic experiment to changed external conditions. Early democracies were small in size, and had not such problems as are faced by the modern territorial state.[2] Conditions are not static, a fact many theorists overlook in their discussions, and which leads them to assume that the form of government is the cause of maladjustments actually due to other factors. Godkin severely criticizes Maine for his failure to realize that more than one cause is shaping existing conditions.[3] Writers who make this error, he says, argue their case on the basis of older theorists who did not foresee any growth in the size of electorates, the rise of bosses, growth of corporation influence, the possibility of decline in legislatures, or the transfer of government into the hands of less wealthy classes. These are the evils democracy confronts, but it is probable that they are to be explained by environmental conditions.[4] Godkin's position is that while the critics may possibly be correct in their attacks upon democracy, they have not conclusively shown that other factors are not operating.

This is the answer, too, of Cooley,[5] another of democracy's staunch champions, to those who attribute modern disorder solely to the attempts to democratize society. A period of transition such as is now being experienced brings many disorders, but *transition* and *democracy* must not be confused. Thus in the United States at the present time there is a clamoring for diffusion, a rapid assimilation of races and cultures, and a predominant spirit of commercialism. This, and not any inherent defect in democracy, is what causes the fears of those who fol-

[1] *The City: The Hope of Democracy*, 1906; *Denmark: A Cooperative Commonwealth*, 1921.

[2] *Unforeseen Tendencies*, introduction, pp. 35-36.

[3] *Problems of Modern Democracy*, pp. 1-68, especially 23 ff. *Cf.* John Bascom, "The Alleged Failure of Democracy," *Yale Review*, vol. ix, 1900. Bascom contends that the evils enumerated by Lecky and W. S. Lilly merely accompany democracy and are not caused by it. Democracy is to be defended because it, more than any other form of government, is least likely to subordinate the interests of the group as a whole to interests of a part of the group.

[4] *Ibid.*, p. 23: *cf.* Ogburn, *Social Change*, where the origin of social problems is described in terms of "lag" between various phases of the culture of the group, and from which analysis it can be concluded that the maladjustments are functions of other factors than mere form of government.

[5] Charles H. Cooley, *Social Organization*, 1909, pp. 151-169.

low the conclusions of such writers as LeBon and Sighele. To Cooley, democracy is the organized sway of public opinion, or an expanded social consciousness—the extension of those valuable sentiments learned in the intimate group life.[1] The democratic ideals which are the basis of all human association have their roots in the primary groups of play-ground, neighborhood and local community, and their spread has been possible because of the rise of printing and methods of rapid communication which enable people to know what is being thought.[2] This gives public opinion, which is not the average of individual opinions, but something more.[3] This public opinion does not directly touch upon all phases of public life, but leaves details to specialists.[4] The masses of the people do not contribute formulated ideas; their main contribution is that of sentiment and common sense, which is the momentum behind progress. Particulars are left to leaders, and this can be done in safety because the masses are keen judges of persons. Operating in this way, democracy does not become a rule of incompetence as Lecky, Maine, Cram and Faguet have declared.[5]

Mecklin, like Cooley, places trust in the "average man," and presents one of the best pictures of him. Intellectually indolent, suspicious, hostile to new ideas, prejudiced, orthodox, "state blind," honest, patriotic, sympathetic, simple, unsophisticated, he still possesses sane and human sentiments. The problem is to reconcile the appeal to his judgment that democracy makes, and his intellectual limitations. Morally sane, he leads a balanced life, which, though he blunders, gives his opinion a validity where great moral issues are concerned, and counterbalances his lack of specialized knowledge.[6]

It is clear to the exponents of democracy that its successful operation depends upon the acquisition and dissemination of knowledge, for efficient participation of individuals in group affairs, either directly or under the guidance of leaders whose

[1] *Social Organization*, pp. 113-118.
[2] *Ibid.*, 75-86. *Cf.* Hasbach, *op. cit.*, who holds it an error to make opinion the basic fact in defining democracy.
[3] *Ibid.*, 129.
[4] This concept has been clearly stated by J. E. Barker, "Democracy and the Iron Broom of War," *Nineteenth Century*, vol. 79, 1916, pp. 289-323. *Cf.* Joseph Barthelmy, *La problème de la competence dans la democratie*, 1918. Barthelmy demonstrates that democracies always have the talent with which to meet their problems.
[5] *Ibid.*, pp. 135-148.
[6] John M. Mecklin, *Introduction to Social Ethics*, 1921.

opinions they accept, necessitates a factual basis of activity. All the writers recognize this, and some, like Lippmann, Lowell, Zueblin, Cooley, Dicey, Ellwood, Follett, Godkin, A. B. Hall, Mecklin and Wallas have given especial attention to the subjects of public opinion and education. In discussing the formation and functioning of public opinion, the work of Lippmann and Wallas is especially valuable in emphasizing the unconscious factors that play a prominent part.[1] Their insistence that man's human nature must be considered as a factor in all discussions of political activity lends a valuable dynamic note to analyses of democracy.

Wallas sees representative government constantly growing. But nowhere is it a complete success, partly because of the faith in the Benthamistic concept of man as a rational machine. This intellectualistic theory ignores the importance of the unconscious drives to behavior without consideration of which the problems of democracy cannot be squarely met.[2] The success of democracy, which is the most satisfactory form of government yet devised, and under which Wallas includes the idea of social equality,[3] demands that political faith be strengthened, thus combatting the domination of the unconscious upon which the unscrupulous leaders can play to obtain their own ends.[4] Wallas advocates reform of the electoral systems so that an election will not be a mere device for registering a poorly formed opinion, but will become the agency for forming an intelligent opinion. Having shown how little thought actually enters into the political life of the individual, Wallas urges the social organization of thought as a method of attaining a more rational basis of behavior.[5]

Lippmann is essentially a Platonist and adheres to a notion of government based upon carefully gathered information in the hands of an intelligent élite. The dangers of modern democ-

[1] Walter Lippmann, *A Preface to Politics*, 1913; *Liberty and the News*, 1920; *Drift and Mastery*, 1914; and *Public Opinion*, 1922. Graham Wallas, *Human Nature in Politics*, 1908; *The Great Society*, 1904.

[2] *Human Nature in Politics*, p. 22.

[3] *Ibid.*, p. 231.

[4] *Ibid.*, p. 206 ff.

[5] *Ibid.*, 185 ff.; *The Great Society*, ch. xi. Arthur F. Bentley, *The Process of Government*, 1908, also attacks the older theories which posit the functioning of government in terms of pure reasoning, and shows that with government one deals with a group process, the adjustments in the operation of which come through other channels than pure reason (pp. 447 ff.). Government to Bentley is a matter of controls and pressures. His point of view is an extension of the work of Small, Ratzenhofer and Gumplowicz.

racy can be met only by facts. The present crisis in democracy to him is the crisis of journalism.[1] Here the evil is not so much direct and indirect bribery as it is that publishers into whose hands the press is rapidly concentrating have made themselves defenders of a faith, and are determined to see that the public shall think in conformity to this.[2] This makes democracy unworkable, for public opinion, which to be true must have all the facts involved in a particular matter, is based upon only those facts the publishers desire to release.[3] Moreover, newspapers are commercial enterprises aiming to show profits. As a means of protecting the news stream, Lippmann urges the foundation of political observatories to gather and sift facts.[4] This would also bring a closer contact between individual beliefs, and objective reality, between which a wider gap has been constantly growing since democracy became incorporated into the great society.[5] Such bureaus would also make opinion for newspapers to disseminate, rather than leaving it for newspapers to make the opinion as is now the case. In his study of public opinion, Lippmann develops the fact of the growing breach between the range of knowledge possessed by men in the local community, and that required for adequate administration and participation in democracy in the modern world. Early democratic theories were based upon a premise of the self-contained community, and begged the problem of bringing to the citizen a knowledge of a wider environment. At the present time, most of such knowledge is valueless, mere stereotyped "pictures in our heads." Only through agencies devoted to gathering and assimilating news can the breach between things as they are, and faulty impressions now held, be bridged, and a sound basis for democratic procedure established.[6]

A further significant study is that of Dicey [7] to whom democracy is a form of government under which majority opinion determines legislation. This is why it is unwise, if not impossible, in a democracy to enforce laws not approved by the people. Dicey with much detail traces and shows the relation of legislation, or absence of it, to the public opinion of the majority of

[1] *Liberty and the News*, p. 5. *Cf.* Zueblin, *Democracy and the Overman*, 1910.
[2] *Ibid.*, p. 8.
[3] *Ibid.*, p. 11
[4] *Ibid.*, pp. 94-95.
[5] *Ibid.*, pp. 95-102.
[6] *Public Opinion*, parts vi and vii.
[7] A. V. Dicey, *Law and Opinion in England.*

a group. He also points out the fundamental fact that laws can be understood only in their historical setting, and that democracy itself does not give the clue to legislation.[1] For democracy is not uniform, producing uniform laws wherever it is tried.

A. L. Lowell and A. B. Hall have also added to the literature of public opinion, more especially as it is related to the functioning of government, rather than to its wider social aspects. Where Lippmann is dynamic in his treatment, seeking the mechanisms of public opinion, Lowell and Hall are more formalistic. Lowell carefully distinguishes between public opinion and majority opinion, and shows that unanimity is not the basis of the former. A true public opinion is one in which while the minority may dissent, they do feel obligated and bound, by reason rather than fear or force, to abide by it. A true opinion rests on a weighing of facts, and must be distinguished from prejudice and impression. Lowell sees clearly the difficulty of arriving at true opinion in an age of specialization, which makes it likely that opinion will be sounder in local areas than in wider environments.[2]

Ellwood has been among the leaders insisting on the need for education in democracy as the basis for sound opinion which is essential to success. The problem, as he sees it, is to keep intelligence apace of the complexities of civilization.[3] The success of democracy depends upon the selection by the voters of wise leaders, and this necessitates education, for common sense and unguided experience alone are not enough. Social ignorance rather than malevolence causes the problems of democracy, and it is the task of education to meet this.[4]

To Ellwood democracy is a form of social control—"a social spirit"—and its foundations are in rational likemindedness and fraternal feeling which transcend artificial distinctions of race or cultural conditions. Its successful functioning depends upon freedom of communication, thought, and speech, and the treat-

[1] A. V. Dicey, *Law and Opinion in England*, pp. 458 ff.

[2] *Public Opinion and Popular Government.* Also, *Public Opinion in War and Peace.* *Cf.* A. B. Hall, *Popular Government.* Hall makes public opinion the basic fact in democracy (pp. 21-22) and to him the chief problem of democracy is insuring its accuracy. *Cf.* Bryce, *American Commonwealth*, vol. II, part IV; Godkin, *Unforeseen Tendencies*, pp. 182 ff.

[3] C. A. Ellwood, "Education for Citizenship in a Democracy," *Am. Jour. Sociology*, vol. 26, pp. 73 ff; also, *Sociology in its Psychological Aspects*, 1912.

[4] *Op. cit.*, pp. 73-75.

ment of all men as of potential equal worth.[1] He argues ably that the strength of democracy lies in the fact that with it, the will of all adult members of society enters into the determination of group behavior. It rests on the social sense, and intelligent cooperation of the citizens, and not upon fear or coercion. As a form of social control, democracy extends into all spheres of social activity. This does not mean that there will be dead level equality; it implies every man adjusted to his proper place, like so many players on an athletic team. Fraternity, not absolute equality, dominates; there is subordination of individualism to humanity. The masses can be taught the significance of this, and if in addition they are taught to select wise leaders, democracy will not be the rule of mediocrity. This ideal achieved will bring to society the final phase of social control, "the goal toward which all human history has been striving."[2]

Ellwood's emphasis on harmony between the individual and the group, and his humanitarian doctrines, are closely akin to the beliefs of Dewey, who sees democracy as a social, ethical conception, and encompassing all social life. Society being an organism, man is a social being. The value of democracy lies in the fact that with it all men work out the mode of harmonizing their activity with the social good, and do not play passive rôles as under oligarchy or monarchy. Democracy recognizes the personality of every man, and seeks to bring this into adjustment with society as a whole. While Dewey admits that his conception of democracy is idealistic, it is, nevertheless, a goal worth striving toward.[3]

This same spirit and attitude characterize the work of Tufts, Addams, Black, and Mecklin. Recognition of the common-lot underlies their formulation of democratic theory.[4]

An English sociologist, L. T. Hobhouse, like Dewey, Tufts

[1] "Democracy and Social Conditions in the United States," *Int. Jour. of Ethics*, vol. xxviii, pp. 499 ff.; *cf.* Horace M. Kallen, *Culture and Democracy in the United States*, 1924.

[2] "Making the World Safe for Democracy," *The Scientific Monthly*, vol. vii, 1918.

[3] John Dewey, "The Ethics of Democracy," *University of Michigan Philosophical Papers*, second series, No. 1, 1888; *Democracy and Education; The Influence of Darwin on Philosophy*, 1910, especially pp. 59-60, and 266-7; *Reconstruction in Philosophy*, 1920, especially p. 209.

[4] James H. Tufts, *Our Democracy*, 1915.
Jane Addams, *Democracy and Social Ethics*, 1907.
Hugh Black, *The New World*, 1915.
Cf. Brooks Adams, "The Democratic Ideal," *Yale Review*, n. s., vol. v, 1916. Adams argues against the present tendency towards individualism which goes contrary to the group loyalty doctrines underlying any valid democratic ideal.

and the pragmatic group, sees the vindication of democracy in the opportunity it gives for the development of individual personality.[1] Democracy to him is based upon the conception of the individual as an integral part of the community, and involves the idea of a common will to which all individuals contribute according to their ability. This very cooperation makes for an extension of interest, and justifies democracy.[2] Democracy, inherently, is no more efficient than other forms of government, but:

> Self-government, with all its defects, implies a recognition of the duties of government and the rights of the people; it postulates a measure of personal freedom and of equal consideration for all classes. It is the natural instrument of a growing sense of social solidarity, and the appropriate organ of a stirring national life. In a word, it is the political expression of the idea of Right on which the modern state rests, and if there be any other mode of government which would maintain that idea equally well, it has yet to be produced.[3]

Hobhouse sometimes confuses democracy as a form of the state with democracy as a form of the government in his discussions, yet he is clearly aware that there is such a distinction.[4]

The major problems confronting democracies are lack of responsibility,[5] the difficulty of securing adequate leadership,[6] the difficulty of securing information for the formulation of the common will,[7] and the problem of majority rule.[8]

Like Lippmann and Wallas, Hobhouse pleads for recognition of the human side of political life, and the acknowledgement of human desires and powers. To this end, democracy must be extended into all spheres of group activity, for political liberty and devitalizing, dehumanizing social conditions are inconsistent.[9]

Hobhouse also defends the doctrine that imperialism and democracy are incompatible. The central fact of imperialism to him is subordination, and this is the antithesis of the democratic doctrine of self-government.[10] In this, Hobhouse is in accord with his fellow countryman, J. A. Hobson, whose argu-

[1] *Democracy and Reaction*, 1912; *Liberalism*, 1912; *Social Evolution and Political Theory*, 1916; cf. Harry E. Barnes, "Some Typical Contributions of English Sociology to Political Theory," *Am. Jour. Soc.*, vol. xxvii, pp. 442-485.
[2] *Liberalism*, pp. 228-32.
[3] *Democracy and Reaction*, pp. 186-7.
[4] *Ibid.*, p. 147 ff.
[5] *Ibid.*, pp. 182-3.
[6] *Ibid.*, pp. 184-5.
[7] *Liberalism*, pp. 228-32.
[8] *Ibid.*, pp. 242 ff.
[9] *Liberalism*, p. 248; *Democracy and Reaction*, p. 50.
[10] *Democracy and Reaction* is devoted to the substantiation of this thesis.

ment is that imperialism abroad inevitably destroys liberty at home.[1] Hobson sees modern social problems intimately associated with the domination of an economic oligarchy, and this oligarchy can be combatted only by popular control of the government. Hence his advocacy of democracy.[2] The world will be safe for democracy, he shows, only when there is an organized popular will. With this functioning, it can no longer be held, as by Hegel, that "the people is that part of the state which does not know what it really wants."[3] Hobson also sees clearly that democracy itself does not outlaw war,[4] a fact also demonstrated by Blakeslee,[5] Means[6] and others.

Hobson's anti-imperialistic doctrines are also in agreement with the conclusions of David Starr Jordan[7] and William Graham Sumner.[8]

Jordan holds that government to be best in which the best manhood is developed. Democracy is unsurpassed in this respect. While it may not administer as efficiently as other forms of government, because it creates a valuable manhood democracy is to be preferred. Imperialism is grounded in force, and consequently anti-democratic.[9]

Sumner has argued that imperialism breeds militarism, chauvinism, national vanity, means the subordination of conquered peoples, and favors plutocracy, all of which are contradictions of democratic principles.[10]

Sumner, like Mallock, has demonstrated the fallacy of a pure democracy in modern society, where except in small townships the direct participation of individuals in governmental affairs is impossible.[11] He insists upon the distinction between pure

[1] *Imperialism*, pp. 158 ff.

[2] "A World Safe for Democracy," *The Survey*, vol. xl, 1918. This article is an abridgement of his book, *Democracy after the War*.

[3] *Ibid.*, p. 366. [4] *Ibid.*, p. 366.

[5] George H. Blakeslee, "Will Democracy Alone Make the World Safe?", *Pro. Amer. Antiquarian Soc.*, vol. xxvii, n. s., 1917, pp. 338-74.

[6] P. A. Means, *Racial Factors in Democracy*, 1918. Means has a distinctly anthropological point of view in his arguments for world democracy. To him its success depends upon a policy of "race appreciation"—the acknowledgment of superiority in certain particulars of other cultures than our own. This breeds tolerance, which is essential to democracy which he defines as "a social and political system whereby each shade and diversity shall be enabled to give expression to its ambitions and aspirations." (p. 158).

[7] *Economic Imperialism*.

[8] *Earth Hunger and Other Essays*, 1913; *War and Other Essays*, 1911; Harry Elmer Barnes, "Two Representative Contributions of Sociology to Political Science," *Am. Jour. Soc.*, vol. xxv.

[9] *Op. cit.*, pp. 31 ff.

[10] *War and Other Essays*, pp. 285-293.

[11] *The Challenge of Facts, and Other Essays*, pp. 223-242; also, *ibid.*, 243-286.

democracy and representative republicanism. The representative democracy is fraught with grave dangers: incompetent office holders, disregard of expert advice, and domination of money interests. The only protection against these is intelligence and alertness of the voting population.[1]

In their views on national expansion, Sumner, Jordan, Hobson, and Hobhouse come into conflict with the doctrines of Franklin H. Giddings, one of the most ardent proclaimers of the advantages of democracy. No scholar has analyzed the problems involved with more painstaking care.[2] Basing democracy upon a recognition of ethical like-mindedness, Giddings sees this expanding over wider and wider areas. Progress, he argues, comes through the absorption of small states and dependencies into larger and larger political aggregates, and war will cease only when vast empires embrace all nations, and there are established great democratic empires,[3] which will give the basis for the perfect understanding essential to the enlargement of moral kinship. Moreover, there rests with the great English speaking nations a responsibility toward the more backward peoples, and it is better that these great, enlightened nations should dominate rather than the more autocratic nations, who will if they do not.[4]

Giddings regards democracy as more than a form of government. It is the participation of the entire people in the government, and the use of it for the whole of the people.[5]

Giddings is a firm believer in the extension of state activity, and here again takes issue with Sumner. While admitting that this may place some extra burden upon the middle class, as Sumner holds, he contends that the benefits derived in consequence are relatively great, and hence there is a social gain.[6] Further, while this legislation and activity may make for internal restraints, it strengthens the group as a whole and leads to success in the inter-group struggle.[7]

[1] *The Challenge of Facts*, pp. 243-286.
[2] *The Principles of Sociology*, 1896; *Elements of Sociology*, 1898; *Descriptive and Historical Sociology*, 1901; *Democracy and Empire*, 1901; *The Responsible State*, 1918; *Studies in the Theory of Human Society*, 1922.
[3] *Democracy and Empire*, p. 357.
[4] *Ibid.*, p. 289. *Cf.* F. J. C. Hearnshaw, *Democracy and the British Empire*, which seeks to reconcile British imperialism and democracy.
[5] *Elements*, ch. xxiv, pp. 314 ff. N. L. Sims in *Ultimate Democracy*, 1917, follows Giddings' analysis of democracy as being either a form of government state, or society, or an interaction of all three (p. 139).
[6] *Democracy and Empire*, pp. 110-121.
[7] *Ibid.*, p. 115.

He denies the contentions of Lecky that democracy is the inevitable rule of ignorance, and that a decision of the ignorant is necessarily an ignorant decision.[1] He opposes this argument by declaring this need not be so, provided there are capable leaders whose policies the masses can endorse. There always will be need for guidance and leadership; democracy insures that the rule of this protocracy will be just, and that the protocracy itself will be natural, and not artificial.[2] While the facts that Lecky presents are true, he is not right in picturing such conditions as the final state. The masses can learn to follow rational guidance.[3]

Democracy, Giddings concludes, seeking as it does the satisfaction of all man's fundamental needs, and striving to inculcate fraternity into group activity, contributes to societal welfare as no other form of social organization does.[4] But there are perils; democracy must face certain costs of progress, moral and physical degeneration, and emotionalism; but a dominating ethical spirit can prevent failure.[5]

The problem of emotionalism stressed by Giddings, LeBon, Ross,[6] and the psychological sociologists has received fresh treatment recently under the impetus of analytic psychology. Martin has reexamined the data, and like Wallas and Lippmann makes much of unconscious motivation.[7] He criticizes the doctrine of LeBon in which it is set forth that popular government means mass government, and *masses* and *crowds* being synonymous, democracy becomes automatically crowd government.[8] That LeBon has described crowd characteristics adequately, Martin admits, but he goes further and shows that crowds and masses are not identical and that LeBon erred in treating them as such.[9] He further holds that degeneration to crowd rule is

[1] *Democracy and Empire*, pp. 204 ff.
[2] *Ibid.*, pp. 317; cf. *The Responsible State.*
[3] *Democracy and Empire*, pp. 204 ff.
[4] *Elements*, pp. 324-29.
[5] *Ibid.*, pp. 317-324.
[6] E. A. Ross has contributed to the literature of democracy. His *Social Psychology* popularizes the work of LeBon and Tarde and in addition advances certain prophylactics to combat crowd emotionalism. Ross has also followed Giddings in stressing the need of homogeneity of population for the successful operation of democracy. In *Social Control* he analyzes public opinion, education, and other elements that play important parts in democracies. Ross, however, is an eclectic sociologist, and his chief service in connection with the subject under discussion lies in his bringing together of material bearing upon the problem.
[7] Everett Dean Martin, *The Behavior of Crowds*, 1920.
[8] *Cf.* LeBon, *The Crowd.* [9] Martin, *op. cit.*, pp. 242-3.

not due to democracy itself, but is the consequence of a modern trend generally. Democracy merely permits but does not cause crowd behavior. It does, Martin finds, probably make it easier to institute regulatory legislation, and establish what Carlyle called busy-body government.[1] At the present time, Martin finds the United States dominated by crowd behavior, but this crowd thinking can be eliminated if the people learn the true nature of their actions, and are made to see their behavior as the product of unconscious drives. To this end, he urges changes in the educational system, for this itself is now the product of crowd régime. Education must become humanistic.[2]

The growing realization that democracy must conform to existing conditions, and is not an academic abstraction concerning which fine hairs are to be split, is shown in the increasingly large amount of attention now given to actual programs for its operation. No longer do many writers merely content themselves with speculation; they are stressing the actual circumstances with which democracy is in contact. Among the outstanding contributions of this sort are those of Weyl and Croly.[3]

Croly emphasizes the need of a flexible program for democratized societies. Democracy is conceived in broad terms, and to be effective must aim at the expansion of the individual, and not his repression. And above all, democracy must be humanistic.[4] Political democracy cannot be divorced from a social program without losing all significance. Further, democracy must be progressive, adaptable and flexible.[5] To Croly the nation seems the most feasible unit for democratic organization, and simpler political machinery and more adequate leadership are requisite.[6]

Weyl aims in his study to create a plan for a progressive, social democracy which will harmonize democratic ideals with the changed conditions that have made much of the traditional

[1] Martin, *op. cit.*, pp. 247-250.

[2] *Ibid.*, pp. 281-91. Cf. Dewey, *op. cit.*; James Harvey Robinson, *The Mind in the Making*. The possibility of remedy of political evils has been seriously questioned by W. S. Lilly, *First Principles of Politics:* "Of all the manifestations of human fallacy the glorification of the educational nostrum in politics is one of the most foolish" (p. 262).

[3] Walter Weyl, *The New Democracy*, 1912; *Tired Radicals*, 1921. Herbert Croly, *Progressive Democracy*, 1915.

[4] *Op. cit.*, p. 415. [5] *Ibid.*, p. 204 ff.

[6] This progressive view is represented in politics by such leaders as Bryan and LaFollette, and was once championed by Roosevelt and Wilson. *Cf.* Charles E. Merriam, *American Political Ideas*, ch. ii.

democratic theorizing antiquated. He seeks especially to find the means of equalizing opportunity, and with this in view argues for the socialization of monopoly, regulation of industry, progressive taxation, and the use of the initiative, referendum and recall.[1]

Another group which has embraced the democratic doctrine and made it their creed and part of a concrete program, has risen in England and is known as the Fabian Society. In this the Webbs and Bernard Shaw have been prominent. The group is concerned with social and economic matters and seeks a solution of problems through collectivism. They urge, however, the guidance of experts, thus setting up within their democracy an oligarchy of talent.[2]

The growth of socialism in its various diversifications is itself an attempt to achieve social democracy. Such writers as Hillquit, Simons, Berger, Debs, Spargo, Russell, Nearing and Sinclair attack the problems of modern society, and offer solutions. The attainment of economic democracy, and the destruction of "interests" that block this are their chief concerns. The end this group is seeking differs in no fundamental way from the end sought by the more orthodox exponents of democracy. The principal difference is in method.

Another group concerned mainly with economic phases of the problem advocates the destruction of all government. To this extent that they attack all government, the anarchists, such as Goldman, Berkman, Tucker, and their co-workers, are attacking democracy. Similarly, syndicalist philosophy is in conflict with democratic philosophy of the older cast.[3]

VI. The Basic Problems

Reviewing the arguments advanced by the opponents of democratic theory, and those counter arguments set forth by its exponents, shows that the problem fundamentally focuses upon two points.

[1] Albion W. Small, *Between Eras: Capitalism to Democracy*, analyzes specific problems impeding the spread of a properly organized social system.

[2] Barker, *op. cit.*, pp. 213-22; *Fabian Tracts;* S. and B. Webb, *Industrial Democracy.*

[3] It is impossible in this chapter to even outline the arguments of these last mentioned groups. It can only be pointed out that these writings do have a rather important bearing on democratic theorizing. *Cf.* C. E. Merriam, *op. cit.*, pp. 347-365.

The first involves a question of cause and effect. Are the problems experienced by countries where the democratic experiment is being tried caused by or in consequence of the democratic practices themselves, or are these maladjustments merely concomitant—coincidences which have their explanation in the growing cultural complexity of this era, and a faulty adaptation that would exist regardless of the form of government or social organization? To Faguet, LeBon, Maine, Lecky and their followers, the answer seems clear that in democracy itself lies the root of the trouble. But to those of the frame of mind of Cooley, Godkin, Giddings, Ellwood, Wallas and Hobhouse, the fault lies elsewhere, outside of the democratic tendencies of the times: democracy has simply had its period of growth synchronously with a period of momentous cultural change.

The second point concerns "the average man." The differential psychologists have demonstrated the variation in human ability. What are the conclusions from their findings? Is popular government always the rule of ignorance? Or will the masses defer to the judgments of the relatively superior few? Can they be taught to do this? Will they do it consistently, or only on occasion? If the guidance of a protocracy is accepted, and the oligarchy within the democracy functions for group welfare rather than for personal or selfish ends, the exponents of democracy can see success. Where a "common-lot" philosophy underlies the administration of the affairs of society, society will be strong. For such administration means government upon the basis of ethical like-mindedness and recognition of human personality. But if this all is merely an unattainable ideal, as the critics of democracy insist, the strength of democracy is to be questioned. If the "average man" is so inherently "state blind" that he cannot appreciate the need of trained leadership, or does not accept it, then the outcome of popular government is seriously to be questioned.

Here the matter stands. Time alone can give an answer—time, coupled with further study and analysis. There is evidence that such study is being undertaken: speculation is giving way before sound induction. And democracy is now being analyzed in the light of existing social conditions, with the realization that it must be adapted to a changing social environment. Outgrown concepts of another age are being discarded

and replaced by more dynamic principles; the concept is expanding. It has become progressive. There has developed the recognition of the view so deftly stated by Andrew C. McLaughlin: "An embalmed democracy deserves burial."

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CHAPTER III

PLURALISTIC THEORIES AND THE ATTACK UPON STATE SOVEREIGNTY

F. W. Coker

PLURALISTIC theories of the state are theories which assail the traditional doctrine of state sovereignty but at the same time hold the state to be a necessary institution of society. The pluralist would not, like the anarchist and the syndicalist, abolish the state; he would retain it, but would deprive it of sovereignty. He would preserve the state but discard the sovereign state. Assertions such as the following afford typical illustrations of the pluralistic attitude toward state sovereignty:

"If we look at the facts it is clear enough that the theory of the sovereign State has broken down." [1]

"No political commonplace has become more arid and unfruitful than the doctrine of the sovereign State." [2]

"The notion of sovereignty must be expunged from political theory." [3]

Emphasis in pluralistic discussion is upon the disparagement of sovereignty, little if any substantial consideration being given to positive questions concerning the scope of activity and the means of action appropriate to the non-sovereign state.

Notable among the contemporary critics of the doctrine of state sovereignty are the following: Léon Duguit—professor of constitutional law at the University of Bordeaux and prolific writer on French constitutional and administrative law; H. Krabbe—professor of public law at the University of Leyden; Harold J. Laski—of English training, for several years lecturer at Harvard University, now at the London School of Economics; Ernest Barker and A. D. Lindsay — well-known

[1] A. D. Lindsay, "The State in Recent Political Theory," *Political Quarterly*, vol. 1 (February, 1914), pp. 128-145.

[2] Ernest Barker, "The Superstition of the State," *London Times Literary Supplement*, July, 1918, p. 329.

[3] H. Krabbe, *The Modern Idea of the State* (translation by George H. Sabine and Walter J. Shepard, New York and London, 1922), p. 35.

English publicists. Whatever positive conceptions of state theory these authors offer are so closely interwoven into their adverse criticisms of the traditional theory which they seek to supplant or modify that no adequate understanding or evaluation of their conceptions seems possible except in connection with some reconsideration of what is comprehended in the traditional doctrine.

I. The Traditional Doctrine of State-Sovereignty

It is generally agreed that the traditional doctrine of sovereignty received its most explicit and precise statement in the writings of Jean Bodin in the sixteenth century, Hugo Grotius and Thomas Hobbes in the seventeenth century, Rousseau in the eighteenth century, and John Austin in the nineteenth century.[1] It is frequently said that this doctrine originated in the sixteenth century and that it was put forth at that time as a necessary or useful foundation upon which to construct the explanation and justification of the national, monarchic state then evolving concurrently with the evanescence of medieval institutions and ideas. To found a strong, national monarchy, it was necessary to expel, on the one hand, the idea of imperial or papal authority above the monarch — representative of the national state—and, on the other hand, the idea that the powers of the monarch were in any way limited internally by rights of feudal lords, self-governing towns, or industrially autonomous guilds. So in France, where first in continental Europe national monarchical power was developed, Bodin wrote his *De Republica* and defined the state as "an association of families and their common possessions, governed by a supreme power (*summa potestate*) and by reason," and sovereignty (*maiestas*) as "supreme power over citizens and subjects, unrestrained by laws."[2]

There seems to be room for legitimate difference of opinion as to how much of an innovation Bodin's conception was. Certainly earlier writers had recognized a unique sort of authori-

[1] For useful discussions of the development of the doctrine of sovereignty in modern theory, see the following: J. Neville Figgis, *Studies of Political Thought from Gerson to Grotius, 1414-1625* (Cambridge, 1907), *passim; Introduction*, by Professors George H. Sabine and Walter J. Shepard, to their translation of H. Krabbe's *Modern Idea of the State;* Leon Duguit, *Transformations du droit public* (Paris, 1913), ch. i; H. J. Laski, *Foundations of Sovereignty* (New York, 1921), pp. 1-29, 209-231; Georg Jellinek, *Allgemeine Staatslehre* (2d ed., Berlin, 1905), pp. 421-460.

[2] *De Republica* (1586), Bk. I, chs. i and viii.

tativeness as a characteristic mark of the state, had regarded the question of the supreme power of the state as fundamental in political reasoning, and had discussed the nature and location of this supreme power. It may be "sheer confusion" to "identify Aristotle's autarchy or self-sufficiency with the modern sovereignty."[1] But Aristotle discussed not only autarchy; he considered in detail the powers and location of τὸ κύριον, ἡ κυρία ἀρχή—the supreme authority in the self-sufficing community. It seems questionable also whether it is correct to argue that the Romans did not possess the conception of sovereignty because "the assertion of sovereignty carries with it the suggestion and rejection of a possible division of authority" and "such a possible pluralism was in fact altogether foreign to Roman thought and practice."[2] A universal state and law was doubtless an ideal of the Roman genius, but an ideal never so nearly approached in completeness as to exclude all notions of the differences between legally supreme and unlimited, and legally inferior and limited, authority. Not much of theoretical analysis was given to this or any other philosophical question by Roman authors. It is not necessary to review here the familiar story of medieval political and social conditions—to point out that no state, in the modern sense, existed, that compulsive power over any individual or group of individuals or over any piece of territory was shared by several authorities—emperor, king, feudal lord, church, communal town or guild—sometimes respecting one another, sometimes competing, none exercising exclusive authority, most of them not organized on geographical or racial bases. Nor do we need to repeat the summary of the economic, industrial and intellectual factors which, in the sixteenth and succeeding centuries, combined to weaken all authorities except that of the king and national state.

When Bodin wrote, in the late sixteenth century, he was describing a theory two centuries old—implicit in the situation in France under Louis XI, explicit in the writings of Pierre Du Bois and others. Events of the early fourteenth century having displayed the impotence of the claims for papal sovereignty, there followed almost immediately doctrines of royal and political sovereignty. Tranquillity and harmony were to

[1] Sabine and Shepard, *op. cit.*, p. xv.
[2] *Ibid.*

be achieved, not through the sovereignty of the church, but through that of the Holy Roman Emperor (Dante) or of the French King (Du Bois) or of the several peoples (Marsiglio of Padua). It seems doubtful that Marsiglio's conception of *plenitudo potestatis* was radically different from Bodin's *maiestas,* except that Marsiglio would give to such authority a different location. In any event, the distinctive importance of Bodin's work in the history of political thought would seem to consist not in that he originated a modern theory of sovereignty, but in that he set forth clearly and concisely the conception of the unique and comprehensive authority of the state at a time when such a conception was needed to fit the reappearing ascendency of the state after its period of decline in the middle ages, and in that he gave greater emphasis to what was implicit, or less prominently explicit, in earlier discussions.

The common and essential feature of the theory of state and sovereignty in the systems of Bodin, Grotius, Hobbes, Rousseau and Austin, is the doctrine of the state as an essential institution of society, supplying, in its capacity as an exclusive agency of law, an indispensable means whereby men having common and competing interests can live together rationally; with the corollary that the state is legally supreme and unlimited. Among men who believe that the state is socially necessary, the differentiation between monists and pluralists centers in questions concerning the relation of the state to other associations and to law.[1]

Two attacks upon the orthodox, monistic doctrine ascribe to it features which it does not have. In the first place, some of the recent criticisms direct attention to the limits to the actual power which the state is able to exert. It is thus argued that the state is not sovereign because the state is not all-powerful. There are always things which the state can not do because of opposition from some part of the community over which it claims sovereignty. This sort of criticism seems of little significance. For no holder of the doctrine of sovereignty has maintained that the state's actual power was not limited by the possibilities of effective disobedience. With no writer has sovereignty meant omnipotence. It should be said also that

[1] For recent typical statements of the monistic theory, see J. P. Esmein, *Eléments de Droit Constitutionnel* (1896), and W. W. Willoughby, *Nature and Theory of the State* (1896).

no critic of the monistic doctrine bases his dissent solely upon this alleged defect of the doctrine, although at times Laski and Barker give prominence to this sort of argument.

In the second place, emphasis in the criticism of sovereignty is sometimes placed upon the moral or rational limits to state authority. The state is not sovereign, it is said, because there is no authoritativeness about its commands. The state has, as compared with other essential associations in society, no superior claim to the individual's allegiance. The state is not justified in trying to enforce its demands when these conflict with demands of other social groups. The will of the state does not create rightness. In some instances the criticism from this point of view is hardly distinguishable from the criticism involved in the general doctrine that the state does not create law, or *droit,* or *Recht,* or justice—a doctrine to be considered below. In other instances the criticism based on a consideration of the moral position of the state takes the form of denying that the state is morally preeminent in society. The command of the state, it is said, is not necessarily right, morally speaking. The state has no paramount claim upon the loyalty of the individual. This form of criticism is properly applicable only to the exceptional theorists who maintained the doctrine of state absolutism. The doctrine of state absolutism is a doctrine which attributes to the state not only legal supremacy and social and moral utility but also moral supremacy. Notable exponents of such doctrines are Hegel in the early nineteenth century, Treitschke in the later nineteenth century, and Bosanquet and Bradley among recent English Idealists.

Hegel regarded the state as "perfected rationality"—in the sense that man has ethical status only as a member of the state, and that the highest duty of man is, not to develop his individual faculties, but to be a member of the state and faithfully fulfill his allotted functions therein. Although Hegel recognized that in a general and ultimate sense the state exists for the good of mankind, yet, in so far as any given individual or any number of given individuals are concerned in any particular instance, the state must be regarded as purely an end in itself. Hegel's theory gives to the state such an exalted position in society that it can never be right to resist it, and so identifies the state with overwhelming power that it can never be prac-

tical or rational to resist its power. Resistance to the state is never morally or rationally justifiable.[1] Some of the doctrines of Hegel were reflected in nineteenth-century German constitutions and in treatises upon those constitutions. Particularly in the Prussian constitution of 1851 and in scholarly commentaries upon that document, we find in concrete manifestation the principle of irresponsible authority vested in a monarch representative of the state.[2]

With Treitschke, likewise, power is the most distinctive and also the most essential attribute of the state. The essence of the state, according to Treitschke, is its incompatibility with any power above it. There is a moral aspect to the power of the state: the ultimate moral justification of state absolutism is that the powerful state is the natural home, the indispensable and supreme organ, of national culture. The state is morally justified in applying its power without concern for individual aims and interests. The state's highest moral duty is to preserve and strengthen itself. Moreover, the state should normally seek no other means whereby to make its will prevail than the means of force; it should not endeavor, in any particular exercise of authority, to appeal to the conscience and reason of its subjects; it should demand obedience—unwilling or willing, and never ask for approving acquiescence. The only limit to the proper competence of the state is the limit of fact; the state should dominate over the lives of its citizens to the extent that it is actually able to do so.[3]

There have been followers of Hegel and Treitschke among recent German theorists, particularly in the ranks of university professors. Some of these men have given great emphasis to the superiority of the purposes of the state to the purposes

[1] Hegel's ideas on the nature and function of the State are found in his *Grundlinien der Philosophie des Rechts, oder Naturrecht und Staatswissenschaft im Grundrisse* (1821), in his *Werke* (Berlin, 1833-45), Bd. viii. Translation by S. W. Dyde, *The Philosophy of Right* (London, 1896). *Cf.* especially secs. 257 ff.

[2] *Cf.* L. v. Rönne, *Das Staatsrecht der Preussischen Monarchie* (4te *Auflage*, Leipzig, 1881-4); and for a slightly less absolutistic view, Hermann Schulze, *Preussisches Staatsrecht* (1870-77; 2te *Auflage*, Leipzig, 1888). For brief summaries of Prussian constitutional theory, *cf.* J. H. Robinson, "A Brief Sketch of the Origin and Nature of the Prussian Constitution," *Annals of the American Academy of Political and Social Science*, Supplement to vol. 5 (1894), pp. 203-221; and W. W. Willoughby, *Prussian Political Philosophy* (New York and London, 1918), ch. 5.

[3] For Treitschke's ideas, see his *Politik* (2 Bde. Berlin, 1897-8), Translation by Blanch Dugdale and Torben de Bille (2 vols. New York, 1916). *Cf.* especially vol. i, chs. i-iii.

on individuals, and have given little place to the limits of state authority or the rights of resistance; they have seemed to deny that the end of the state was to promote the security and well-being of the individuals of the community, and to maintain that questions of governmental policy and structure should be determined solely by considerations as to the strength and prestige of the state.[1]

Tendencies toward a somewhat similar doctrine of state absolutism appear, in a more refined form, in the writings of the neo-Hegelians in England, among the Oxford idealists. The characteristic mark of the English idealists appears in the opposition of their social theory to the dogmas of traditional economic, scientific, and political individualism. The devotees of individualism had taught that the human individual was a naturally competing, self-developing individual who would attain the highest economic status to which he was entitled or fitted, as well as his highest possible intellectual and moral development, if left uninterfered with and unprotected, except in those cases where "crime" or "violation of natural rights" appeared. In reaction against this popular English doctrine the idealists put forward the idea of the positive values of the institutions of social life as agencies in the development of the individual. In particular, the purpose of the state was represented as a moral purpose—namely, that of creating the conditions in which the moral life of the individual could be best developed. This would require many acts of state interference in the relations between individuals, for the purpose not directly of making men better but of maintaining the conditions, economic and social, under which alone the capacities of the individual could be realized. The state must guarantee rights which are the conditions of morality. The tendency with some idealists—T. H. Bradley and Bernard Bosanquet, for example—has been to regard the state as the only agency for the moral development of man and as capable of embracing all his social interests, and to regard the sole moral right and obligation of man as being that of faithfully fulfilling the position in which he finds him-

[1] For recent statements of such views, *cf. Modern Germany in Relation to the Great War*, by Various German Writers, New York, 1916 (a translation, by W. W. Whitelock, of *Deutschland und der Weltkrieg*, published in Germany in 1915): a collection of essays by German and Austrian university professors, presenting contemporary German conceptions of German cultural ideals and political doctrines. *Cf.* also Willoughby, *Prussian Political Philosophy*, chs. ii-v.

self in that comprehensive organization conventionally known as the state.[1]

Such absolutistic doctrines can hardly be regarded as characteristic or typical of the classical discussions of sovereignty. Bodin, Grotius, Hobbes, Rousseau and Austin did not ignore the moral and rational limits to state sovereignty. Bodin defined sovereignty as "supreme power . . . unrestrained by laws"; but he also said that "what we have said as to the freedom of sovereignty from the binding force of law does not have reference to divine or natural law," and that "as to fundamental laws of the realm (*imperii leges*), the prince [supposed to be the repository of sovereign power] can not abrogate or modify them, since they are attached to the very sovereignty with which he is clothed; such is the Salic law, which is the foundation of our monarchy."[2] Bodin defined the state as an association of families and of their common affairs, and as an association ruled not only by a supreme power but also by reason. He thus regarded the state, or the supreme power in the state, as concerned not with all interests but only with interests common to the various households of which the state is made up; and he regarded the state as conditioned not by power alone but also by reason. Grotius' definition of the state as "a perfect association of free men united for the sake of enjoying the benefits of law and for their common advantage"[3] falls far short of an identification of the state with absolute power. Hobbes, probably the most extreme of the monistic thinkers, pointed out that there are certain demands upon the subject that the sovereign can not rationally make because the subject can not rationally be supposed to have surrendered rights of self-determination in such matters.[4] Rousseau insisted that not in the will of the government but only in the general will was sovereignty manifest, and that the general will was a will general in its objects as well as in its origin.[5] Austin also recog-

[1] For Bradley, see his *Ethical Studies* (London, 1876), Essay 5: "My Station and its Duties." For Bosanquet, see his *Philosophical Theory of the State* (London and New York, 1899), especially chs. 6-8, 11; and his essay on "The Duties of Citizenship," in *Aspects of the Social Problem* (edited by Bosanquet, London and New York, 1895), pp. 1-27. *Cf.* also the essay on "Political Theory" by A. D. Lindsay in *Recent Developments of European Thought* (edited by F. S. Marvin, New York, 1920), pp. 164-180.

[2] *De Republica*, Bk. I, ch. viii.

[3] *De Jure Belli ac Pacis* (1625), Bk. I, ch. i, sec. xiv.

[4] *Leviathan* (1651), Pt. II, ch. xxi.

[5] *Contrat Social* (1762), Bk. II, chs. iii, iv, and vi.

nized sovereignty as controlled by "principles or maxims" of "the most influential part of the community," by "opinions and sentiments current in the given community."[1]

It is true that such writers were not primarily interested in the limits of sovereignty. Their preoccupation was with their task of making clear the uniqueness of the state's position as organization of legal control in society. The essential and characteristic elements of the theory which we have today by inheritance from the classical political theorists are these: the inter-relations among individuals and among social groups are such that an organization of unification and coordination is necessary; this organization of coordination and adjustment must, in order to fulfill adequately its essential function, be comprehensive and compulsive in membership, and must be equipped with coercive authority—*i.e.* power to issue commands that may be executed through the instrumentality of force, in the form of constraint directed against the body or property of individuals, physical distraint of the individual's goods or person, or the taking of the life of the individual; *laws* are the commands and regulations which issue from this comprehensive, compulsive organization, which is the *state;* this type of authoritative regulation can, within any given territory, be exercised normally, habitually, only by one organization; in other words, there can not be two or more organizations each on a legal parity, except in so far as each is a part of a legally superior organization comprehending them all.

None of the typical theories of state sovereignty is a theory of state absolutism—of morally, rationally, or socially unlimited sovereignty. None of them implies that to criticize or challenge, to disobey or resist, state authority is necessarily immoral, unethical, irrational, or anti-social, or even impractical. The "orthodox" theory involves no pre-supposition whatever as to the proper—the morally justifiable or socially desirable—scope of state activity, or as to the best structure of government—as between administrative centralization or decentralization, or as between unitary or federal government, or as to whether representation should be based upon territorial or upon occupational groupings of the population. The monist holds

[1] *Lectures on Jurisprudence* (third edition, London, 1869, edited by Robert Campbell), vol. i, pp. 270-285.

that the state exists to enact and apply law and that the state can not itself be subjected to limitations of the same character as those which it itself is established to formulate and apply. He does not represent the state as irresponsible; he does maintain that it cannot be responsible to any authority of like character to itself. In brief, the state, as an organization for law within any given territory, is superior to all other social groups within such territory.

II. The Pluralistic Attacks [1]

The attacks upon this theory of state sovereignty can be roughly differentiated into three forms, closely interrelated: first, the state is not superior or anterior to other essential associations in society; second, the state is not legally independent in relation to other states; third, the state is not superior to law, internally.

A. *State-Sovereignty and Group Autonomy.*

In the works of most of the recent authors commonly associated with the pluralistic school, the attack upon state sovereignty is made through a contention that there are other essential associations in society on a parity with the state. Man's social nature, it is maintained, finds expression in numerous groupings pursuing various ends — religious, social, economic, professional, political. The traditional doctrine of sovereignty is charged with the error of holding that the various non-political associations are created by the state, are dependent for their continued existence upon the will of the state, and exercise only such powers as are conceded to them by the state. The pluralistic doctrine holds that the other associations arise naturally and spontaneously and that their essential functions in society are independent of state determination. The state, therefore, can not in any important sense be said to be sovereign in its relations to these independently originating and functioning associations. The approach to the pluralistic doctrine

[1] For general discussions of pluralistic doctrines of the state, see the following: M. P. Follett, *The New State* (New York, 1918), chs. 28-32; W. Y. Elliott, "The Pragmatic Politics of H. J. Laski," *American Political Science Review*, May, 1924, pp. 251-274; E. D. Ellis, "The Pluralistic State," *Ibid.*, vol. 14 (1920), pp. 393-407; G. H. Sabine, "Pluralism, a Point of View," *Ibid.*, vol. 17 (1923), pp. 34-50; F. W. Coker, "The Technique of the Pluralistic State," *Ibid.*, vol. 15 (1921), pp. 186-213; R. G. Gettell, *History of Political Thought* (New York, 1924), ch. 29.

in this phase has been through various paths—historical, legal, and practical. We can here briefly summarize leading typical examples of these views in order to estimate to what extent they are incompatible with any of the essential implications of the monistic doctrine.

Most of the writers of the pluralistic trend acknowledge their indebtedness to the ideas of Otto v. Gierke and F. W. Maitland as developed in their legal and historical theory of corporations. Briefly stated, the doctrine of Gierke and Maitland is that the collective associations which arise naturally within any society possess each a personality which is real, not hypothetical, fictitious, or created from without. Each of such associations has a collective consciousness and will distinct from the consciousness and wills of its individual members; and each is an essential and original organ in the elaboration of law; each, that is, functioning prior to any concessions from the state, acts as one of the agencies through which common beliefs of a legal quality find their expression in actual rules of law. The state's rôle in this legal elaboration is principal but not exclusive.[1]

Various recent writers have given special attention to the position — considered historically, legally, and politically — of professional and economic groupings in society. M. J. Paul-Boncour's works have been notably influential among such writers.[2] The history of professional associations shows, he holds, that in all countries and ages such groups have arisen spontaneously; that, originating as voluntary associations, they have developed gradually into associations which are essentially obligatory in character: each professional association reaches the position where it is able to devise and enforce the conditions under which the vocation for which that association stands may be pursued or its services enjoyed; the relations of such associations to their respective members as well as to outsiders, although originating as relations contractual in character, tend to become relations of a sovereign character. Paul-Boncour

[1] For Gierke's views, see his *Das deutsche Genossenschaftsrecht* (1868-1913), *passim*. For Maitland's views, see "Moral Personality and Legal Personality," a lecture delivered in 1903, published in *The Collected Papers of F. W. Maitland* (edited by H. A. L. Fisher, Cambridge, 1911), vol. 3, pp. 304-320; and also his *Introduction* to his translation (London, 1900), *of Political Theories of the Middle Age* (a translation of a section of Gierke's *Genossenschaftsrecht*). *Cf.* also Sabine and Shepard, *op. cit.*, pp. xl-xliv.

[2] J. Paul-Boncour, *Le Fédéralisme Économique* (2 éd. Paris, 1901). See especially pp. 1-16, 177-224, 369-423.

maintains also that the development of the law of associations gives legal confirmation to the practical development just indicated; the law, by recognizing the free right of association and by according to the associations privileges which put them in position to interdict work except under conditions decreed by them, tends to make the associations obligatory in law as well as in fact—to make them "sovereign," rather than voluntary, associations. He argues further that these developments are not accidental or avoidable, but are inherent in the very nature of professional associations; and the conditions resulting from such developments are the only ones which accord with the true principles of popular government. The basic principle of the modern doctrine of popular sovereignty, he holds, is this: since the protection of liberty is the sole end of social organization, the necessary limitations upon liberty can properly be made only through cooperation, in the formation of laws, of all whose liberties are to be limited by the laws; only in this way is there a guarantee that the restrictions which law imposes are an exact reflection of the solidarity which necessitates the restriction. The right of the majority to act for all within any given association is justifiable only upon the assumption that the majority can and does normally act in the common interest of the members of that association. The majority of a nation is not competent to act for the interests of all in all things, because the interests of the members of a nation are not common in all things; and there is always the danger that the majority will act in the interest of some particular group. Therefore, besides a national sovereign deciding questions in cases affecting the common interest of the entire nation, there should be particular sovereigns to decide in matters where the special interest of some group is more important than the remoter interest of the majority. Only in that way can there be secured an application of the principle that in the construction of any obligatory rule only those should participate who are truly united by a community of those interests and rights with which the rule is concerned.

Various sociologists have criticised the existing political structure on the ground of its inadaptability and inadequacy as the principal regulative factor in the complex industrial society of today; they have, like Paul-Boncour, sought to transfer from

the state to the vocational group the function of economic control.[1] Émile Durkheim in particular has argued for the restoration of the ancient occupational association as a definitely recognized public institution. We have at present, he argues, no clear principles and no juridical sanctions through which to determine relations between employers and employees, between competing employers, and between employers or employees and the public. The state can not establish these principles and sanctions. Economic life is too specialized to be reached by the state. The activities of any given profession can be regulated only by a group near enough to that profession to be acquainted with its functions and needs. The professional groups must be reestablished both as bases for political representation and as sources of economic regulation. Geographical divisions have lost their economic and social significance; they must be replaced by vocational divisions which will reflect more accurately the varieties of social interests. For the intermittent and remote action of the state there must be substituted the more direct and constant control which the professional group can supply.[2]

Other authors have argued in behalf of the rights of particular groups or of smaller communities and lesser associations generally against prevailing creeds of state omni-competence. The late Dr. J. Neville Figgis criticised the efforts of the modern political leader to invade the proper spheres of such essential social groups as churches, trade unions, local communities, and the family; and he advocated a policy which would attribute to all such groups the character of public associations and would accord to them a large discretion and initiative in controlling their respective interests.[3] Mr. Ernest Barker, although rejecting the Gierke-Maitland conception of the "real personality" of groups, yet accepts the main tenet of their doctrine—namely that these groups exist prior to any act of creation by the state, each existing as a juristic person created by a common conviction, among its members, of its corporate character and function. And he holds that this view necessitates a revision of

[1] *Cf.* Harry E. Barnes, "Durkheim's Contribution to Political Theory," *Political Science Quarterly*, vol. xxxv (1920), pp. 236-254; and his "Some Contributions of Sociology to Modern Political Theory," *American Political Science Review*, vol. xv (1921), pp. 487-533.

[2] For Durkheim's views, see his *Le Suicide* (Paris, 1897), pp. 434-450; and his *De la Division du Travail* (2e éd. Paris, 1902), preface, pp. i-xxxvi: "Quelques Remarques sur les Groupements Professionnels."

[3] Figgis, *Churches in the Modern State* (London and New York, 1913).

general theory as to the nature of the state and its relation to the other associations. "We see the State less as an association of individuals in a common life; we see it more as an association of individuals, already united in various groups for a further and more embracing common purpose."[1] More recently Mr. H. J. Laski has argued for a system which, apparently, would recognize the complete autonomy of such associations, with the abandonment by the state of any claim to be the sole compulsory form of association or the sole representative of the general interests of men. The state, according to Laski, "is only one among many forms of human association" and, as compared with the other associations, has no superior claims to the individual's allegiance.[2] Mr. A. D. Lindsay also declares that the corporate personalities in society are infinite in number; many of the smaller of them, because more homogeneous and representing a closer community of interests, may attract deeper loyalties of their members and, if permitted to act autonomously, prove themselves to be more effective agencies of social coordination than the state itself.[3]

The common feature of all these discussions of the social function of associations is the idea that the state is confronted not merely by unassociated individuals but also by other associations evolving independently, fulfilling essential social ends, eliciting individual loyalties, better adapted than the state, through their special membership, their special forms of organization and means of action, for serving various social needs. Few, however, of the authors of these discussions can be regarded as having clearly reached the pluralistic goal of the non-sovereign state.

The primary interest of Gierke and Maitland was in establishing a basis for the recognition of the corporate privileges, obligations, and liabilities of associations—apart from the individual privileges, obligations, and liabilities of their several

[1] Barker, *Political Thought in England from Herbert Spencer to the Present Day* (London and New York, 1915?), pp. 175-183.

[2] Laski, *Problem of Sovereignty* (New Haven, 1917), especially ch. 1 and Appendix A; *Authority in the Modern State* (New Haven, 1919), especially ch. 1; *Foundations of Sovereignty and Other Essays* (New York, 1921), especially the essay on *"The Pluralistic State,"* pp. 232-249; *The State in New Social Order* (Fabian tract, London, 1922). For an illuminating interpretation and criticism of Laski's views, see W. Y. Elliott, "The Pragmatic Politics of H. J. Laski," *American Political Science Review*, May, 1924, pp. 251-275.

[3] Lindsay, "The State in Recent Political Theory," *Political Quarterly*, vol. 1, no. 1 (February, 1914), pp. 128-145.

members. They argued that the state should accept the common point of view that permanent associations have rights and duties as groups, whether or not the state has accepted them as corporations. Just as the state is bound—morally and practically bound—to accept the common sense of the community that individuals are subjects of rights and duties within themselves, not derived from the state, so, Maitland pointed out, the state is coming to feel the practical and moral necessity of recognizing the common opinion that groups which act in an integral way become right-and-duty-bearing units regardless of whether the state has by some formal act endowed them with legal personality. But the monist has accepted the former limitation upon the sovereignty of the state without weakening the practical and rational validity of his theory of the state—that is, he has recognized that the legally sovereign state is under practical and moral necessity of recognizing inherent rights of individuals; so he may accept a similar moral and practical limitation upon the state in its relations to the associations within it. At no point did Maitland recapitulate his doctrine of corporations in the light of its relations to the doctrine of state sovereignty.

Gierke, in the essay in which he discussed especially the relation of the "newest" theories to the fundamental ideas of public law, assigned to the state a position not substantially different from that of Rousseau's doctrine. Although recognizing that both individuals and associations have non-political sides, domains of free existence unassailable by the state, Gierke yet maintained that the state is sovereign where general interests demanding the exertion of power for their maintenance are concerned. The state, he maintained, is distinguished from other social bodies by its position above them; for the state alone there is no limit through a higher collective existence; the will of the state is the sovereign general will; the state is the highest *Machtverband.*[1]

Paul-Boncour regards the state as the sole representative of general interest and national solidarity. Although he speaks of the other associations as auxiliary, and even rival, sovereignties as compared with the state, yet he places them in such relations of subordination to the state as to leave the state with

[1] Gierke, "Die Grundbegriffe des Staatsrechts und die neuesten Staatsrechtstheorien," *Zeitschrift für die gesammte Staatswissenschaft,* vol. xxx (1874).

sovereignty of the traditional type. It is, he holds, the duty and prerogative of the state to determine, in general outlines, the constitutions of the several group sovereigns, define the relations that may be established between them and individuals, restrain them within their respective spheres of competence, and prevent them from using improper methods for accomplishing their ends. In particular, it is the duty of the state to prevent any group sovereign from acting oppressively toward the public, toward other groups, or toward its own members. For example, the state must during war prevent strikes which endanger the national defense, and in peace prohibit strikes in essential industries; it must intervene in the conflicts between groups in order to require arbitration; and it must even interfere in the internal affairs of a group if necessary to protect the members against abuse by the controlling element of the group.[1] Durkheim and the other sociologists likewise ascribe to the state the function of laying down general principles of economic control, leaving to the several associations the function of diversifying, under state supervision, the application of those principles according to the varying conditions of the respective associations.

Dr. Figgis regarded the State as the *communitas communitatum* and assigned to it a distinctive function and a superior authority as an agency of coordination and adjustment. He held that one of the chief elements in the importance of the several smaller groups is that they foster not only individual development but also "loyalty to the great 'society of societies' which we call the State." Each of these groups must by the state be restrained from acts of injustice towards one another or towards others; and "it is largely to regulate such groups and to ensure that they do not outstep the bounds of justice that the coercive force of the State exists."[2] Ernest Barker, who writing editorially in 1918 in the atmosphere of the war-powerful state, spoke in extremest terms against the domestic tyranny and international hostility engendered by the "superstition" of the sovereign national state, had, in his earlier, more systematic analysis of the pluralistic trend in recent political thought, insisted that this inevitable tendency must not carry us too far.

[1] *Le Fédéralisme Économique*, pp. 389-423.
[2] *Churches in the Modern State*, p. 49.

"The State," he says, "as a general and embracing scheme of life, must necessarily adjust the relations of associations to itself, to other associations, and to their own members—to itself, in order to maintain the integrity of its own scheme; to other associations, in order to preserve the equality of associations before the law; and to their own members, in order to preserve the individual from the possible tyranny of the group."[1] "We see the State invited to retreat before the advance of the guild, the national group, the Church. Yet whatever rights such groups may claim or gain, the State will still remain a necessary adjusting force; and it is even possible that if groups are destined to gain new ground, the State will also gain, perhaps even more than it loses, because it will be forced to deal with ever graver and ever weightier problems of adjustment."[2]

Laski, who through his brilliant essays has done probably more than any other author to bring to the attention of American readers the pluralistic cast of recent political reflection, leaves us in doubt as to what peculiar functions he would assign to the state in pluralistic society and as to the relations he would establish between the state and the other, auxiliary and rival, associations. Mr. Lindsay recognizes the state as the "organization of organizations," differentiates it from the other organizations by its compulsive and comprehensive membership, as contrasted to the voluntary, selective membership of other organizations, and by its coercive function. But he does not regard these attributes as attaching to the state in any such original or ultimate sense as to constitute a character that can be designated as sovereign. "The power of the state over its members," he says, "depends upon the will of the members themselves and upon the fact that they allow the state to organize force which can indeed coerce individuals, but cannot coerce the whole community. The state, therefore, can have control over the corporations within it only if and so far as the citizens are prepared to give it such power. Wherever, therefore, men's loyalty to a non-political association, a class, or a church, or a trade union is greater than their loyalty to the state, the state's power over the trade unions or churches or classes within it is thereby diminished. The power it has over them springs from

[1] *Political Thought in England*, pp. 178-9.
[2] *Ibid.*, p. 183.

the recognition by its members of the need of some organization which shall control the relations of the different associations to one another." [1]

If the above be a correct presentation of the ideas of the several noted authors whom we have considered, then it would appear that none of them, with the exception of Laski, and possibly Lindsay, and Barker in some of his writings, can be properly considered as having expunged the idea of state sovereignty from his theory. They all have in effective style, through varying approaches, demonstrated that the state is confronted not only by individuals but by associations of individuals, many of them as old, and as indispensable to social development, as the state itself; yet they have assigned to the state a position, in this manifoldly organized society, not essentially different from that claimed by the traditional theorists. Indeed, none of them called their doctrines "pluralistic." Nevertheless, among them all the interactions in influence are evident. Those most advanced in their attack upon the doctrine of sovereignty are insistent in intimating an essential identity between their attitude towards the state and that of the others whose discussions we have noted. There are also obvious affiliations, in politico-ethical attitude, between the doctrines of this group and the legal doctrines of Duguit and Krabbe, to be considered below.

The several sects of guild socialism likewise make varying approaches to the pluralist's goal of the non-sovereign state, but none seems to reach it. The aim of all guild socialists is to make substantial reduction in the activities of the state, particularly in the field of economic control; they would make the state appear as merely one among a number of coordinate associations, each dealing with some essential aspect of social life. They all retain the state, but are not clear as to the location of the function of legal control. For those who would transfer from the state to the national guilds and the national guild congress most functions of legal control, but would leave the state with its "political" duties of defining and regulating non-economic relations, including the prevention and punishment of crime, the sovereign state remains, although with a narrower allotment of activities than some monists might desire. For those who would assign to the

[1] "The State in Recent Political Theory," p. 134-5.

state only cultural functions and would strip it of any peculiar law-enforcing authority and would vest ultimate legal control in a joint body representative of all functional associations, including the state, the sovereign state remains, under another name.[1]

B. *State-Sovereignty and Internationalism.*

One of the most significant trends against the traditional theory of state sovereignty has arisen in connection with the development of ideas and sentiments of internationalism. It is argued, on the one hand, that the development of international law results in legal facts which are incompatible with the theory of the legal sovereignty of the state. The regular limitations to which states are now subject in their dealings with one another are no longer, it is held, voluntary, self-imposed by mutual agreement; they have every essential quality of law; and although not sustained by penalties inflicted by definite tribunals, they are yet sustained by the same type of sanction—namely, public opinion—as that which forms the real support of many domestic legal rules. It is further argued that the tendency is toward the development of an international organization which may supply for international rules a system of sanctions through pains and penalties as well.[2]

The internationalist reaction against the sovereign, national state is manifested, on the other hand, not only through an estimation of the significance of the development of international law, but also through a view as to the validity of states as divisions of society. It is denied that the modern state is the embodiment of any essential homogeneity—racial, economic,

[1] For typical illustrations of the theories of guild socialism, see G. D. H. Cole, *Social Theory* (New York, 1920), and *Guild Socialism Restated* (New York, 1921); and S. G. Hobson, *National Guilds and the State* (New York, 1920). For a systematic description and criticism of the theory and movement, see Niles Carpenter, *Guild Socialism* (New York, 1922).

[2] For general accounts of the development of ideas of internationalism, *cf.* J. A. Hobson, *Towards International Government* (London and New York, 1915); Ramsay Muir, *Nationalism and Internationalism* (2d edition, London, 1919); Josiah Royce, *The Hope of the Great Community* (New York, 1916); James Bryce, *International Relations* (New York, 1922). For internationalistic conceptions opposed to the traditional doctrine of sovereignty, see Norman Angell, *The Great Illusion* (New York and London, 1910), and *The Fruits of Victory* (New York, 1921); H. Krabbe, *Die Moderne Staats-idee* (1919), ch. 10; Hans Kelsen, *Das Problem der Souveränität und die Theorie des Volkerrechts* (Tübingen, 1920); Leonard Nelson, *Die Rechtswissenschaft ohne Recht* (Leipzig, 1917). For an extreme monistic conception of internationalism, see Georg Jellinek, *Die Lehre von den Staatenverbindungen* (Berlin, 1882), especially pp. 3-59, 315-6, and *Allgemeine Staatslehre* (2d ed., Berlin, 1905), especially pp. 364-8.

or intellectual, and it is argued that patriotism is simply a traditional delusion. Under this view the real sentiments that unite and divide men are independent of political, of geographical and national, lines; the natural lines of division are largely economic, professional, intellectual. The doctrine of state sovereignty is held to establish rivalries and conflicts which, because they rise from artificial divisions, evoke no rationally imperative means for their conciliation, and impose divisions where otherwise there would be cooperation.

In reference to such views, it may be said that, if the trend of international development is inevitably towards an order in which a unified legal control will exist, somewhat of the type of Dante's universal empire, then we shall have, when the goal is reached, a world-sovereign state which will fit under the traditional theory of sovereignty. In the intervening stages we may have a condition in which there is within any community subject to international law a partition in legal control between that of the state and that embodied in international law; the foundation for the latter may, during such intervening stages, lack that unity of organization demanded by the monistic theory; international law would then appear to be formulated and applied through the cooperative efforts of different units, each of which, although independent in its peculiar sphere of action, would yet be, in other matters, not free but subject to the joint action of the others; such a control might rest upon organized force, but not upon uni-organized force. The consequence of this may possibly be a modification of the traditional theory of sovereignty—both by requiring an admission that in international relations states are no longer sovereign in just the way that that theory represented them to be, and by affording a significant example in one field of the practicability of actually divided sovereignty. But it seems highly doubtful that there is anything in our experience so far to indicate that the internally sovereign state either is or will be an institution unnecessary for the further development of international cooperation and control. As Mr. Ernest Barker says: "A true internationalism . . . must recognize the existence of the State in all its fulness, and it must seek to comprehend states in its fold without any derogation from the fulness of their being."[1]

[1] *Political Thought in England*, p. 246.

Our estimation of the whole significance, for the theory of sovereignty, of the development of international control, depends really upon our understanding of what that theory implies as to the relation generally of the state to law. And any definition of law which would relieve us of difficulties raised by the present status and tendency in international relations would be subject, in other quarters, to similar difficulties of inclusion or exclusion.

C. *State-Sovereignty and Law.*

The most fundamental attack that can be made upon the traditional doctrine of sovereignty is that which directly challenges the claim that the state, or some sovereign organization within the state, makes law. Ideas as to the relation of the state to law supply the foundation for the doctrines of the two authors in whose writings the repudiation of sovereignty is developed most systematically and consistently,—namely, Léon Duguit and H. Krabbe. Similar ideas are underlying, although less explicit, in the criticisms of all who seek to proscribe or transform the traditional doctrine; all are repelled by the claim, which they find in the monistic theory, that the state, or the state alone, can establish the discrimination between lawful and unlawful conduct in society.

The characteristic feature of Duguit's theory lies in his full and sharp discrimination between state authority and the authority of law.[1] Both reflect facts; both are sustained by sanctions which secure their habitual recognition; both apply to men living in society and give rise to commands sustained by sanctions which secure their habitual obedience. But the facts and sanctions are essentially different in the two cases. A state as such has no essential connection with law (*droit*) and right; its authority has as such no legal (*juridique*) or moral justification. On the other hand, the authority of law is inde-

[1] For Duguit's theory, see his following works: *L'État, le Droit Objectif et la Loi Positive* (Paris, 1901), especially pp. 1-19, and 613-618; *Manuel du Droit Constitutionnel* (2e éd. Paris, 1911), especially pp. 49-51, 69-79; *Transformations du Droit Public* (Paris, 1913), especially chs. i-iii. For brief expositions of Duguit's theories, *cf.* the following: J. M. Mathews, "A Recent Development in Political Theory," *Political Science Quarterly*, vol. xxiv (1909), pp. 284-295; W. Y. Elliott, "The Metaphysics of Duguit's Pragmatic Conception of Law," *Ibid., December*, 1922, pp. 639-654; W. J. Brown, "The Jurisprudence of M. Duguit," *Law Quarterly Review*, vol. 32 (1916), pp. 168-183.

pendent of state power. The state is simply a community in which certain individuals rule others; it is simply a body of men living in a definite territory, in which the stronger impose their will upon the weaker. Those who rule politically rule because they are able to rule; this ability may rest upon superior wealth, upon superiority in physical strength or numbers, or upon mental superiority. The sanctions for such political commands are simply the physical penalties which the state organs are in a position to apply to those who disobey.

Law (*droit*), with Duguit, is an entirely different thing. It is the name for the rules of conduct binding upon men who live in society, binding regardless of their political relations. The obligations involved in law arise not from the fact that they are decreed—either expressly or by implication, by origination or by adoption—by any organized authority; they arise simply and directly from the conditions of social life. The obligations involved in law are based directly and solely upon the facts that men live in society, that they must live in society in order to survive, and that life in society requires a certain manner of action. In order that the advantages of social life may be maintained, certain rules of conduct must be observed; otherwise the society will disintegrate or degenerate. These facts indicate the essence of law. Laws in the fundamental sense are the rules of conduct that must be obeyed in order to preserve and promote the benefits which society confers. Men are naturally conscious of such rules, and are impelled to observe them from a sense of self-interest. Men are conscious of the fact that they live longer and suffer less in community with other men. They are conscious of the fact that they have common needs and desires which can be satisfied only by living together; that they have diverse capabilities as a consequence of which their several needs can be satisfied only by exchange of services. These facts out of which laws arise constitute social solidarity. The fundamental rules of social conduct are thus in general: respect all acts determined by the end of social solidarity; abstain from acts determined by ends contrary to social solidarity; do everything possible to develop social solidarity.

Duguit recognizes that law must have a guaranty; but that guaranty is not, he maintains, organized coercion. The sanction of the rule of law is primarily psychological—resting in the

individual consciousness of the social approval or reprobation of an act according to whether it conforms to or is contrary to the rule of law as above defined. Such consciousness exists amongst the individuals of any and every society, even where there is no organized force, no political organs formulating rules and enforcing them by organized physical coercion. In any society, acts done in conformity to the rule of law will be satisfactory to the mass of individuals conscious of the social bond. Men who conceive social solidarity, conceive and desire the rules of conduct which are its consequence and approve action conforming to such rules.

From the foregoing it follows, according to Duguit, that law is independent of, superior and anterior to, political organization, and that law is objective, not subjective. "The concept of the rule of law, understood as a social rule invested with a social sanction, is completely independent of the state . . . is above and more comprehensive than the state." There are positive and negative limits, of a jural sort, to the state—things the "sovereign" must not do. If the state, whether through its government or through its so-called sovereign organization, violates any of the rules of social solidarity, it acts unlawfully. Law is objective: the validity of any rule depends not upon its source or origin but upon the end which serves. The force of government is not in itself legitimate; it is legitimate only when employed to sustain law—to guarantee cooperation towards social solidarity. The function of government, in so far as it acts as an agency of law, is simply that of adapting a rule of law to a given set of facts. Acts of legislation (*lois*) are simply particular dispositions formulated by the actual rulers in a state—formulations which, if lawful, state a rule of law and prescribe means designed to assure respect for that rule. Such formulations are obligatory, not because they are formulated by rulers, but because they state rules of law which are of themselves imperative.

Duguit is not setting forth a doctrine of individualism. He holds the rules of law to be superior to the individual as well as to the state. They are not based on supposed individual rights and duties existing anterior to society or inhering in the nature of individual men. Only the end of solidarity legitimizes the individual will; any will determined by such an end pro-

duces an effect of law, which, if the state acts lawfully, will be protected by the state.

Krabbe, like Duguit, places law above and, in origin, independent of the state. He rejects with emphasis the notion of sovereignty understood as "an extra-legal competence to issue commands"[1] and the notion that law is the command of a sovereign. His theory "accepts no authority as valid except that of the law"; under this view "the sovereign disappears as a source of law from both legal and political theory."[2] Although agreeing with Duguit in the disparagement of sovereignty, Krabbe dissents sharply from Duguit's view that the state is simply a fact unrelated to law, that political relations are simply relations of the stronger—physically, economically, intellectually—to the weaker; and he holds that recourse, for judgment upon the validity of the acts of political rulers, to such objective tests as those supplied by Duguit's natural law of solidarity, is unnecessary and impossible. This view, Krabbe believes, results in a dangerous or futile dualism in social control. Krabbe's view is that the essence of the state is in the operation of legal relations, not in the operation of relations of strong to weak; "the authority of the state is nothing except the authority of law";[3] "the rulership inherent in the state can . . . be traced back to a single authority, that of the law."[4] The characteristic feature of Krabbe's theory of the state is its rejection of the idea that power is the essential feature of the state; the essential mark of the state is that it is a legal community.[5] "The state reveals itself only in the making of law, whether it be by legislative enactment or by the unwritten law."[6] "The state is nothing except a legal community . . . a portion of mankind having its own independent body of legal relations. Hence the state performs no function whatever except to impute legal value to certain interests."[7]

[1] Krabbe, *Die Moderne Staatsidee* (Haag, 1919). Translation by George H. Sabine and Walter J. Shepard, *The Modern Idea of the State* (New York and London, 1922).
[2] *Modern Idea of the State*, pp. 144-5.
[3] *Ibid.*, p. 69.
[4] *Ibid.*, p. 208.
[5] *Die Moderne Staatsidee*, p. 254: "Dass der Staat eine Rechtsgemeinschaft ist."
[6] *Modern Idea of the State*, p. 225. *Moderne Staatsidee*, p. 255: "dass ausschliesslich in der Erzeugung des Rechtes, sei es Mittels der Gesetzgebung, sei es dem Wege des ungeschriebenen, der Staat sich kenntlich macht."
[7] *Modern Idea of the State*, p. 215.

What, in Krabbe's theory, is law, the authority of which determines state authority and the shaping of which constitutes the state's essential function? Krabbe does not, like Duguit, attempt to find purely objective tests for the definition of law. Law is determined by the source from which it springs, not by its objects. But the source from which law springs is not, as in the older theory, a sovereign body, or any organ, institution or association; for law *is* objective in so far as the human *will* is concerned. But law is essentially subjective, for law is the totality of rules, general or special, written or unwritten, "which spring from men's feeling or sense of right."[1]

From whose feeling or sense of right does law derive, in Krabbe's theory? His theory does not maintain that law is, for any individual, that which is determined by his own sense of right. For law is the rule of a community; a community exists for a social or common end, which postulates unity of legal rule. A community can not exist where each individual recognizes as law only rules derived from his individual sense of right. Law thus exists only in groups among whose members there is some substantial approach to common convictions as to what is right. Unanimity in such convictions appears, however, in no community; and this lack of unity of conviction is not due solely or primarily to diversity of standards, but rather to variety of conceptions as to what conforms to the common standards. And yet a single legal rule is indispensable to a community.[2] "The purpose of a community can be realized only if there is a single legal rule."[3]

How, under Krabbe's theory, is this legal unity essential to a community to be secured in a community where there is inevitable variety of opinion as to what is demanded by a sense of right? In the case of statutory law, the decision of the regularly established legislative organ is normally determining, assuming that the body is so constituted as normally to reflect the sense of right of the majority of the people and that the decision of the legislature is subject to modification in application through the agencies of unwritten law. In the case of unwritten law this unity is obtained by attributing legal authority only to the sense of right of the majority. "If the sense of

[1] *Modern Idea of the State*, p. 39.
[2] *Ibid.*, ch. iii, secs. vii-viii.
[3] *Ibid.*, p. 74.

right of the members of a community differs regarding the rules to be followed those rules possess a higher value which are desired as rules of law by a majority of the members (assuming a qualitative equality in the sense of right of the members)."[1] "Since there can not be a single rule except by recognizing the principle of the majority, the communal life, which controls our consciousness and makes the sense of right effective in us, carries with it the obligation to govern our conduct according to the rule approved by the majority."[2]

Thus Duguit and Krabbe agree in the general doctrine that law is not made by any organ or group of organs occupying within the state a position as sovereign. They recognize that there are determinate organs in the state which do make decisions and issue commands normally obeyed by the bulk of the community organized as a state. But they hold that not all the commands and decisions of such organs are laws. Some other quality is essential to give such rules the real character of law.

With Duguit this essential quality is, as he terms it, objective in nature; it is the quality of tending to promote social solidarity that makes any rule of social conduct law. Obviously in the actual application of law it must be some human judgment upon the question as to whether a given rule does or does not tend to promote those ends which give legal quality to a rule. The probable effect of any rule upon social solidarity is never a matter with respect to which there is such unanimity of conviction that no authoritative pronouncement upon the question is required. In all Duguit's illustrations of the actual workings of his doctrine, he points to definite political agencies —governmental organs—as applying the *règle de droit* by issuing orders and judgments determined by their findings as to the objective ends thereby promoted. He has devoted a separate volume [3] largely to showing: first, the various organs—President, parliament, communal councils, local administrative authorities, organizations of civil servants—which, in the French governmental system, perform this function of declaring legal obligations; second, the various instances in which certain governmental organs—council of state, administrative courts, ordi-

[1] *Moderne Staatsidee*, p. 83.
[2] *Modern Idea of the State*, p. 78.
[3] *Transformations du Droit Public* (Paris, 1913).

nary courts—adjudge the determinations of certain other governmental organs—administrative officers, parliament—to be unlawful on the ground of *ultra vires* or abuse of power, the acts of the latter being adjudged to be unlawful because directed to ends estimated by the former to be unlawful ends. Duguit's interpretation of such instances discloses the pluralistic aspect of his doctrine. His aim is not, as with Laski and other group-theorists, to demonstrate the significance and law-determining capacity of non-political social groups, but rather to show that no one organ of the state has the exclusive prerogative of applying the rule of law, this function being shared by various state organs, and to prove that each organ of the state is subject to legal limitations applied by other state organs.

With Krabbe, the essential quality of a rule of law is its generation by the sense of right of the majority of the community constituting the state. This criterion is applicable both to statutory and to unwritten law. In the case of statutory law any given statute must normally be accepted as lawful if it issues from the lawfully established legislative organs, assuming that that organ is so constituted as to ensure that normally the sense of the majority will be manifested in its decisions. Of course, Krabbe gives great emphasis to the possibility that the regularly constituted legislative organs may enact rules "which lack the quality of law either because the organization of the legislature is defective or because it mistakes what the people's sense of right demands."[1] But in this emphasis there is no unusual invitation to insubordination—no suggestion of any extra-political judgment upon the commands of the regularly constituted authorities (except that implied in the almost universally recognized ultimate moral "right of revolution"). The doctrine that a rule, by whatever organ enacted, must, in order to constitute law, possess a quality that the will alone of that organ can not give it, seems, in application, to have, for Krabbe, only two familiar implications. In the first place, there is the proviso as to the constitution of the legislative organ, already indicated. But this is not meant to imply that the sense of right of the majority can prevail where normative force is not attached to the sense of right of the persons selected to reflect the people's sense of right or where no independence of judg-

[1] *Modern Idea of the State*, p. 47.

ment is left to such deputies. "For it is his [the legislative deputy's or representative's] own sense of right and not the more or less conjectural convictions of the electors which possesses the value needed to give a rule the quality of law." [1]

The second, and more important, implication lies in the fact of the constant modification of written law by unwritten law.[2] In the case of unwritten law the sense of right determines decisions by judges, juries, and administrative officers, in a more direct and less tangible way than in the case of statutory law. This sort of law reflects more fully and in more delicate shading the juridical notions of the particular circle to which the interests concerned in some decision of law belong. Both statutory and unwritten law, though differing in origin, stand upon the same plane, and have the same basis for their binding force; and either may modify the other. If statutory law goes against the sense of right of the majority, unwritten law will soon bring it, in application, into conformity with that sense of right. "No power on earth can control the action of the sense of right, and when it acts, a binding rule follows spontaneously." [3] Where the power of the state or the decrees of the court enforce or apply rules that do not come from the sense of right they are applying something other than law.

Such are the views of Duguit and Krabbe as to the relation of state and law. Certainly no one can find it difficult to discover numerous illustrations of a valid aspect of their doctrines. Familiar facts in connection with the ordinary administration of law afford to any observer abundant evidence that any doctrine which regards law as something begotten by the mind or will of legislators, as something independent of the opinions and desires of the people among whom it is applied, is an untenable doctrine. Any one can discover numerous instances in which in the process of applying state authority a popular sense of right or feeling of social justice or some other popular notion may overcome a formal rule of government. A statute or decree of the state, valid according to every test required by a very formalistic view of the orthodox theory of sovereignty, may yet be made inoperative because it conflicts with some unformulated rule of justice or reason or popular desire. The formal decree

[1] *Modern Idea of the State*, p. 93.
[2] *Ibid.*, ch. iii, sec. xiv.
[3] *Ibid.*, p. 102.

of the state forbids certain acts; but juries, reflecting some common feeling that the forbidden acts are socially defensible, fail to convict; the decree is made inoperative to the extent that it is regarded by the jurors as producing socially improper ends—or ends not desired by that social opinion which the jurors reflect. In the informal procedure of our courts of minor jurisdiction, the magistrates dispose of numerous cases on the basis of some unformulated *règle de droit* or sense of right, rather than on the basis of the formal laws. Accused persons are punished or freed on the basis of discriminations which the formal decrees do not contemplate but which are evolved by a magistrate from his rough interpretation of social opinion as to what is demanded by justice or social expediency in a particular case before him. Judges of higher courts in applying rules of reason in the interpretation of statutes are following the same course. They may do lip service to the supremacy of the formal law, justifying their interpretation by the assumption that the enactors of the law intended a reasonable end in formulating the enactment and, therefore, that the words of the enactment, although in their usual usage they would have a meaning which in this instance would produce an unreasonable effect, yet since the enactors must be assumed to have intended only reasonable ends the words must be interpreted in that sense.

Illustrations given by Duguit and Krabbe, as well as such instances as those just indicated, gathered from the experience of any political community, show that no organization in any community can "make" the content of laws. In any community to which the name state can properly be applied the materials out of which laws are made are produced by factors over which the holders of political office have generally little independent or original control. One may accept these familiar facts and yet find difficulty in accepting the criteria for law offered by Duguit and Krabbe, finding them both too broad and too narrow. Whatever the political organization of a country, its laws as formulated are in a large degree determined by the opinions, desires, and prejudices of whatever individuals or groups are strongest in that community. And the laws as formulated are often substantially modified, in their application, by the opinions, desires and prejudices of other persons (judges, police

officers, juries) through whom they are applied—opinions and feelings which are often minority opinions and feelings. Whether law be considered as it is formulated or as it is applied, its content will, of course, reflect something other than what can be called the will of the formally organized legislators; but it will also often represent something other than what can be called a dictate of a popular sense of right, or than what can be explained as a conclusion as to a tendency to promote social solidarity. The decisions resulting in law, as formulated or as applied, are determined by various motives and impulses—sense of justice, desire for gain, habit, emotional subservience to slogan or delusion, fear, sympathy, envy. Any manifestation of social control may be produced by an admixture of such causes. Of course, it may properly be said that law should be defined not according to its imperfect manifestations but according to its ideal, and that law proper has always the essential element of reason in it, is always a manifestation of the community's sense of right. The monist accepts this, but still can not accept the pluralist's definition of law. For the people's sense of right, the community's judgment as to socially valid ends, manifests itself sometimes in laws—in rules as formulated and applied through political agencies, and sometimes in other forms of social control.

Professors Sabine and Shepard in their introduction to their translation of Krabbe's *Modern Idea of the State* give us their own critical views of the conception of sovereignty in its recent evolution. They indicate their concurrence with the views of Gierke, Maitland, Figgis, Laski, Krabbe and Duguit, with some reservations as to Duguit. They concur in the disparagement of the doctrine of sovereignty because of "its purely formal conception of authority"—involving the idea that "law is authoritative because of the source from which it comes" and that law "is the voice of a superior person, either of an individual in some way designated as superior or of the collective person or state."[1] In opposition to this doctrine they briefly set forth their own conception of "law as an evaluation of interests."[2] The interests of individuals living together are numerous and complex, often conflicting or mutually irreconcilable, requiring numerous adjustments to make them mutually

[1] *Introduction* by George H. Sabine and Walter J. Shepard to Krabbe's *Modern Idea of the State*, p. lxx.
[2] *Ibid.*, pp. lxi-lxx.

compatible. The interests of groups are also often conflicting or incompatible in relation to the interests of individuals as well as to those of other groups. Orderly social existence would be impossible without "conscious adjustment in terms of the relative values of the interests involved." This process of adjustment is evaluation. These evaluations must be made in typical forms. It would be impossible to make an adjustment in each particular case on the basis of an unformulated evaluation of that particular issue. "Such general valuations of types of interest are laws. They represent the more or less stable estimate of the members of a community regarding the general importance to be attached to a given class of interests."

In common with other adverse critics of the traditional doctrine, Sabine and Shepard reject the conception of law as an expression of will. But evaluation seems a more innocuous word than will only with an understanding of will as an impulse or resolution determined by selfish or base motives—in the sense of passion or desire. Certainly evaluation is a no less subjective process than will. And to say that law is an evaluation, not an expression of will, does not relieve us of the necessity of determining the further questions as to whose evaluation is law, and in what manner and through what institutions the evaluations that constitute law are made. At one place the authors speak of "official valuations" as being made by "political and quasi-political groups" and of the judicial function of government as expressing a "more or less official judgment";[1] but they do not make it clear whether it is only the political and quasi-political groupings which are organized to make officials valuations, or what theoretical significance they attach to the adjective "official." Certainly evaluations in the adjustment of competing and over-lapping individual and group interests are made in manifold ways and by various institutions of society—religious, social, industrial, political. The monist reserves the term law for those evaluations, or determinations, or will-manifestations, that are made through political institutions — the institutions that constitute the state; and he believes that the evaluations so made are of distinctive character—not distinctive in every aspect, but distinctive in certain essential aspects, so that a term of discrimination is required.

[1] *Ibid.*, pp. lxvi.

III. Conclusions.

It may well be that the more celebrated monists devoted disproportionate attention to the fact and the necessity of the exclusive legal function of the state and too little attention to the social forces that determine the content and limit the application of law. They did not ignore this latter aspect of state theory. Bodin (in his discussion of the laws of God and nature and of *leges imperii*) and Austin (in his discussion of opinions and sentiments current in the community, as limiting the legal control of the state) recognized the inadequacy of the doctrine of sovereignty for a complete philosophy of the state. A distinctive feature of the "pluralistic" writings is the clear and useful emphasis which they give to the field left inadequately covered by the traditional monistic writings.

The error of the recent pluralists is, it is submitted, that they are not content to supplement, but attempt to supplant, the traditional doctrine of state sovereignty—to discredit it utterly, for the present day, at least, by showing it to be a dangerous or futile doctrine. In searching for the difference between the pluralistic and the orthodox view in their ethical aspect, the essential question is not, as Duguit, Krabbe, and Laski seem to put it—is a command of the state entitled to respect or properly regarded as socially legitimate when it is in clear conflict with commonly accepted standards of justice or social expediency? The essential question is rather this: is there a common opinion that the comprehensive and compulsive authority exercised by the state is essential for the maintenance of justice and social welfare, and, if so, can such authority be adequately or fairly applied in a community where each individual or each association normally claims the right to judge the validity of each act of state authority by purely objective or substantive tests?

In considering whether the theory of state-sovereignty fits the facts, needs and tendencies of the present social order, we have to consider such questions as the following. Are the coercive and coordinating functions which the state performs socially necessary and useful? Can the non-political social groups—professional associations, trade unions, churches, in whose interests much of the recent pluralistic argument is made—thrive,

attain their ends—their own peculiar ends—without the distinctive services which the state renders? If the state, with its coercive power and compulsive membership, is a socially useful institution; if the members of the other associations generally recognize that there are functions of limitation and adaptation to be performed by an organization of more comprenhensive membership than they are, in which membership is normally compulsive, not, as with the other associations, voluntary; then it does not seem possible to speak of the "discredited state," or to say that the idea of public, as distinguished from individual or group, interests is a fiction, or that the political condition is a condition merely of fact, not a condition of right.

It is true that, as Laski says, man is a creature of competing loyalties and that the state can not, therefore, hope to absorb the whole loyalty of any individual; the state fails where it attempts to ignore the other objects of the loyalty of its subjects and to range over the whole area of human life. But it is also true that *men* are creatures of competing loyalties, that the loyalties of one may come into conflict with the loyalties of others, and that the different groups which attract the loyalties of men of a given community come inevitably into conflicts and rivalries of interest and competence. These facts create the need for an organization having the special function of adjusting and adjudicating such clashes as well as of caring for certain common interests. To recognize the indispensableness of such a common association is not to ignore the indispensableness of other associations. And to recognize both the indispensableness of the state and its peculiar character as an organization of comprehensive membership which uses organized coercion as one of its means of action, is, on the one hand, to admit all that is comprehended in the traditional doctrine of sovereignty, and, on the other hand, to make no claim to moral absolutism for the state or to suggest any judgment upon the social expediency of any particular doctrine.

It is possible, not merely to repudiate the theory of state-sovereignty, as Duguit, Laski, and Krabbe, attempt to do, but also to construct a positive theory of social organization based upon that repudiation. It is possible to construct a theory of society based upon the hypothesis that social order, peace and justice can best be maintained without having an organization

vested with the special functions of authoritative coordination among the manifold cooperative groups in society. Kropotkin constructed a consistent and appealing theory based on such an hypothesis.[1] In his theory of anarchism, developed through careful historical and scientific reasoning, he sets forth his ideas that all authority over man is unjust, that if individuals are left absolutely free to associate themselves as they see fit, all individuals and groups will, responding to natural impulses of sympathy and mutual aid, act in mutual helpfulness and in respect for the interests of one another. Under his view discord in society is due only to the perverting influence of the unnatural and unjust restrictions inherent in the systems of political authority and private property.

The theorists of syndicalism also would eliminate the state altogether from society.[2] They regard as both inadequate and unjust a system in which control is vested in the hands of authorities chosen on the basis of territorial or national representation. Their system provides for completely self-determining industrial groups, each absolutely free from any organized control above it. The syndicalists are not clearly in agreement as to whether each group would exercise legal control within its sphere or whether the instruments of legal control would be abandoned altogether. We have seen that the typical pluralist, though retaining the state, seeks to eject sovereignty from social theory. Some syndicalists, while banishing the state, seek to retain sovereignty, holding that we cannot have social organization unless there is sovereignty somewhere in society, and assigning sovereignty to the syndicate; such writers represent syndicalism as substituting an organic, voluntary sovereignty for an external, imposed sovereignty.[3] In any case, whether sovereignty disappears or is divided within any territorial or national group,

[1] Kropotkin's views appear in a number of his works. See especially his *Fields, Factories, and Workshops* (London, 1898); *Anarchist Communism: Its Basis and Principles* (London, 1891); *La Conquête du Pain* (3e éd. Paris, 1892; English translation, *"The Conquest of Bread,"* London, 1906).

[2] For typical theories of syndicalism, see the following: Georges Sorel, *Reflexions sur la Violence* (3e éd. Paris, 1912. Translation by T. E. Hulme, New York, 1914); Hubert Lagardelle, *Le Socialisme Ouvrier* (Paris, 1911); Émile Pataud and Émile Pouget, *Syndicalism and the Cooperative Commonwealth* (translated by Charlotte and Frederick Charles, Oxford, 1913). For a general account of the syndicalist movement and theory, *cf.* Louis Levine, *The Labor Movement in France* (New York, 1912).

[3] See Sergio Panunzio, "Syndicalisme et Souveraineté," in *Le Mouvement Socialiste*, t. 34, nos. 253-4 (juillet-août, 1913), pp. 59-73. Most syndicalist writers do not discuss sovereignty.

the syndicalist system is a frank application of the pluralistic hypothesis.

The systems of anarchism and syndicalism afford clear and consistent applications of the pluralistic doctrine of divided or discarded sovereignty. It would be no disparagement whatever of the pluralists to say that their doctrines are anarchistic doctrines. The defect of their discussion seems rather that they do not make it clear whether or not they are advocating anarchy,[1] or, if they retain the state as an essential and distinctive institution of society, what specific attributes assigned to it by the monist they would deny to it. The communist-anarchist consistently denies the rightness of organized force. Although Laski claims that his doctrine "denies the rightness of force,"[2] it is by no means clear from his writings that he is willing, as Kropotkin clearly was willing, to accept the complete implications of such a denial.

In disparaging the doctrine of state sovereignty, Laski and other pluralists often make the plea that a church or trade union or other essential social group may properly be of as much moral and practical importance to their members as the state is, and that it is, therefore, unjust for the state to endeavor to enforce its demands where there is conflict with the demands of the other associations. The church, trade union, or other association might conceivably fare very well, the loyalty of its members be adequately satisfied, if it were a generally accepted doctrine that where its behests conflicted with the behests of the state, no superior significance should be attached to the behests of the state, by virtue of its position as representative of the community. There still remains the question as to how any church, trade union or other association would fare, how adequately the loyalty of its members be satisfied, if, in cases where its behests, or the behests of the state, conflicted with the behests of some other association, no superior significance was to be attached to the attitude of the state in such conflict. There appears to be an underlying assumption in most pluralistic writing that if only an individual or group be released from state control, then we shall have a condition in which

[1] Not mere "contingent anarchy," which, as Laski well says, "is the penumbra of every state" (*New Republic*, October 18, 1922, p. 204), and which, he might also have recognized, is fully accepted by the monistic doctrine; but actual, though orderly, anarchy, such as that for which Kropotkin contended.

[2] *Problem of Sovereignty*, p. 23.

spontaneous action, self-expression and initiative, will enjoy free play. But many who raise the loudest outcry against state encroachments upon individual or group freedom are the most ardent supporters, or the most complacently tolerant, of other forms of social coercion.

Pluralists themselves—although generally pointing to a goal in which the state is brought down to a lower level in society, and indicating that the tendency of social and industrial development today is in the direction of a progressive weakening and narrowing of state power, with a corresponding elevation in the power of the other, "competing," groups—yet come back at times pretty closely to a thoroughly monistic position. Thus Laski says: "Legally no one can deny that there exists in every state some organ whose authority is unlimited"; and, on the next page: "That government is the most important of institutions few, except theocrats, could be found to deny."[1] Krabbe in justifying his majority principle in law-making finds the explanation of that principle in the "fundamental value of having a single rule, which is greater than the value attaching to the content of the rule."[2] And Barker says: "It is exactly the struggle of classes which the State serves, if not to prevent, at any rate to keep within limits. The value of the State lies in the fact that it supplies a common substance for man's interest and devotion, in which the competing claims of class and of party can be reconciled. The government of the State adjusts the claims of classes to one another, creating in the process social rights; at the very least, it keeps the ring as a neutral referee, inducing competing parties to obey the rules of the game."[3]

[1] *Foundations of Sovereignty*, pp. 236, 237.

[2] *Modern Idea of the State*, p. 81.

[3] *Political Thought in England*, p. 245. See also Barker's more recent statement in his essay on "Mediæval Political Thought" (pp. 9-33 of *The Social and Political Ideas of Some Great Mediæval Thinkers*), p. 28: "We cannot argue from the position of groups in the mediæval State to the position of groups in the modern, just because the mediæval State is so different from the modern. The modern State has to make its own adjustment; and in that adjustment it would seem inevitable that groups should occupy a much less important place. The strong localism on which many mediæval groups depended has now disappeared before the growing centralization which acceleration of transport has brought in its train. The social differences on which many other mediæval groups depended have equally disappeared before a growing equality. The new claimant to the position of an autonomous guild marks its modernity when it calls itself a 'national' guild. But a national guild is perhaps incompatible with centralized nationalism. In a closely unified national State it is difficult to return to the Middle Ages, even on a new plane."

We can not enjoy the benefits of any institution in society without paying the particular sort of price which the nature of that institution requires. Pluralists have not, it is submitted, made it clear how they would conserve the beneficent services rendered by the state without permitting it to exercise sovereignty—implying a normally compulsive and comprehensive membership with the exclusive authority to apply law.

Pluralists have, however, made clearer than has been made before the superiority of society to law. And this is a valuable service, for various incidents in recent political experience and recent political discussion show that the Hegelian and Treitschkian distortions of the traditional idea as to the place of the state in society threaten again. We have absolutistic notions that what the state commands is necessarily right, that one who denounces an oppressive act of government is anti-socially-minded and inciting disorder, that rebellion is a baser offense against society than injustice, and that the state is competent to shape the moral life of its citizens and to force back into an old channel the stream of economic development when it has shifted into a new channel. But one can effectively resist such perversions of the doctrine of sovereignty without abandoning the doctrine.

Moreover, to consider political society solely in its legal aspect is now indeed an inadequate approach to political theory. A complete philosophy of the state must give elaborate attention to the social origins of the state and the social and psychological foundations of its sovereignty, the social and psychological materials out of which the state fashions its laws. It seems probable, however, that the more effective corrective of the older, formal approach has come rather from the sociologists (such as Ratzenhofer, Small and Commons) than from the pluralists.[1]

Pluralists, as well as many non-pluralists sympathetic with some of the practical tendencies of the pluralistic discussion, have effectively shown not only the intellectual and moral dangers that result from attributing moral sovereignty to the state, but also the positive values that will come to the state and society if respect is given to the independence and initiative of economic, professional, and other associations represen-

[1] For clear accounts of sociological theories of sovereignty, with adequate citations of authorities, see Harry E. Barnes, *Sociology and Political Theory* (New York, 1924), especially pp. 32-41 and 126-139.

tative of fundamental interests of the associated citizens, and if the state, to a greater degree than at present, seeks to influence its citizens by reason and moral suasion and through leadership and cooperation rather than by physical compulsion. Reflecting this attitude there are various practical movements having as their object a more decentralized system for the application of political authority than the prevailing theory of the state is taken to imply. So we see movements to reinvigorate local political units by enlarging their functions and increasing their administrative autonomy; proposals to base our representative organization on a representation of economic or occupational interests rather than upon territorial groups; proposals to give greater recognition to interest groups within government by enlarging the power and responsibility of agencies of collective action formed by public employees; suggestions that the state, in reorganizing industrial control so as to create greater justice in distribution and broader opportunities of self-expression, should promote systems of joint control under state auspices, rather than establish direct governmental control of industry.[1]

It seems neither necessary nor useful to abandon the doctrine of state sovereignty in order either to resist perversions of the doctrine or to promote the adoption of proposals for greater diversification and decentralization in the organization for the initiation and execution of state policy. We may fully recognize the influence, upon the character of laws, of social evaluations—themselves the complex of opinions, prejudices, and desires of various stronger, majority or minority, social groups. It may remain none the less true that in every society the state is assigned a unique task in constructing and applying laws out of such evaluations. Adherence to the doctrine of state sovereignty implies a recognition of that condition and of its social necessity: a recognition that the state is the only institution through which social control is exercised by means of law, and that the social relations of men can not be rationally, justly, ordered without legal control and except where legal control is exclusively the function of the state. Law is some-

[1] For references to some of the literature on these various proposals and movements, *cf.* an article by the present writer on "The Technique of the Pluralistic State," *American Political Science Review*, vol. xv (1921), pp. 186-213, especially pp. 196-203.

thing that is *prescribed;* it is not merely what a common sense of right demands, or what the community demands. Law is what the community demands to be attained through the prescriptions of the state; laws are demands with respect to which the community elects to act in a legally sovereign way. To ascribe this legal sovereignty to the state is not to assert that there are not other necessary institutions of social control, or that all social relations need legal control, or that the state is more independent than any other institution of the society in which it exists. The political monist looks upon the state as the institution through which the social dispositions of men express their ascendancy over individual and group selfishness. He suspects that trade unions and other functional groups within the community will fare better, in their efforts to become centers of self-expression, initiative, and spontaneous, creative action, if the sovereignty of the state is recognized.

The pluralists have not made clear the implications of their criticisms of the monistic doctrine. What precisely, in their theory, is to be the position and function of the state in the community? Will they expunge from political theory the principle of compulsory taxation and compulsory citizenship applied to persons by virtue of residence rather than by virtue of voluntary membership? The philosophical anarchist would have membership in any protection-affording association a purely voluntary matter; he says (in criticism of Spencer and other British individualists) that it is no more necessary for the state to assume police and military functions and compel men to accept and pay for such services than for the state to meddle with education, morals, or trade. Here is not merely an opinion as to the expedient scope of state activity, but a clear and courageous repudiation of state sovereignty. Do the pluralists agree with the philosophical anarchist? If not, what better word than sovereignty will they supply to denote the state's claim to rights denied by the philosophical anarchist?

The words "sovereignty" and "law" may be etymologically imperfect for the uses to which the monist has put them, denoting, in their derivation, something too overpowering and unmatched to fit the facts and ideas to which they are applied in monistic theory. Judged pragmatically, the terms seem to be without oppressive implications. The history of the monistic

theory shows that adherence to that theory has frequently been associated with beliefs in liberalism, individualism, and localism as principles of state policy. On the other hand, disparagement of the state has come often in the past, as it often comes today, from persons least influenced by sentiments of social justice and individual rights.

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CHAPTER IV

POLITICAL THEORY AND INTERNATIONAL LAW

E. M. Borchard

In most departments of the social sciences, theory first followed the practice and sought to rationalize and idealize it; and then became in turn the vital source of its intellectual nourishment and inspiration. Not infrequently, however, harsh practice left ideal theory in the lurch; less frequently, did outworn theory stultify the practice and by discrediting it, hamper the growth of the science.

Few branches of political science exhibit these phenomena more clearly than international law. On the philosophical foundations of a law of nature, identifying law and morality as a rule of action governing personal sovereigns, Grotius constructed a system which in its time served its purpose well as the materials for a growing system of international relations. Though in many respects it failed to survive when the modern intercourse of industrial states and changing methods of legal thought, with changes from personal to popular sovereignty, produced the necessity for a more concrete and positive system, it has nevertheless left its indelible impress on the international law of modern times, and by emphasizing a moral order as a natural order has fashioned one of those surviving fictions in the law which, though a fiction, nevertheless has furnished inspiration to those who would, through the force of public opinion, the principal and ultimate sanction of law, revivify international law by reestablishing its earlier moral basis. That this moral sanction has discredited international law as law among those who, like Austin, admit as law only those rules which are legislatively declared or judicially enforceable, is hardly to be doubted; yet, apart from the fact that there is no necessary irreconcilability between law and morality, it is believed that any rules that society enforces, whether through judicial or any

other agents, including perhaps public opinion itself, may properly for most practical purposes, be designated as law. This we shall more fully seek to demonstrate presently.

International law as a system of rules which governs the conduct of states in their international relations has necessarily had to follow the facts of international life. Yet the supporting theory lagged behind. Those restraints which bound individual sovereigns as men seemed inapplicable to people as the sovereign source of power, and as Roscoe Pound points out, the departure of the facts from the theory proved embarrassing to the jurists and impeded the growth of the system.[1] Indeed, as will presently appear, the theory of sovereignty, especially popular sovereignty, proved one of the most severe handicaps and dangers to the growth of a rational system of international relations. Mr. Pound observes that when history in the nineteenth century replaced the philosophy of the seventeenth century as the basis of juristic thinking, the growing divergence between the theory of international law and the facts was not detected.[2] Whereas the seventeenth century theory does not require any supernational political authority, the historical analogy of the growth of law would require one; hence the historical analogy in international law breaks down.

The need for systematization went on without a sustaining theory; so observance of actual phenomena with a certain lip-service to vague moral precepts afford the materials for a somewhat sterile system, analytical to be sure, as any legal system founded on precedents naturally becomes, and relieved only by recording the development of certain positive rules incidental to the growth of commercial and other intercourse among states in the nineteenth and twentieth centuries. Legal systems require a theory to sustain their capacity for growth; yet the only theory which, as a legal conception, acquired vogue in the nineteenth century was the theory of state sovereignty, of state omnipotence, a monistic theory destructive of international law as a mature system. The fact that a society which professes to function in a legal ambit is founded upon a conception of the uncontrollable will of its constituent members is not only anti-legal in its connotations, but provides a philosophical jus-

[1] "Philosophical Theory and International Law" (lecture delivered in the University of Leiden), *Bibliotheca Visseriana*, I, 78.
[2] *Ibid.*, p. 80.

tification for war whenever the state regards its interests as requiring a resort to force. The present anarchical state of international relations, with no present hope of any improvement, is the most tangible evidence of the destructiveness of the theory of state sovereignty in international relations, and for its long survival the political theorists of the nineteenth century and the analytical school of jurists are largely to blame. It may therefore serve a useful purpose to analyze the conception of sovereignty primarily in its international aspects. Such an examination will, it is believed, not only demonstrate its essential invalidity in fact but will show that as an outworn conception for state authority its further survival is destructive of an international legal order.

After the gradual dissolution of the unity of Western Christendom in the fourteenth and fifteenth centuries, the modern state, organized on a territorial basis, as a protective institution for the support of aggressive sovereigns, began to arise.[1] The natural freedom of the individual and the necessity for social control, beginning as politically conflicting ideals became ultimately consistent and reconcilable civil objectives within the community. The explanation of the conflict of ideas occupied the attention of political theorists and philosophical jurists. The state of nature, extolled by many, was deemed by Hobbes as one of war "of every man against every man," a state "where every man is enemy to every man." The effort to find a moral justification to prevent the endless strife thus contemplated induced Bodin's idea of positing the uncontested monarchical authority in the state.[2] Hobbes rationalized this conception to sustain the uncontrollable authority, the "absolute sovereignty" of the King. What he overlooked was that the will of the state, notwithstanding the dictum of Louis XIV, could not be the will of an individual ruler, the agent of the state or the people. At best he is the personification of Government, the agent of the state, and hence a creature of law.

But even where the state was recognized as a social organization for the accomplishment of certain social ends, mainly internal peace, the claims of the individual to a recognition of

[1] Figgis, J. N., *Studies of Political Thought from Gerson to Grotius*, 1414-1625. 2nd ed. Cambridge, 1923, p. 21.

[2] See Vinogradoff, "The International Relations of Territorial States," *Bibliotheca Visseriana*, I, p. 47.

his ancient natural freedom were ever present and frequently asserted. The compromise was the doctrine of natural law as a guide for the conduct of the state, protecting, as Locke said, certain individual rights already in existence. Hence the growth of restraints on the ruler, first customary and voluntary, then constitutional and imposed, and the transfer of power from an individual ruler to the people. Who actually exercises this power, whether a dominant class in the community or a complex of conflicting interests, is a question for the social psychologist not now important. The interesting fact is that both the theorists who defended the privileges of the individual, like Locke, and those who asserted the limitless power of the monarch, like Hobbes, began their conceptual structure from a state of nature, each finding therein different elements, the one the natural freedom and equality of the individual which required preservation, the other, the uninterrupted conflict which required external control.[1] Thus, at the time of the Reformation, the several elements which gave birth to the doctrines of natural law became the foundation of social justice.[2] The sources of law were found in the nature of man, not as a selfish assertive individual, but as a moral being. Rousseau found it therefore appropriate to derive the control exercised by the state over the individual, from a social contract, by which the individual voluntarily surrendered some of his "natural" freedom for that civil freedom which in the association was guaranteed him on a basis of law and not force. Yet Rousseau, like Locke, recognized the distinction between legal sovereignty vested in governmental organs for administrative purposes, and political sovereignty vested in the people as the source of all power, and therefore justifying revolution when deemed necessary.

Finally we had in the nineteenth century the full development of the civilized conception of the *Rechtstaat* or state as law.[3] Legal sovereignty was clearly distinguished from polit-

[1] Hobbes, *Leviathan*, ch. XIII-XV. See Pollock, F., *Essays in the Law*, London, 1922, pp. 87 et seq. Merriam, *The History of Theory of Sovereignty*, New York, 1900, pp. 24, 30.

[2] Vinogradoff, *op. cit.*, p. 53.

[3] See Sander, Fritz, *Staat u. Recht*, Leipzig, Wien (Wiener Staatswissenschaftliche Studien), v. I, p. 423 *et seq.*, discussing the doctrines of Stahl, Mohl, Gneist, Sarwey, and others; Bonnard, Roger, *La Conception juridique de l'État*. Paris, 1922. (Extract from *Revue de Droit Public*, Jan.-Mar. 1922); Krabbe, H., *The Modern Idea of the State*, New York, 1922, 30, 34; Graziano, Silvestro, *Lo Stato Giuridico*, Torino, 1919, v. I, p. 10 *et seq.*

ical sovereignty, and it served to describe the state, especially the constitutional state, in all its normal functions. Only the institution of revolution seems to be relegated to political sovereignty for its justification and explanation.[1] But the institution of the state as an entity under the law, served an extremely useful purpose. Instead of perpetuating Bodin's ancient theory of the state and government as a law-making creature itself above the law—an impolitic and needlessly anarchistic conception which has tinctured practically all the views of the state of the Anglo-American school of analytical jurists—it substituted the civilized conception of the state as a corporation organized by the people for certain public administrative functions and itself subject to the law in all its governmental departments. Even among the German jurists, among whom the state as an all-powerful entity was most favored, some ascribed this legal immunity only to the political sovereign, the people unorganized, and others for this purpose distinguished the government from the state, holding the former, as the agent of the organized community known as the state, to all the duties of a legal corporation and state agent.[2] It is extraordinary how impervious to this legal conception is the Anglo-American law which still is inspired by the ancient and ill-understood maxim that "the King can do no wrong." Hence, it is conceived, his successors, the people and their government, must be immune from responsibility for their officers' wrongs to the individual, a mediæval and unnatural *non-sequitur*—notably in a constitutional state—which has exercised a fascination over so astute and far-sighted a jurist as Mr. Justice Holmes.[3]

Many of these conceptions find their counterpart and reflection in prevalent theories of international relations; but the vital difference between the function of the state viewed internally and externally explains not the difference in underlying theory, but its inability to sustain a permanent legal order in international relations.

[1] There is much authority for denying that extra-legal or revolutionary power involves sovereignty at all, for sovereignty, being a legal concept, must rest upon and presupposes the existence of law and hence of a limitation by form and method. See Ernst Freund, *Empire and Sovereignty*, Chicago, 1903, pp. 30-31.

[2] Gierke, O., *Die Staats u. Korporationslehre des Altertums u. Mittelalters*. Berlin, 1881, p. 609.

[3] Holmes, J., in *Kawananakoa v. Polyblank* (1905) 205 U. S. 349, 353, 27 Sup. Ct. 526; *United States v. Thompson* (1922), 257 U. S. 419, 42 Sup. Ct. 159, 161. 31 *Yale Law Journal* 879.

The beginnings of international law depended not only upon a revolt against the Emperor's claim of supremacy but against the Pope's universal secular position. This condition arose with Protestantism, when international law was evolved as a body of doctrine governing the relations of states supposed to be free, equal, and in a state of nature.[1] Grotius, who founded his system upon natural law supported by the private law conceptions then current during the revived study of the Roman law, derived from natural law his limitations on the arbitrary will of the territorial sovereign. Here again he encountered the opposition of men like Machiavelli and Hobbes who, seeking to present the ruler as a sovereign free from external restraint, consistently therewith denied all force or meaning to the notion of natural law.

While feudalism gave birth to the idea of the territorial state and of the territorial sovereignty of a ruler, it was only with the disappearance of feudalism that the modern state and the theory of sovereignty arose; but the feudal confusion between state and government was long-lived and state sovereignty as distinct from governmental or legal sovereignty came only gradually to be recognized.[2] But when Bodin, who was dealing with legal sovereignty, said that sovereignty, as the supreme power, is unrestrained by the laws of its own creation, he expressly excepted, long before Grotius, the binding character of the restraint exerted by the external divine law and the laws of nature and of nations. Thus Bodin, the first of the modern writers on the theory of the state, while an absolutist in the internal aspect of sovereignty, viewed external sovereignty as subject to the law of nations. Unfortunately, his modern successors appear to have reversed the process for, with their acknowledged constitutional limitations on internal (legal) sovereignty, they appear to regard sovereignty, viewed as a symbol of the state in international relations, as absolutely free from external restraint.[3] The apparent irreconcilability of the alleged absoluteness of sovereignty with any subjection to international law proved an insoluble problem, which they decided in favor of the theoretical absolute and unlimited character of

[1] Figgis, *supra*, pp. 4, 17.

[2] Maine, Sir Henry S., *Ancient Law*. 3rd Amer. ed. New York, 1875, pp. 102 *et seq*. Gilchrist, R. N., *Principles of Political Science*, London, 1921, p. 122.

[3] Kelsen, Hans, *Das Problem der Souveränität und die Theorie des Völkerrechts*. Tübingen, 1920, p. 102, criticizing the modern publicists.

state sovereignty. That the internal and external *exercise* of sovereignty might be qualified by certain human, political or practical considerations seemed in no way to militate against the theory. Yet when Bluntschli says "There is no such thing as absolute independence—even the state as a whole is not almighty; for it is limited externally by the *rights* of other states and internally by its own nature and the rights of its individual members," he comes dangerously close to confessing a *legal* limitation on the freedom of the state will, a limitation which Dr. Gilchrist[1] describes not as legal but as "conditions of law making." Yet, as is the fact, if the condition cannot be transgressed without incurring an international penalty, it is not clear why this is not a legal limitation.

The very nature of the international relations of the territorial state, which requires constant organization for external war,[2] has conditioned more than any other factor the internal relation between the group and its members. Whatever degree of individual civil freedom the theory of natural law, Rousseau's social contract and popular sovereignty may have brought, it is continually jeopardized and qualified by the demands upon the individual which this external pressure from foreign states induces. The pursuit of national security and national prosperity, the ideology of the modern state in its foreign policy, have largely dictated the obedience-compelling function of the state organs, regarded as the evidence of sovereignty. The more frequently these aims require armed conflict or the possibility of armed conflict to support them, the weaker grows individual freedom.

The idea of natural law as the basis of a law of nations was fruitful in two directions: (1) in encouraging voluntary arrangements established by treaty and agreement lawfully supported by force; (2) in maintaining the alleged previous state of nature in which rights and duties had to be deduced from considerations of human reason and natural justice.[3] Axiomatic truths governing legal relations in international society were sought in a law of nature. The reconciliation of sovereignty in the territorial state with natural justice derived from

[1] Gilchrist, *op. cit.*, 126.
[2] See Veblen, T., *An Inquiry into the Nature of Peace.* New York, 1919, p. 7 and Hobson, J. A., *Imperialism.*
[3] Vinogradoff, *op. cit.*, 53. Maine, *op. cit.*, 92 *et seq.*

individual consciousness induced theories of an international social compact by which states surrendered a part of their "natural" freedom to secure the greater benefit of an organized society. But while states necessarily acted on this theory in the development of those customary rules of common observance which became and are enforced as international common law, confession of obedience to the theory is still unusual and is opposed by those jurists who have made a fetish of the sovereignty of the territorial sovereign. Yet the search for some universal scheme of things governing all mankind, as a substitute for the mediæval Emperor and Pope, for a *universitas* of some sort in a political and moral sense, has never ceased. That bond of social solidarity which jurists like Duguit have found to be the *raison d'être* of the modern state has also been sought in international relations, which demand intercourse and cooperation. But this idea is still in a rudimentary state, though labor unions and the Internationales are professing to follow the political thought of Althusius [1] in effecting political unity on a conception of a social compact distinct from all governmental arrangements. How far this effort will be successful and how far it will tend to qualify the arbitrary will identified with state sovereignty is a question for the future. Yet the tendency cannot be left out of account in dealing with the factors making for internationalism as a scheme of social order in the international sphere.[2]

Professor Gilchrist, an excellent student of the theory of sovereignty, has much authority to sustain him when he says that international law like the constitution limits the state (i.e., the legal sovereign) only so long as it wishes to be limited by it;[3] were it permanently limited, it would hardly be a legal sovereign. After pointing out that the constitution in a constitutional state limits the government only and not the state, (the legal or political sovereign?) an unsatisfactory explanation for the reservation of the physical power of revolution, he proceeds to place international law in the same inconclusive

[1] Gierke, Otto v., *Johannes Althusius, und die Entwicklung der naturrechtlichen Staatstheorien.* 3rd ed., Breslau, 1913, pp. 123 *et seq.*

[2] In this connection, the effect of pluralistic theories deserves serious consideration. See Sabine, G. H., "Pluralism: A Point of View." 17 *Amer. Pol. Sc. Rev.*, pp. 34, 43. See *supra* chap. III.

[3] Gilchrist, *op. cit.*, 127. See the authorities examined and criticized in Kelsen, *op. cit.*, p. 182 *et seq.*, notably Jellinek, Nippold and Schoen.

category. When he says that "each state is independent and interprets for itself how far the principles of international law are to apply," because "there are as yet no international courts to enforce international law, though there are courts to interpret it, and what we find in practice is that states interpret international law for themselves, usually as they find it expedient," he presupposes a condition contrary to fact when states act in accordance with international law and true only when they violate international law. Following the analytical jurists like Austin and Jellinek, he believes that international law, as he views it, is nothing but "international principles of morality." Such duties as it has are self-imposed and hence could hardly be legal.

But when the President or Secretary of State on the demand of foreign nations, invoking a rule of international law, releases an alien from the military service [1] or releases a rum-runner seized outside the three-mile limit and thereby in effect overrules a statute of Congress and a supporting decision of a municipal court,[2] he is acting as a societal agent of the American people and state and is recognizing the binding character of international law as law in the United States and everywhere else. When foreign nations refused to permit Russia and Japan to make foodstuffs contraband or in other respects to violate the rights of neutrals; when foreign nations deny to the countries of Latin-America the privilege of unilaterally defining the term "denial of justice" [3] or by contract with their citizens of exacting a waiver of the privilege of invoking diplomatic protection,[4] they are invoking international law as a rule of law superior to any contrary rule of municipal law.[5] These nations, undertaking to interpret for themselves "how

[1] *Ex parte Larrucea* (1917, S. D. Cal.), 249 Fed. 981, 28 *Yale Law Journal*, 83.

[2] Instructions issued Nov. 10, 1922, by Secretary of the Treasury Mellon to customs officials at New York. See *New York Times*, Nov. 11, 1922, p. 2, col. 8.

[3] Mr. Bayard, Sec'y of State to Mr. Hall, Nov. 29, 1886, *Foreign Relations* 1887, pp. 80-81. Borchard, *Diplomatic Protection of Citizens Abroad*, New York, 1915, p. 847.

[4] Mr. Bayard, Sec'y of State to Mr. Buck, Minister to Peru, Feb. 15, 1888, Moore's *Digest of International Law*, VI, p. 294; Borchard, *op. cit.*, 797 and authorities there quoted and cited.

[5] In an instruction by Secretary of State Bayard to Mr. King, Minister to Colombia, Oct. 13, 1886, it is said:

> "It is a settled principle of international law that a sovereign cannot be permitted to set up one of his own municipal laws as a bar to a claim by a foreign sovereign for a wrong done to the latter's subjects."
>
> Moore's *Digest of International Law*, II, p. 4.

far the principles of international law are to apply" found themselves severely limited in their freedom of action by the foreign states affected by the misinterpretation of their international duties, invoking not their political strength but an established rule of international law from which no state can legally escape. The mere fact that violations of international law occur and occasionally go unredressed is no evidence that the rules violated are not law, any more than the no less frequent violation of municipal law is evidence of its non-legal character. While the sanctions of international law are somewhat different from those operating in municipal law, and while international law is not always certain, any more than is municipal law, the sanctions are none the less effective and the interpretative agencies none the less active. "International courts" do not "enforce international law"; no more do municipal courts "enforce" municipal law. But the declaratory and binding decisions of international courts are observed and carried out with a uniformity equal to that of municipal courts. The agencies for the enforcement of international law are not necessarily courts, but other state constitutional organs, usually the executive. The weakness of the system, which attracts a disproportionate amount of attention, consists in the inability to compel nations to submit their disputes to a court and the physical power of states, exercised on occasion without regard to law, to constitute themselves plaintiff, judge and sheriff in their own cause. The theory that international law is not necessarily binding on states, sustained by so many theorists and jurists, though founded on essential error, can only aggravate this weakness in the system and postpone the maturity of that international legal order for which most of them profess to be working.

For those who, like the Austinians, demand that law be declared by a determinate sovereign, international law could not be law, but only moral precepts which could bind the state sovereign only so long as he thought it convenient. From the postulate of frequent violations of law in a period when wars were common, the Austinian school believed they adduced authority for the view that international law, being apparently not made binding by any tangible sovereign, could not be law. That which rested on consent and agreement could not be law, for

only a sense of moral obligation made it binding, which is but another way of saying that it was not legally binding at all. In addition, it lacked all visible penalties or sanctions in the control of any superior, and therein again demonstrated its inconsistency with law.[1]

Yet it can be demonstrated that only with respect to new legislation does international law depend upon the will or consent of states, and that with respect to the great body of international law growing out of custom, the state is bound thereby as a condition of its admission to the family of nations, independently of its will or consent. While a violation of the law may not be visited with the sanctions customarily operative in municipal law, sanctions entrusted by common assent to the injured state are nevertheless effective, as is evidenced by the thousands of international claims on which arbitral awards have been rendered. States are normally law-abiding; and one cannot read their diplomatic correspondence without the conviction that they govern their reciprocal conduct by adherence to law and precedent. A violation of either at once arouses protest, a fair indication that the guiding rule of conduct is deemed to be binding, predictable and enforceable.

Attacking the traditional conception that national law is the product of the arbitrary will of a sovereign authority, and insisting that authority in the modern state is itself the creature of law, that is, that in a legal state the law and not arbitrary will is sovereign, Professor Krabbe[2] places international law in the same relative position as municipal law, as the product not of the will of any particular state or states or, naturally, of any authority above the states, but of man's "sense of right," as he calls it, which operates equally to create law in the state community as a regulative agency for the delimitation of individual interests as it does in the international field. The difference between national and international law, therefore, according to Krabbé, lies only in the extent of the domain which each embraces and in the fact that in the international field

[1] See Sir Henry Maine's criticism of the Austinian theory in Maine's *International Law*, London, 1888, pp. 55, 58. See the able discussion of the Austinian theory of sovereignty in Merriam, C. E., *History of the Theory of Sovereignty since Rousseau*. New York, 1900, ch. viii.

[2] Krabbe, H. *The Modern Idea of the State*. New York, 1922, p. 236. See also Duguit, *Law in the Modern State* (Laski's translation), New York, 1919, pp. 32 *et seq.* The conception that "law" is sovereign is of course purely metaphysical.

the "sense of right" is still immature and undeveloped. He might have added that a legal system requires relative peace and physical security, and whereas this has been moderately attained by individuals within the state, it is far from having been attained in international relations. The machinery for the imperative element in the law, legislation, with administration and enforcement of the law, is in a very rudimentary state in the international society. Krabbe believes that as the "sense of right" grows through international contacts, it will produce that supernational organization which he seems to deem necessary to the effective administration of international law, and which, as already observed, it now entirely lacks. Human interests require as great a legal protection internationally as nationally, and this fact operates to limit the powers of the territorial state and compels it to conform its action to its international obligations, under penalty and roughly devised sanctions entrusted to the state whose citizen is affected by any unlawful conduct of the territorial state. The greater the body of these international rules controlling states or communities in their conduct toward individuals, the narrower the field of legal activity of the national state.

Krabbe adds that the state itself depends upon international law for its independent existence, qualified as that independence is at best. Only to the extent that the interests of the international community—as determined in its "sense of right" by a majority of states or perhaps by the important states—are furthered by such "independent legal life" is recognition extended to the new state. But even Krabbe admits that aside from imposing certain limitations upon state activity to compel conformity with its international duties, international law is not concerned with the internal organization of the state.

As a matter of fact the "sense of right" as a source and element of law, municipal and international, like the ethical concepts in natural law, is an intangible and uncertain factor. If to "sense of right" he were to add, sense of convenience, balance of considerations of individual and general interest, he would perhaps more nearly express the operative factors in the making of law.

It may now be appropriate to mention a few of the major conceptions of political theory which have exerted an effective in-

fluence upon the development of international legal theory. Of these, perhaps the most important and certainly one of the most influential in retarding the growth of international law and organization is the doctrine of sovereignty.

By far the greater number of the theorists in the field of public law assume the existence of sovereignty in the state as the source of political power and privilege and rigorously maintain this conception when they discuss international relations. The inconsistencies in which they become involved in asserting the coexistence of international law and an all-powerful state were at least avoided by the Austinians, who, laboring under the same conceptions, declined to concede legal but only moral validity to international "law."

As typical of the school of political thinkers who idealize the sovereignty of the state, reference may be made to the celebrated jurist, Jellinek.[1] According to Jellinek, sovereignty is a legal term connoting the legal independence of the state from every other state, or, the legal capacity for exclusive self-determination. Sovereignty, he says, is the privilege to be bound and obligated by the state's will alone.[2] Nelson, however, in an excellent criticism of certain prevailing theories,[3] appropriately asks whether there is in fact any such privilege as Jellinek assumes; and as Nelson denies its existence, he properly disputes the whole definition and conception of sovereignty. Certainly no state in the international community is bound by its own will alone; on admission into the community of nations, it accepts and must accept the whole body of rules known as international law, which the other states in the family of nations will not permit it to disavow. It is binding from without and not merely from within, and though a law-breaking state may occasionally violate it without penalty, this does not alter or affect the existence of the rule as law, in many respects even in the narrow Austinian use of the term.

Jellinek's conception of sovereignty is in fact in conflict with any rational conception of international law. Nelson points

[1] Jellinek, G., *Allgemeine Staatslehre.* 3rd ed. Berlin, 1914. *Die Lehre von den Staatenverbindungen.* Wien, 1882. *Die Rechtliche Natur der Staatenverträge.* Wien, 1880.

[2] Jellinek, *Die Lehre von den Staatenverbindungen, supra,* pp. 34, 55.

[3] Nelson, Leonard, *Die Rechtswissenschaft ohne Recht.* Leipzig, 1917, p. 59; see also Kelsen, *op. cit.,* p. 189. *Cf.* Cavaglieri, A. *Concetto e caratteri del diritto internazionale generale,* 14 *Rivista di Diritto Internazionale* (1921), pp. 289, 294.

out[1] that the sovereignty or absolute power of one state excludes that of others. If the one state refuses to admit limitations in favor of other states, the latter would have no rights of any kind, for rights imply correlative duties and rights are a limitation on arbitrariness. The theory of sovereignty as limitless power is also inconsistent with Jellinek's theory of the equality of states, which automatically limits the arbitrary will of any one state. Even Jellinek admits that a limitation on sovereignty signifies the destruction of sovereignty. Nelson therefore draws the inevitable conclusion that the possibility of international law is inconsistent with absolute sovereignty. Nelson denies the validity of the answer that states by treaties voluntarily limit their sovereignty and grant each other rights. Jellinek admits the political necessity of such concession, but Nelson rightly claims that inter-state relations and regulation of mutual interests are a legal necessity and hence negative the theory of state sovereignty.

So De Louter,[2] Ullmann,[3] and others, adopting the view that international law is created by the free will of states and derives its binding force from that will alone, come necessarily to the conclusion that the state can be bound only by its own will. But, as already observed, that is in fact to assert that it is not bound at all, for it may break treaties whenever it seems to its interest to do so. That this conception undermines the foundations of international law seems to be conceded by De Louter; yet he maintains the premise on which this conclusion necessarily rests. When Ullmann says: "It is by virtue of its sovereignty and its consequent capacity of limiting its own will by autonomous acts that there exists the possibility of an orderly relationship in the lives of states and nations," he in fact posits the conditions for a most disorderly relationship; for when an obligation becomes irksome to the state, its sovereignty and "its own will" would enable it to withdraw its assent to the obligation and this presumably would have no legal consequence.

Nor is the alleged distinction between unlimited sovereignty and limitations on the exercise of sovereignty, by which some

[1] Nelson, *op. cit.*, p. 59.

[2] De Louter, J., *Le droit international public positif*, Oxford, 1920, p. 17, p. 172 *et seq.*

[3] Ullmann, E. von, *Völkerrecht*. Tübingen, 1908, p. 6. If the State's will were impaired, it would thus presumably cease to be a State. See Sabine in 17 *Amer. Pol. Sc. Rev.*, 43.

theorists seek to sustain absolute sovereignty with qualifications on its exercise,[1] believed to be of any validity. Jellinek carries his theory to its logical conclusion when he says that in contrast to a constitutional federation, where the will of a member cannot dissolve the bond of union,[2] in the international family, when the highest interests of the state conflict with the sanctity of treaties, the latter must give way. "International law exists for states, not states for international law."[3] This is the outcome of the conventional doctrine.

Nelson emphatically criticizes this whole conception[4] by showing that it would make international law merely a servant of politics; that while of course international law exists for states, it is not subordinate to states or to their interests, and that, while the interest of states may be important, this can never justify a violation of international law. To Jellinek's contention that the highest duty of the state is self-preservation, to which treaty observance must yield, Nelson answers that the self-preservation of the state is not essential to the individual, who would go on even if the state disappeared and that Jellinek's philosophy is one of political, not legal importance, to serve political purposes. If Jellinek had confined his toleration of treaty breach solely to the occasion when self-preservation demanded it, we might have gotten a considerable concession of legal duty and narrowed to infinitesimal proportions the occasions justifying, even in his mind, treaty breach; and this, notwithstanding the fact that the existing international organization makes each state its own judge of the danger to its security and of the means of combatting it. But his theory of self-limitation as the only limitation on arbitrary state will supports a breach of treaty or violation of international "law" whenever self-*interest* dictates and this, of course, is totally destructive of any system of international law. It is also quite inconsistent with the facts of international life, and states that have acted on the theory, even by entrance upon war, have not always been able thus to evade their obligations.

Nelson points out that although Jellinek repudiates any confusion of legal and political conceptions, Jellinek's own doctrine

[1] Gilchrist, *op. cit.*, p. 128.
[2] Jellinek, *Allgemeine Staatslehre*, p. 768.
[3] *Ibid.*, p. 377.
[4] Nelson, *op. cit.*, p. 62.

of sovereignty rests upon such confusion.[1] This is evident from his denial of any difference between constitutional (internal) and international (external) sovereignty. Both symbols, its independence with respect to its subjects and its independence with respect to other states, are, according to Jellinek,[2] inseparably united. Nelson ascribes this error to the fact that a legal conclusion is thus drawn from political relations under the cloak of the ambiguous word "sovereignty." What may be true politically, may be legally without significance. Haiti and San Domingo are internally sovereign, yet internationally they are dependent upon the United States. Many smaller states of the world stand in some such relation to a larger power. Cuba is legally as well as politically dependent upon the United States. Both politically and legally, therefore, Jellinek's conception of the identity of internal and external sovereignty seems unsound. The theory would deny the possibility of legal relations, not resting on treaty, between internally sovereign states, and would thereby, as Nelson points out, erect international anarchy into a principle! It would forbid the subordination of states to any organization safeguarding their reciprocal legal relations. Stengel[3] so strongly relies upon sovereignty as a sacred institution and upon the belief that international law depends upon the existence of sovereign states, that he concludes that any international organization of states in a supernational authority would not only be destructive of international law but of states themselves, and that international law would thus become world constitutional law, a contingency which he appears to regard with unfeigned alarm. Zitelman and Heilborn likewise emphasize the incompatibility of any supernational organization with the continued existence of international law.[4] The publicists mentioned, while admitting the existence of semi-sovereign states, do not appear to recognize the implication of this admission, for the limitations on sovereignty therein involved and conceded differ among the states only in degree and their mere membership in the family of nations and submission to the rules of conduct that membership

[1] Nelson, *op. cit.*, p. 66.
[2] Jellinek, *Allgemeine Staatslehre*, p. 475.
[3] Stengel, K. v., *Welstaat und Friedensproblem.* Berlin, 1909, pp. 92, 93.
[4] Zitelmann in *Preussische Jahrbücher*, v. 158, p. 477 and Heilborn in *Grundbegriffe des Völkerrechts, Handbuch des Völkerrechts*, Berlin, 1912, part i, quoted by Nelson, *op. cit.*, p. 194. See also criticism of this view in Kelsen, *op. cit.*, p. 188.

involves constitutes a definite limitation on their sovereignty, in the sense of uncontrollable will and power.[1]

Few notions of political theory have played a more important part in the conceptual development of international law than the equality of states. Like many allegedly fundamental notions, it is used ambiguously by the founders and supporters of the system, leading to results both confusing and useless. That the notion of equality is incidental to sovereignty and, when used logically by the proponents of the theory of the absolute sovereignty of the state, leads to conclusions incompatible with the existence of international law, is evident.

For the most part, the theorists who deal with the equality of states as a fundamental principle of international law are careful to distinguish legal from political equality.[2] And yet, in developing the operation of the theory, they occasionally confound the two. From an historical point of view, the theory of equality of states has recently been examined with thoroughness and lucidity by Dr. Julius Goebel, Jr.[3] The conception arose through feudal notions, and developed in a period when the state was identical with a personal ruler. The equality of sovereigns became axiomatic and was naturally applied to states when sovereignty became impersonal. It is evident that the private law notions of the equality of the individual in his capacity for legal rights aided by the Continental theory of the corporation furnished the legal authority for a theory of equality which was applied in practice to the relations of monarchs.[4] The equality of states was a conception independent of the question of power, which so strongly attracted Hobbes, and many since his day.

The majority of those who discuss the theory of equality merely undertake to show that each state is thereby entitled to equal representation in international Congresses, that a legislative rule thus declared requires unanimity of vote in order to make it binding or at least binds only the states consenting

[1] *Cf.* the article of Theodor Niemeyer, *Rechtspolitische Grundlegung der Völkerrechtswissenschaft.* Kiel, 1923, pp. 14, 20.

[2] Oppenheim, L., *International Law, 3rd ed.* London, 1920, pp. 196, 197. See Marshall's famous dictum, which deals with equality as an equal capacity for rights: "No principle of general law is more universally acknowledged than the perfect equality of nations. Russia and Geneva have equal rights." *The Antelope* (1825), 10 Wheaton 66; Westlake, *Collected Papers*, ch. VII.

[3] 23 Columbia Law Rev. 1, 113, 247. See also E. D. Dickinson, *The Equality of States in International Law*, Cambridge, Mass., 1920.

[4] See the evidence adduced by Goebel, 23 *Columbia Law Rev.*, 134 *et seq.*

thereto.[1] Nelson, in criticism of these sterile views, asks on what legal principle states, of admittedly unequal physical and political power, may demand such equality of representation. He answers the question by denying that the demand rests on legal considerations, insisting that it is based solely on political considerations, which recognizes their claim to the satisfaction of their interests and this in turn requires equality of rank.[2] Without it, the states would not enter the conference. If a law cannot be enacted without unanimity or if only the consenting states are bound, because, as Huber and Liszt say, there is no way to compel a dissenting state to adopt a rule passed by majority vote only, Nelson appropriately asserts that this belies the existence of international law in any real sense. For if law depends upon the will of the consenting states and if it cannot be enforced, it cannot be law at all, for a law must rest on something stronger than voluntary assent. Some writers, as already observed, in their loyalty to the theory of absolute sovereignty, go to this extreme and justify Nelson's criticism. But there is no need to go so far. Even admitting that new legislation, under prevailing theories, requires the consent of the states to be bound, it by no means follows that the consent can be withdrawn at will. On the contrary, both theory and practice are opposed to any such view. But Nelson is correct when he says that the requirement of unanimity or consent as a condition of legal obligation condemns the system to sterility. The error lies in the expressed belief of Huber and others that unanimity or consent is required to make rules of international law binding. Such a condition applies only to new legislation which, being embodied in a treaty, necessarily requires the assent of the contracting states. But the great bulk of the rules of international law have grown out of custom and practice and are binding on every state without its express assent. A new state admitted to the family of nations impliedly assumes the obligation of all the existing rules of the international society, independently of its will or desire in the matter. While the function of enforcement may not be com-

[1] Huber, Max, *Die Lehre von der Gleichheit der Staaten* in *Rechtswissenschaftliche Beiträge. Festgabe des Auslandes für Josef Kohler.* Stuttgart, 1909, pp. 88, 106, 112. Liszt, *Völkerrecht* (10th ed.) Berlin, 1915, p. 65, Nelson, *op. cit.*, p. 79 *et seq.* Oppenheim, *op cit.*, p. 197.

[2] Nelson, *op. cit.*, 97. See also Cavaglieri in 14 *Rivista di Diritto Internazionale, supra*, p. 306.

mitted to a pre-established societal agent, international law nevertheless grants an injured state the privilege of itself enforcing the rule, with societal approval, or devises other means for insuring a declaration of the rule of law, e.g. arbitral tribunals. The mere fact that violations of law do occasionally occur is no evidence of absence of legal obligation. The very fact that we can identify and isolate the act and fact of *violation* is evidence of the rule of law. Yet it cannot be denied that the conception of legal equality, while useful in explaining the rule by which states as states are uniformly accorded certain rights, privileges, powers and immunities, nevertheless affords little guide as to the content of the rights inherent in the conception of international statehood. This again, however, is due to the fact that political considerations have such great weight in determining certain legal questions in the relations of states. This does not necessarily deny validity to the legal rule, but weakens the respect and obedience it may invoke, because it may, on occasion, have been applied with unequal force to a strong and to a weak state. Yet even this phenomenon of unequal protection of the laws, so to speak, is evidenced only in a few departments of international law. The danger of generalization is therefore apparent.

The above discussion will have shown how far publicists may yield to the domination of political theories and conceptions which cripple or upset the science they profess to be serving. While the doctrines of sovereignty, of free will, of equality have all performed a useful function in their time, they have been driven by some modern theorists, as already observed, to a point where they negative the existence of international law. Either these publicists are enthralled by the Hegelian view of the state as the highest order of life, and hence beyond limitation or subjection to any superior law, as Machiavelli conceived his prince, or else they misconceive the actual operation of international law. Possibly the two errors are related. But that the theory of absolute sovereignty and its supposed corollary, the equality of states, have done much harm, can hardly be doubted, notwithstanding the practical limitations on both. That the League of Nations, as a new organization, has, in spite of its subservience to these theories, been able to function at all, is perhaps a tribute to the practical sense of its administrators.

The reconciliation of the inequality of physical power recognized in the representation on the Council with the legal equality recognized in the Assembly seems practical, notwithstanding the fact that, owing to the exclusion of some of the largest states and the impossible treaty with which it was born, the League may in its present form be unable to survive the impending crises. Yet concession to the doctrine of equality in conference, which seems to imply unanimity of vote, disables the Council from dealing effectively with any question. It would be hard to conceive of any question important enough to come before the Council, assuming all the Great Powers to have representation thereon, which would not encounter a difference of opinion.

Yet the existing handicaps, so far as theory is concerned, can be overcome. Just as it has become common for nations to submit to the awards of international tribunals which are not unanimous, so it may in time be possible to obtain submission to legislation passed only by majority vote. Before this can happen, however, the doctrine of sovereignty, as a characteristic of states placing them above international law, must disappear or be so qualified as to admit the actual fact that states are bound by international law, whether or not they so will. In many respects, a mere examination of current practice will demonstrate the accuracy of this statement. When theorists fully recognize it and relinquish some of their traditional and antiquated veneration for the all-powerful state, international law will be greatly strengthened and may be enabled more usefully to serve its purpose as a regulative agency for the delimitation of conflicting interests arising in the society of states.

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CHAPTER V

RECENT POLITICAL THEORY DEVELOPED IN JURISPRUDENCE

Caleb Perry Patterson

I. The Nature, Scope, and Methods of Jurisprudence

The derivative meaning of jurisprudence is knowledge of the law.[1] The term was used in ancient Rome in almost its literal sense. *Juris Prudentes* were those who knew the law and could predict its development. The term gradually changed its meaning and in the latter part of republican Rome and, especially after Augustus, throughout imperial Rome came to refer more and more to the administration of law. The *juris prudentes* of these periods were interpreters of the law.[2] This is primarily the sense in which the term is used in Spain and France today. In France jurisprudence refers to the course of decisions of the courts. The French speak of legislation, doctrine[3] and jurisprudence. The first is authoritative and the latter two are only argumentative authority. Hence, in France, one may refer to the jurisprudence of a particular court.[4] Modern English writers use the term to mean the science or philosophy of the law, and in the United States, England, and France it is frequently rather loosely used as a synonym for law.[5] Jurisprudence has been defined by Holland as "the formal science of positive law."[6] By formal science he means that jurisprudence

[1] Jurisprudence is from the Latin jurisprudentia which is made up of two words: jus, law and prudentia, knowledge. Juris is the genitive of jus, meaning of the law; hence, jurisprudentia means knowledge of the law.

[2] *The New International Encyclopedia*, 13, p. 44.

[3] By doctrine, they mean the opinions of learned commentators.

[4] Holland, Thomas Erskine, *Jurisprudence*, 4 (ninth ed., London, 1900).

[5] *Ibid.*, 4-5.

[6] Professor Holland maintained "that Jurisprudence is not a science of legal relations *a priori* as they might have been, and should have been, but is abstracted *a posteriori* from such relations as have been clothed with a legal character in actual systems, that is to say from law which has actually been imposed or positive law." Holland, *Jurisprudence*, 9, 13.

deals with systems of law rather than the contents of law itself; and by positive law he means the actual rules of law that the courts enforce.[1] Taylor agrees with this definition.[2] Salmond says,

> In the widest of its applications the term jurisprudence means the science of law, using the word law in that vague and general sense in which it includes all species of obligatory rules of human action.[3]

Pound says,

> Jurisprudence is the science of law, using the term law in its juridical sense, as denoting the body of principles recognized or enforced by public and regular tribunals in the administration of justice.[4]

It is noticed that according to Holland's definition jurisprudence must concern itself primarily with existing law, positive law. He thinks of law as being progressive; hence, jurisprudence must also from his point of view constantly revise its attitude toward the law, change its methods if need be, in order to furnish a satisfactory philosophy of a constantly growing and changing law. He evidently thinks of law as being in a continuous flux, and as consisting more of legislation than of judicial tradition. This appears to be a rather superficial conception of law. The real content of law is more permanent than this and yields stubbornly to change.[5] This conception of law narrows jurisprudence.

The subject matter of jurisprudence is very inclusive. It must concern itself primarily with the law and its administra-

[1] "The source of law, as the expression is generally used, means the examination of laws in general. It means an investigation of laws which exist or have existed in some given society in fact—in other words, positive law; and it means an examination not limited to the exposition of particular systems." *Encyclopedia Britannica*, XV, 751 (eleventh ed.).

[2] Taylor, Hannis, *The Science of Jurisprudence*, 28 (New York, 1908).

[3] Salmond, John W., *Jurisprudence* 1.' Fifth ed. (London, 1916).

[4] *Cyclopedia of American Government*, II, 264. (New York and London, 1914); see Pound, *Outlines of Lectures on Jurisprudence* (Cambridge, 1920), for additional definitions of jurisprudence, pp. 37-38.

[5] A developed legal system is made up of two elements, a traditional or habitual element, and an enacted or imperative element. The latter is usually the modern element and at present, so far as the form of the law is concerned, is tending to become predominant. The former is the older or historical element upon which juristic development proceeds by analogy. It is by no means universally true, however, that the imperative element in a legal system is the modern element and the traditional element speaks only from the past. In truth the two act upon and correct each other so that when either, from occupying the field too long, becomes too fixed and rigid, the needed flexibility is restored to the law by its rival. Yet, on the whole, the traditional element is by far the more important. Pound, Roscoe, *The Spirit of the Common Law*, 173, 4 (Boston, 1921).

tion, but in so doing finds itself closely associated with a number of other fields of knowledge. It is compelled to make extensive use of economics, sociology, government, anthropology, history, religion, philosophy, ethics, and metaphysics. In its consideration of law, jurisprudence cannot confine its interests to present law, even to all systems of law, nor can it consider its task finished by furnishing an analysis of law or of systems of law as they are administered today. It must account for the law that has been eliminated from the various systems of law, because it is here that it discovers some of the philosophy of the law. Why has some law survived and other law become obsolete?[1]

Jurisprudence finds in attempting to explain the nature of the law that it must set up theories of sovereignty, the state, property, legal rights, duties, social interests, the fundamental nature of man, contract, liability, the sources of law, judicial norms, liberty, and justice.[2]

The problems of jurisprudence as stated by Pound are: "(1) the nature of law; (2) the scope of effective legal action in adjusting human relations and regulating human acts; (3) the modes of effective law making, or, as it is put usually, the sources from which legal rules are drawn and the forms in which they are expressed; (4) application and enforcement of law."[3] It is seen from this program that jurisprudence comprehends the entire legal order in all of its ramifications, its structure, its philosophy, its objects and ends, its administration and its improvement.

The study of jurisprudence is approached by different methods, the terminology of which is determined by the particular emphasis desired.[4] A very satisfactory classification is analytical, historical, philosophical, comparative and sociological.[5]

[1] Jurisprudence is said to be the science of law. But it must be more than an organizing of the body of legal precepts. There are three things to consider, which may not be looked at wholly apart from each other and yet must not be confused by ambiguous use of the term "law." Putting them in the chronological order of their development, these are, the administration of justice, the legal order and law, Pound, *Interpretations of Legal History,* 153 (New York, 1923).

[2] See Bryce, *Studies in History and Jurisprudence,* 609-637 (London, 1901); also, Taylor, *The Science of Jurisprudence,* 28-47; Salmond, *Jurisprudence,* 1-7 (fifth ed.).

[3] *Cyclopedia of American Government,* II, 264.

[4] Bryce employs the metaphysical, the analytical, the historical, and comparative classification. *Jurisprudence,* 609; Pound uses the idealistic, the political, the biological and the economic classification. *Cyclopedia of American Government,* II, 264-265.

[5] See Pound's *Outlines of Lectures on Jurisprudence;* also Sir Paul Vinogradoff, *Outlines of Historical Jurisprudence,* I, 103 ff. (London, 1920).

1. The analytical method seeks to explain the law as it is. It examines the subject matter and rules of law critically in order to discover its principles and theories. This method is more applicable to individual systems of law, for example, the common law or the civil law, than to a comparative study of the systems of law. This method has been rather generally employed both before and since a more scientific study of the law has been attempted. It begins with the concrete facts of the law. It places emphasis on legislation as a source of law.[1]

2. The historical approach shows the evolution of the law, its rules and theories. It is the reverse of the analytical method in that it begins when the law began and traces its development to the present order. Its point of view is retrospective. It sees law as a resultant of the entire play of the forces of the past. Its tendency is to emphasize the genetic element in the law.[2]

3. The philosophical method most frequently considers neither the law of the past nor that of the present. It is characterized by abstractions and fine-spun theories that too frequently are almost unrelated to the law. "Some soar so high through the empyrean of metaphysics," said Bryce, "that it is hard to connect their speculations with any concrete system at all. Others flutter along so near the solid earth of positive law that we can (so to speak) see them perching on the stones, and discover the view they take of the questions with which the practical lawyer or legislator has to deal."[3] This method is interested primarily in the "development of the idea of justice as an ethical and moral phenomenon and its manifestation in the principles applied by the courts."[4]

4. The comparative method is a more recent tendency in legal investigation, and is both broader in its scope and more critical in its conclusions than the historical method. It seeks to examine the legal systems of the world rather than that of a single nation, and, therefore, is more reliable in its generalizations. It does not pledge itself in advance to any preconceived theory which it proposes to gather the evidence to prove, but

[1] For a fuller discussion, see Bryce, *Outlines of Lectures on Jurisprudence*, 612-617; *Encyclopedia of American Government*, II, 265; Isaacs, 31 *Harvard Law Review*, 396-400; Taylor, *The Science of Jurisprudence*, 3-12.

[2] See Bryce, 617-619; *Cyclopedia of American Government*, II, 265-266; Isaacs, 31 *Harvard Law Review*, 383-387; Taylor, *The Science of Jurisprudence*, 12-27.

[3] Bryce, *Studies in History and Jurisprudence*, 611.

[4] Pound, *Cyclopedia of American Government*, II, 264; see also Isaac, 31 *Harvard Law Review*, 387-396; Bryce, 609-612.

is free to declare such conclusions and generalizations as the facts will support.

5. The sociological point of view is that law is a product of social forces and should serve the purpose of promoting social needs. This method does not stop with the study of the law itself, but especially concerns itself with the administration of the law. This is the youngest of the five methods, and, because of its comprehensive character, as well as its special emphasis on the ends that the law shall serve, promises to be very influential in the reconstruction of both the law and its administration.[1] These methods are represented by the following schools: the analytical, the historical, the philosophical, the comparative, and the sociological.

II. The Schools of Jurisprudence

A. *The Analytical School*

There is unity of purpose in legal philosophy regardless of the particular school one follows or what method he pursues. This purpose has for its object, the tracing of the origin of law, the relating of law to society and the times in which it is developed, the discovering of the ultimate elements that compose the law, the separation of law from ethics in this process, the statement of the principles that govern the process of legal development, and finally the rules governing the administration of the law.

There is a close relation between general philosophy and legal science. While the two developed more or less contemporaneously, legal thinking has general philosophy for a background, and has constantly been influenced by the different schools of philosophy. The biological school of natural science has in some ways influenced legal thought. The two schools of general philosophy are headed on the one hand by Aristotle followed by Machiavelli, Montesquieu, Savigny, Buckle, and Sir Henry Maine; and, on the other hand, by Plato, followed by Thomas Aquinas, Kant, Hegel, and Austin. These two schools, representing the Realists and the Idealists, the Empiricists and the Absolutists, constitute the two main lines of philosophy from

[1] Bryce, 619-637; Isaacs, 31 *Harvard Law Review*, 400-411; *Cyclopedia of American Government*, II, 266-267.

which have sprung various groups having some common features as to both method and subject matter.

The analytical school is built upon Platonic philosophy. The real founder of this school was John Austin, an English jurist and philosopher, who, however, fell heir to valuable contributions made in this field by such precursors as Jean Bodin, Thomas Hobbes, Baruch Spinoza, and Jeremy Bentham.[1]

Austin was by nature, experience and training an absolutist in government and law. He was an exponent of the unitary theory of sovereignty in contrast with the modern pluralistic conception of authority [2] in the state, and maintained that law is the command of the sovereign. He held that law-making is a conscious and deliberate process, a conception that was later somewhat modified by Binding and Ihering, more recent representatives of this school in Germany.

Binding is especially noted for his theory of norms, which he regards as the basis of law. According to this theory, statutes are only the manifestation of the norm, which is an imperative principle that guides the legal process. This theory has been criticised for its formality and one-sidedness. Law is not merely a restricting agency, but also a recognizing and protecting force. It is not only negative, but positive.[3] Ihering, however, was the leading exponent of the analytical school in Germany in the latter half of the nineteenth century. His particular contribution was his theory of social interests of which law was the means of protection. This placed him also among the social utilitarians.[4]

Thomas Erskine Holland, late professor of jurisprudence at Oxford, is the most prominent contemporary representative of the analytical school. He is practically in agreement with the Austinian tenets. He defines law as "a general rule of external

[1] For a discussion of the work of Austin's forerunners, see Dunning's *Political Theories from Luther to Montesquieu* (New York, 1905), Chs. III and XIII; also the same author's *Political Theories from Rousseau to Spencer* (New York, 1920), ch. vi, 211-224; P. Janet, *Histoire de la science politique* (third ed., Paris, 1887); W. Graham, *English Political Philosophy from Hobbes to Maine* (London, 1899); R. A. Duff, *Spinoza's Political and Ethical Philosophy* (1903); L. Stephen, *English Utilitarians* (New York, 1900).

[2] See H. J. Laski, *Authority in the Modern State* (New Haven, 1919), and his *The Problem of Sovereignty* (New Haven, 1917).

[3] Fritz Berolzheimer, *The World's Legal Philosophies* (translated by Jastrow, Boston, 1912), 381-384.

[4] *Ibid.*, 337-351; Pound, Roscoe, *Interpretations of Legal History* (New York, 1923), 175-177; also Ernest Freund, "The German Historical School," *Political Science Quarterly*, V, 485.

human action enforced by a sovereign political authority." He thus avoids the use of the Austinian command, but certainly indicates that it may be implied and expressed.

Holland stresses the form of law rather than its contents. He is more interested in the clearness of its expression than in its ends or administration. "His Jurisprudence," says Mackey, "is probably the best statement yet written of the analytical theory of positive law. The neologisms of Bentham and the tautology of Austin are alike absent." [1]

The chief characteristics of the analytical jurists are succinctly stated by Dean Pound as follows:

1. They consider developed systems of law only.
2. They regard the law as something made consciously by law-givers, legislative and judicial.
3. They see chiefly the force and constraint behind legal rules. To them, the sanction of law is enforcement by the judicial organs of the state, and nothing that lacks an enforcing agency is law.
4. For them the typical law is statute, but the backwardness of legislative law-making in America is reflected in a position taken by American jurists, whose point of view is otherwise analytical, which with respect to legislation which is superficially akin to that of the historical school.
5. Their philosophical views are usually utilitarian or teleological.[2]

Their chief weaknesses may be summarized as follows:

1. Their approach to the study of law is not evolutionary. They make merely a cross-section examination. This is not a sufficient basis for the understanding of law and legal institutions.
2. They regard law as static rather than progressive.
3. Legislation, contrary to their holdings, has never been the chief basis of any system of law, ancient, medieval, or modern.
4. They do not lay the proper emphasis on the administration of law. The legal process achieves its purpose through a proper administration of the law.
5. They have announced absolute and definitive conclusions without an examination of an adequate amount of material.
6. Their theory "puts mankind in a straight-jacket and makes a slot machine out of the law," says Dean Pound, "on the theory that given certain conditions, definite results will follow as a matter of course. The law ceases to be a human agency and man a mere obstruction." [3]

[1] A. E. J. G. Mackey, "The Conflict of the Three Schools of Jurisprudence," *The Juridical Review*, VII, 209.
[2] Pound, 24 *Harvard Law Review*, 595.
[3] *Ibid.*, 598.

The analytical jurists are to be accredited with initiating the study of jurisprudence. Their clear-cut analysis has eliminated inconsistencies, ambiguities and superfluities from the law. "The Austinian method," says Gray, "is mainly valuable for 'the puncture of windbags.'"[1] The utilitarians of this school used its method as a means of reforming it.[2]

B. *The Historical School*

While the historical school dates primarily from the nineteenth century, yet its beginnings are found in the contributions of such forerunners as Cujas (1522–1590), Montesquieu (1689–1755), Burke (1729–1797), Schelling (1775–1854), Puchta (1798–1846), Hugo (1764–1861), and Savigny (1779–1861) of Germany, who is generally regarded as the founder of the school, tho this honor is conferred by some authorities upon Hugo. Sir Henry Maine (1822–1888) and Fredrick William Maitland (1850–1906) of England, and James Coolidge Carter (1827–1905) of the United States, were exponents of this school, yet it may be doubted whether they ever rose to the rank of juristic philosophers. Sir Frederick Pollock, late professor of jurisprudence at Oxford, comes more nearly to attaining this distinction.

The historical school was founded on the Hegelian theory that the ideal is fixed but that the details are in constant process of evolution. Savigny believed that "law grows as the people grow, develops with the people, and declines when the people lose individually."[3] Law, to this school, was the result of "a varying, progressive, slow, and lengthy formation by society rather than of the arbitrary will of a law-giver, and the state was an organism and not a mechanism." Its theory of the development of law, according to an eminent American jurist, is that "the law embodies the story of a material devel-

[1] Gray, *op. cit.*, 2.

[2] The eighteenth and early nineteenth century periods of development of this school are more fully treated in Dunning's three volumes on political theory; W. Jethro Brown, *The Austinian Theory of Law* (London, 1912); Berolzheimer, *op. cit.*; Pound, 24 *H. L. R.*; 27 *H. L. R.*, 5 *Columbia L. R.*, 4 *Ill. L. R.* Taylor, *op. cit.*, Bryce, *op. cit.*, Gray, *op. cit.*; F. W. Coker, *Readings in Political Philosophy* (New York, 1914). See also Isaacs, "Schools of Jurisprudence," 31 *H. L. R.*, 373-411; John F. Dillon, "Bentham and His School," 24 *Am. L. Rev.*, 727. See also articles on Jurisprudence in the New *International Encyclopedia* and the eleventh edition of the *Encyclopedia Britannica.*

[3] Berolzheimer, *op. cit.*, 213.

opment through many centuries, and it cannot be dealt with as if it contained only the axioms and corollaries of a book of mathematics. In order to know what it is, we must know what it has been and what it tends to become. We must alternately consult history and existing theories of legislation."[1]

The most conspicuous representative of the English historical school was Sir Henry Maine. He was primarily a student of legal history and institutions rather than of legal doctrines and philosophy.[2] He is especially noted for his theory that legal development has been "a progress from status to contract."[3] "It," according to Pound, "was universally accepted in Anglo-American juristic thought and governed it down to the end of the century. It is still a force with which to reckon in American constitutional law."[4]

This is essentially a doctrine of individualism in law. Maine was convinced that the development of progressive societies has been characterized by "the gradual dissolution of family dependency and the growth of individual obligation in its place. The individual is steadily substituted for the family, as the unit of which civil laws take account."[5] The individual gradually becomes a free-willing person. Pound holds that this theory was accepted by Anglo-American jurists without inquiry. He maintains that the common law is distinguished by relations of individuals, involving reciprocal rights and duties, rather than by declarations of wills in transactions.[6]

Maitland was a great teacher and legal historian, but hardly a jurist. He was a prodigious worker and never failed to impress students with an honesty and loftiness of purpose.[7] "His profound knowledge of the sources of English law equipped him," says Holmes, "as perhaps no other was equipped to illustrate and explain the present. His knowledge was only a tool to his good sense. His good sense and insight were illuminated and made vivid by his power of statement and gift of narrative, so that any reasonably profound reader of his writings,

[1] Oliver Wendell Holmes, Jr., *The Common Law* (Boston, 1881), 1.
[2] His chief works are: *Ancient Law* (1861), *The Early History of Institutions* (1875), and *Early Law and Customs* (1883).
[3] Pound, *Interpretations of Legal History*, 53.
[4] *Ibid.*, 54.
[5] Maine, *Ancient Law* (Third American from Fifth London edition, New York, 1885), 163.
[6] Pound, *Interpretations of Legal History*, 57.
[7] W. W. Buckland, *Cambridge Law Journal*, I, No. III, 300.

even those dealing with what one would have expected to be dry details, is sure to become interested, absorbed, and charmed."[1]

Pollock is undoubtedly the greatest living representative of the historical school. He dissents from the analytical school and acknowledges his indebtedness to Savigny, to Maine, Brunner and Holmes.[2] "On the whole," says Pollock, "the safest definition of law in the lawyer's sense appears to be a rule of conduct binding on members of a commonwealth as such."[3] He maintains that to regard law as merely that which the state wills or commands is eminently the mistake of a layman.[4] He admits that the activity of modern legislatures has made law more a matter of enactment, but to say that it exclusively consists of the commands of a sovereign is to ignore the formative forces of legal development. Pollock regards the administration of law as a matter of secondary importance.

The historical school has some fundamental weaknesses:

1. It has a tendency to oppose change in the law, yet its very method qualifies it to say what reforms should be made.
2. It overemphasizes legal history and under-values juristic philosophy.
3. Its method is more applicable to the development of national systems of law than to law in general.
4. It is inclined to justify the past and prescribe it for the present and future. It has, therefore, contributed very little to judicial reform.[5]

The merits of this school are:

1. It has furnished the background for legal analysis. As James Bryce has said: "All law is a compromise between the past and the present, between tradition and convenience. Hence, pure analysis, since it deals with the present only, can never fully explain any legal system."[6]

[1] Holmes, *The Law Quarterly Review*, XXIII, 139.
[2] Pollock, *A First Book of Jurisprudence* (Fourth Ed., London, 1918), p. VII.
[3] *Ibid.*, 29.
[4] *Ibid.*, 28.
[5] W. W. Willoughby, *The Nature of the State* (New York, 1896), 158.
[6] Bryce, *op. cit.*, 618. For a fuller treatment of earlier phases of the historical school, see Bryce, *Jurisprudence*, 617-619; Freund, "Historical Jurisprudence in Germany," *Political Science Quarterly*, V, 468-486; Isaacs, "The Schools of Jurisprudence," 31 *Harvard Law Review*, 383-387; Pound, "The Schools of Jurisprudence," 24 *H. L. R.*, 589-604; Munro Smith, "Four German Jurists," *Political Science Quarterly*, Vol. 10, pp. 664 ff.; Vol. 11, pp. 278 ff.; Vol. 16, pp. 641 ff.; Alexander Thomson, 7 *Juridical Review*, 66 ff; "German Historical School," 14 *American Journal*, 43 ff.; Sir Paul Vinogradoff, *Historical Jurisprudence* (London, 1920); Berolzheimer, *The World's Legal Philosophies*, 204 ff.

2. It has pointed out that law and legal institutions are under constant change and decay, and that any set of legal rules which may be ever so applicable at a given time will sooner or later need modification and adaptation to the new conditions.

C. *The Philosophical School*

There have been three phases in the development of this school: (1) The natural law school of the eighteenth century; (2) The metaphysical school of the nineteenth century; and (3) The social philosophical school of the twentieth century.

(1) The natural law school of the Eighteenth Century.

Natural law in this period became the basis of political and constitutional changes. This was especially true of the American, the French and the Spanish-American Revolutions. Aquinas, Suarez, Grotius, Pufendorf, Locke, Rousseau, and Vattel were the leading lights in the development of this school.[1]

(2) The Metaphysical School.

The metaphysical jurists of the nineteenth century proposed to furnish a critique of existing law as a means for establishing an ideal legal system. Like the historical jurists, they maintained that law is found, not made, but that when it is found, it should be put in concrete form. They, therefore, believed in legislation and codification.

This school had three fundamental weaknesses:

(a) It was guilty of over-abstractness. It really abstracted the law from its true basis.

(b) It established certain ambiguities in the law. Any human desire, ambition, or hope became a natural right, and, therefore, the law. The actual and ideal were identified.

(c) By ingenious arguments, it attempted to support the unjustifiable. Hegel justified the breaking of contracts. It attempted philosophical explanations of purely historical matters.

(3) The Social Philosophical School.

The twentieth century philosophical jurists may be grouped by countries as follows: (a) In Germany are found the Social Utilitarians, followers of Bentham and Ihering; and the Neo-Hegelians, adherents of Hegel; (b) In the United States there are the Neo-Realists, chiefly exponents of Ihering; the Pragma-

[1] See Dunning's three volumes on political theory for the development of this school; also Coker, *Readings in Political Philosophy;* Pound, 24 *Harvard Law Review,* 604-611; Isaacs, 31 *H. L. R.,* 387-396. See also the writings of Locke, Rousseau and Vattel, and of Thomas Paine and Thomas Jefferson.

tists, representatives of the philosophy of William James; and Neo-Hegelians, adherents of Hegel; (c) In France are Bentham Utilitarians; Positivists, followers of Comte; and Neo-Kantians; (d) In Italy, there are Positivists; Neo-Kantians, represented by Del Vecchio; and Neo-Hegelians, sponsored by Croce.

(a) The Social Utilitarians.

This school is first in order of time. It is called social utilitarian to distinguish it from Bentham and his followers, who were individual utilitarians. The key to this school is the end of the law. Is the law a thing to be fitted to an abstract man or is it to be suited to the needs of a real man in civilized society? The man who proposed to adapt the law to society was Ihering,[1] the founder of the social utilitarians. He maintained that it was useless to discover the process of development of the law unless this information was used to serve human needs. He especially emphasized the end or the purpose of the law. His views, in other words, were teleological. He believed that the evolutionary character of law could be influenced by deliberate purpose. Ihering's great contribution was to see that back of legal rights were interests which it was the purpose of the law to protect. His breaking away from the exclusively ideal basis of the natural law school has been emphasized repeatedly. "The great gain," says Gray, "in its fundamental conceptions which jurisprudence made during the last century was the recognition of the truth that the law of a state or other organized body is not an ideal, but something which actually exists. It is not that which is in accordance with religion, or nature, or morality; it is not that which ought to be, but that which is."[2]

According to Ihering, rights are given to protect interests and are, therefore, the means and not the ends. The eighteenth century school of natural law contended that rights were above and anterior to the state. This was the prevalent idea at the time of the adoption of the American Constitution. Ihering further maintained that these interests were primarily social rather than individual and that legal rights and action were employed by society to protect itself and incidentally the individual. He

[1] Rudolf von Ihering (1818-1892), noted German philosopher and jurist. His chief works are: *Geist des Romischen Rechts* (Spirit of Roman Law), 3 Vols. (1852-1865), Fifth Ed. (1891-1894) is best. *Zweck im Recht* (Purpose in Law), 2 Vols., First Ed., Vol. I (1877); Vol. II (1883).

[2] Gray, *op. cit.*, p. 94.

saw only two things in all legal action: (1) the individual interest and (2) the legal claim. In other phraseology, society secures the interests of the individual through law. Ihering's theory of interests has practically superseded the theory of natural rights.

Ihering thought of law as a conscious product. He thus opposed the historical school and agreed with the analytical school. He thus overemphasized the recent processes of lawmaking as much as the historical school had unduly stressed custom. The proper balance of these two elements with the scales considerably tipped in favor of the traditional element would be more nearly correct. As Dean Pound says, there is "The unconscious old element and the conscious new element, which are in incessant war with each other."[1] Ihering's extreme reaction from the German historical school was doubtless largely due to the strong movement of social reform in Germany during the latter half of the nineteenth century.

Ihering also materially influenced the administration of criminal law. He maintained that punishment should be adjusted with reference to the individual rather than the crime. This idea is gradually creeping into the administration of criminal law,[2] and supplanting the primitive idea that punishment is to restore or compensate for the damage done to the moral order of things.

His theory of law was one of actuality. It must apply to a real man in modern society. It is one primarily of lawmaking and administration. "Law," he said, "knows but one source—the practical one of purpose."[3] His doctrine that law is to protect the social interests, both public and private, forces the jurist to be a student of real life.

The achievements of the Social Utilitarians may be briefly characterized as follows:

(1) The overthrow of the "jurisprudence of conceptions."

(2) The emphasizing of interests as the ends of the law rather than rights, which are the means of obtaining the ends through legal action. This is the most important of Ihering's contributions.

[1] Pound, 25 *H. L. R.*, 140. See also Pound, *The Spirit of the Common Law* (Boston, 1921), pp. 173 ff.
[2] *Ibid.*, 145.
[3] *Ibid.*, 140.

(3) The humanizing of the primitive theory of punishment of an eye for an eye and a tooth for a tooth by relating punishment to the criminal rather than the crime.

(4) The re-emphasizing of the imperative element in the law.

(b) The Neo-Kantians.

The Neo-Kantians like the Social Utilitarians represent a reaction from the historical school. While the Utilitarians were analytical and social in their conception of the law, the Neo-Kantians were philosophical and social. The leading exponent of this school is Rudolph Stammler,[1] a professor in the University of Holland. Just as Ihering sought to carry the study of law beyond the analytical stage into the more concrete field of the ends of the law, so does Stammler propose to place the law on a more practical basis.

He set up an ideal law, but restricted it as to time, place, and people. This principle has come to be called "ideal of an epoch." This was an important modification of the principle advocated by the metaphysical school that by pure education a complete legal system could be established to which law should conform forever. Stammler's second important contribution was the laying of emphasis on social ideals rather than individual ideals of the utilitarian type. He did not seek the absolute and eternal just, but the relative just. His was a "natural law with a growing content."[2]

Stammler lays down four fundamental principles for the administration of the law:

(1) "One will must not be subject to the arbitrary will of another."

(2) "Every legal demand can exist only in the same sense that the person obliged can also exist as a fellow creature." This would justify the exemption laws of a state, and would justify the Roman theory that a man should respond to a claim only to the extent that he keeps for himself enough for his maintenance. Stammler says that the person obliged must exist as a fellow creature.

[1] Rudolph Stammler (b. 1856), most eminent of the Neo-Kantians. He maintained that the underlying principle of legal philosophy is social life rather than the law. His chief works are: (1) *Wirthschaft und Recht* (1896, Second Ed. 1905), which is an exposition of his social philosophy; (2) *Die Lehre von dem richtigen Rechte* (1902), which is his philosophy of the law; and (3) *Systematische Theorie der Rechtswissenschaft* (1911), which is his theory of jurisprudence. See Berolzheimer, *World's Legal Philosophies*, 498-522.

[2] Pound, 25 *H. L. R.*, 150.

(3) "No one is to be excluded from the common interest arbitrarily." That is to say that we must justify the exclusion of some one from some social activity by some other social interest so as to make the rule measure up to the social ideal.

(4) "A power of control conferred by law can be justified only to the extent that the individual subject thereto can yet exist as a fellow creature."[1] Kant would say that the control of a man is conditional on permitting others to have similar rights. The central feature of Stammler is the recognition of the social and moral interest of society in the individual. He places this on a parity with security in contract and property.

Stammler does not mean these four rules to be the foundation of a legal system, but only guides in the application of legal rules to achieve justice. Stammler was not so much interested in the substantive law squaring with ideals as he was in obtaining just results in the administration of the law. Brutt, in estimating the value of Stammler's contribution to jurisprudence, said:

"He has a place in the philosophy of law comparable to that of Kant in the theory of knowledge. . . . As all prior metaphysics is overthrown by Kant, so all dogmatic theories of method stand after Stammler's theory of justice through law as tried and discarded. In the future all philosophy of law must orient itself with respect to Stammler as the theory of knowledge has had to orient itself with respect to Kant."[2]

His importance to sociological jurisprudence is, in the estimation of Dean Pound, threefold:

(1) Faith in conscious effort to promote justice on a philosophical basis.

(2) Formulation of legal theory of social justice.

(3) Emphasis on the administration of legal rules.[3]

(c) The Neo-Hegelians.

The Neo-Hegelians propose to extract the best from the historical and philosophical schools and make that the basis of their method. They maintained that law was the product of composite cultural forces. They, therefore, depended upon history, anthropology, and ethnology for their material. They

[1] Pound, 25 *H. L. R.*, 152.
[2] *Ibid.*, p. 153.
[3] *Ibid.*, p. 154.

proceeded empirically in contrast with developing the law by deduction as Hegel advocated. The law was to the Neo-Hegelians the classical expression of the forces of culture.[1]

The leading representative of this school is Professor Joseph Kohler,[2] long professor of law at Berlin. "He is," says Dean Pound, "without question the first of living jurists."[3] He is especially noted for his broad scholarship. He was a pioneer in comparative legal history, and has written authoritatively on Babylonian law. He is a recognized authority on the law of primitive peoples; is also a specialist in some branches of dogmatic law, bankruptcy and patent law in particular; has produced several volumes on criminology and has published a remarkable study of the German code; and on the whole has taken a leading part in the philosophy of the law of today.[4]

The achievements of the Neo-Hegelians may be summarized as follows:

(1) The theory of law as the product of the civilization of a people. In place of the word civilization, the Neo-Hegelians used the word "culture." Kohler used "Kultur." By culture, the Neo-Hegelians mean the culture of the individual by breeding and environment. By civilization, they mean the conquest of man over animal nature. By Kultur, they mean the whole conquest of nature, both human and material, by society, and this is the meaning that Dean Pound wishes to express by the word civilization in the above formula.

Kohler like Savigny asserts that law is the product of the past, but he believes this product can be consciously modified to fit the present. He does not believe that the words "Be it enacted" really make the law, nor does he think that the law of the past is adequate for the present. He uses the past for the materials that it can give him, but he does not subscribe to the dictum that all wisdom and all fundamental principles are to be found in the past. He accepts the work of the historical school, but he proposes to adapt it to present needs. He believes in a constantly progressing civilization and in a body of

[1] *Berolzheimer, op. cit.*, 423.

[2] J. Kohler (b. 1849), by 1903 had produced more than 500 books and articles, covering civil law of Germany, history of comparative jurisprudence, the philosophical aspect of law, and the history of art. See *New International Encyclopedia*, Vol. 13, p. 323.

[3] Pound, 24 *H. L. R.*, 155.

[4] *Ibid.*, 156.

principles or a system of law in constant flux. Law, in other words, is relative to civilization.[1]

(2) The second contribution of the Neo-Hegelians was the "theory of the relation of comparative legal history and the philosophy of the law." Kohler believed that social history is more fundamental to the progress of the law and society than political history. Political history was studied because it was regarded as the story of the liberty of the individual. Kohler emphasizes social history as the means for the progress of the law, while the historical school maintained that the law was an unconscious product and, therefore, could not be changed. Kohler would use the light that he gets from history for the purpose of changing the law.

(3) The most significant development of the Neo-Hegelians is "the theory of the sociological interpretation and application of legal rules." The background of this theory is the system of law of continental Europe which is built upon the Justinian Code as a binding law. The theory of the making of this law was that it proceeded directly from the will of the sovereign. Hence, the idea arose that the will of the legislator was the important thing and that the problem of administering the law was primarily the discovering of this will. It was parallel to the finding of the true intention of the maker of a deed or will in the common law system and then enforcing it. Kohler holds that the lawgiver is the mouthpiece of the will of the people and not the sovereign and that in the administration of legislation the important thing to keep in mind is the ends that the legislator was seeking to obtain.[2]

"According to Kohler," says Dean Pound, "the task of the legal order is twofold. First, it is to maintain existing values of civilization. This is what the Greeks, and the Romans and the Middle Ages following them, saw as the end of the law. Second, it is to create new ones—to carry forward the development of human powers. This is analogous to Ward's idea of the efficacy of effort. It will be perceived that in place of the simple idea of freedom—of individual self-assertion—from which the metaphysical school started or which it was realizing

[1] Pound, *Interpretations of Legal History* (New York, 1923), 143.

[2] Kohler's chief works are: *Lehrbuch der Rechtsphilosophie* (1900, second ed., 1917). Translated by Albrecht as *Philosophy of Law* (1914); *Recht, Glaube und Sitte* (1892); *Rechtsphilosophie und universale Rechtsgeschichte* (seventh ed., 1913).

in legal history, we have here a complex idea of continually advancing civilization, of infinitely progressing human development of human powers. The idea is not a simple idea whose narrow bounds have been fixed once for all but a complex, growing God. If this interpretation like all idealistic interpretations substitutes a renamed god for the divine authority of the beginnings of law, at least it is a god that grows and that does not jealously deny effectiveness to human action."[1]

D. *The Comparative School.*

The highly significant school for the comparative study of the law is a more recent development than that of the previously mentioned schools. It is really an expansion of the historical school. It proposes to apply the historical method to the study of all legal systems for the purpose of discovering their similarities and differences. It maintains that before a definite assignment of causes can be made the basis of legal development, a broad study of legal systems must be made to see whether the same conditions have produced similar results in all systems. It also maintains that legal systems have influenced each other in the process of evolution. This school does not stop with the historical study of the comparative development of legal systems, but would make a comparative examination of the rules of law and their practices. It also proposes to note expedients and methods used in the various legal systems to solve practical problems with a view of making suggestions for the improvement of legal institutions.

It accepts the historical point of view toward law and the technique of the historical investigator, but insists that sounder conclusions can be reached by expanding the study to include two or more legal systems. "This school," said James Bryce, "collects, examines, collates, the notions, doctrines, rules, and institutions which are found in every developed legal system, and at least in most systems, notes the points in which they agree, or differ, and seeks thereby to construct a system which shall be natural because it embodies what men otherwise unlike have agreed in feeling to be essential, philosophical because it gets below words and names and discovers identity of substance

[1] Pound, *Interpretations of Legal History*, 145. See also, Berolzheimer, *op. cit.*, 422-427; Pound, "The End of the Law," 27 *H. L. R.*, 605, and 30 *H. L. R.*, 201; also his *An Introduction to the Philosophy of the Law*, Ch. II (New Haven and London, 1922).

under diversity of description, and serviceable, because it shows by what particular means the ends which all (or most) systems pursue have been but attained."[1] It is in this way that the common content as well as the particularisms of legal systems can be most strikingly presented.

This school has been criticised for the comprehensiveness of its program. It has been pointed out that there are numerous legal systems that have never been examined, such as the Assyrian, the Egyptian, the Chinese, and Japanese, and that these together with those that have been studied are in such radically different stages of development from those of the civil or common law, that comparatively little can be gained from an analogous study of them. It should be noted in this connection that the civil law nations and the English-speaking groups living under the common law constitute a field broad enough for the most ambitious. While the civil law nations start with a common legal basis, each has developed its particularisms, and the same is true of the common law groups. There is ample room for a comparative study within each of these groups and also with each other.

The forces that established the comparative school in the latter half of the nineteenth century were the scientific study of history, biology, comparative philology, anthropology and sociology. The Darwinian idea of transformation came to be the central thought in scientific investigation and the guide to the understanding of organic evolution. A study of savage and half-civilized nations was begun by European and American investigators by the aid of ethnography and ethnology, with the result that modern legal inquiry took its place in the general scheme of scientific research.

Max Müller, W. D. Whitney, and Jacob Grimm in comparative philology, folklore and popular law; Letourneau, J. F. McLennan, Lewis H. Morgan, and A. H. Post in ethnology, together with the anthropological and sociological studies of Tylor, Lubbock and Spencer constitute the foundation of comparative jurisprudence. Sir Henry Maine, Sir Frederick Pollock, and F. W. Maitland have contributed to the field of comparative jurisprudence as well as to that of the historical school. The most noted representatives of the school of comparative juris-

[1] Bryce, *op. cit.*, 619.

prudence are Professor Joseph Kohler of Germany, and Professor Paul Vinogradoff of England. The former has just been treated under the Social Philosophical School as a Neo-Hegelian.

Sir Paul Vinogradoff, professor of Jurisprudence at Oxford, thinks of the state as society in its legal organization. Regardless of the functions civilization has imposed on the state, its chief service is to prevent internecine struggles and warfare. In its most fundamental functional sense, it may be regarded as the central umpire of the social process with sufficient final authority to enforce that minimum of order and restraint necessary to prevent group and class antagonism from destroying the essential conditions of orderly and constructive collective life. This conception of the state makes possible a flexible, pragmatic and genetic view of the functions of the state, for the general function of umpire remains a fact and a necessity regardless of the degree of intervention required to meet the conditions of the particular state or period.

Vinogradoff believes that the comparative study of law based on history is the best approach to the understanding of legal institutions. "The necessity," says he, "for revising the comparative method is one of the lines on which modern jurisprudence has to take up the thread of investigation." He feels that surveys along broad lines will alone suffice for a basis of juristic analysis. "What is wanted now," he says, "is to take our stand on the careful analysis of one or the other rule, relation or institution as illustrated in its formation, development and decay by the facts of comparative jurisprudence."[1]

His conception of law is that of the historical school. He thinks of law as containing a traditional element supplemented by changes and contributions made by both conscious and unconscious forces operating to construct a better future. He sees the present age as one of great historical transitions due to the influence of the Industrial Revolution in economic life and to science and scholarship in the field of religion and thought. Such changes profoundly effect law as is shown in the recent modifications of the law of domestic relations, but the character and extent of such modifications can only be determined by a knowledge of the past, the nature of the new forces appearing

[1] Vinogradoff, *Outlines of Historical Jurisprudence*, I, 149.

on the horizon and the possibilities of future development. The historical diagnosis is a prerequisite to a prognosis.[1]

The chief merits of this school are:

1. It proposes to make use of the methods and contributions of all the social sciences.
2. It is not content to study merely the historical development of law and legal institutions, but emphasizes the importance of comparative legislation and comparative legal analysis.
3. It claims to have checked the tendency to hasty conclusions on the part of legal historians. Research in new fields, it says, is inclined to superficial and dogmatic conclusions.

E. *The Sociological School.*

The newly developed sociological school should be regarded more in the process of formation than as a definitely established group of jurists who are coherent in their holdings. It really is composed of a number of groups whose diversities seriously challenge their points of unity. Dean Pound of the Harvard Law School, one of the most eminent of the sociological jurists, holds that they are in the stage of unification. He characterizes the stages of development through which this school has passed as follows:[2] a. the mechanical stage; b. the biological stage; c. the psychological stage; d. the stage of unification.

(1) The Mechanical Stage.

This group is so designated because it attempted to put mathematical certainty in the law. This group were followers of Comte and Spencer and contended that law is the product of social forces.[3] Comte was a mathematician and carried over his mathematical absolutism and certainty into the law, and, according to Dean Pound, "drew his analogies largely from mathematical physics and from astronomy."[4] This group, therefore, excluded both legislation and judicial tradition from the lawmaking process. While the historical school discarded the influence of the legislator whom the analytical school made

[1] The following references will be useful in further developing this school: "The English School of Comparative Law," 30 *Fortnightly* 475, and 31 *Fortnightly* 114; "Schools of Jurisprudence," 41 *London Quarterly* 1; "Comparative Method in Jurisprudence," 16 *Journal Comparative Legislation*, 369-371; Gray, "Comparative School," 9 *H. L. R.*, 27; Bryce, *op. cit.*, 319-622; Joseph Kohler, *Philosophy of Law*, 379-384; Berolzheimer, *op. cit.*, 422-427; Pound, *Interpretations of Legal Philosophy*, 141-150; Pound, *An Introduction to the Philosophy of Law* (New Haven, 1922), 15-99.

[2] Pound, 25 *H. L. R.*, 490.

[3] See Berolzheimer, *World's Legal Philosophies*, on the precursors of this school, 352-364.

[4] Pound, *Interpretations of Legal History*, 71.

its growing god, the positivists or mechanical group of the sociological school preached the futility of both the legislator and the judge. They might fittingly be described as a negative group in the historical school with a social bent, due to the fact that the founder of positivism was also the founder of sociology, and with a Hegelian philosophical tincture. According to this group, legal evolution could no more be influenced in its process than the laws of the planets.

"Mechanical sociology achieved nothing in jurisprudence," says Pound, "beyond serving as a forerunner." [1] This fact plus the unfortunate term, sociology, that was given to this new theory of social phenomena has restricted its vogue to narrower channels than would otherwise have been the case. The word connoted socialism in the minds of many and was avoided.

It is fair to this group to say that it promoted certain tendencies, whatever this may mean. Its influence took two principal directions:

(1) It insisted on a social theory instead of an individual theory, which emphasized the break with the social philosophy of the eighteenth and nineteenth centuries. The positivists saw that it was increasingly clear that man does not live alone but in groups with his fellows.

(2) In rejecting the individualistic attitude, they broadened the relation of law to the social sciences by emphasizing the group idea in contradistinction to the class idea of the nineteenth century. Undoubtedly a great part of the impetus that has tended toward the unification of the various groups was furnished by the positivists.

(2) The Biological Stage.

This stage of the development of jurisprudence is the reflection of the Darwinian influence in the natural sciences. The state was regarded as an organism and its basis of operation, of course, was a biological-sociological jurisprudence. The state through law would guarantee a free development of society on a basis of the natural selection of the most fit.

This group made a special study of primitive society and primitive law because it was able to find that in this type of society its conception of law was most feasible. The development of this idea broadened the basis of comparative jurisprudence.

[1] Pound, *Interpretations of Legal History*, 72.

It was soon recognized, however, that this type of data was a very small part of the basis of a system of jurisprudence. This has been recognized by sociologists, of whom one of the most eminent has said: "It is a grotesque hallucination that men in stages of arrested development—men, moreover, about whom all available evidence is woefully meager—furnish the only clues to human nature. In fact, a handful of knowledge of today's men, just as they are, is worth, if properly sifted, more than a ton of the sort of information we can get about men of any other period."[1] It follows with equal force that primitive law could not be made the basis of a system of jurisprudence.

This group on the basis of biological analogy believed that law was the result of conflict of races or groups with each other or of the triumph of one legal system or set of legal rules over another. Since law is a means of protection, it followed that in these conflicts the legal system or principle most suited to man's development would survive, and be selected as the basis of further progress.

There are four phases of this biological period of development of the sociological school: (1) The mechanical or "struggle for existence" phase; (2) the ethnological; (3) the philosophical; (4) the organismic stage. The first thought of law as the orderly elimination of the unfit. The second placed a greater reliance on the evolution of men, and, therefore, emphasized the study of primitive people. The third contended that the law resulted from a struggle between the social and the anti-social. Vaccaro, an Italian jurist, thought of the law as a selection of rules through social conflict. "The conditions of coexistence imposed by law," said he, "are not those that ought to be in order to assure the greatest possible prosperity of all the associates, but those which result from the action and reaction of men as they are at a given historical moment."[2] The fourth type has been more influential in the field of government and politics than jurisprudence. This group regarded the state as a great organism.[3]

The achievements of the biological period of development of the sociological school are not very material. "In its net results," says Dean Pound, "the biological sociology did no more

[1] Albion W. Small, *General Sociology* (Chicago, 1905), 100.
[2] Pound, 25 *H. L. R.*, 500.
[3] See Coker, *Organismic Theories of the State*, and H. J. Ford, *The Natural History of the State*.

than carry forward the work of preparation begun by the mechanical sociology."[1] "The idea of selection," says Tourtoulon, "does not suffice to constitute the basis, theoretical or practical, of any part of the law."[2]

(3) The Psychological Stage.

The introduction of the psychological factor into jurisprudence is due to the influence of three men: Gierke, Ward, and Tarde. The influence of psychology on jurisprudence has been directed along three lines:

(1) The study of group personality and group will. Strange to say, this movement originated with a lawyer, and made itself felt first in jurisprudence and then was extended to the other social sciences. The founder of this movement was Gierke, professor of law at Berlin.

(2) The thesis of Ward, professor at Brown University, that psychological forces and influences are as real as sociological or physical ones.

(3) Tarde's theory of imitation, that a large portion of the law could be explained on a basis of imitation.

Gierke[3] declared that a man asserted himself through associations and that in this way his influence continued after he had passed off the stage of action. This meant that the group was more important than the individual. This group, so he contended, possessed its own personality, its own will and powers separate from the individuals composing it. Striking examples of this are the crowd and the mob. The directors of a corporation may act very harshly as a board, and yet they may be very benevolent and charitable as individuals.

The far reaching effect of this is seen when it is applied to law enforcement. The analytical jurist said physical force backed by the state is the sanction of the law. The philosophical school said law receives its sanction from its inherent justice. The historical jurists said habits of obedience were the sanction of the law. Gierke and his followers argued that the thing that gives force to legal rights is the rules of action at law that lie back of these rights. These rules are effective when social psy-

[1] Pound, *Interpretations of Legal History*, 73; see also Tanon, *L'Evolution de droit et la conscience sociale;* 3rd ed., 180-181 (1911).

[2] *Les Principes philosophiques de l'histoire du droit*, 82.

[3] Otto Gierke (b. 1841), German philosopher and jurist. His chief works are: *Das deutsche Genossenschaftsrecht* (3 vols., Berlin, 1868, 1873, 1881). *Die Genossenschaftstheorie und die deutsche Rechtsprechung* (Berlin, 1887).

chology triumphs over individual motives. In other words, the mere will of the state or the logic of the law-giver will not suffice. This eliminates the state as a factor in the law-making process and places international law on a parity with municipal law.[1]

A purely psychological movement originating outside of jurisprudence but finally materially affecting it was the emphasis placed by Professor Lester H. Ward, of Brown University, on the psychological forces in contradistinction to the biological forces. He advocated the training of the bench and the bar in psychology so that they could actually apply it in the administration of the law as a factor in social reform.[2]

Tarde,[3] a French judge, worked out the psychological rules that govern legal action, and was the first sociologist to appreciate fully the psychic element in society as well as the very important factor of social imitation.[4] By the latter element, he refers to the traditional element in the law which is constantly repeated and which after all is the real unifying and creating force in the law. There is in process a ceaseless warfare between the old and the new, the old always bulking large and coloring the new.

The toughness and persistency of the traditional elements in the law are emphasized by Dean Pound in the following: "Although rules have disappeared, have altered, have sprung up, developed and decayed, and from small beginnings have grown into whole departments of the law since the seventeenth century, our common law has a real unity from the age of Comte to the present time. As a mode of thinking, as a mode of reasoning upon legal subjects, it is the same in England, the United States, Canada, and Australia, the same in substance in one century as the next. In the same way the Roman tradition has

[1] Georg Jellinek (1851-1911), also contended that a distinction should be made between law in action and law in books, and that it was social psychological forces that really gave the law sanction. See Berolzheimer, *op. cit.*, pp. 435-442. See, also, Pound, 44 *American L. R.*, 12, "Law in Books and Law in Action"; and Wiel, 1 *Columbia Law Review*, 11, "Public Policy in Western Water Decisions."

[2] Ward was professor at Brown from 1906 to 1913. His *Dynamic Sociology* (New York, 1913), his *Psychic Factors of Civilization* (Boston, 1891), and his *Applied Sociology* (Boston, 1906), should be read by all students of the law.

[3] Gabriel Tarde (1843-1904), trained lawyer and French judge. His chief works are: *Les lois de l'imitation; étude sociologique* (2nd ed., Paris, 1895); *La logique sociale* (Paris, 1895); *La Philosophie pénale* (Eighth ed., Lyons and Paris, 1904). See M. M. Davis, *Gabriel Tarde* (New York, 1906).

[4] Pound, 25 *H. L. R.*, 508.

continuity and essential identity from the third century to the twentieth, and as that tradition gives form and color to all the new elements in the law of Continental Europe, so with us the common law tradition has put its mark upon equity, admiralty, and the law merchant, and has been able to fit legislation, fashioned by whatever force, into its own system. Explanation of this toughness of jural tradition is much more worth while than theories of formal law-making." [1]

(4) The Stage of Unification.

There were two steps that had to be taken before there could be in any very real sense a sociological jurisprudence and these were: 1st, the unification of sociology itself, and 2nd, a closer relation of all the social sciences. In this movement, it was recognized that the problem was one of compromise, as there was some merit in the contention of the various groups. No individual group had a program sufficiently broad to form an adequate basis for a social science. The acceptance of this fact rather generally by the sociologists expedited the process of unification of both method and theory.[2] Ward, after enumerating twelve different bases for sociology that had been advanced by individuals and groups, said "Any one of these views might be, and most of them have been, set forth in such a form that, considered alone, it would seem to justify the claim set up. This enumeration is calculated to afford to the unbiased mind something like an adequate conception of the scope of sociology, for not a single one of these conceptions is to be rejected. All are legitimate parts of the science, and there are many more equally weighty that remain as yet more or less unperceived. . . . All these various lines, together with all others that have been or shall be followed out, may be compared to so many minor streams, all tending in a given direction and converging so as ultimately to unite in one great river that represents the whole science of sociology as it will be finally established." [3]

Dean Small, Professor of Sociology in the University of Chicago, has said: "Social science cannot be many. It must be one.

[1] Pound, 25 *H. L. R.*, 508.

[2] Ward said: "The need of method increases with the complexity of science. Sociology, as the most complex of all the sciences, has the greatest need of it. In the first place it is necessary to recognize that it is a science. Very few seem to treat it as if it was a true science, and the sociologists themselves are largely responsible for the opinion that so widely prevails that sociology is not a science." *Pure Sociology* (New York, 1914), 46.

[3] Ward, *op. cit.*, 14. *Cf.* his *Outlines of Sociology* (New York, 1898), Part I.

The next stage of social science must be marked by a drawing together of the parallel or diverging lines of research in which it has been broken up. We must use the knowledge which we have already gained of parts or aspects or details of human experience to construct a more adequate general survey of the whole of human experience."[1]

"The same attitude has been adopted toward jurisprudence," says Dean Pound. "It is recognized that in the separation of jurisprudence from sociology there is stagnation and that law has been greatly deficient in the past by virtue of its divorcement from social purposes."[2] Jurisprudence has suffered in at least two ways:

(1) It has led to a narrow, partial view.

(2) It has been primarily responsible for the inability of the lawyer and also his indisposition to adapt the law and its administration to present day conditions.

Jurisprudence and politics were brought closer together by the political interpretation of the historical school. Jurisprudence and economics were more closely related by the cultural interpretation. "Jurisprudence must," says Dean Pound, "accept its place in the field of social sciences and must be more inclined to meet the social needs. The law can no longer except at the peril of itself and society refuse to consider the collectivistic good rather than regarding the bills of rights of American constitutions as the magna carta of human Liberty."

Among the leading representatives of this school in recent years should be mentioned Gumplowicz of Austria, Duguit of France, Oliver Wendell Holmes, Jr., justice of the Supreme Court of the United States, and Roscoe Pound, of the United States.

Gumplowicz was regarded as one of the greatest sociological jurists of the last quarter of a century.[3] He wrote voluminously and effectively on jurisprudence and kindred fields. His writings are characterized by clearness and literary style.

[1] Small, *The Meaning of Social Service* (1910), 87. See also, Small, "The Significance of Sociology", *Chicago Decennial Publication*, First Series, Vol. IV, 113-149 (1902). *Cf.* H. E. Barnes, *Sociology and Political Theory* (New York, 1923).

[2] Pound, 25 *H. L. R.*, 510.

[3] Ludwig Gumplowicz (1838-1910), Austrian political scientist and sociologist. He was made Professor in the University of Graz in 1882. His chief works are: *Philosophisches Staatsrecht* (1877); *Verwaltungslehre* (1882); *Der Rassenkampf* (1883, 2nd ed., 1909); *Sociologie und Politik* (1892); *Geschichte der Staatstheorien* (1905). See *Journal of Race Development*, (April, 1919).

The state, according to Gumplowicz, is a social product, and its future development is conditioned on social forces. The chief characteristics of the state are, he said, "Rulers or a ruling class and subjects; the governing authorities and the governed classes; these are the eternal, unchangeable, fixed factors of the State. There never was, nor does there now exist, a state without this antagonism."[1] The nature of the state is regarded as "a division of labor made and maintained by coercion among a number of social elements organically united into a whole. The development of this composite unit proceeds by a struggle among its constituents for the purpose of determining their relative powers—the issue in each case being expressed in law and statutes."[2]

He conceived of the state as originating in the social group rather than in the family. In the social group, he found the ruler and the ruled. Those who were the victors in the struggle became the ruling classes while the conquered became the subject classes.

Law, to Gumplowicz, was the result of a struggle among social groups within the state. He places the group above the state and reduces the individual to a bagatelle. He approaches Duguit's idea of social solidarity. Group sociology supersedes the individualism of the natural-law school or the Austinian supremacy of the state. In this respect Gumplowicz and his followers have overemphasized the groups as much as other schools have exaggerated the importance of the individual and the state.[3]

The leading exponent of the social solidarists in France is M. Léon Duguit, Professor of Law in the University of Bordeaux. Duguit's theory of the state and law is in part a reaction from the struggles of the French people for freedom under the Divine Right absolutism prior to the Revolution and since then under the arbitrary rule of state sovereignty, which Duguit regards as as much out of harmony with the present order of society as the former. In part, his contention is representative of the almost universal search of mankind for a basis of a new social order. It is a part of a general revolt from legal absolutism.

[1] Gumplowicz, *Grundriss der Soziologie* (Vienna, 1885), 115.
[2] Gumplowicz, *Die Soziologische Staatsidee* (Graz, 1892), 55.
[3] For a discussion of Gumplowicz and his followers, see Berolzheimer, *op. cit.*, 356-375.

Duguit proposes "une règle de droit"—the rule of law—as the solution of this problem. He believes that there is a "droit objectif", which is anterior and superior to the state.[1] Its basis is social solidarity or interdependence. Law is conditioned on two fundamental facts: first, that man is conscious of his acts; and second, that he is a social animal and cannot live in isolation. The fact that he must live in society forces him to accept the law of social solidarity, which is in perpetual evolution.

The theory of the sovereignty of the state is obsolete for the same reasons that royal sovereignty was not tolerated in the nineteenth century. It does not square with present conditions. A statute is, therefore, no longer a command of the sovereign, whether King, state, or a popular majority, but is simply the expression of the individual will of those who make it. It is in no sense metaphysical. It is a social rule, and, because man lives in society, he must obey it. It is as compelling as an Austinian command, but does not transcend society. It is a rule of law dictated by social facts, and is obligatory on both private and public persons.[2]

The state is not abolished, but is held to be a society of men, divided into social, political, religious, economic and educational groups.[3] Observation, he maintains, proves this thesis. The state is not an end, but a means, which society uses under the rule of law, for purposes of public service.

This attempt to reconstruct political theory and to socialize the law compels attention and admiration, if for no other reason than its boldness. It is obviously based upon French experience. It is less vulnerable from criticism on the side of political theory than from the point of view of juristic philosophy. The chief point of attack is his conception of sovereignty. The legalists insist that the logic of terminology compels the existence of a legal sovereign beyond which there is no appeal. His denial of rights abolishes natural law, even Stammler's theory of a "natural law with changing content." Nor does he find a place for corporate personality. On the political side, Duguit's contentions find a responsive chord in English and American experience in the federalistic system of the British Commonwealth of

[1] Léon Duguit, *Law in the Modern State* (translated by Frida and Harold Laski, New York, 1919), 70; also *L'état, le droit objectif* (Paris, 1901), 615.

[2] *Le droit social, le droit individuel et la transformation de l'état* (2nd ed., Paris, 1911), 73.

[3] *L'état, les gouvernants et les agents* (Paris, 1903), 65.

Nations and the United States, as well as in England, France and Spain where efforts are being made to establish local autonomy. The least that can be said for this challenging analysis of the present order of society is that it has cast a serious shadow over the mediævalisms still persisting in our political order and that it will furnish inspiration to students of government and law.[1]

H. Krabbe, an eminent Dutch jurist and professor of law at the University of Leyden, maintains that the theory of the modern state is anti-Germanistic. He also opposes the Duguitian conception of the state as a collection of public services.[2] He defines the state as "a legal community, that is, a portion of mankind having its own original legal standard, its own original source of law, and therefore a portion of mankind having its own independent body of legal relations. Hence, the state performs no functions whatever except to impute legal value to certain interests. The state can do nothing except to impose the obligation to serve public and private interests."[3] The state, in other words, is a mere regulatory agent, and is not identified with governmental agencies, which are creations of law rather than of the state. The state is, therefore, no mythical or imaginative entity or organism, to which it is necessary to attribute personality or sovereignty.

Law is an evolutionary process of interests, founded on the sense of right,[4] which constitutes its single source. It must no longer be sought in the abstractions of "the state, the sovereign, the people, the legislature, parliament, or any other fictitious authority."[5] Law is a harmonizing process of the interests of groups with each other, of individuals with their groups and of the common interests of groups and of the whole complex of society. This evolutionary process takes place by means of political and quasi-political groups organized to make official valuations. For example, the judicial process is regarded as an

[1] The chief works of Duguit are: *La Séparation de Pouvoirs et l'Assemblé Constitutante* (Paris, 1893); *L'Etat: Le Droit Objectif et La Loi Positive* (Paris, 1901); *L'Etat: Les Gouvernants et Les Agents* (Paris, 1903); *Traité de Droit Constitutionnel*, 2 vols. (Paris, 1911); *Le Droit Social, Le Droit Individuel, et L'Etat* (2nd Ed.) (Paris, 1911; *Les Transformations Générales du Droit Privé* (Paris, 1912); *Les Transformations du Droit Public* (Paris, 1913).

[2] Krabbe, H., *The Modern Idea of the State* (translated by Sabine and Shepard, New York, 1922), 200-208.

[3] *Ibid.*, 215.

[4] *Ibid.*, 148.

[5] *Ibid.*, 176.

evaluating process of conflicting interests. This is what Duguit would call a public service.

The Krabbe theory is another instance of looking the facts of modern life square in the face, and of attempting to discover a modis operandi. It undoubtedly is in the direction in which the social sciences are tending.[1]

One of the most brilliant of the sociological jurists is Dr. Roscoe Pound, Dean of the Harvard Law School.[2] Dean Pound's theory of law is based on social interests. "I am content," says Pound, "to think of law as a social institution to satisfy social wants—the claims and demands involved in the existence of civilized society—by giving effect to as much as we may with the least sacrifice, so far as such wants may be satisfied or such claims given effect by an ordering of human conduct through politically organized society. For present purposes I am content to see in legal history the record of a continually wider recognizing and satisfying of human wants or claims or desires through social control; a more embracing and more effective securing of social interests; a continually more complete and effective elimination of waste and precluding of existence—in short, a continually more efficacious social engineering."[3]

Pound is first interested in what actually takes place in the framing of law. Law, he says, is a compromise, a sort of balance between social and individual interests. By interests, he means the complex use of conscious and unconscious forces which form the social personality. These take the direction of claims or demands made by groups on their members who in turn make demands on their groups. These demands conflict and adjustment has to be made. "The task," he says, "is one of satisfying human demands, of securing interests and satisfying claims and

[1] For similar discussions of sovereignty and group autonomy, see Maitland, *Political Theories of the Middle Age* (1900); J. N. Figgis, *Churches in the Modern State* (1913); and Laski, *The Problem of Sovereignty* (1917); and *Authority in the Modern State* (1919).

[2] Pound, Roscoe (b. 1870), has been an attorney, judge and professor. He was dean of the Law School of the University of Nebraska (1899-1907); professor of law, Northwestern University (1907-09); The University of Chicago (1909-10); Harvard University (1910-16) and dean of the Harvard Law School since 1916. His chief works are: *Readings on the History and System of the Common Law* (Boston, 1913); *The Spirit of the Common Law* (Boston, 1921); *An Introduction to the Philosophy of Law* (New Haven, 1922); *Interpretations of Legal History* (New York, 1923). Dean Pound has contributed numerous articles on law and jurisprudence which may be found in legal periodical literature.

[3] Pound, *An Introduction to the Philosophy of Law* (New Haven, 1922), 99.

demands with the least of friction and the least of waste, whereby the means of satisfaction may be made to go as far as possible. It would be vain to pretend that adjudication and law-making are in fact determined wholly by a scientific balancing of interests and an endeavor to reconcile them so as to secure the most with the least sacrifice. The pressure of claims or demands or desires, as well as many things that the social psychologist is teaching us to look into, will warp the actual compromises of the legal order to a greater or less extent."[1]

Pound is next concerned about a rule of action—a method of weighing or evaluating these claims or demands. There is the problem of the administration of justice. "This is not, however, the simple process," he says, "which the last century wished it to be and vainly strove to make it."[2] This brings into play the entire legal order, which Pound defines as "a process of ordering, in part by the administration of justice, in part by administration of agencies, in part by furnishing men with guides in the form of legal precepts, whereby conflicts are avoided or minimized and individuals are kept from collision by pointing out the parts which each is to pursue. Judicial, administrative, legislative and juristic activity, so far as they are directed to the adjustment of relations, the compromise of overlapping claims, the securing of interests by fixing the lines within which each may be asserted securely, the discovery of devices whereby more claims or demands may be satisfied with a sacrifice of fewer—these activities collectively are the legal order."[3] A broad social orientation must at all times prevail.

"Law," he says, "is the body of knowledge and experience with the aid of which this part of social engineering is carried on. It is more than a body of rules. It has rules and principles and conceptions and standards for conduct and for decision, but it has also doctrines and modes of professional thought and professional rules of art by which the precepts for conduct and decision are applied and developed and given effect. Like the engineer's formulas, they represent experience, scientific formulations of experience, and logical development of the formulations; but also inventive skill in conceiving new devices and

[1] Pound, *Interpretations of Legal History*, 157.
[2] *Ibid.*, 153-154.
[3] *Ibid.*, 156.

formulating their requirements by means of a developed technique.[1]

There are really two elements in this theory: one is the law-making process and the other is the administration of the law. Throughout the legal order, he conceives that the end of the law is the satisfaction of human wants, ambitions, claims and demands by the most inclusive solution. His whole theory is thoroughly pragmatic and teleological.

Possibly the most noted sociological jurist in America is Justice Oliver Wendell Holmes, Jr. Dean Pound says that the most significant changes in legal science in America that differentiate the twentieth century from the last quarter of the nineteenth are: "the definite break with the historical method; the study of methods of judicial thinking and understanding of the scope and nature of legal logic; recognition of the relation between the law-finding element in judicial decisions and the policies that must govern law-making; conscious facing of the problem of harmonizing or compromising conflicting or overlapping interests; the pulling apart and setting off of the several conceptions involved and concealed in the protean term "a right"; faith in the efficiency of effort to improve the law and make it more effective for its purposes; a functional point of view in contrast with the "purely anatomical or morphological standpoint of the last century; giving up of the idea of jurisprudence as a self-sufficient science, and unification of the methods each of which formerly claimed exclusive possession of the whole field." He adds that Justice Holmes anticipated the teachers and thinkers of today in each of these respects from twenty to thirty years.[2]

Speaking of the works of Justice Holmes, Pound says "one can but see that their author has done more than lead American juristic thought of the present generation. Above all others he has shaped the methods and ideas that are characteristic of the present as distinguished from the immediate past."[3]

In his paper on "Agency," Justice Holmes definitely shows that he has broken with the historical school.[4] In "The Path of the Law," he points out the functional value of legal history

[1] Pound, *Interpretations of Legal History*, 156-157.
[2] 34 *Harvard Law Review*, 450.
[3] Pound, 34 *H. L. R.*, 449.
[4] Holmes, "Agency," in *H. L. R.*, vol. IV (1891), 49-116.

and the course of development of legal traditions. His conception of the historical method is that it should be used to further the ends of today rather than to be made the basis of worshiping the past.[1] Holmes conceives of historic continuity with the past, not as a duty, but at most as a condition of effective use of the materials with which we must work.[2] Law, therefore, to Justice Holmes is a resultant of the interplay of the social forces, not merely through the avenue of blind evolution, but by conscious effort as well. "The time has gone by," he says, "when law is only an unconscious embodiment of the common will."[3] The ultimate influence of the writings and decisions of Justice Holmes on law and its administration will only fully reveal itself when the sociological jurists have reformed the methods, ideals and purposes of the legal order.[4]

According to Dean Pound, sociological jurisprudence rests on the following propositions:[5]

1. The actual social effects of legal institutions and doctrines must be analyzed.[6] Without this, there can be no suggestion for social progress. Judicial statistics must be kept as a sine qua non for this study. In the United States a scientific study of the administration of either civil or criminal law is impossible. All we know is that we have law, courts and criminals. There is no way of telling what is happening. Europe is leagues ahead of us in this regard.[7]

[1] Holmes, "The Path of the Law" (1897), 10 Harvard Rev., 457, 167, 172.
[2] Pound, 34 *H. L. R.*, 450.
[3] Holmes, *Privilege, Malice and Interest* (1894), 130.
[4] For further material on Justice Holmes, see his *Collected Legal Papers* (New York, 1920), and his *The Common Law* (Boston, 1881), and Pound, "Judge Holmes's Contributions to the Science of Law," 34 *H. L. R.*, 449-453.
[5] Pound, 25 *H. L. R.*, 512-515.
[6] Kantorowicz says. "I advise one who does not believe this to read a section of the German Civil Code in the following way: Let him ask himself with respect to each statement . . . what harms would social life undergo if instead of this statement the opposite were enacted. And let him turn to all text-books, commentaries, monographs, and reports of decisions and see how many questions of this sort he will find answered and how many he will find even put. Characteristically, also, statistics upon civil law are almost wholly wanting, so that we can be sure of almost nothing as to the social function of civil law, particularly as to the measure of its realization. For instance, we only know that the Civil Code governs five forms of matrimonial property regimes, but we have not the least suggestion in what numerical relation and in what geographical subdivisions these several forms occur now in social life." *Rechtswissenschaft und Soziologie*, 8.
[7] "Proper statistics of the administration of civil justice, which are a prerequisite of intelligent reform of procedure, are not to be had except for the municipal court of Chicago." 25 *H. L. R.*, 513. (Footnote 95.)
For criminal law see Robinson, *History and Organization of Criminal Statistics in the United States* (1911); Mayo-Smith, *Statistics and Sociology* (1907).

2. The study of the social effects of legislation in addition to a mere analysis of laws or comparative study of laws. How has the administration of legislation affected society? The analyzing or comparing of law is good mental gymnastics, but may be very far away from something that will actually meet the needs of society.

3. Greater emphasis must be placed on the proper enforcement of law. The spinning of a beautiful judicial tradition is an attractive understanding that might well engage the attention of a highly trained jurist, but it has been repeatedly said that enforcement is the life of the law, not merely brutally forcing obedience to law, but constructively making law a means for the social, economic and cultural progress of humanity.

4. A sociological legal history which not only tells what have been the legal rules and doctrines and how they have evolved, but also what have been the effects upon society of the administration of these rules and doctrines. Upon any other basis one is proceeding blindly. Without such data how can legislation be constructed with any reasonable expectation of its administration obtaining the desired results? Did the law of the past meet the purpose for which it was intended? To what extent did it succeed or fail?

5. A greater consideration of the merits of individual cases. The administration of rules for rules' sake rather than for humanity has constituted too large a part of the history of judicial procedure. Law should have some reason about it. It should be an instrument of justice rather than consistency.

6. The foregoing and other means must be made the basis of achieving the purposes of law. The great task of jurisprudence toward the accomplishment of which the above are mere means is a more successful functioning of the law.

The chief features of sociological jurisprudence are:[1]

1. It is more interested in the working of the law than in its abstract content.

2. It emphasizes the social character of law and maintains that it can be improved by intelligent human effort. It holds that it is one's duty to discover the best means of directing this effort.

3. It stresses more the social purposes of the law than the sanction of the law.

[1] Pound, 25 *H. L. R.*, 516.

4. It regards legal precepts as guides to just social results rather than as inflexible needs.

5. It is closely akin in its philosophy to the social philosophical groups. It is really not a unit in its philosophy.

III. Recent Tendencies in Jurisprudence

1. There is a critical or skeptical disposition shown by legal investigators concerning almost every phase of law and its administration. Conclusions of former jurists have been proved in some instances to have been mere assumptions. Maitland has pointed out the insufficiency of Maine's research as to his theory of village communities. Jellinek is disappointed with the results of the comparative anthropologists. The comparative school of jurisprudence is largely responsible for much of the reconstruction of the dogmatism of the analytical, historical and philosophical schools.

2. The social crisis is forcing a constructive point of view which the metaphysicists and the individualists are being compelled to consider, or compromise with, if indeed, not accept. Individualism has been abandoned in nationalism and is being limited in international relations. The legal order is under bombardment as never before and will gracefully but slowly submit to modification. Social solidarity is the law of future readjustment.

3. Legal systems are in transition toward a less rigid basis. Legal technicalities have had their inning. The forces of elasticity and flexibility are demanding and receiving a hearing. Substance will supersede formality and more satisfying results from judicial administration will follow.

4. There is a growing recognition of the important fact that all schools of jurisprudence are seeking the same end, and are reaching the same conclusions. There is more substantial agreement as regards legal methods. Any constructive study of jurisprudence must be historical, it must be analytical, it must face the facts of our present social order, and, to be productive of the highest results, it must be broad in its scope. There is no valid reason for excluding the contribution of any school, but every justification for utilizing the best that legal methods have to give. Analytical jurisprudence cannot be more dogmatic than the other social sciences. It has the same set of

facts to consider. It is conditioned by circumstances and is, therefore, historical. Historical jurisprudence is more ideological than chronological. Divisions of material must be based on the kinship of facts rather than on dates. The future philosophy of law must be historical and comparative and must take cognizance of the social phenomena of contemporary life.[1]

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[1] For additional material, see Alejandro Alvarez, "The New Conception and New Bases of Legal Philosophy," 13 *Ill. Law Rev.*, 167-182; Vinogradoff, *Historical Jurisprudence*, I, 147-160; Pound, *Introduction to the Philosophy of Law*, 1-99; "Interpretations of Legal Philosophy; The Need of Sociological Jurisprudence," 19 *Green Bag*, 607.

CHAPTER VI

PROLETARIAN POLITICAL THEORY

Paul H. Douglas

I. The Purpose and Setting of Proletarian Political Theory.

The industrial revolution and the factory system are the creators of the modern proletariat and hence indirectly of proletarian political theory. The separation of the workers from their tools and their congregation in factories has at once furnished the driving incentive for radical theories of political change and the opportunity for mass action in their support, while the extension of markets with the consequent widening of competitive areas has forced the wage-workers in turn to combine in ever wider geographical units. The sub-division of labor and the consequen' loss by the worker of interest and initiative in his work has meant moreover that energies and desires that formerly found expression in work are now transferred in part to the agitation for social change. Thus the great changes in industrial technique and organization have been the dynamic forces which have largely created and spread the theories of social reconstruction. This is true not only of the several varieties of socialism but even of such philosophies as the single tax, which has its root in its objection to the landowner reaping the fruits of industrial progress.

The various theories of social reconstruction, however different in their plan, proceed from a common purpose—namely, that because of the enormous increase in the productivity of industry, it is possible so to arrange society that economic misery may be eliminated and the working masses assured the means of the good life. Aristotle in his *Politics* declared that "if the shuttle would weave and the plectrum touch the lyre without a hand to guide them, chief workmen would not want servants, nor mas-

ters slaves."[1] The modern workman sees that this condition has been met by the steam engine and by modern science.

During the last forty years he has come increasingly to demand that the benefits of these great economic improvements shall not be concentrated upon the private owners of land and capital, but shall be diffused among the workers. At the base of all radical social theories, however differing in other respects, is the common demand that society shall assume the ownership of the industrial revolution and administer it for the welfare of man by abolishing the private reception of rent and interest and by eliminating the parasitical leisure class. Only thus, they believe, will class advantages be done away with. Moreover, because of the disparities of wealth and income and the principle of inheritance, the upper classes at present are able to give their children a training and a start in life which is practically impossible for the poor. The result is that a large number of occupations, notably the professions and the upper business positions, are necessarily recruited from a limited class, the members of which are able, because of their artificial scarcity, to exact monopolistic returns for their labor. Thus the private ownership of land and capital enables the owners not only to exact rent and interest but also to receive disproportionate differentials in wages and salaries. The public ownership of land and capital, it is argued, would not only free society from paying to private individuals rent and interest, but it would enable it to offer an equality of educational opportunity and hence cause a leveling of wages to a point more commensurate with the potential productivity of the various groups of the community.

The divergent radical groups in general hold this purpose in common, but they disagree as to the form in which the public ownership should be exercised and as to the proper methods of attaining it.

The aims of the proletariat, in so far as it is conscious and has aims, are therefore (in their ultimate quality) primarily economic and social rather than purely political. The proletariat concerns itself with politics only in so far as politics is concerned with the problems of economic and social life. Modern life, however, is so complicated that the proletariat has been

[1] Aristotle, *Politics* (Jowett translation), I, 4, p. 31.

compelled to work out political theories as to the methods it should pursue and the type of organization it should set up.

Next to the progress of industry, the greatest influence in shaping the nature of proletarian thought has been Karl Marx, who, like nearly all of the intellectual leaders of the workers, was not himself, either by birth or by training, a member of the proletariat. So many diverging political and social parties claim to find their inspiration in him and to be in complete harmony with his teaching that a brief review of his thought is necessary for a comprehension of most of the radical theories of today.

In the *Communist Manifesto,* and *Das Kapital,* Marx develops three strands to his theory: (1) The economic, or perhaps more accurately, the technological interpretation of history. Changes in economic technique, according to Marx, cause changes in the composition of economic classes, and since men as a whole are moved by self-interest, these changes in turn cause political and social organization and activity to change correspondingly. (2) The labor theory of value. Labor, says Marx, is the source of value. The value of any object consists merely in the number of units of socially necessary labor time that are embodied in it. The laborer, however, does not receive the full product of his toil but only sufficient commodities to maintain him. These commodities represent only a fraction of the value which he has created, and with the extension of machinery this fraction becomes increasingly smaller. Capital pockets the difference (surplus value) between the value created by labor and that consumed by the laborers. This theory is important for political theory, not so much as regards its truth or falsity, as for the driving incentive which it has furnished to political and social programs. (3) The inevitable cataclysm of capitalism. "Capitalistic production," said Marx, "contains within itself the seeds of its own destruction." Industry, whether in manufacturing, agriculture, or in trade, was to be conducted on an ever larger scale with the consequent precipitation of most of the small proprietors into the ranks of the propertyless wage-earners. The economic condition of the workers was constantly becoming more miserable while an ever-increasing army of unemployed were being used by capitalism to hold them in check. Crises would become more severe, and finally the proletariat, now the over-

whelming majority, infuriated by the miseries that they suffered and united and disciplined by the factory system, would take over industry. "The integument is burst asunder," runs the prophecy of Marx, "the expropriators are expropriated." It was this belief that the blind forces of industry would of their own operation bring in socialism that largely distinguished Marx from preceding socialistic thinkers and imbued most of his followers with a firm and fatalistic confidence.

But the theories of Marx which at first sight seem to be so compact and well articulated have two fatal ambiguities which have been provocative of dissension. The first is that he nowhere describes the general outlines of the society which is to spring from the old. Instead he declares that he is not interested "in writing recipes for the cookshops of the future," and that each revolution will produce its own laws and systems, or describes the future society in such meaningless terms as "the free development of each is the condition for the free development of all." Such vagueness may be advisable when the goal is distant, but it is provocative of confusion and of cross-purposes when the movement grows in strength and necessarily attempts to formulate its own objective, as the German socialists have found to their cost in their attempts to carry on the government since the war.

Marx moreover expressed the most contradictory statements as to the methods to be pursued. His doctrine of capitalistic development would naturally minimize the importance of active organization and propaganda save as a means of consolidating the proletarian forces for the final cataclysm. He was at first opposed to all social legislation on the ground that it might impede this development. Later, notably in his inaugural address at the initial meeting of the First International, he advocates protective legislation of all varieties and declares of the Ten Hour Bill:[1]

"And therefore the ten-hour bill was not only a great practical success, it was the victory of a principle. In the bright sunlight of day, the bourgeois political economy was here vanquished for the first time by the political economy of the working class."

At other times, particularly after the experience of the

[1] Quoted in Simkhovitch, *Marxism versus Socialism*, p. 124.

Parisian Commune, he advocates a forcible revolution. Thus in the *Gotha Program* he declares:[1] "Between capitalist society and communist society lies the period of the revolutionary transformation of the one into the other. Correspondent with this there will be a period of political transition during which the state can be nothing other than the revolutionary dictatorship of the proletariat." On occasions, he minimized theoretical differences stating that "one movement is worth a dozen programs" and yet at times he would insist on meticulous and unimportant distinctions.

It is small wonder, therefore, that the various socialistic schools belabor each other with quotations from Marx, for on almost all important issues, he can be quoted in support of every alternative.

A detailed consideration of these schools should probably begin with collectivism as the first radical movement to manifest great strength and as perhaps still the dominant faith among revolutionary reform programs.

II. Collectivism

The theory of collectivism at first sight seems simple. It is that the state—that body which has compulsory powers over its members within a given territorial area—should take over the ownership of industry from private hands. With the ultimate supremacy of the state denied by only a few, it seemed to the socialists of the late 'seventies and early 'eighties that here was the natural agency possessing the power to effect the change. The gradual democratization of the franchise, moreover, made the workmen feel that they were a part of the state, and not excluded from it as they had been previously.

Two main streams of influence can be detected in this advocacy of collectivism, the first that of German socialism and the second that of the English Fabians. The belief in the ultimate sanctity of the state has probably been stronger in Germany than in any other country, and the German workmen became thoroughly imbued with the belief that it was the agency for their development. German socialism in its attitude towards the state, therefore, followed the philosophy of Lassalle and since it came to be the strongest radical movement numerically

[1] Karl Marx, *The Socialist Program* (published by The Socialist Laborer Press, Glasgow), p. 13. See also *Die Neue Zeit*, No. 18, 1890-91.

in any of the economically advanced countries, it exerted great influence everywhere upon working-class political thought. The influence of English Fabianism moved to the same end. A small group of middle-class intellectuals, of whom the leaders were Sidney Webb and Bernard Shaw, by hard work and incessant propaganda, succeeded in giving British labor an economic and political program which embraced collectivism as its ultimate goal. The *Fabian Essays,* which were published in 1889, argued for the state ownership of land and producers' capital as the means of absorbing for the public both interest and the various forms of economic rent.

But if the state were to own and manage industry, then it would have to be altered so as to become at once democratic and efficient. The working class groups who have advocated collectivism quickly realized the necessity for the further democratization of government and on these measures have made common cause with the political liberals:—Jean Jaurès, the great socialist tribune of France, saying that socialism was merely a logical extension of the great democratic movement and of the American and French Revolutions. They have everywhere insisted on a complete extension of the suffrage to all adult males and more recently to women as well; they have opposed class privileges in such cases as the three-class system of Prussia, the graduated vote of Belgium, and plural voting in England; they have been hostile towards aristocratically selected second chambers, and in those countries with the ministerial system, they have insisted, as in Germany, that the executive should be responsible to the popularly elected legislature.

But in order to democratize government and to have it take over industry, it was necessary to conquer political power, and the inevitable corollary of collectivism is therefore political action. By forming labor and socialist parties, it was believed that the channel was formed through which the fast-swelling tide of proletarian sentiment would find political expression and thus carry collectivism to power.

The workers have naturally been less conscious of the necessity of raising the efficiency of government, and it is perhaps here that the Webbs have performed their most noteworthy service. They have urged the necessity of consigning the administration of these new functions to an expert civil service,

specially trained and selected by examination which would be responsible to the popular assembly for the broad policies and not for the details of administration. They have furthermore made a careful study of the various units of English government to determine which were best adapted to own and manage the various fields of industry to be socialized.

The adoption of political action had three further effects upon the nature of the proletarian movement. In the first place, it decreased the former reliance upon a violent revolution as the means of introducing socialism. While this was in part due to the greater size and increased destructiveness of the military forces of the state which would make an uprising like the Parisian revolts of 1848 and 1871 impossible, it was also due in part to the fact that the ballot-box offered an alternative method of capturing the state. The collectivist leaders, moreover, in order to maintain their respectability before the non-revolutionary public, found it advisable to discourage any reference to violence and to emphasize the peaceful characteristics of the movement. Only if the ruling classes were to refuse to recognize the ultimate victory of the proletarians at the polls and refuse to turn the government over to them, was violence to be used. Second, with the practical experience in politics and the discarding of the revolutionary idea, collectivists began to realize the inevitable slowness with which their ends would be obtained. It became apparent that the self-conscious proletariat was not being formed as rapidly as Marx had predicted and that it was even very difficult to convince large groups of those who were actually proletarians of their common class interests. The difficulties of transforming industry to the new basis became clearer while the task of democratizing government and rendering it efficient seemed analogous to cleaning the Augean stables. Thus the veteran Wilhelm Liebknecht in recalling Marx's prophecy to him that the newly discovered electric engine would cause the political revolution to come speedily, remarked wistfully, "It was then 1850, the beginning of July. And today it is 1896, the beginning of April. Forty-five years and a half have passed. . . . Revolutions are not accomplished in a sleight-of-hand-fashion." [1]

Finally the political collectivist movement, not gaining

[1] Wilhelm Liebknecht, *Karl Marx, Biographical Memoirs*, pp. 58-59.

strength as rapidly as it had expected, was tempted to form more or less implicit alliances with the more liberal of the so-called bourgeois parties and frequently did so as in England and, upon occasion, in France.

During all the time that the proletariat were demanding collectivism, it was being rapidly introduced by men and parties who did not believe in the collectivist philosophy. Public ownership of the means of transportation became dominant everywhere save in England and the United States. Public schools were almost universal. "Gas and water" socialism came to be characteristic of most municipalities while state forests comprised a large section of the world's standing timbers. Manufacturing, mining and trade were, however, almost untouched by state enterprise. In their *Report on State and Municipal Enterprise,* the Webbs estimated in 1914 that from ten to twelve million people were employed in collectivistic enterprise with an invested capital of approximately two hundred and fifty billion dollars.

The reasons for this growth of state activity in industry and the arguments advanced by collectivists in favor of its further extension may be briefly summarized: (1) That in those industries where monopoly is inherent, and permanent competition impossible, the assumption of the industry by the state is necessary adequately to protect public interests and to absorb profits and rent. This is seen most clearly in regard to municipal public utilities. The collectivists, however, point out that this principle applies to manufacturing and mining as well, and assert that competition between large concerns because of the pressure of overhead costs, is necessarily cut-throat in its character and inevitably results in a combination of the concerns in some monopolistic form. The collectivists do not wish to break up these monopolies, but rather to let them develop until they have perfected an organization which the state can then take over. (2) That in many industries which are at present non-monopolistic, the establishment of a state monopoly would eliminate the great competitive waste. The enormous duplication of effort in the delivery of milk under private ownership compared with the orderly and unified delivery of mail forms one of the most telling of these contrasts between industry as it is and as it might be. (3) That it would

protect the future far more thoroughly than would private ownership. Private industry is prodigal of human and natural resources unless constantly checked. Anxious to secure the greatest profit, it is frequently more profitable for it to exhaust a resource and then turn to another than to conserve it. The experience of England under the Industrial Revolution and that of the forests under the private ownership of timber is illustrative of this danger. Since the state continues while men come and go, it is urged that it would more fully conserve not only its human but its natural resources. (4) That it would make available to the community goods and services that are sorely needed by society but for which there is insufficient economic demand. Private enterprises will produce only if there is a profit and will sell only to those that have the money to buy. Were the schools administered for profit, the poor would generally be unable to pay the sums needed to educate their children while others, although able, would be unwilling, and hence their children would suffer. Were libraries and museums conducted on commercial principles, their advantages would be largely out of reach of those that need them most. Under public ownership, it would be possible to furnish these services and others either below cost or free in order to make it possible for those who would otherwise be debarred to procure them and thus improve the quality of the population. Bernard Shaw in his trenchant pamphlet on *The Commonsense of Municipal Trading* puts the case pithily:[1]

"When a joint stock company spends more than it takes in it is carrying on business at a loss. When a public authority does so, it may be carrying on business at a huge profit. Thus let us imagine a city in which the poor rates, police rates, and sanitary rates are very low and the children in the schools flourishing and of full weight, whilst all the public services of the city are municipalized and conducted without a farthing of profit, or even with occasional deficits made up out of the rates. Suppose another city in which all the public services are in the hands of flourishing joint stock companies paying from 7 to 21 percent, and in which the workhouses, the prisons, the hospitals, the sanitary inspectors, the disinfectors and strippers and cleansers, are all as busy as the joint stock companies, whilst the schools are full of rickety children. According to the commercial test, the second town would be a triumphant proof of the prosperity brought by private enterprise

[1] Shaw, *The Commonsense of Municipal Trading*, pp. 38-39.

and the first a dreadful example of the bankruptcy of municipal trade. But which town would a wise man rather pay rates in?"

(5) That the introduction of collectivism would effect a profound spiritual and moral improvement in that it would make men realize that they are members of a common society instead of individuals pursuing separate and individual ends. Such critics point out the moral and spiritual loss which accrues from each man's pursuing his own profit and from industry's being divided into competing firms and competing economic classes. Everywhere, the collectivists find men trying to get the best of one another, with the great common ends of society forgotten and ignored. Added to this is the domination of the economically powerful and the irresponsibility of a leisure class which lives without working, all culminating in the spiritual separation and hostility of classes.

The collectivist believes that this sordid picture will be greatly altered if industry is owned by the state and if unearned income is abolished. They believe that with the community directing industry, men will come to feel a sense of unity in their work and the festering rancor caused by great economic disparities and injustices will be removed. G. Lowes Dickinson puts this faith of the collectivist in *Justice and Liberty* as follows: "Classes are abolished. No kind of work is base, though many kinds must be onerous; and because his work is onerous no man, in the time that is coming, shall be, as he is now, poor and despised. To make work honoured and leisure noble, is henceforth the business of us all." [1]

As the movement for collectivism progressed, the urgency of certain problems concerning its nature became clearly evident. One of the first was the question as to which industries should first be socialized. It became apparent, as Edward Bernstein pointed out in his *Voraussetzungen des Socialismus* that not all industries were moving at the same rate of speed towards the economic concentration that Marx had predicted, that some, notably agriculture and retail trade, showed little sign of increased concentration, and that in general the whole movement was slower than the earlier Marxians had believed. Although Bernstein's writings and his Revisionist movement aroused great opposition among the more rigid followers of Marx, col-

[1] G. Lowes Dickinson, *Justice and Liberty*, p. 254.

lectivists everywhere were gradually forced implicitly to recognize that the industrial world was in general exhibiting the divergences in and the slownesses of production that he had observed. Some industries, therefore, notably the railroads and other public utilities, were more adapted to immediate socialization than others. The proper policy to be pursued toward the less advanced industries occasioned considerable dispute. Marx would seem to have held that before an industry could be socialized, it must be characterized by large-scale production. It was also preferable that it should tend pronouncedly towards monopoly. A third qualification added by many cautious collectivists has been the advisability in most industries that the technique of production and of business control should be worked out fairly effectively by private enterprise before being taken over by the state. One wing of the collectivist movement, therefore, advocated waiting until these industries developed a greater degree of concentration before attempting to socialize them. Another wing led by Karl Kautsky declared that the proletarian government should "apply the methods of the trust," by expropriating all the plants in an industry and then subsequently shut down the smallest and least effective plants and operate only the largest and best equipped.[1]

The Collectivist policy as regards agricultural land came to be particularly interesting. Where there was great concentration in land ownership, as in England, they favored public ownership although not declaring definitely whether it was to be publicly operated or merely leased to individual farmers. In countries where ownership of land was widely diffused, as in France, the collectivists came to abandon the idea of the state ownership of all the land, and to urge merely the socialization of the large estates while recognizing the private ownership of the small holdings. These latter were to be assisted by state credit, state fertilizer plants, state factories for agricultural machinery, and state marketing facilities. Even such a rigid Marxian as Kautsky declared: "It is . . . probable that each little farmer would be permitted to work on as he has previously done. The farmer has nothing to fear from a socialist régime."[2]

A second problem that presented itself was that of the proper

[1] Karl Kautsky, *The Social Revolution* (American edition), p. 144.
[2] Kautsky, *Ibid.*, p. 159.

governmental units to own and to operate the various industries that were to be socialized. The crude view that the national government would be the sole agency was speedily found inadequate both because of the cumbersomeness of operation and because of the centralized bureaucracy that would necessarily result. Certain broad lines of differentiation became evident; thus the national government was clearly best adapted to own and operate the railroads, while municipalities were better fitted to own and manage such utilities as water, gas, electricity, and street railways. As. H. G. Wells pointed out in his brilliant paper on "Administrative Areas,"[1] one of the most puzzling of problems is the fact that in modern life economic and social communities differ from and in many aspects are constantly expanding beyond the given local political units. New political units are therefore needed to be co-extensive with the economic areas involved. The Webbs' ten year study of local government and their final synthesis in the *Constitution for the Socialist Commonwealth of Great Britain* emphasized this necessity for an inductive study in each country to determine the areas which were best adapted to administer the various public services.

Although the issue was seldom raised, some collectivists came to realize that when raw materials or other sources of supply were relatively scarce, something more than purely national ownership was needed. A nation might thus own the chief sources of raw rubber, or of oil, and by this very fact either levy tribute on other nations or completely shut off their supply. In so far as the collectivists were internationalist in outlook rather than nationalistic, such a contingency could not appeal to them as the final goal.

A third problem which necessarily confronted the collectivist was how to make the state democratic. What would be the gain if the state should take over industry but should itself be directed by a few for their own benefit? Would not this be merely an exchange of masters and sometimes, indeed, merely the appearance of the old masters in a new guise? Genuine collectivists therefore insisted that public ownership and operation of industry was not enough but that it must be supplemented

[1] Originally read before the Fabian Society and published as an appendix to *Mankind in the Making*.

by democratic management as well. This attempt to democratize the state took two forms, first an attempt to extend the popular control of the voters over the state which has already been discussed and secondly, the protection of the employees in governmental service.

They also insisted upon providing all state employees with a decent minimum standard of wages, hours, and working conditions. The Webbs' advocacy of a "national minimum," so lucidly presented in their *Industrial Democracy*, found a logical application to public employment. In general, moreover, collectivists agreed that public employees should have the right of organization and of presenting grievances. Whether or not they should have the right to strike was a matter of much more serious disagreement. The weight of collectivist opinion was that strikes would be unnecessary, for since industry was to be administered for the public good, the interests of the workmen would be adequately protected and that to permit the employees to strike would be granting them the power to hold up the consuming public by the force of their strategic position. Bernard Shaw, for example, declares: "A socialist state would not tolerate such an attack on the community as a strike for a moment. If a Trade-Union attempted such a thing, the old capitalist law against Trade Unions as conspiracies would be reenacted within twenty-four hours and put ruthlessly into execution."[1]

Another vexing issue with which the collectivists have been forced to grapple is that of the manner in which private industry is to be taken over—whether by confiscation or by purchase. Those who follow rigidly the Marxian doctrine of the class struggle must, of course, insist upon the former. The suggestion of confiscation, although this was the course actually followed in the United States in the case of both the emancipation of the slaves and the prohibition of the manufacture and sale of intoxicating liquors, frightens many and seems unjust to the present property holders. Political parties advocating collectivism have therefore found it inexpedient to advocate it. To adopt the other alternative, however, and purchase the property would primarily consist in giving the present proprietary class government bonds in place of their present hold-

[1] Bernard Shaw, "The Dictatorship of the Proletariat," *The Labour Monthly*, October, 1921, p. 307.

ings. While this might be a gain in reducing the capitalist to the position of a *rentier* and divesting him of control over production, it would not abolish the payment of interest and would not lessen the numbers of the leisure class. To avoid this, some have proposed that income and inheritance taxation be used to take back from the former owners the purchase price paid. Many others have urged that the former owners should be pensioned off by graduated annuities sufficient to maintain a standard of life somewhat commensurate with that previously enjoyed.

Finally collectivists have been compelled to grope for a theory governing the prices which the government should charge for the services and objects which it would offer. These might be given gratuitously as is the case generally with roads and the public schools. If this were generally followed, it would, of course, result in complete communism. They might also be sold to the public below cost, at cost, or for a profit. The latter would, of course, be the aim of private industry but not of democratically managed public industry as a whole, although it might be followed in the case of a few products to make up for losses incurred upon others.

The principal considerations which will determine which of these four policies will be followed are the following: (1) The degree to which it is desired to stimulate or to repress the public consumption of the article in question. If it is thought that the community would be better off were every one furnished with a liberal supply, as society might readily come to feel in regard to medical attention, service would either be gratuitous or at nominal cost. If, on the other hand, it were desired to restrict the consumption of some article, the use of which society was not yet ready to prohibit, a very high price would be charged to discourage its purchase. This would, of course carry with it the danger that the continuance of a deleterious product might be greatly prolonged because of its revenue producing qualities. (2) The financial condition of the state or community. (3) The ease or difficulty of administration. Thus it would probably be more trouble than it is worth to collect fees from pedestrians for the use of the highways. Moreover, in many other cases, such as automobiles, it is better to charge a lump sum in the form of a fee than to attempt a graduation

of the price according to the specific amount of the public commodity used.

The criticisms of collectivism fall into two main divisions: those advanced by writers who are critical of the socialistic movement in general and those urged by men who, while they believe in the socialistic philosophy of life, do not regard collectivism as the proper manifestation of that faith.

Let us begin by considering the criticisms of the first group. Such critics allege in the first place that collectivism will inevitably lead to a still further increase in corruption and that politicians will administer affairs to line their pockets. To this the collectivist will reply that the chief source of political corruption at the present day is the attempt of private business to debauch the government in order to secure special favors. If private business is abolished, then there will be no such special favors to seek. The anti-collectivist, however, will retort that while this source of corruption may indeed be lessened, the leaders in power will use the new positions to reward their friends and supporters and thus create an inefficient officialdom in order to build up a political machine. The collectivist here interposes a double reply. In the first place he will point out that nepotism is rampant in private business, and while commonly accepted as proper, does in reality cause substantially as inefficient an industrial officialdom as could exist under the management of industry by the state. Secondly he will urge that the creation of an efficient civil service along lines previously indicated will prevent such a result as the anti-collectivists prophesy from occurring. And if the efficacy of civil service provisions is doubted and it is urged that political reform and efficiency must precede the extension of the government's economic functions, the collectivist will reply that we will never secure an adequate and effective civil service until the citizens become vitally concerned about it and that they will never become so concerned until government touches them far more intimately than it does at present or, in other words, until a considerable measure of collectivism has been introduced.

The second chief objection against collectivism is that commonly leveled against all socialistic measures; namely, that it will destroy, or at least seriously impair, the incentive to effort. Since collectivism would undoubtedly mean a narrow-

ing of the range of incomes and a drastic limitation upon the opportunity for individual profits, it is urged that men of ability and genius would not give their best efforts. Our present society, by offering these men the possibility of securing great prizes, does secure a tremendous drive which would be slowed down and perhaps stopped under collectivism. It is furthermore objected that the granting of a minimum to all workers would, by removing the fear of want, deprive society of the automatic lash by which alone the chief mass of mankind is driven to effort.

Adequately to consider these points would require a volume, but the main replies of the collectivists may be put thus. In the first place they would maintain that in modern competitive society, dominated industrially by corporations and with so many monopolies, careers are certainly not open to men of talent to the degree that the opponents of collectivism imply. Secondly, they would deny that the lure of economic gain is the most effective incentive and would claim that they could set up rewards in the form of honors and public recognition which would call forth reserves of energy which are now hardly tapped. Finally, they would point out that there would still be gradations in reward and in position under collectivism, and that properly devised systems could be depended upon to furnish a sufficient economic incentive.

As to the removal of fear from the minds of labor, the collectivist will reply that "He who will not work neither shall he eat" and that therefore men will still work. He believes moreover that the manual workers will labor more wholeheartedly and effectively than now, for he holds that men will respond to being treated in a friendly fashion especially if they are offered further increases if they improve themselves. Fear of hunger and want, while it may arouse some effort at the same time also weakens men's abilities and lives by pressing anxieties, and is provocative of discontent and a feeling of injustice. The collectivist moreover will lay emphasis upon that present unutilized ability among the manual workers which would be given an opportunity to function under collectivism.

A third objection of the opponent of socialism is that under collectivism, the people would neglect to make adequate invest-

ments of capital. An investment in producers' goods means for the present a curtailment of the consumers' goods which the public can enjoy. The anti-socialist is skeptical of the willingness of the public to sacrifice themselves for the good of the future. Under capitalistic enterprise, we can secure investments by offering interest and thus, by appealing to the self-interest of man, secure the necessary social capital which would not be obtained through altruism. That collectivism would require a higher level of character and general foresight than capitalism can hardly be denied. G. Lowes Dickinson well expresses the faith of the collectivist in the ability with which human character will meet these tests.[1] "Nor do I imagine the citizens of such a community to be so short-sighted about their own interest as to refuse to put aside from their own income of today what is necessary to provide the capital for their income of tomorrow. They would presumably care for their children, as people do now; and if the care were largely collective, where it is now individual I do not agree with you that it need therefore be less efficient. It would require no great effort of intelligence to understand that the welfare of one's children was bound up with certain sacrifices of immediate enjoyment demanded by the community. And that once understood, it is taking no very utopian view of human nature to suppose that the sacrifice would be willingly made."

A final objection of the anti-socialist to collectivism is that it will curtail liberty and make the individual a mere automaton moving at the direction of the state. This issue is so complicated and is so interwoven with many of the objections of those socialists who are at the same time anti-collectivists, that it is wise to postpone its consideration.

The second group who oppose collectivism do so in the main for different reasons than the first. They desire a change in society similar to that which the collectivists assert they want, but they do not believe that it can be obtained through collectivism.

Their first attack is that collectivism might very well be only capitalism in disguise. Whenever capitalism in an industry is severely menaced by a workers' movement or greatly restricted by regulation it is likely to offer to sell out to the state at a

[1] G. Lowes Dickinson, *Justice and Liberty*, pp. 175-176.

good price and then to enjoy its interest upon the bonds freed from the worries of management. G. D. H. Cole in 1920 wrote[1] "Nationalization is coming now and coming inevitably because it is the capitalists' last card. When their dividends are no longer safe from the direct action of the workers, they trust to the state to save them by nationalization'—at any rate, for the time." While the collectivist will retort that this would be state socialism and not democratic collectivism, it does appear evident that mere nationalization will not of itself remedy the major evils which the collectivists denounce in our present society. As long as rent and interest remain unimpaired, the chief taproots of capitalism have not been severed.

Such critics go on to point out that the capitalist class under nationalization will then use the state to keep the workers in subjection and declare that there will be virtually no difference between that class controlling industry directly as now or indirectly as then. Thus German monarchical socialism fastened an even heavier tyranny upon the workers than laissez-faire England; and a capitalistic oligarchy pulling the strings of the state would be as bad.

The collectivists would generally admit the insufficiency of collectivism in itself, but insist that democratic control is an essential part of their system and that if this were secured the workers would then be protected from oppression and would prevent the capitalists from getting too large a payment for too long a time.

But even the securing of democratic government would not remove the objections of these critics. The so-called democratic state and its constituent communities is based upon the occupancy of a common territory and the anti-collectivists therefore allege that it will necessarily preserve that relationship which the citizens possess in common, which is that of being fellow-consumers of common products. Now consumers are primarily and generally exclusively interested in two things, first, buying as cheaply as possible and second, securing uninterrupted service. Therefore the consumers and consequently the state, will try to keep wages down and will bitterly oppose any attempt by the workers to improve their conditions by means of a strike. The experience in France and America is cited in sup-

[1] G. D. H. Cole, *Self-Government in Industry*. Fifth edition, p. 157.

port of this view. The French teachers have been forbidden to organize, and the Government has repeatedly used force to break strikes on the railroads, notably, in 1907, when the Socialist Premier Briand called upon the railway men in their capacity as military reservists to man the railroads, or to be treated as deserters. In the United States, President Roosevelt prohibited even the organization of governmental employees. In order to secure any recognition by the government, the various unions of federal employees and of teachers have virtually been compelled to insert a non-strike clause in their constitutions. During the war, Post-Master General Burleson refused for a long time to treat with any organization of governmental employees, declaring that men employed by the government did not need protection. In a similar spirit, Police Commissioner Curtis of Boston refused to deal with the Policemen's Union of that city and when his refusal to discuss or adjust their grievances had provoked a strike, the public immediately branded the striking policemen as traitors. Nor can the proletariat trust the politicians that it elects to office to protect the interests of the workers. These men are either corrupted by those who seek to retain power or become so engrossed in political duties that they lose touch with the rank and file and forget the circumstances under which the proletariat lives. Little by little they become more conservative and finally pass out of the ranks of the radicals. Thus in France, Clemenceau began his political career as a communist and Millerand, Briand, and Viviani as radical socialists, but all are now conservative nationalists. In England, John Burns, George H. Barnes, G. H. Roberts, and David Shackleton, all passed from being radical labor leaders to a relatively conservative political position, while the example in Germany of Scheideman, Noske, and David, is notorious.

Moreover, under collectivism, the workers in their working life would be controlled by officials responsible in turn to the bureaucracy alone, rather than to them. The fact that this bureaucracy in turn will be responsible to a popularly elected representative body will at the most only protect them from the major abuses, and will not give them any real control over their own working lives. They will be ordered to do things and hence it is urged cannot but be deprived of joy or creative inspiration in their work. As Hilaire Belloc charged, they will

become slaves of the State and collectivism would introduce *The Servile State*. Bertrand Russell in his *Roads to Freedom* makes the following apt criticism of collectivism as a destroyer of freedom. "The only kind of work recognized will be such as commends itself to the authorities. Writing books against Socialism or against any theory embodied in the government of the day would certainly not be recognized as work. Any new line of thought would be banned, unless by influence or corruption the thinker could crawl into the good graces of the pundits. These results are not seen by socialists because they imagine that the socialist state will be governed by men like those who now advocate it. This is of course a delusion. The rulers of the state then will bear as little resemblance to the present socialists as the dignitaries of the Church after the time of Constantine bore to the Apostles. The men who advocate an unpopular reform are exceptional in disinterestedness and zeal for public good; but those who hold power after the reform has been carried out are likely to belong in the main to the ambitious and secretive type which has in all ages possessed itself of the government of nations. And this type has never shown itself tolerant of opposition or friendly to freedom."[1]

III. Anarchism

There are two schools in modern anarchism:—the individualistic and the communistic. Both believe in the abolition of the state—they disagree however as to the manner in which property should be held and income distributed. The individualists believe that property should be vested in each person whose reward would be determined by the value of his labor to others while the communists hold that property should be owned by voluntary associations with the necessities of life guaranteed to all.

Both groups have Godwin[2] and Proudhon[3] as common intellectual progenitors but the individualists have also been influenced by Josiah Warren's *Equitable Commerce* and Max Stirner's *The Ego and His Own*.

The most notable of the individualistic anarchists, the

[1] Bertrand Russell, *Proposed Roads to Freedom*, pp. 107-108.
[2] See his *Political Justice*, and *Caleb Williams*.
[3] Proudhon, *Qu'est ce que la Propriété*.

American, Benjamin Tucker,[1] regarded the state as the oppressor of the individual and as the source of practically all evil. He would replace the state by voluntary associations—which the individual would be free to join or not as he thought best and from which he could secede. As a condition of membership, he would be obligated to perform such services as jury service and the payment of contributions. The defense of person and property would be given to voluntary defensive associations, similar to the mutual insurance companies since "defense is a service, like any other service."[2] "Under the influence of competition, the best and cheapest protector, like the best and cheapest tailor would doubtless get the greater part of the business. It is conceivable that he might get the whole of it. But, if he should, it would be by his virtue as a protector and not by his power as a tyrant. He would be kept at his best by the possibility of competition and the fear of it; and the source of power would always remain, not with him but with his patrons, who would exercise it, not by voting him down or by forcibly putting another in his place, but by withdrawing their patronage."[3]

These associates would not only indemnify the invasion of individual rights but would prohibit them and prevent all offensive acts. They might conclude treaties with other associations and set up courts to try all matters of mutual disagreement.

In essence, Tucker proposes that the political organization of society be founded upon the voluntary formation by individuals of a number of social contracts, which once made, are binding according to the terms of the agreement. In some respects, this position seems to be strikingly similar to the doctrine of 19th century liberalism with its exaltation of voluntary action and its opposition to state interference. Tucker is saved from this by the fact that the advocates of laissez-faire did not propose to alter the distribution of property and insisted upon retaining the state as the agency to protect, through the army and the police, their holdings against seizure. Such freedom of contract between men of widely disparate economic power could only result in the sub-

[1] See the files of his paper *Liberty* and *Instead of a Book, by a Man Too Busy to Write One.*
[2] Tucker, *Instead of a Book*, p. 32.
[3] Tucker, *op. cit.*, pp. 326-327.

jection of the weak. The propertied classes did not need the active intervention of the state to attain power and wealth. If their property were only protected, it would enable them to wear out those with less reserves and make the latter work for them. Anatole France satirically points out the sham neutrality of such a political philosophy in his reference to the "majestic equality of the laws which forbid the rich and poor alike to sleep under the bridges, to beg in the streets and to steal their bread."[1]

Although Tucker does not object to private property in itself, he believes that the worker at present does not receive what he produces, and he is anxious to end the reception of interest, rent and profit. The first of his two main remedies is that of Proudhon; free banking with unlimited power to issue money and credit and which would cause the interest rate to fall "to the labor cost, which statistics show to be less than three-fourths of one per cent."[2] Secondly, he would abolish all land-titles which "do not rest upon personal occupancy and cultivation."[3] All would be protected however in the land which they personally cultivated.

We may postpone a discussion of Tucker's doctrine of the abolition of the state, until we consider the anarchist doctrines as a whole, but the superficiality of his economic proposals deserves analysis here. There is more to the Proudhonian idea of free banking which Tucker advocated than most economists have been willing to admit. In commercial banking, the banks do create credit several times in excess of their monetary reserves which they loan out at a profit to the borrowers. It might be said indeed that they are the only group in society who are paid interest on what they owe. To provide free credit, would indeed abolish this source of private profit but it would create at least two further problems: (1) Could the non-profit making banks be trusted to discriminate between those who asked for credit and to deny it to the economically unsound as much as can the commercial banks of today? It is true that mutual banks for small farmers and tradesmen such as the Raffeisen and Schulze-Delitsch systems have flourished, but whether this type of banking would be sufficiently discriminating

[1] *The Red Lily* (Modern Library edition), p. 75.
[2] Tucker, *Instead of a Book*, p. 11.
[3] Tucker, *op. cit.*, p. 178.

for large scale credit operations is at least doubtful. (2) Would not free credit greatly increase the dangers of credit inflation? One of the existing barriers to an undue expansion of credit is the interest rate which borrowers must pay and which consequently deters them from asking for large amounts of credit. To abolish the payment of interest would mean that banks would be almost deluged with requests for loans which it would be hard to deny. Unless very strict control were instituted therefore over the amount of credit granted, which would necessitate a fairly centralized banking system, it seems probable that credit would be expanded unduly and that the general price level would be greatly raised.

The proposal for abolishing rent by providing for occupancy-ownership is based upon a misunderstanding of the nature of rent. Land is not of equal quality or desirability. The occupants of the more fertile land would be able to raise more with equal amounts of labor and hence enjoy a larger income than those who worked on the inferior soils.

Nor is the location of all land equally advantageous. The shopkeeper in the center of the city is able to secure a larger income for equal effort than is his fellow-tradesman in the outskirts. To make the occupier the owner would not be to abolish rent but merely as Bernard Shaw remarks,[1] "to authorize him to put it into his own pocket instead of handing it over to a landlord." It would not secure equal reward for equal labor and it could not be said to ensure to each individual the full product of his toil.

Furthermore, how would it be decided as to who should occupy the more favored strips of land? Shaw cogently remarks.[2] "It is easy to say, 'Let the occupier be the owner,' but the question is, who is to be the occupier? Suppose it were settled by drawing lots, what would prevent the winner from selling his privilege for its full (unearned) value under free exchange and omnipresent competition."

The doctrines of individualistic anarchism however have left the working classes cold. Men engrossed in an uphill economic struggle are not attracted by a philosophy that makes so few alterations in private property. They have felt that their

[1] G. Bernard Shaw, *The Impossibilities of Anarchism* (Fabian Tract No. 45), p. 8.

[2] *Ibid.*, p. 8.

enemy was not so much the state as it was the private ownership of capital. And to them communist anarchism made a far more vivid appeal.

The man who served as the transition to this philosophy, although not a communist himself, was Michael Bakunine, (1814-1876) who was more influential as a propagandist and active revolutionist than as a thinker. His fiery zeal made him a leader in the revolutionary movements of the forties. He was captured in 1849 in the suppression of the revolution in Saxony, narrowly missed execution and after being imprisoned in Germany, Austria and Russia for twelve years escaped from Siberia and made his way back to Europe.

He speedily became the chief advocate of Anarchism and waged a bitter struggle with Marx within the first International Workingmen's Association. He demanded that the association declare for the destruction of the state, and not for its utilization as Marx advocated. He also attacked the proposed founding of labor parties and the spreading of socialistic doctrines by peaceful political action together with the election of labor candidates to office. He urged instead that mass revolution should be the means used. The struggle between the two factions broke up the International. Bakunine had little influence upon the proletariat of North Europe but did exercise considerable sway in Italy, in Southern France, and Spain, especially through his convert Malatesta. Bakunine was bitterly opposed to the state and declared it to be "the sacrifice of the natural liberty and the interests of all individuals as well as of comparatively small collective bodies, such as associations, communes and provinces—to the interests and liberty of everybody. But who is this everybody? It is but the summation of all the individuals and more restricted collective associations that compose it."[1] To sacrifice all the individual and local interests to the so-called good of the whole is a fallacious abstraction, since the whole is only composed of individuals. "The State is the altar of the religion and polity upon which natural society is always being immolated; it is a devouring universality subsisting, like the Church, upon human sacrifice."[2] With the destruction of the present state "imposed from above

[1] Bakunine, *Lettres aux Internationaux au Jura*, Quatriéme Lettre in his *Œuvres*, p. 223.

[2] Bakunine, *op. cit.*, p. 224.

downward by force and violence," Bakunine advocated its replacement "by a new organization which has no other basis than the natural interests, needs and attractions of men, nor other principle than the free federation of individuals into communes, communes into provinces, provinces into nations, and finally the latter into the United States of Europe, and later of the entire world."[1] "Each nation, whether it be great or small, each people weak or strong, each province and each commune has the absolute right to complete autonomy, provided that its interior constitution does not constitute a menace to the autonomy and liberty of neighboring countries."[2] Even if a territory once belonged to a state by voluntary choice, there is no obligation for it to remain united with it since "no perpetual obligation can be accepted by human justice nor any other duties save those founded on liberty. The right of free union and of equally free secession is the first and most important of all political rights, without which the confederation would be only a masked centralisation."[3]

But Bakunine was not content with a purely political program. He felt keenly the exploitation of the propertyless workers by the capitalists and declared that "liberty without socialism is privilege and injustice." The chief problem which anarchistic society must face was "to organize a society of such a sort that everyone, whether man or woman, may find at least nearly equal opportunities for the development of their differing talents and for their utilization in their work. This society must be one which will make it impossible for any one, no matter whom he may be, to exploit the labor of another, and which permits each to participate in the enjoyment of societies' products, (which are only produced by labor) only in so far as he has directly contributed by his own labor to produce them."[4] This was to be attained by having "the land, the instruments of labor, and all other capital as the collective property of the whole of society which shall exclusively serve for the use of the laborers—that is, of their agricultural and industrial associations."[5] This social property of course would not be owned

[1] Bakunine, "Proposition Motivée au Comité central de la Ligue de la Paix et de la Liberté," printed in his *Oeuvres* under the title *Federalisme, Socialisme et Antitheologisme*, pp. 16-17.
[2] *Ibid.*, pp. 17-18.
[3] *Ibid.*, p. 18.
[4] Bakunine, *op. cit.*, p. 55.
[5] *Statuts*, p. 133, quoted by Eltzbacher—*Anarchism*, p. 121.

by the state but by voluntary associations federated through free union for "socialism without liberty is slavery and brutality."[1] It will have been noted that Bakunine does not advocate the socialization of the articles of consumption. These would continue to be in private hands. Nor does he explicitly urge equality of reward; he contents himself with declaring that the social ownership of producers' goods and land will enable each man to receive the full product of his labor. This is clearly consistent with quite widely varying incomes. Moreover, as has been cited, he does state directly that those who will not labor, shall not be permitted to consume. Bakunine therefore cannot be classed as a communist as we use the term today,[2] although practically all of the men whom he influenced, notably Kropotkin definitely embraced the communist faith.

While Bakunine at times verbally deplored the use of violence, on the whole he advocated it as a necessary means of effecting the revolution. Some of his writings, notably the *Catechism of the Revolution,* and the *Principles of the Revolution,* which he is alleged to have written in cooperation with the fanatical Terrorist Nechayeff exult in the advocacy of the most revolting forms of violence. Irrespective of the authenticity of these documents, the final method by which he expected to establish anarchism was by physical force. He actively promoted numerous uprisings, while the "propaganda by the deed," i.e. attracting the attention of the public to anarchism by the assassination of some prominent state official or "exploiter," undoubtedly derived at least its indirect inspiration from him.[3]

Bakunine's great disciple, Peter Kropotkin (1842–1919) was a man of more robust intelligence and of a more humane spirit. The son of an aristocratic Russian family, he was converted to anarchism on a visit to Switzerland in 1872. Giving up to the cause a scientific career of brilliant promise, he was imprisoned for two years, when he succeeded in escaping to England where, with short intermissions, he lived for the rest of his life. Kropotkin carried the economic aspects of anarchism much

[1] Bakunine, *Proposition,* p. 59. And again, "We will always protest against everything which resembles communism or state socialism," *ibid.,* p. 56.

[2] The fact that he himself declared that he was not a communist but a collectivist, is of course beside the point. The term communist was then used to designate the followers of Marx.

[3] See Robert Hunter, *Violence and the Labor Movement* for an arraignment on this point of Bakunine by a follower of Marx.

farther than they had ever been thought out before. He classifies all existing laws into three categories—protection of property, protection of persons, and protection of government. "Laws on property," he declares, "are not made to guarantee either to the individual or to society the enjoyment of the produce of their own labor. On the contrary, they are made to rob the producer of a part of what he has created, and to secure to certain other people that portion of the produce which they have stolen either from the producer or from society as a whole."[1] The legal recognition of an "owner's" right to a house is a recognition of property values which have not been created by the owner but instead by the workmen who built the house and who did not receive the full product of their toil and by the past generations of workers who made possible all the appurtenances of modern civilization which the house-owner is thereby enabled to enjoy. It is because "this appropriation and all other forms of property bearing the same character are a crying injustice, that a whole arsenal of laws, and a whole army of soldiers, policemen and judges are needed to maintain it against the good sense and just feeling inherent in humanity."[2] Humanity, in general, respects "the right of each to what he has created, without the interposition of any special laws,"[3] while "all the laws about property have no other object than to protect the unjust appropriation of human labor by monopolists."[4]

Laws for the protection of government indirectly serve the same purpose since "the mission of all governments, monarchical, constitutional, or republican, is to protect and maintain by force the privileges of the classes in possession, the aristocracy, the clergy and the traders."[5] The laws for the protection of persons and the punishment of crime are equally useless and injurious. The abolition of private property will remove the course of most crimes—namely "the desire to obtain possession of someone's wealth." But, what about the vicious who will attempt to revenge by murder the smallest offence? Just this, "the fear of punishment has never stopped a single murderer. He who kills his neighbor from revenge or misery does not

[1] Kropotkin, *Law and Authority* (1886), p. 18.
[2] *Ibid., op. cit.*, p. 19.
[3] *Ibid., op. cit.*, p. 19.
[4] *Ibid., op. cit.*, p. 19.
[5] *Ibid., op. cit.*, p. 20.

reason much about consequences."[1] Practically all murderers believe that they will escape prosecution. Therefore if the punishment for murder is abolished, there will be no increase in the number of murders but rather the probability that they will actually decline in the degree to which they are committed by men who have been brutalized by prison life. The punishment inflicted by the state upon men is far more atrocious than the crimes which they would commit against each other.

In the place of the coercive state, Kropotkin would set up the free association of free groups. He recognizes that men cannot live isolated and independent lives, and that they must cooperate in groups, but he insists that they should be free to choose their groups and be privileged to withdraw when they wish. Within the coercive state of today, he points out, there is an infinite variety of voluntary associations which have been formed for specific purposes—such as the Mir and Artels of Russia, trades-unions, cooperative societies, and the innumerable athletic, philanthropic and scientific bodies. In an anarchist society such groups would not only continue but would multiply; communes of like-minded persons, including not merely territorial groups, would be formed by free agreement, the members promising to perform certain functions in return for the services afforded by the commune. No penalty need be applied for a violation of these promises other than an expulsion from the fellowship. The communes would in turn federate for various purposes with many other communes while retaining the right to withdraw. The political organization of society would thus be built from below on the principle of assent instead of imposed from above by compulsion.

But Kropotkin's anarchism is something more than mere voluntarism. He proposes an economic organization which will recognize "the right to well-being" for everybody. A comfortable supply of food, clothing, and shelter should be assured to all because of the sheer fact of their need. Nor will this be difficult to provide. In his *Fields, Factories* and *Workshops,* Kropotkin makes interesting estimates of the amount of labor which would be necessary to supply this. From market-gardening experiments in England and on the continent, he concludes that 60 half days of 5 hours each would be sufficient to provide

[1] Kropotkin, *op. cit.,* p. 21.

food for a family of five. Forty such days would on the average furnish comfortable housing while fifty would suffice for clothing. The remaining 150 half-days could be used for the other necessaries of life including furniture, transportation, etc. But this is not all. Not only will all receive a comfortable supply of necessities but every worker will have "at his disposal at least five hours a day which he could devote to science, art, and individual needs which do not come under the category of necessities."[1] His working life moreover need not extend beyond "the age of 45 or 50."[2] He will have left the second half of his time "to satisfy his artistic or scientific needs, or his hobbies."[3] The abounding intellectual and artistic life would then no longer be the property of the few but the opportunity of all. Manual labor would no longer be performed by men debased by it but would be performed equally by all; and would consequently lose the servile stigma now attached to it. With manual work the obligation of all, men would demand that the working conditions be improved and that labor-saving devices be introduced in the home as well as in the factory. Repugnant tasks would disappear. Slaves can submit to them but free men will create new conditions."[4] Not only will "brain-work be joined with manual work" but "industry will be combined with agriculture." Industry will become more decentralized and our "workshops, foundries, and factories will develop within reach of the fields" to furnish agricultural machinery. Men will work partly in the factories, and partly in the fields. The interdependence of localities upon each other will consequently be greatly lessened and a greater amount of self-sufficiency secured.

Kropotkin was probably led to this belief in the combination of industry and agriculture for a number of reasons. Taking a lesson from the Paris commune of 1871, he believed that when the Revolution came in any European metropolis, it would have to adopt such tactics to prevent its being starved out by the rest of the nation. Secondly, the greater the self-sufficiency of the commune, the less would be the opportunities for conflict with other groups. In the third place, his opposition to the debilitating effects of the excessive division of labor made him anxious that men should have the steadying effects of agricul-

[1] Kropotkin, *The Conquest of Bread*, p. 123.
[2] *Ibid.*, p. 128. [3] *Ibid.*, p. 129. [4] *Op. cit.*, p. 147.

tural work to offset that of the factory. Finally, there was also probably the reminiscent fondness for the self-sufficing Russian village community, the Mir, which he, together with Tolstoi, believed to be superior in its effect upon men to the specialized division of labor of the industrial nations.

Kropotkin would not only provide a minimum of comfort with ample leisure for all but he rejects all wage systems based upon relative "production," declaring that in our complex world it is impossible to differentiate between the contributions which men make to life. "If you enter a coal-mine you will see a man in charge of a huge machine that raises and lowers a cage, with a giddy swiftness. During eight or ten consecutive hours he must pay the closest attention. Should his brain relax for a moment, the cage would inevitably strike against the gear, break its wheels, snap the rope, crush men and obstruct work in the mine. Is it he who is the most necessary man in the mine? Or, is it perhaps the boy who signals to him from below to raise the cage? Is it the miner at the bottom of the shaft, who risks his life every instant, and who will some day be killed by fire-damp? Or is it the engineer, who would lose the layer of coal, and would cause the miners to dig on rock by a simple mistake, in his calculations? And moreover is the coal they have extracted entirely the result of *their* work? Is it not also the outcome of the work of the men who constructed the railway leading to the mine? And what of the work of those who have tilled and sown the fields which supply the miners with food, smelted the iron, cut the wood in the forest, made the machines which will consume the coal and so on? No distinction can be drawn between the work of each man. Measuring the work by its results leads us to absurdity; dividing and measuring them by hours spent on the work also leads us to absurdity."[1] To weigh out rewards moreover to men according to their "works" is merely to perpetuate the false basis of present middle-class society, that of "giving only to receive," and is thus "turning society into a commercial company based on debit and credit."[2]

Instead of this, we should adopt the principle "to every man according to his needs." Not only should all receive the neces-

[1] Essay on *The Wage System*, pp. 11-12; also included in *The Conquest of Bread*, pp. 229-31.
[2] *The Conquest of Bread*, p. 32.

saries of life as a right and not as a doled out gift from the state, but all should have their share of the comforts as well. Kropotkin makes no attempt to measure the relative "needs" of various men; had he done so, he might have found that, even in his non-differentiated society, such a task would be no less difficult than that of determining their relative productive value. It is very evident however that what Kropotkin means is equality of income.[1]

This share would be given to all, irrespective of whether they were workers or not. Sluggards would be paid as well as the industrious. "If you are absolutely incapable of producing anything useful, or if you refuse to do it, then live like an isolated man or like an invalid. You are a man and you have the right to live. But as you wish to live under special conditions and leave the ranks, it is more than probable that you will suffer for it in your daily relations with other citizens and be looked upon as a ghost of bourgeois society."[2] Kropotkin does not believe that there would be many such laggards, holding that the making of work attractive, the pressure of informal social opinion, and the social education of the children would reduce their numbers to extremely small proportions.

Having abolished force and self-interest, those twin governors of modern society, what does Kropotkin depend upon to hold his anarchistic communes together in harmony? He places his reliance upon the biological principle of mutual aid. In his fascinating work of that title, he shows, with a wealth of illustration, how the Darwinian principle of natural selection has been misunderstood. Nature is not a war of each against all, of individuals madly striving to live by eliminating others. That struggle is only a small part of the selection processes. What is far more typical is the banding together of individuals into groups with a consequently enhanced resistance to the rigors of nature and to the assaults of other species. Those who do combine and cooperate have superior survival powers over those who play a lone hand, and there is thus bred in the survivors an instinct to protect and assist their fellows. Cooperation and not ruthless competition is then the law of life. Men can be trusted therefore with freedom. They will not fly at each other's throats

[1] Should there not be enough of some products, then they would be rationed with prererence given to the children, the aged and the weak.

[2] *The Conquest of Bread*, p. 193.

but will work cooperatively together, for the evolutionary process implants in man the same principle of action which Christian ethics commands, "treat others as you would like them to treat you under similar circumstances."[1]

Attractive as Kropotkin's program is, there are many difficulties which he ignores. For one thing, is he not patently too sanguine about the degree of effort which men will put forth in such a state? Would men work if they were to be fed without working? Would public opinion be sufficient to induce them to do so? It is true that Bernard Shaw's pungent criticism that "there is no sincere public opinion that a man should work for his daily bread, if he can get it for nothing,"[2] misses the point since it is a criticism of social values in a society which glorifies acquisition and the lavish expenditure of wealth far more than constructive accomplishments. A different society might develop different ideals and might come to hold the "slacker" in an even greater opprobrium than it now holds the poor. It would be some time, however, before such a belief could become predominant, and until then, economic chaos might result.

Even granted that most men would ultimately come to feel impelled to work because of public opinion, would there not even then be many who would loaf as long as they were fed? Would not such a society, sooner or later, feel it necessary to compel these men to work or to get out? And with that compulsion, would not the pure anarchy and complete freedom from restraint which Kropotkin purposes, disappear?

While the fear of public obloquy might be sufficient to force most men to work, would it be in itself sufficient to induce them to labor spiritedly? Would not the guaranteeing of equal income for the four or five hours of daily work, remove, for these hours at least, the obvious but mighty engine of self-interest? The anarchist believes, however, and certainly with some truth, that if the working day is reduced to only five hours that work will lose most of its present unattractiveness and that men will work for the very joy of it.

Is the principle of mutual aid moreover, a sufficient guarantee against disorder and for cooperation. Kropotkin does well to

[1] Kropotkin, *Anarchist Morality*, p. 19.
[2] Bernard Shaw, *The Impossibilities of Anarchism*, p. 14.

emphasize the fact that the struggle for survival has been in the main a group, rather than an individual, struggle but when he makes his social application of the principle, he forgets that this group struggle has been waged not only against nature but also against other groups. Cooperation has been but one side of the shield; the other has been warfare and antagonism between these very groups themselves. And if the anarchist replies to this, that man is biologically one *genus* and therefore constitutes only one group, we can only point out that, in the past, men have not recognized this larger identity and that they are still far from doing so today. The removal of external restraints might therefore mean the waging of bitter struggles between the small groups into which the present national states would be dissolved.

The great Russian novelist, Leo Tolstoi, was another who came to believe from entirely different grounds that a species of communistic anarchism was the true way of life. In his profound religious experience during the early eighties, as he so graphically relates in *My Confession,* Tolstoi thought deeply upon the meaning of life. He emerged from that experience with the belief that mankind must return to primitive Christianity and to the teachings of the Sermon on the Mount. To love all men, even those who despitefully use you, to be humble, to return good for evil, these are the principles of life. Tested by this, military service and the payment of taxes to support the army and the navy are wrong. In both, man is allowing himself to be used as an agent to wreak violence upon fellow-beings and thus to violate the Christian principle of love. To aid in such a way is but to increase the cruelty and the hatred in the hearts of men and therefore in the world at large. Furthermore, the luxury of the wealthy is based upon the forced labor of the poor and is a violation of their personality. "I eat, I talk, and I listen, I write or read,—And in order that I may be able to do this, it is necessary that the porter, the peasant, the cook, the footman, the coachman should toil from morning until night."[1]

The rich are protected in this enjoyment of the fruits of exploitation by the state with its instruments of force. "We cannot shut our eyes and pretend that we do not see the policeman, who armed with a revolver, paces before our window, protecting us

[1] Tolstoi, *What To Do* (Hapgood Trans.), p. 123.

while we are eating our excellent dinner, nor do not know of the existence of the soldiers who will appear armed with guns and cartridges whenever our property is menaced. We know perfectly well that if we finish our dinner, see the new play to its end, enjoy a merry-making at Christmas, take a walk, go to a ball, a race, or a hunt, we owe it to the policeman's revolver or the ball in the soldier's musket, which will pierce the hungry belly of the disinherited men who, with watering mouth, peep round the corner at our pleasures and who might interrupt them if the policeman or the soldiers in the barracks were not ready to appear at our first call."[1] All this is contrary to the true way of life and causes hypocrisy on the part of the rich who seek falsely to justify their position, while it embitters and enrages the poor.

The way out is simple. Let man acknowledge in his heart that this is wrong and follow in his outer life the inner and divine law of love. Let him refuse to serve in the army, to pay taxes, to serve on juries which condemn men. Nor should he wait for a change in external conditions before living out his faith. Men in general know their acts to be wrong but are afraid of publicly voicing their belief, since each tends to think that he is alone, while the rest of society is sternly opposed and that they will punish him in one way or another if he acts as he believes in his heart. The change will never come by men waiting for each other and for a simultaneous action by the group; some sincere soul must start and then others will follow. "Human beings," says Tolstoi, "in their present condition may be likened to bees in the act of swarming, as we see them clinging in a mass to a single bough. Their position is a temporary one and must inevitably be changed. They must rise and find themselves a new abode. Every bee knows this and is eager to shift its own position, as well as that of the others, but not one of them will do so until the whole swarm rises. The swarm cannot rise because one bee clings to the other and prevents it from separating itself from the swarm, and so they all continue to hang. It might seem as if there were no deliverance from this position, precisely as it seems to men of the world who have become entangled in the social net. Indeed, there would be no outlet for the bees if each one were not a living creature pos-

[1] Tolstoi, *The Kingdom of God is Within You* (Delano trans). p. 354.

sessed of a pair of wings. Neither would there be any issue for men if each one were not a living being gifted with a capacity for assimilating the Christian life-conception.

If among these bees who are able to fly, not one could be found willing to start, the swarm would never change its position. And it is the same among men. If the man who has assimilated the Christian life-conception waits for others before he proceeds to live in accordance with it, mankind will never change its attitude. And as all that is needed to change a solid mass of bees into a flying swarm is for one bee to spread its wings and fly away, when the second, the tenth, and the hundredth will follow suit; so all that is needed to break through the magic circle of social life, deliverance from which seems so hopeless, is that one man should view life from a Christian standpoint and begin to frame his own life accordingly, whereupon others will follow in his footsteps." [1]

But the mere refusal to obey unjust governmental mandates is not enough. If the so-called "intellectual" and wealthy classes are to bring their lives into conformity with the spirit of love, they must abandon luxury, live simply and as a peasant, and work with their hands. They must cast away the false justification of the division of labor and spend a considerable portion of each day in the fields or at the artisan's bench. "Go to the bottom," says Tolstoi—"what seems to you the bottom—but is really the top—take your place beside those who produce food for the hungry and clothes for the naked, and do not be afraid: it will not be worse, but better in all respects. Take your place in the ranks, set to work with your weak, unskilled hands at that primary work which feeds the hungry and clothes the naked: at bread-labour, the struggle with nature, and you will feel for the first time, firm ground beneath your feet, will feel that you are at home, that you are free and stand firmly and have reached the end of your journey. And you will find those complete, unprisoned joys which can be found nowhere else." [2]

Tolstoi attacks the division of labor as a device by which the self-styled brain workers free themselves from manual labor and appropriate the work of others. All should labor with their hands and all should labor in the fields to secure a well-

[1] Tolstoi, *The Kingdom of God is Within You*, p. 223.
[2] *Ibid.*, "Industry and Idleness," in *Essays and Letters* (Oxford edition), p. 14.

rounded enjoyment of labor. Tolstoi would divide the day into parts, much after the fashion of Fourier; one would be devoted to hard manual labor, another to intellectual work, a third to artisans' work and "the fourth, to intercourse with people."[1]

Unlike Bakunine who gloried in violence as a method of attaining his end, and Kropotkin who admitted its probable necessity, Tolstoi condemned its practice in unsparing terms. "When a government is overthrown by violence and the authority passes into other hands, this new authority is by no means likely to be less oppressive than the former. On the contrary obliged to defend itself from its exasperated and overthrown enemies, it will be even more cruel and despotic than its predecessor, as has ever been the case in periods of revolution. If socialists and communists believe that the possession of individual capital is a pernicious influence in society, and anarchists regard government itself as an evil, there are, on the other hand, monarchists, conservatives, and capitalists who look upon the social and communist state as an evil order of society; and all these parties have nothing better to offer by way of reconciling mankind than violence. Thus whichever party gains the upper hand, it will be forced in order to introduce and maintain its own system not only to avail itself of all former methods of violence but to invent new ones as well. It simply means a change of slavery with new victims and a new organization, but the violence will remain, may increase, because human hatred, intensified by the struggle, will devise new means for reducing the conquered to subjection."[2]

Tolstoi's message is, therefore, one for the individual soul. He does not favor organized mass-movements of revolt or even of organization in the new society. It is sufficient if men give heed to the divine laws of love and then live in peace a life of simplicity and toil, sharing with others their property and income to the extent that these others need it. In the face of men swayed by this spirit, government being not only vicious but unnecessary will melt away. But what will there be in its place? "There will be nothing. Something that has long been useless and therefore superfluous and bad will be abolished."[3]

[1] Tolstoi, *What To Do*, p. 245.
[2] *Ibid.*, *The Kingdom of God is Within You.*
[3] *Ibid.*, "Patriotism and Government" in *Essays and Letters* (Oxford edition), p. 257.

Here it is evident that Tolstoi is thinking of the almost self-sufficing Russian mir where an informal type of cooperation might indeed be sufficient to carry on life effectively. The problem is patently not so simple for the highly complex and urbanized societies of the Western world.

The abhorrence in which the anarchists hold the state seems almost sacrilegious to the average citizen of today who has been brought up in the cult of nation-worship. He finds it almost impossible to understand why these men should so vehemently attack what is commonly regarded as sacred. It does not need much penetration, however, to see that the political states of the world are responsible for many crimes and outrages which indeed surpass those which individuals commit. War, which is state-fostered and state-waged, is and has been the great destroyer of the race. At the behest of the state, men are marched forth like Janissaries, to slay and be slain. Moreover, by means of propaganda, both in and out of war-time, the state poisons the minds of its citizens against other nations, making them blinder and more inflamed partizans than were their fathers. Internally, the state too often brutally represses the finest spirits of the time. Not only is this true of autocracies, which, like that of Russia under the Romanoffs, seek to maintain absolute power, but it is true even of democracies as well. The late war and its aftermath affords eloquent testimony to the frequent cruelty and intolerance of the majority to those who do not subscribe to the idols of the tribe and of the market place. Moreover, the punishment meted out to those convicted of crime and the abuses of our jail and prison systems are, in the main, offenses against the consciences of all humane men.

It is small wonder then that to many who have suffered such injustices or to those sensitive spirits, who, like Tolstoi, have studied its actions, the state seems to be the arch-criminal. Anarchism has, therefore, been created not so much by the perversity of man as by the crimes of the state. Wherever the state most offends against the consciences of mankind, there will inevitably grow up the strongest anarchist movement. It was thus no accident that Bakunine, Kropotkin and Tolstoi were all Russians. The surest cure for anarchism is for the states to lead the good life.

Yet although one must sympathize with the ideals of many

anarchists, one may well doubt if their diagnosis of the source of political evil is fundamentally sound. Does not the major part of the wrong which states do, spring either directly or indirectly from war and is not this caused, not because there is too much government, but because there is too little? The present relationship between the nations is indeed one of anarchy and the absence of law. This brings not peace but ruin to the world. The creation of an international government and of an international order of law, which among other things would outlaw war, would serve to hold nationalistic sentiment in check and to permit the peaceful development of peoples. In other words, perhaps the chief trouble with the states of today is, not that they exist, but that they are not extensive enough. A world state would remedy many of the most flagrant evils of our present fragmentary and conflicting states.

The anarchist ideal of government by mutual assent, rather than by majority vote, accompanied by the total withdrawal of coercive force, is a lofty principle, which has found fulfillment in such bodies as the Quakers. It is capable of much greater extension than most skeptics would believe, for a decision by mutual agreement rests on the firm basis of human belief, while decision by coercion depends only on the shifting balance of physical force. There are sufficient instances of the transforming influence of good-will to convince one that there are forces in the world more potent than physical power and which alone can result in a permanent and balanced reconciliation.

Yet it may well be doubted whether it would be wise or proper for society to abandon all truly police functions. There are insane persons and feeble-minded moral degenerates who must at times be physically restrained. There are also intellectually capable but vicious persons who, in their present condition, are dangerous to the safety of mankind, while passional crimes are always liable to occur. Were there no state to check such actions, the punishment of these offenses would fall upon the injured parties or upon their families. The inevitable result would be the development of those blood-feuds or vendettas which, once universal, have lingered so long in our Southern highlands and in Sicily, but away from which mankind has been struggling. Men have come to see that no one can typically be an impartial judge in matters that concern either himself or his family, and

have come to substitute impersonal and, so far as is possible, disinterested judgment for that of the parties to the dispute and at the same time they have sought to interpose delays in order to cool the vengeance and steady the hasty decisions of the multitude. These are very precious gains which would largely be thrown away by the introduction of pure anarchy.

But while coercion should probably be retained as the ultimate weapon of the state, it should be used as sparingly as possible and the chief reliance should be upon the methods of goodwill and mutual consent.[1]

In other words, mankind must learn to trust in other forces than big guns. While it may imprison the prophets who like George Fox and Tolstoi preach this doctrine, to that, in the end, men must come. Humanity is benefitted, not injured, by having men of this stamp preach and practise the anarchistic way of life, even though the mass of mankind may not be ready for it, for only through such men will humanity ever move forward to newer and higher levels of life.

Finally, if voluntary groupings were to be carried to the point which the true anarchist desires, a member of an industrial community would belong literally to scores of such bodies. If he participated in their government, his energies would be so consumed by the necessary conferences that he would have little time in which to do his work. The unitary state is, on the other hand, in many respects a great time-saver for its members and frees them for constructive tasks.

IV. Syndicalism

The philosophy of syndicalism, or producers' control, has in modern times largely sprung from the French labor movement. Since the ideal society of the future which the French proletarians have envisaged has been primarily their own union organization writ large, a short analysis of the stages through which their movement has passed is necessary. French unionism after being legalized in 1884 took two forms; the first, organization by localities in the form of the Bourses du Travail; the second, federation of existing local and district trade unions into a

[1] The non-resistant will reply to this that the use of coercion develops an appetite for more coercion and the knowledge that one can always turn to physical force weakens one's confidence in the power of moral suasion. This seems to be indubitable.

national body, namely, the Confederation Générale du Travail. The first of these, the Bourses, federated the local unions of a locality and served at once as an employment agency, a distributor of unemployment and sick benefits, an agency for union propaganda and education, and as the body to pay benefits and institute boycotts in the case of strikes and lock-outs. Due to the relative self-sufficiency of localities, national trade, or industrial, unions were slow to develop and the Bourses, loosely federated into a national body, became the most powerful representatives of the workers. The C. G. T., composed as it was of single local or sectional unions, was for some years relatively weak and impotent. In 1902 the two organizations merged, the Federation of Bourses retaining its autonomy within the C. G. T., and a Federation of Trades-Unions was set up parallel to it. This latter was based largely on national trades, and industrial unions and local unions were permitted to belong directly only if there were no national union in their trade. Since then, the national unions have steadily gained ground while the Bourses have relatively lost in importance.

The majority in both branches of the movement have always aimed at the overthrowal of capitalism and for the substitution in its stead of the unions as the directing agency of production, distribution and government, but the form in which this control was to be exercised has varied. During the period when the Bourses were predominant, the emphasis was naturally upon local units. The local unions were to direct production in their respective trade and industries subject, however, to rather close direction by the Bourse. The very nature of the Bourses was leading them to investigate the number of unemployed and the causes of unemployment, the cost of living for each person and the difference between this and the amount of wages received, together with the number of workmen employed in the various trades and the consumptive needs and productive possibilities of the region. With this experience and information, the Bourses in the new society would fix quotas for each local trade to produce. Local gluts and scarcities could be balanced by exchange between the local Bourses through the Federation of Bourses. Such a plan was essentially along the lines of Bakunine's belief in a free federation of free communes.

With the development of national unions, increased emphasis

came to be placed upon them. The syndicalistic Utopia of Pataud and Pouget *Comment Nous Ferons la Revolution*, for example, assigns the management of the postal, the telegraph and the telephone services and the railroads to the respective national unions. The shift of footing is not complete; apparently only the industries which have become nationally integrated are to be managed by the national unions; elsewhere the direction is to be in the hands of the local unions. The new national coordinating agency is to be a committee of the C. G. T. which is to draw up estimates of production and consumption and assign quotas. It is indicative of the unconscious mental confusion caused in the minds of the syndicalists by the movement of French organization from a local to a national trade basis, as well as their characteristic refusal to sketch their future society in great detail, that the relationship between this national coordinating body and the local Bourses is nowhere developed clearly, and the student is left in doubt as to whether the primary quotas are to be drawn up by the committee of the C. G. T. and then assigned to the trades and to the localities, or whether the local Bourses are first to balance production within their localities, with the committee of C. G. T. chiefs in turn merely balancing production between these localities and between the nationally directed industries. However this may be, the form of national control that is forecast is not strong. The committee of the C. G. T. is not to "direct" but merely to serve as the central statistical agency. The general conventions of the C. G. T., to which both Bourses and national unions sent delegates, were to work out the basic principles concerning wages, hours, care of the aged and sick, and publicity of accounts, but each industry and each locality was to be largely autonomous in the actual conduct of production. No mention is made of the possible necessity of force to compel an industry, locality or plant to follow the decisions of the general convention or to fill the quotas of production assigned to it. General assent to social decisions is expected of each individual grouping.

The principle of producers' control is not confined to manufacturing, mining, and transportation. It is to apply to retail trade, the professions, and apparently to education as well. The federated butchers are to direct and manage the sale of meat, as are the bakers, the milkmen, the grocers and the vintners their

respective commodities. Consumers cooperative societies, although they had been of value for combatting capitalism and during the transitional period, are to fade away and give place to control by unions of producers. Medicine, chemistry, dentistry are to become self-governing professional associations. Education would normally follow the same rule, although Pataud and Pouget somewhat inconsistently provide that in the professional schools the instructors should be chosen by the students. Even the street-sweepers, in the romance of Pataud and Pouget, were to control their work.

Groups based upon residence in a common locality and not upon occupation might indeed be organized to assist in health work, but their services were to be primarily advisory to the Bourse, and they would not actually determine policies or administer them, save possibly within the very limited scope of health matters. The army and the conduct of foreign affairs would be in the hands of the C. G. T. and its committees.

The syndicalists, however, have always laid much more emphasis upon the methods to be employed than upon the precise nature of the end to be obtained. Like true Marxians, they believe that the course of Revolution, once it comes, will of itself indicate the forms through which producers' control will manifest itself and will disclose the proper tactics to bring about the social revolution most speedily and effectively. Basic to all their ideas is that of the fundamental and eternal hostility between capitalists and workers. All attempts at social reconciliation, such as conciliation and arbitration, or profit-sharing, should be resisted. There can be no peace between the classes. War exists and should be waged until the private ownership and operation of industry is abolished.

If the movement is to maintain its militancy and revolutionary fervor, it must refrain from participating in politics. Should it enter the political field, it might split its own ranks because of the differing political affiliations of its members. Its leaders, moreover, would become poisoned by parliamentarism and would be weaned away from the workers, either by bribery or by social pressure. Moreover, the whole revolutionary impetus of the movement would be weakened if it devoted its energies to securing piece-meal reforms. Finally, the assumption according to which democratic government is carried on, namely,

that there are no classes but that all are citizens with equal rights and that the will of the majority should be the decision of the group are fundamentally antagonistic to the syndicalistic tenets that there are two sharply defined and antagonistic classes, and that one of them, the capitalistic class, because of its guilts, has no rights which a proletarian is bound to respect. Nor does the revolutionary syndicalist have any faith in the majority as such. All movements come from minorities; a large proportion of mankind are sheep-like in nature and will follow any leader. It is useless to attempt to win them over at the ballot box, but vigorous economic action will make them fall in behind the militant and self-conscious minority. Participation in political elections and in parliamentary activity is therefore unproletarian, although it is legitimate and desirable to coerce Parliament occasionally, by means of strikes and by internal disturbances, to grant concessions to the workers. But it is the political state that must sue for peace with the proletarians.

It is then "Direct Action" upon which the syndicalists rely. By this they mean as Jouhaux, for so long the secretary of the C. G. T., says, "extra-legal" actions, or measures upon the economic field. The two chief features of direct action are the strike and sabotage.

Specific strikes are occasions of open war between workmen and employers and should be encouraged as much as possible. As Pouget says,[1] "All agreements and all business relations between the two must be precarious and short-lived. Between employers and workers there is never, nor ever will be made, a binding and lasting understanding, a contract in the true and loyal sense of the word. Between them there are and can be only armistices, which by suspending the hostilities from time to time introduce a momentary armed truce in the incessant warfare." . . .

These strikes are to increase in frequency and in extent, culminating finally in the general strike when all the workers lay down their tools and by paralyzing production will execute the death sentence upon the old social order and usher in the new. In the beginning, the syndicalists thought of the general strike as a manifestation of non-violent coercion whereby they would, by merely folding their arms and withdrawing their labor, com-

[1] Pouget, *Sabotage*, p. 64.

pel capitalism to surrender unconditionally. They came to see, however, that the workmen's stock of food and necessaries would give out long before those of the capitalists and that if their families were to be fed, all the surplus stock and the basic industries must be seized by the workers and administered to fill the needs of the proletarians. If the capitalists and the private owners resisted, as many undoubtedly would do, then violence would follow, for the syndicalists are not Tolstoian pacifists. Furthermore the state, as the mere tool of capital, would undoubtedly use the military to coerce the strikers. While the strikers would try to win over the army to their side they might not be successful in all cases and resistance should be offered. Finally the major industries would be seized and if their present owners resisted, so much the worse for them.

The possibility of desertion from the ranks of the workers by the compliant majority will be avoided by putting the tools, machinery and equipment of the plants out of commission before leaving work. This burning of the bridges cuts off for the mass the possibility of a retreat.

But there is to be guerrilla, as well as open warfare, and this is to be furnished by sabotage, or as the American syndicalistic organization, the Industrial Workers of the World, graphically term it "the strike on the job." Sabotage takes many forms but the purport of them all can be summed up as a conscious attempt by the workers to interfere with production and to lessen the employer's profits, while they continue to be employed by him. It may take such non-violent forms as the English "ca-canny" movement, or loafing upon the job and willfully restricting output, and for "poor pay" rendering "poor work." It may take the form of obeying instructions literally that were never intended to be fulfilled, while it may also manifest itself by the worker putting so much quality into his work that the employer's profit, if it be dependent upon quantity will be destroyed. Again, it may consist in the telling to the public by the workmen of the faults concerning the product upon which they are employed, while misdirecting goods and hopelessly confusing parts are also forms of sabotage.

Finally it may take more directly destructive forms. As the Montpelier Bourse du Travail told its members.[1] "If you are

[1] Pouget, *Sabotage*.

machinists, it will be easy with two cents worth of emery dust or even with a little sand to clog your machine and cause loss of time and costly repairs to the boss. If you are a cabinet-maker, nothing will be easier than to deteriorate a piece of furniture without your boss noticing it at first sight. A tailor does not have to think long how to spoil a suit or piece of cloth," etc.

The syndicalists deny that sabotage is unique to the workers; on the contrary they assert that it is the continual practice of the capitalists, who by limitation of output and by deterioration of quality wring higher profits for themselves from the consumers. But while capitalistic sabotage is aimed at the consumers and injures them, proletarian sabotage is designed only at the capitalist, not at the consumer. If asked as to who suffers from the inferior products turned out under workers' sabotage, the syndicalist naïvely replies that the good-sense of the consumers will protect them from buying such articles and they will thus be returned as a dead loss upon the employer who is to suffer!

Turning from a description of the aims and methods of syndicalism to an attempt at their evaluation, we find a number of very interesting problems which are presented. First, were the syndicalist ideal of producers, control realized, would there not, in such key industries as the railroads, the mines, the banks, the light and power service and the postal, telegraph, and telephone services, be a tendency for the syndicates to use their economic power to increase prices and wages in these industries and to decrease hours?

Pataud and Pouget escape from this difficulty by supposing that this syndicalistic state will adopt absolute equality of distribution and that therefore no one industry can profit financially at the expense of another, while all will follow of their own free will the general rules concerning hours and conditions of work enunciated by the C. G. T. This is escaping from one difficulty by embracing another even more severe than the first. But certainly in any society where differences in income were permitted, there would be a temptation for those with the economic power to use it in order to better their condition and some more tangible means of protection is needed by the consumers other than the assumed good intentions of all producers.

No group can be depended upon to be a fair judge in its own case and some organization is needed to set over against that of the producers and thus adequately protect the interests of the consumers. The Bourses would furnish this in some measure for the localities, but the loosely organized general committee of the C. G. T., itself probably composed in large part of the representatives of those very national unions that it is supposed to oversee, and with only advisory powers, would prove altogether too impotent, despite their establishment of quotas and the publishing of accounts, to check the undue exactions of the strategically situated unions. Furthermore, even were the Bourses and the C. G. T. given compulsory powers over their members, would not the inevitable bias of a body chosen on the occupational basis be such as to militate against an adequate representation of the point of view of men as consumers; an interest more diffused than that of production and therefore always likely to be less articulate?

A second danger would be the temptation for given industries and particularly the more favored ones, rigidly to limit the number that might be admitted to the trade and thus maintain a monopolistic position. It was in part by this very method that medieval guilds degenerated from the democracy of their early days to their monopoly-ridden state of the later Middle Ages, while the more skilled trades-unions practice this to some extent even today. Even the more democratic unions have race and sex prejudices which prevent all workers from having equality of economic opportunity. Nor are these traits confined to the manual workers alone. Such professions as law, medicine, dentistry and others have shown and are showing perhaps an even greater desire to narrow the entrance to their ranks, and thereby secure a higher income for those already practicing the profession.

In the third place, there is a distinct and serious danger that an organization of producers will not introduce improved equipment and methods lest it throw out of work some of its members. Such changes in the short run at least, and sometimes in the long run, do mean that fewer men are needed in that particular industry. The consequent laying off of workmen would cause a hardship, even were an unemployment indemnity paid, which would naturally be greater if the workers were compelled

to transfer from a more favorably to a less favorably situated trade. Would there not therefore be great opposition to improvements on the part of the men? Many of them would be afraid that such improvements would affect them directly while the more efficient remainder would have a fellow-feeling for the inefficient and would wish to protect them. That this is not merely an idle surmise is evidenced by the almost universal failure of ventures in producers cooperation, which have foundered in part at least upon this very rock. An obstacle which would be largely lacking in a consumers' state but which is closely allied with this would be the probable tendency for popularly elected managers to tolerate slovenly work from their "subordinates" which they would not endure were they not dependent in part upon the suffrage of these very workers for their position. And if the syndicalist urges that the mass of the workers would not tolerate inefficiency among their fellows, we may, while granting that extreme sloth would probably be punished, doubt whether the group as a whole would actively try to curb the moderately inefficient. The consensus of evidence, with indeed notable and encouraging exceptions, seems to indicate that the workers, either through good-nature or a fear of retaliation by the friends of those that would be ousted, would acquiesce, for some time at least, in the relative inefficiency of their fellows rather than provoke trouble by trying to clean house.

These considerations would indeed influence the group in its choice of managers and officials. In addition to the ever present fact that the qualities which may enable a man to be elected are by no means necessarily those that enable him to administer his office successfully, there must be added the danger that the less competent workmen may combine to secure the election of a manager who will humor them. As a possible offset to this, however, it is true that the voters would have a better opportunity to know a candidate's capabilities than do the citizens of our present political state.

Two further problems that arise are those of the creation of new industries and jurisdictional disputes between self-governing industries. Would not the already existing syndicates strenuously oppose the introduction of any new product or service which would invade their field of action? There would

not moreover be any counteracting agency to create and foster the new developments in industry.

Syndicalism, in a word, would not abolish social struggle. It would transform the present clash between more or less closely stratified economic classes that run horizontally through all industries, into a clash between groups of workers separated into distinct industries by a vertical cleavage. Within each of these groups there might well be amity and approximate economic equality, but between them hostility engendered by conflicting interests and fanned by the disparities of wealth and fortune. And in such a society, there would be need, just as in the guild-torn cities of Medieval Europe, for a central body which would have the power to produce order and to force into line recalcitrant industries that seriously menaced the interests of the vast mass of members of the common enterprise.

Finally, are there not many services for which producers' control, even if all of the previous objections were to be removed, is either impossible or distinctly inferior to control by the territorial state, as we know it? Should not streets, sewers, fire protection, police protection, the administration of justice and other such services, logically be administered for the consumers of those services and be controlled by them rather than by those engaged in these occupations? Could any one seriously propose that the judges and policemen should be allowed to make and execute our laws without popular control, or that diplomats should be permitted to decide our foreign policy and soldiers our military? A state through which the popular will may function and control these producers of commodities and services for the common good is, therefore, an essential. Indeed the position of the Bourses du Travail and of the C. G. T. in the syndicalistic society would be virtually that of the state only with representation on an occupational rather than a territorial basis, and with much weaker powers than would be needed to bring order and popular welfare out of a society torn by the conflicting interests of occupational groups.

Under the fire of such criticisms as the foregoing, the majority of the C. G. T. have within recent years fundamentally altered their program. In 1919, they adopted a program calling for the *nationalization* of the key industries with *joint* control of each by the *producers* and *consumers*.

If we turn from an evaluation of the final goal of the syndicalists to a consideration of the methods by which they purpose to accomplish their ends, we are struck by almost equal defects. Thus the abstention from politics would mean the surrender of the state to the opponents of the proletariat. This would mean that in the event of strikes the power of the state would consistently be used against labor. Adverse legislation would be passed and adverse legal decisions would be rendered, all of which would be put into effect by the police and by the army on the very assumptions of syndicalism—namely, the irreconcilable hostility between the classes and the necessity for class war on the part of the militant minority. For the labor movement, therefore, to allow the political battle to go by default is tantamount to a pugilist deliberately tying one hand behind his back.

Secondly, do not the syndicalists underestimate the strength of capitalism in their belief that they can wear out the owners of industry in the war of attrition. On the contrary, would not the workers, possessing far less resources than the capitalists, be compelled to capitulate first, at least as far as the open engagements—strikes—are concerned? It is true that the post-war development of the general strike has shown it not to be merely the "myth" that Sorel so prematurely assumed, but it is also true that the general strike does not by any means introduce the social revolution which the syndicalists proclaimed as its inevitable consequence.

Lastly, even should the workers, by their incessant and long-continued sabotage and by the ever-increasing intensity of their strikes, succeed in vanquishing capitalism and in taking over industry, would they not, like the "victors" in modern wars between nations, find that they had destroyed the substance for which they had been fighting by the very combat which they had waged? Before capitalism could be overthrown, would not industry be ruined, and would not such a victory turn out to be another "great illusion"? Nor would the work of social rebuilding be as easy as the syndicalists assume. The very methods which were used to conquer capitalism would continue as evil geniuses in the life of the future. Sabotage, once discovered and consistently practised, could not soon be unlearned but would persist. The hatred and the violent passions stirred up by the struggle between the classes could not be exorcised by a wave of

the wand but would inevitably lead the men who had surrendered themselves to hatred and to violence merely to seek new objects for their hatred. The new society, crippled by its lack of material resources and poisoned in its spirit, could not but usher in new struggles which might be every whit as horrible as before. This same fallacy, of course, permeates the thinking of nationalistic militarists and believers in wars between the nations to an equal or an even greater degree. The syndicalists have in reality fundamentally adopted the philosophy of militarism and it is the philosophy of militarism, which, more than capitalism, threatens to ruin the world.

V. Guild Socialism

Guild Socialism is a half-way house between Syndicalism and Collectivism. It attempts to rehabilitate the doctrine of Syndicalism by seeking to reconcile the doctrine of producers control with the rights and functions of the consumer or the "public." Mr. G. D. H. Cole expresses the general philosophy of guildsmen when he says "The state should own the means of production, the guild should control the work of production." [1]

The Guildsmen start from the assumption that the paramount evil in present-day society is the complete ordering of the working life of man by the owners of capital. This slavery, or "wagery" as Mr. S. G. Hobson terms it, is far worse than poverty for "poverty is the symptom—slavery is the disease. The many are not enslaved because they are poor, they are poor because they are enslaved." [2] This being so, Collectivism is only a little worse than capitalism since it merely consists in replacing the capitalistic bureaucrat by the state bureaucrat. The essential thing is for the workers, both manual and intellectual, in each industry to assume the direction of that industry and with it the joint control of their working lives. To that evil, they advocate that each industry organize itself into a guild. These guilds are however to be only the spiritual prototypes of the medieval guild, and no guildsmen, save Mr. A. J. Penty and a few followers, would propose that machinery should be discarded for handicraft and that society return to small self-sufficing units. [3]

[1] G. D. H. Cole, *Self-Government in Industry* (1st edition), p. 109.
[2] Cole, *op. cit.*, p. 110.
[3] See Mr. Penty's books, *Old Worlds for New* and *Post-Industrialism* where the case for medievalism is attractively stated.

Modern guildsmen stand therefore for national guilds which will take over the present industrial system. The number of these guilds might vary but the guildsmen would prefer in general a small number of large guilds to a large number of small guilds. The general consensus seems to be that from fifteen to twenty industrial guilds would be sufficient.

Within each national guild there is to be as much local autonomy as possible although there would naturally be more central control in such industries as the railways than in the building or furniture trades. Most of the national guilds however would confine their efforts to the purchase and distribution of raw materials, the sale of the finished products and the procuring of capital. The functions of the National Guild are to be analogous to those of the modern pool or "cartel" rather than the trust, leaving the methods of production to each separate factory. These factories, however, will be federated into districts and these in turn into the national guild. The governing committees of the factory are to be elected by the workers on a craft basis. The district committees are to be on a double basis, *i.e.* from the factories as a whole and from the separate crafts in the district, while the national executive committee will be composed of representatives of the districts as such and of the individual national craft bodies. The National Assembly is to be chosen by the various craft unions. Provision is therefore made both for the representation of the factory or district as a whole and for that of the distinct craft units.

All supervisory officials are to be chosen by the workmen they are to supervise. Coordinating officials such as general managers and experts or "staff" officers are, however, to be chosen by the various committees; the first because a better balanced opinion will thus be secured and the second, because one suspects, the guildsmen believe that the committees would be better judges of technical skill than the rank and file of the members.

But all this is thus far manifestly merely an elaboration of syndicalism. The problems of the possible exploitation of the consumer by the producer, and of the direction of such functions as education, protection, justice and health which are plainly communal in nature still remain, and it is only along these lines that the Guild Socialists have made any fresh contri-

butions to political and industrial theory. There are two distinct schools of thought among guildsmen on these subjects. The first is that represented by Mr. S. G. Hobson [1] which would assert the ultimate sovereignty of the state over the guilds.

"We remain socialists," says Mr. Hobson,[2] "because we believe that in the final analysis the state as representing the community at large must be the final arbiter." The industrial guilds however would take over all the "economic" functions, "liberating" the state for the conduct of civic affairs. But the state, although theoretically sovereign should "keep free from any clash with the guilds" except on matters of public policy such as the importation of Chinese labor and the re-introduction of capitalistic "wagery," when the state should interfere as the representative, not of men as consumers, but of men as citizens. To Mr. Hobson's mind, the state is not the representative of the consumers of economic products, but of those who enjoy civic amenities. The consumers of commodities as a matter of fact do not need protection from the producer, who must foresee the requirements and desires of the consumer and produce to meet them if he is to be successful. Even more, the producer is in most cases the real stimulator of the consumer's demand. At the most a distributive guild, composed of the employees in retail trade would be sufficient to protect the consumer. The guilds will be free therefore to fix their own prices and wages, have their own banks and issue their own credit, subject in case of dispute only to appeal to the Guild Congress, and if public policy is involved, to the state. The interpretation to be given to the term "public policy" should however be strict and not broad. The territorial state however would tax the guilds for the support of civic amenities such as education, health and protection which are to be provided gratuitously to the public. It would thus be enabled to appropriate undue differential returns which the more favored guilds enjoyed. The actual direction of these civic amenities, subject to broad points of policy outlined by the state, would be largely in the hands of the guilds in these lines of effort. As Hobson says of education [3] "our modest purpose is to throw upon the state the duty of a minimum of civic

[1] See his *The Meaning of National Guilds; National Guilds and the State;* and *Guild Principles in War and Peace.*
[2] *The Meaning of National Guilds*, p. 133.
[3] Hobson, *The Meaning of National Guilds*, p 268.

education only. This minimum might best be assured by the state charging the National Union of Teachers with the powers necessary and the consequent responsibility to society for carrying it out."

In practice, therefore, this theory, although it asserts the ultimate sovereignty of the territorial state, would debar it from participating in economic matters save as a last resort and would give to the guilds, either individually or collectively in the Guild Congress, almost complete powers.

In opposition to this theory is that of Mr. G. D. H. Cole, who has consistently attacked the ultimate sovereignty of the territorial state while maintaining no less strongly the need of protecting the consumer. The form which this protection should take however and the agencies through which it should be exercised has undergone modification and change in his thought.[1] In *Self-Government and Industry,* as published in 1917, Mr. Cole regarded the state as an association of dwellers in a common neighborhood and hence of consumers, or enjoyers in common. Such an association however should be only one of many, he declared, and ought not to be dominant over other associations which represent men in their capacity as producers, fellow-worshippers, common believers, etc. The state however should be preserved as the representative of the consumers and should stand opposite the guilds. At the top therefore there would be Parliament, representing the consumers, and the Central Guilds Congress, representing the National Guilds. "Neither Parliament nor the Guild Congress can claim to be ultimately sovereign: the one is the supreme territorial association, the other, the supreme professional association."[2] If a dispute between the two were to arise on such matters as price, and quality, "the final decision of such a quarrel ought to rest with a body representative of all the organized consumers and all the organized producers. The ultimate sovereignty in matters industrial would seem properly to belong to some joint body representative equally of Parliament and of the Guild Congress. Otherwise, the scales must be weighted unfairly in favor of either consumers or producers."[3] What was to happen in the case of a deadlock was not mentioned, nor were the affirm-

[1] Hobson and Orage, *National Guilds,* p. 268.
[2] *Self-Government in Industry.* (Third edition), p. 135.
[3] Cole, *op. cit.,* pp. 135-136.

ative functions of the state made clear, aside from the fact that it was to skim off the surplus profits of any guild by means of taxation.

Largely as a result of Mr. Hobson's attack upon the idea that the state represented the consumer, Cole in his later books[1] changed his position in two respects; first, he advocated the formation of other associations than the state to serve as the representatives of the consumer, and secondly he shifted his emphasis from a national to a local co-ordination of production and consumption. Cole came to believe that the state represented the complex of the separate interests within the territorial unit, and not the consuming interest exclusively. But no group can represent all the interests of men. Each interest or "function" must have separate representation. The "omnicompetent" state must therefore give place to the federation of functional groups, each representing a dominant interest, into a "commune." Thus the units of the industrial guilds would federate locally and regionally. The consumers of these commodities and services would be organized in two main associations, namely those who consume articles, like tobacco, the form of which varied according to the tastes of the consumer, and the consumers of undifferentiated products supplied in mass, the form of which like water, electricity and gas, does not vary from one consumer to another. The first was given the name of the co-operative council and the latter that of the collective utilities council. The gratuitous communal services were to be reorganized in civic guilds, and the consumers of these services in turn were to organize in councils such as the Cultural Council, the Health Council, etc. Each of these groups would send representatives to the local communes. The representation of the industrial guilds and the corresponding consumers' councils was to be equal, as was that of the civic guilds and their parallel councils of consumers. Above the local commune was to be the regional commune organized upon a somewhat similar basis of representation, save that agriculture was to be represented in addition to the town guilds and there were also to be representatives chosen on the territorial basis from the local communes. A national communal body was

[1] Notably *Social Theory; Guild Socialism Re-Stated;* and *The Reorganization of Local Government.*

similarly to be created based on the representation of functional groups and of regions.

Each organization of consumers would check the quality of the service given by its corresponding guild and would confer with it concerning prices. If the two agreed, the matter would end there. If the cooperative council however, for example, did not agree with the distributive guild as to the price of milk, the issue would be taken to the communal council. Wherever the dispute was between a body of consumers on the one hand and of producers on the other, the decision was to be made by the corresponding communal body. Where the dispute was one between guilds, appeal was to be taken to the guild congress of that region.

The Commune, in Cole's plan, was to be given five different classes of powers.[1]

(a) Financial problems, especially the allocation of national resources, provision of capital and to a certain extent regulation of incomes and prices.

(b) Differences arising between functional bodies on questions of policy.

(c) Constitutional questions of demarcation between functional bodies.

(d) Questions not falling within the sphere of any functional authority, including general questions of external relations.

(e) Coercive functions.

The first is perhaps the most important. Not only would disputes over prices between consumer and producer be settled by the commune but if goods were sold above and below cost, the commune would make the decision as to how the surplus should be used or the loss born. Furthermore, the relative amount of energy to be allocated to the product of consumers' goods, productive capital, and non-economic services would be similarly determined upon together with the allowance to be made to each industry or service. To secure this, the various guilds would present budgets to the communal council after consultation with their corresponding councils of consumers and with each other. After examination, these budgets would be passed upon by the commune. This would necessarily involve criticism of and control over the salary scale of the various guilds. The

[1] G. D. H. Cole, *Guild Socialism Re-Stated*, pp. 139-140.

commune was also to have control over the amount of credit to be issued, although it would not necessarily operate the banks.

Passing over the second and third functions of the commune, the control of the army and navy, would, so long as they were needed, be confided to the national commune, as would police protection to the local communes. Foreign economic relations, however, would be in the hands of the guilds and civic bodies. The control over the personal relations of people would, in so far as it would be exercised, be also the province of the commune. The individual would be protected from oppression however because of the weak powers of the commune and because of his membership in various functional associations.

The coercion of individuals is therefore provided for as a last resort but it is to be sparingly invoked. As for the coercion of functional groups, it is much better policy to trust them than to attempt to coerce them. But "trust does not and cannot involve the abandonment of all powers in the last resort." One is left in doubt, however, as to the precise form this ultimate coercion will take since the right of striking is upheld by Mr. Cole, as by all guildsmen, and the economic boycott has previously been declared "to be possible but not desirable."

It is apparent from this analysis that while Mr. Cole denies the sovereignty of the state that in practise he provides for much greater control of and interference with the guilds by outside bodies than does Mr. Hobson.

The guildsmen have not devoted much attention to the basis of wage payment, although nearly all express a wish that ultimately an equality may be established. Mr. Hobson suggests that an equal amount per capita might be allocated to the various guilds for salaries and then each might pursue its own method of division among its members. Guildsmen moreover denounce the payment of interest and would apparently abolish it.

If such then are the aims of the guild's socialists, what then are their methods? Just as the state socialist has thought that socialism could be evolved out of the trust, so have guildsmen relied upon developing the future guilds out of the trade unions. But if this is to happen, trade-union structure and function must undergo a change. Craft unionism, or organization according to similar work, must give place to industrial unionism, or organization on the basis of the turning out of a common product.

This is necessary in order to create a more effective fighting machine and because the industrial unit will alone be competent to manage production. Unionism moreover must reach out after the unorganized manual workers and up after the salaried technicians. Brain as well as hand workers should be included in the new organization. The local should be changed from the locality basis to the shop unit, in order to secure the interest of its members and prepare itself for the task of conducting industry.

These unions should seek by "encroaching control" to wrest the direction of industry from the capitalist while they should use their economic power to secure the election of foremen, the enforcement of shop discipline and such matters, and should continually seek more power and more control. By means of the "collective contract," they could guarantee to produce a given quantity for a stated price and thus take over all questions of management even while still operating within the capitalistic-system. Finally by means of independent guilds, such as the building guilds of England [1] and of Germany, they could enter into active competition with capitalism. The workers, however, should beware of delusive offers of "sharing" control with capital and of plans for joint management, for these are likely to deaden the ultimate demands of the worker.

It is, therefore, by industrial and not by political action that guildsmen plan to bring the guild society into being. They will not assist in nationalizing industry although they grant that it may be easier to introduce producers' control in these state-owned industries than in those privately managed. Ultimately Mr. Cole believes, that "apart from capitalistic blunders, a catastrophe will be necessary to end the wage-system."

VI. Consumers' Cooperation

The growth of the consumers cooperation movement has been one of the relatively unnoticed marvels of the last eighty years. Although there were isolated cooperatives in the early part of

[1] The building guilds of England have recently gone into bankruptcy primarily because they were organized on a national basis with all the resources of the local guilds pooled to meet common liabilities. The derelictions of a few guilds which failed to enforce discipline and to exact high production combined with the stringency of credit pulled down the promising and successful experiments, of which the building guild of London was the most prominent example.

the 19th Century, the modern cooperative movement has really sprung from the loins of the Rochdale Pioneers, a group of 28 English flannel weavers, who at the conclusion of an unsuccessful strike, resolved in 1844 to start a cooperative store which amongst other purposes should ultimately seek "to arrange the powers of production, distribution, education and government; or in other words to establish a self-supporting home colony of united interests." After a year of painful saving, each member contributed five dollars and upon this scanty capital, a store was opened, which dealt in small quantities of flour, butter, sugar and oatmeal. From this insignificant beginning has grown a movement which today has over four and half million members in Great Britain, over three million in Germany, two million in France, ten million in Russia and hundreds of thousands in each of the smaller countries of Europe. The capital invested in the English movement alone is well over six hundred million dollars while hundreds of millions are invested in the movements of other countries.

What have been the seminal principles which have caused this growth?

1. To charge the market price for goods and to sell for cash and not for credit.
2. To pay the holders of stock, the shares of which are low and the amount which can be held by any one member limited, approximately the current rate of interest but only that.
3. To divide the net profits, after a small deduction for educational purposes, among the members in proportion to the amount of purchases made and not according to the amount of stock held.
4. To secure democratic control by giving each member only one vote, irrespective of the amount of stock held.

Sale at market price is superior to sale at cost because of the difficulty in computing cost, because the bulked savings at the end of a period make a greater psychological appeal than if given in small amounts on every purchase, and because the hostility of private shop keepers is less aroused. The distribution of the savings according to the amount of the purchases, makes the members anxious to increase the membership and the sales

of the cooperative because by thereby cutting down the relative overhead charges, greater dividends will result. This economic pressure, operating for the continual extension of membership, is of course the direct opposite of producers cooperation, where the tendency constantly is to decrease the relative number of partners in order that the profits per partner may increase.

Capital in consumers' cooperation, like labor today in capitalistic enterprises, is made a hireling of industry. It is paid the market wage, or a bit less, but it is not allowed any share in the residual "profits," nor any voice in the conduct of industry. The savings are distributed in the proportion to which the members have actually used the store. Use and not investment is made the basis of division, and business becomes an enterprise to benefit those who purchase the commodities and to meet mutual needs.

The societies have not stopped with the mere retailing of groceries. Many of them also deal in clothing, furniture, house furnishings, and other articles. They have, however, not merely broadened their retail distribution but have reached backwards to control their sources of supply. In virtually all countries they have federated to form wholesale societies, fundamentally similar in structure and principle to the retail bodies, save that societies and not individuals are the membership units. Their wholesales, in addition to supplying their members with the major portion of what they sell, (in England approximately five-eighths) have also embarked upon a series of large-scale enterprises. Thus the English C. W. S. did a banking business in 1919 whose total deposits and withdrawals amounted to approximately three and one-quarter billions of dollars, and from its various insurance activities had an aggregate annual income of slightly more than ten millions of dollars more. The wholesales have in turn reached back still farther and have gone into manufacturing. About thirty per cent of the sales of the English C. W. S. are goods manufactured in their factories. They have also purchased agricultural land, and own tea plantations in Ceylon and wheat fields in Canada. All these factories and productive enterprises are managed by the wholesales and not by the immediate workers concerned. The capital to finance these extraordinary developments has come in the main from the reinvested savings effected by the cooperative stores, which

in England have in the past aggregated between ten and thirteen per cent on purchases. The movement has thus virtually financed itself and its savings have been cumulative.

These savings have been effected from a number of causes. In the first place, with a loyal membership, the competitive expenses of advertising and window-dressing are eliminated. Secondly, the assurance of a steady market enables the needs and the consequent purchase to be previsioned accurately with a consequent minimization of spoiled and left-over products. Finally, the members of the store frequently perform a variety of unpaid service for which commercial establishments would have to pay, while its salaried officials give their services for a much lower sum than competing private firms have to pay. Thus William Maxwell, for many years the able president of the Scottish Wholesale, received only $1,500 a year, and J. W. T. Mitchell, the extraordinary chairman of the English C. W. S., approximately the same. Even today the managing directors of the C. W. S. doing a business of over half a billion dollars are paid only $4250. Indeed, one of the great contributions which the cooperative movement has made has been the training of the working class in business methods.

This great movement which has grown so silently and so soundly, differs from Marxian Socialism, in two main respects; first, it springs from a desire to prevent the exploitation of the consumer by the market system while socialism centers its attention upon the exploitation of the producer by the owner of capital with the attendant absorption of surplus value by the capitalistic class. Secondly, cooperation purposes the building up by slow and peaceful methods of new socially owned capital while Marxian socialism aims at the confiscation of capital that has already been accumulated.

This movement which has been called "a state within the state" presents extremely interesting problems of organization and of ultimate potentialities. The original Rochdale Pioneers took turns in tending the store. As business increased, they found it necessary to hire a full-time manager with an unpaid board to supervise his work. With the growth of the movement and the development of some societies, such as those of London, Leeds, Hamburg, and Vienna, to a membership of a hundred thousand or more, a full-time executive committee became nec-

essary for the wholesale, and for the larger retail societies as well and with this the difficulties of democratic management have multiplied. A preponderating majority of the members seem lethargic and primarily interested in the size of the dividend since 95 per cent do not ordinarily vote or attend business meetings. It has been attempted to meet this situation by holding a series of divisional meetings in which votes would be taken upon identical resolutions and by the establishment of local units to work with the various branches of the society. Perhaps the most interesting development has been the evolution in Leeds of an elected representative assembly, standing midway between the electorate and the executive officials and determining major policies for and exercising supervision over the latter.

A pressing question of tactics is that of the proper relationship between the cooperatives and the trade-union movement on the one hand and the socialist parties on the other. In Belgium, and to a large degree in France, the cooperatives are but adjuncts to the socialist movement while in England, the cooperative movement has always been a distinct entity. Where the socialist and cooperative movements are closely interwoven, the tendency seems to be for the anti-socialists and the Catholics to form separate cooperatives and thus to divide the cooperative movement itself. On the other hand, the British movement is moving away from its policy of complete isolation. Its sympathy towards the union movement has been tangibly evidenced by the assistance it rendered during the Dublin dockers' strike of 1914 and the railroad strike of 1920, while the difficulties which government forced upon it during the war, led to a distinct movement towards political action in cooperation with the labor party.

A third problem is that of the method of distributing the collective savings. As has been mentioned, the predominant principle followed has been that of the Rochdale Pioneers namely—after a small deduction for education—to the buyers according to the amount of their purchases. These savings thus again finally become private property. In Belgium, on the contrary, a large part of the savings are not distributed to individuals but are used for communal purposes such as free medical service, free bread and groceries during illness, at

childbirth, and during unemployment, as well as for socialistic propaganda.

There can be no doubt that the system of returning the savings to individual members in money has supplied that incentive of self-interest which has attracted the rank and file to the movement and by harmonizing it with the self-interest of others has ensured its success. Were all the savings to be taken for communal purposes, this mighty force would cease to function and cooperation in consequence might well fail. It is probable however that a considerable extension of communal services to provide for emergencies in the lives of their members would not weaken the vitality of the movement.

A question, which the cooperatives have come increasingly to ask themselves is that of the ultimate scope of cooperation. This involves not only an evaluation of consumers' cooperation in comparison with private enterprise, but with collectivism and with producers' control as well. As Professor Gide says there seems to be no good reason why the cooperative societies should not care to take over the purveyance of the major proportion of "clothing, housing, furniture, ornaments, books, and even medicine" although the private trader will probably supply those demands that are of "an individual, temporary, or fanciful character." In a word private stores will supply luxuries and fashions, while the cooperative stores will supply goods which are "general, homogeneous and permanent." The lessening of the inequalities of income with the attendant decrease in the numbers of both the extremely poor and the extremely wealthy, those two extremes which at present lie outside the appeal of cooperation, would inevitably cause a larger percentage of the population to purchase through the cooperatives. Recreation, adult education, and the publication of newspapers would also seem to be fit subjects for cooperative enterprise—particularly in view of the tendency of private profit-makers to deteriorate the quality of their services.

But what about such services as paving, lighting, water, and juvenile education? Despite the claims of some zealous cooperators, it seems preferable for the state to assume these functions because it is essential that all should enjoy these services and pay for them in proportion to their ability. Since the consumers' cooperatives are voluntary bodies, were they in con-

trol of educational matters, parents would not be compelled to send their children to school and in consequence many would refuse, particularly if education were to be sold, like groceries, at market price, and not furnished free. Since the state has compulsory powers, and may function as an obligatory association of consumers, it can compel the attendance of children. Furthermore some services such as paving and street lighting would serve not only those who contributed under a voluntary system but those who did not as well. Under such circumstances, compulsory contributions to the support of the common services would not be long in coming and with it of course the replacement of voluntary by obligatory cooperation. Moreover, as the Webbs point out, the direct consumers of some services such as the street-railway, the telegraph, and the post, would be unwieldy bodies and unable adequately to control the policies and administration of these enterprises, and are more adapted to state enterprise.

The problem of the proper position of the cooperative employees is no less pressing. In the past, the policy has generally been to place restrictions upon their powers of voting and of holding elected office. Control has been most distinctly in the hands of the consumers and their representatives. The employees have generally been given slightly better conditions and wages than in competing concerns, but the consumers have not shown themselves conspicuously good employers. Within the last few years, an aggressive union of some 90,000 of the 200,000 cooperative employees has arisen in England. By carrying on agitation within the ranks of the cooperative societies themselves and by the ready use of the strike, they have succeeded in raising wages appreciably above the subsistence level and much in excess of those prevailing in other shops. Hours also have been reduced to a much lower point than in other retail stores. Along with this, however, the union of cooperative employees demanded "joint control" of the whole movement, whereby employees and consumers would jointly share the management and presumably the profits. The retail stores bargain collectively with this union but have not, of course, granted any control to the workers as such. There is an increasing tendency, however, to remove some of the disabilities concerning voting and holding office which have been imposed upon employees who are also members.

The English wholesale, while granting the union scale of wages, refuses to deal with this particular union.

It is apparent that the cooperative societies must recognize in the future their employees more fully. Merely to pay the prevailing rates or a bit more will probably not be sufficient to meet the dissatisfaction of the workers. Some form of works committees, whereby the employees might make suggestions and offer criticisms and by the possibility of striking win the privilege of being considered, seems essential. It also seems probable that there is room for a judicious extension of the principle of sharing a portion of the collective savings with the employees, which was followed by the Scottish Wholesale for a number of years.

It seems improbable that so far as the distributive end is concerned consumers' control will be shaken. The more philosophical of the cooperators however demand that production and not merely distribution shall be in their hands. As they say,[1] "The real reason why the control of industry, as regards the owning and managing of factories, should be in the hands of the consumers, is because they are ultimately the whole community, and they work for the interest of all." In the words of the Webbs[2] "Man does not live in order that he may work. He works merely in order that he may live—The price that he is called upon to pay for the privilege of living in society must be determined not by what the producer chooses, but by what the consumers desire. It is accordingly for the community of consumers and citizens, not for any producer or association of producers, to decide (though not to the exclusion of conference and discussion with the producers) what shall be produced and where and when; in what kinds, what quantities and what qualities,—by what process and at what price." Consumption, in other words, is the larger part of life and as such should be dominant. It is not at all clear however how far the consumers will be able to integrate production. Certainly not in agriculture, where individual operation seems firmly intrenched, and on the whole to be the most efficient method of operation. Probably the purely technical difficulties will increase appreciably the farther back in the process of

[1] *Cooperative Wholesale Societies Annual 1902*, p. 337. Quoted in Catherine Webb, *Industrial Cooperation*, p. 125.

[2] S. and B. Webb, *The Consumers' Cooperative Movement*, p. 479-482.

integration that the movement proceeds. At the same time, the control of the ultimate methods of distribution by the consumers will give them a weapon by which they can prevent the producing groups from exploiting them.

The battle between the producers and consumers for the control of manufacturing is likely to be fought out according to the comparative efficiency of the two systems. The Webbs, pointing to the long series of failures of producers' cooperatives, are confident of the result. "In the practical administration of its own industry," they declare [1] "every democracy of producers exercising power over the conditions of its own work is by the very nature of its membership perpetually tempted to seek to maintain existing processes unchanged, to discourage innovations that would introduce new kinds of labor and to develop vested interests against other sections of workers. No self-governing workshop, no professional association, no cooperative society, and no local authority has yet made its administration successful on the line of letting the subordinate employees elect or dismiss the executive officers and managers whose direction their particular groups of employees have in their work to obey."

Finally, the cooperators look forward to the day when the major portion of the international exchange of commodities is made between the various national cooperatives with savings shared with the foreign purchasers just as with the domestic, thus transforming the "whole civilized world" into "one vast complicated network of associations of consumers, starting from different centers, penetrating continents, and traversing oceans, without exploiting for private profit either the faculties or the needs of any section of the human race." [2]

VII. Agrarian Distributivism

Hitherto we have been speaking of the political and social theories of the industrial proletariat. But there is of course a rural proletariat as well. Although the French Revolution and the reforms of Stein had abolished serfdom in France and in Germany, it continued in the remainder of Europe well beyond the middle of the 19th century and in certain countries, no-

[1] S. and B. Webb, *The Consumers' Cooperative Movement*, p. 466-468.
[2] *Ibid.*, p. 442.

tably in Bosnia and Herzogovina, existed even at the outbreak of the Great War. Even in those countries which had nominally freed their serfs, only a small section of the land was typically given to them and the bulk continued to be held by the relatively small class of landed nobility.[1] The land allotted to the peasants was in the main insufficient to maintain them, particularly with the increase of their numbers, and they were forced either to work as laborers or as tenants on the estates of the nobles, or to emigrate to the cities and to the new world.

Under such circumstances, a universal hunger for the independent ownership of the land developed among them, openly manifested in Ireland and Mexico and smoldering in Central and Eastern Europe. But while the Danish peasants were winning over large sections of the land by political action, and while a somewhat similar process was proceeding more slowly in Ireland and in Russia, during the years preceding the Great War, the peasants of the remainder of Europe were on the whole losing ground economically.

With the war and the blockade, the strategic importance of their position as food-producers won greater power for them and with the defeat of the feudal autocracies, first of Russia and then of Austria-Hungary and Germany, the peasants came into their own. In Russia, the demand of the peasants for the land gave fuel to the Bolshevik revolution and although the edicts of the Soviet government have nominally only "socialized" the land, in reality the large holdings have been redistributed among the peasants, who regard occupation as synonymous with ownership. In the cluster of states that have sprung up out of the ruin of the old central empires, as well as in the Baltic states of Latvia, Esthonia, and Lithuania, and in the Balkan states of Roumania and Bulgaria, peasant democracies have arisen, which have not merely contented themselves with achieving political equality but which have used their political control to redistribute the land.[1] This was made easier because of the fact that the feudal landlords in many of these countries

[1] Thus in Roumania prior to the War, only a little over one-half of one per cent of the land-owners owned 49 per cent of all the arable land and a larger percentage of the forests and pastures. The middle class of landholders was comparatively unimportant.

[1] Hungary is unique in not generally redistributing the large estates. Since this was written the revolution in Bulgaria has overthrown the peasant government there and presumably will at least delay the redistribution of the large estates in that country.

had been primarily either Germans or Austrians whose military power had been crushed by the war.

The precise nature of these land redistribution laws differs from state to state but in general they limit the maximum number of acres to be held by one family at from 75 acres as in Bulgaria to approximately 1100 acres as in Roumania. Complete confiscation without indemnity has been practiced only in Russia but in the remaining states where compensation is paid, it is generally fixed by one means or another at less than the existing market value. Financial assistance in purchasing the land has also been furnished to the peasants by the governments. The expropriated lands are redistributed among the peasants by governmental committees, according to priority of application, size of family, agricultural ability, etc. Thus agricultural Europe is rapidly being transformed into a continent of small peasant proprietors—a transformation which may indeed be the most significant economic result of the war and which marks the completion of the economic processes started by the French Revolution.

The result of this agrarian revolution has therefore been to distribute private property in land much more widely but not to socialize it. The peasant doggedly opposes any proposal from the socialists of the industrial centers, to combine the expropriated lands into large communal holdings to be farmed by gangs working under modern methods of production. He prefers to be master of his own strip of soil rather than to be a communal laborer upon a socialized estate.

What accounts for the fundamental difference in attitude towards concentrated private property on the part of the agricultural and the industrial workers, which makes the former a distributivist and the latter predominantly a socialist? This is primarily the difference between the divisibility of land and of modern industry. While it is as impossible to divide a steel mill into a thousand parts as it was to divide Solomon's child, an agricultural estate can be so divided. Because of the organic character of modern industry, the city workers, in order to obtain security and approximate equality of power and income feel that they must own industry in common. This is not necessary in agriculture. Indeed the craving for property and for safety is satisfied more fully by having one's property under

one's feet than by being a member of a great community which owns and farms the soil. The future in agriculture therefore seems to belong to distributivism and not to socialism.[1] Yet despite the arguments of such distributivists as Hilaire Belloc, it is in the nature of the case, most unlikely that the industrial workers can ever be won over to a similar philosophy, unless indeed the development of electrical power decentralizes industry and makes the small manufacturing unit once more predominant.

Some of the economic consequences resulting from this widespread creation of small holdings may be briefly mentioned. Thus far, the total production per acre has apparently decreased appreciably and food exports from the Danubian basin have fallen to a fraction of their former figure. Due to the elimination of the landlords' toll, however, the peasant is better fed than before. With the decline in the trade between city and country, a revival of village handicrafts has necessarily taken place and with it a return to greater local self-sufficiency. How permanent this will be depends of course upon the rate of recovery of the industrial centers.

This wide extension of private property may be tempered and sweetened by a wide development of cooperation. Thus in Denmark cooperative creameries, slaughter-houses, and other agencies have helped the small holders to market their products more effectively and to improve the quality of their live stock. It has been the magic of cooperation, which, to paraphrase Arthur Young's comment on private property, has turned the sands of Denmark into gold. Naturally, little organized cooperation, save of the simple type of mutual assistance, is possible in central and eastern Europe until the peasants again begin to produce for a more distant market. Once that occurs, we may expect them, as the farmers of Western Canada and of certain sections of the United States, probably to combine together cooperatively to market their products.[2] Moreover,

[1] It is one of the paradoxes of history that the reluctance of the Hungarian communists in 1919 to divide the large landed estates among the peasants, because of their belief that these estates should be owned and farmed by the state, enabled the feudal aristocracy to retain their economic power and within a few months to overthrow the communist government of Bela Kun.

[2] The principles of cooperative marketing are in the main those of an inverted Rochdale system: *i.e.*, with producers sharing the differences between the price paid by the purchaser and that advanced to the producers according to the relative amount marketed.

they may also combine as in Denmark to purchase many of the articles they buy, including fertilizer, seed, and machinery, as well as consumers' goods. The individualism of agriculture may therefore come to be much more humane, in character than that of capitalistic industrialism. Finally, the removal of the large land holders and the rough equalization of landed property will, as Harrington pointed out in his *Oceana*, alone make possible a permanent political democracy while the disappearance of the Junker landed nobility will draw one of the roots of war.

VIII. The Single Tax

While not the originator of the doctrine known as the Single Tax,[1] Henry George is the person who has given it vogue by his remarkable book, *Progress and Poverty*, and may therefore be regarded for practical purposes as the modern creator of this movement. To the single taxers, it is not interest but rent that constitutes unearned income and which should accordingly be socialized.

In common with most land reformers, George starts from the assumption, based on natural rights, that the land is the common property of mankind. He draws a distinction between the things that are the product of labor and those that are the free offerings of nature and says of the latter.[2] "If we are all here by the equal permission of the Creator, we are all here with an equal title to the enjoyment of his bounty—with an equal right to the use of all that nature so impartially offers. This is a right which is natural and inalienable; it is a right which vests in every human being as he enters the world and which during his continuance in the world can be limited only by the equal rights of others. There is in nature no such thing as fee simple in land. If all existing men were to unite to grant away their equal rights, they could not grant away the rights of those who were to follow them. For what are we but tenants for a day. Have we made the earth, that we should determine the rights of those who after us shall tenant it in

[1] Thomas Spence in 1775 advocated the confiscation of rent and the establishment of the mass of mankind upon small farms organized into federated parishes. See his *The Real Rights of Man*. Two other contemporary land reformers who did not go as far as Spence are William Ogilvie, *The Right of Property in Land*, and Thomas Paine, *Agrarian Justice*. All of these essays, edited by M. Beer, have been printed in one volume, *Pioneers of Land Reform*, by A. A. Knopf.

[2] Henry George, *Progress and Poverty*, pp. 337-38.

their turn? The Almighty, who created the earth for man and man for the earth, has entailed it upon the constitution of all things—a decree which no human action can bar and no prescription deny. Let the parchments be ever so many, or possession ever so long, natural justice can recognize no right in one man to the possession and enjoyment of land that is not equally the right of all his fellows." George thus refers not to improvements in the soil, such as buildings, nor to improvements in the soil, such as fertilizer, drainage, etc., but to approximately what Ricardo meant by the "original and indestructible powers of the soil," plus, of course, the advantages of situation. When he speaks of rent and the value of land, he is therefore speaking of the return upon "bare" land values, exclusive of any improvements made by man.

But since men have violated this natural law and have established private property in land, as population increases, the disinherited must pay the owners for the privilege of working upon the land. The latter thus receive an income from the mere fact of owning and not by their own exertions. George, moreover, goes on to point out explicitly the consequences of the Ricardian law of rent. The increase of population forces men to cultivate the poorer soils and to cultivate the better more intensively. The physical yield for each unit of added effort consequently goes down. All of the units of a given product however sell at the same price, which is determined by the quantity of labor necessary to produce a given unit on the poorest land. The landless tenants will naturally therefore be willing to bid for the privilege of using the better lands, where the costs are lower but where the selling price of a given unit is the same. By competition between tenants, the landlords are therefore able to secure as the price of renting their land the difference between the cost of production on the poorest land cultivated, where the tenant will receive just enough to pay for his labor and capital and consequently will pay nothing for rent, and the lower costs on the better lands used. As population grows and still poorer lands are resorted to, the difference between the better and poorest lands becomes even more accentuated and with it an ever growing proportion of the fruits of the labor go to the landlord.[1] But what if the landowner were

[1] According to Ricardo the landlord gains in two ways: (1) he receives more bushels of wheat, (2) the price of each bushel and hence its relative value in terms of other goods has increased.

originally and continues to be the actual cultivator? His crop now is no larger than it was before. Can he be said to have prospered? Here it should be noted, although George does not clearly develop the point, that each bushel will have a higher price than before since more labor is required on the poorest land now cultivated to produce an equal amount than before it was necessary to have recourse to this land. The farmer will therefore be able to buy more of other products than formerly. Moreover, the difference between the yield of his land in terms of dollars and the poorest land is attributable not to his labor but to the land. The value of the land will therefore go up correspondingly and it will become possible for him to retire and live upon its rental. Nor is an increase in population the only way by which this enhancement of rent will occur. Any improvement in the arts, according to George, has the same effect. By enabling a smaller number of workers to produce the same amount as before, it releases the residue to produce more either of the same commodities or of others to meet the insatiable needs of man. A heavier strain is imposed upon the soil and the margin of cultivation is still further lowered with a consequent increase of rent.

As rent goes up, interest and wages must necessarily go down. When only the best land was cultivated, the laborer and the investor alone received the full yield of the earth but as the share of rent advances, those of the others must necessarily recede. Progress under the private ownership of land is therefore accompanied by poverty.

The way in which a man may get ahead in life is, therefore, primarily to buy land and if one does so, as George graphically states, "you need do nothing more. You may sit down and smoke your pipe; you may lie around like the lazzaroni of Naples or the leperos of Mexico, you may go up in a balloon or down in a hole in the ground, and without doing one stroke of work, without adding one iota to the wealth of the community, in ten years you will be rich! In the new city, you may have a luxurious mansion, but among its public buildings will be an almshouse."

The remedy is simple. Since rent was a social creation, society and not individuals should receive it. One way of doing this had already been suggested by Herbert Spencer—namely,

that the state should take over the ownership of the land and then as the universal landlord should lease sections to the highest bidders. George rejected this remedy because of the shock to present customs and habits of thoughts. Instead he proposed that the land should nominally be left in private hands but that the state should take all the rent through the processes of taxation, save a small percentage left to the land "owner" to facilitate the collection.

With the usual enthusiasm of a prophet, George believed that the social appropriation of rent by taxation would solve all social problems and that it was "the simple yet sovereign remedy, which will raise wages, increase the earnings of capital, extirpate pauperism, abolish poverty, give remunerative employment to whoever wishes it, afford free scope to human powers, lessen crime, elevate morals and taste and intelligence, purify government and carry civilization to yet nobler heights."[1] Since the seizure of rent would effect all these reforms, other measures were needless; as were indeed other forms of taxation. Because of his belief that he had discovered a panacea, George somewhat unfortunately summarized his proposal in a sentence as a measure "to abolish all taxation save that upon land value."[2]

But what if the amount of rent is more than sufficient to meet the expenses of government, as George believed it would be in the better developed countries? Should this surplus be left in the hands of the land "owners" or should the government increase its expenditures so as to absorb it? George was unhesitatingly in favor of the latter method, declaring for the commensurate increase of taxation and for the continuation of "this increase as society progresses and rent advances."[3] To spend this would necessarily entail an extension of the functions of the state. While George believed that the repressive functions of government, such as that of policing, collecting taxes, administering the criminal law and so forth would, because of the improvement of social life which would necessarily result from the abolition of the private reception of rent,

[1] *Progress and Poverty*, p. 404.
[2] *Ibid.*, p. 404.
[3] *Ibid.*, p. 404. T. G. Shearman and C. B. Fillebrown have been the only prominent followers of George who have proposed to limit the amount of rent taken by the state to the present exigencies of government.

be greatly reduced, the more creative functions of government would be increased. "The revenue arising from the common property could be applied to the common benefit. One could establish public baths, museums, libraries, gardens, lecture rooms, music and drawing halls, theaters, universities, technical schools, shooting-galleries, play-grounds, gymnasiums, etc. Heat, light, and motive power, as well as water, might be conducted through our streets at public expense; our roads be lined with fruit trees; discoverers and inventors rewarded, scientific investigations supported; and in a thousand ways the public revenues be made to foster efforts for the public benefit. We should reach the ideal of the socialist, but not through governmental repression. Government would change its character and would become the administration of a great cooperative society. It would become merely the agency by which the common property was administered for the common benefit." [1]

Believing as he did that the private ownership of land was a violation of the natural law, George recognized no claim of the present landholders to compensation. John Stuart Mill in his *Principles of Political Economy* had proposed to take only the future increments of rent and to recognize the existing rent and market value of land, on the ground that society had allowed the proprietors to own land and many to purchase it with the full expectation that they would be able to enjoy the rental.[2] George repudiated this as a measure which "while not adding to the injustice of the present distribution of wealth would not remedy it." [3] It would keep in private hands all the socially created value of the past and would validate all the previous "robbing" of the community by the landowners. As for the innocent recent purchaser of land, he should be treated no differently than he is at present, if it is discovered that his title is not legal. The granting to the owners of title to the existing land value would, moreover, not merely recognize past wrongs, but since the price of land is also composed of the capitalized expected future increases in rent, it would also mean recognizing the right of the landowners to the fruits of future robbery.

[1] *Progress and Poverty*, p. 454.
[2] Mill, *Principles of Political Economy*. (Ashley edit.), pp. 817-819.
[3] *Progress and Poverty*, p. 359.

The influence of *Progress and Poverty* was extraordinary. It almost immediately leaped into a wide circulation, hundreds of thousands of copies being printed during the early years of the 80's and the sale continuing until by 1905 it was estimated that nearly two million copies had been sold in various countries. Henry George himself by the magnetism of his personality and by his great effectiveness as a lecturer spread the gospel extensively. His lecture tour in England and Ireland aroused widespread interest in the land problem and in addition to stirring the general social ferment of the times, he stimulated Sydney Webb and Bernard Shaw to work out the Fabian doctrine of the socialization of rent.[1] Modified forms of the single-tax principle have been introduced of late years in German cities and in Western Canada and two single tax communities have been established.

Yet, for all this, the single tax cannot be said to have permeated the labor movement in any thorough fashion. To the average workman, the tribute levied by the landlord seems much more indirect and remote than the daily conflict of interest which he sees at his work between himself and his employer and the profit which he fancies is continually being accumulated from his toil. It is not easy to convince him, as George attempted to do, that his real enemy is the landlord whom he may seldom or never meet and to whom he makes only infrequent payments and not the capitalist for whom he works every day. It is for that reason that he is much more disposed to believe that interest and profit are indeed as the Marxians insist but "surplus-value" filched from his toil, than to accept these sources of income as earned, as George would hold, and to regard the recipients of rent as the only group who are levying toll upon his labor. It is no accident therefore that the single-tax finds its most ardent supporters among middle-class professional people.

It is clearly beyond our scope to enter here into any detailed evaluation of George's theory beyond briefly touching upon a few of the main considerations. In the first place, it is unfortunate that so much of the discussion between the single-taxers

[1] Mr. Ernest Barker, with the insularity which is not absent from many English writers, says of the Fabians that Mill "was their starting point." *Political Thought from Herbert Spencer to Today*, p. 213. Bernard Shaw's Memorandum in Pease-*History of the Fabian Society*, pp. 256-265, shows the greater influence of Henry George.

and their opponents has centered upon the singleness of the tax. Students of finance have had no difficulty in showing the inadvisability of the exclusive adoption of any one tax and the necessity for a widely varied system of taxation. All too often, however, they have then seemed to assume that they have demolished the proposal of Henry George. The doctrinaire fanatacism of many single-taxers in advancing the confiscation of rent as the cure-all for society's ills has naturally encouraged this attitude. But all this is merely an intellectual side-engagement; it does not grapple with the essential question as to whether the "rent" of bare land is not a social creation and whether it should not be appropriated by the state. Thus stated, no economist who really understands the laws of rent and who is not blinded by class prejudice can refuse to admit the justice of at least taking such future increases in "rent" as may occur or as large a fraction of them as may be possible for society to secure. Some idea of what this unearned increment has been in the past may be obtained by studying the movement of land values. Thus Manhattan Island was purchased in 1620 from the Indians for trinkets worth not more than twenty dollars, while in 1915 the value of the land itself exclusive of buildings was approximately 4.6 billions of dollars. In 1820, the land now covered by the city of Chicago was worth only a few hundred dollars while today it also is worth several billions. In the twenty years from 1887 to 1907, the value of land in Boston increased from 322 to 653 millions. A square mile in what is now the heart of Portland, Oregon, was sold for a harness in 1842, and eighty years afterward was worth tens of millions of dollars. The increase of over 100 per cent in the land values of the United States between 1900 and 1910 is a further witness of the almost automatic increase of rents.

Yet one should not hastily conclude that all these sums are entirely "unearned increments." Part is accounted for by improvements in the soil, part of the land paid relatively heavy taxes while lying idle and earning no income, and a considerable portion of the remainder may have been necessary to induce early settlers to endure the hardships of pioneer life. Yet after all these deductions are made, it seems indubitable that the remainder is considerable and that in the long run it is destined greatly to increase.

The confiscation of the existing land-values, in so far as they are based upon present and not future rentals, does not, however, seem thoroughly equitable. The rights of vested interests are not of course the supreme standard by which to test social policy, but the existing owners of land are entitled to some protection in the claims to which society has hitherto given its approval. On the whole, Mill seems to have been more nearly correct upon this point than George.

There are a number of difficulties, however, which the taking over of rent by the state would create, which are worthy of at least brief mention. It would be difficult, particularly in the agricultural regions, to separate increases in value due to improvements in the soil and those caused by the enhancement of the value of the "bare" land. For this reason, it seems probable that it will be much easier to adopt such a policy in the cities than in the country.

A further difficulty is created because of the fact that if the title to the land is left in individual hands, as George urged, while all the rent is taken by the state, the landlord will have no inducement to make any charge for his land and consequently it will be difficult, if not impossible to estimate either the value of the land or the annual net income derived from the soil. To avoid this danger, George proposed to leave a small percent of the rent in the hands of the proprietors. As to how much this should be, George declared in 1887 that that was "a point as to which I am not and never have been clear."[1] On the whole, however, he considered it would be quite small, since as he said his plan would "take about the whole of economic rent." A final difficulty which any such system would present would be that of determining what political bodies were entitled to the unearned increment. It is, of course, in the cities that rentals multiply most rapidly, yet is each city the only creator of its land values? Thus the growth of New York was in large part caused by the shipment of agricultural products and later of manufactured goods from the more central districts of the country. These regions have contributed to the growth of New York and hence to the increase in the land values of the city. Would they not be entitled to a share in the rent were

[1] Henry George, *The Standard*, August 17, 1889, p. 2, quoted in Young, *The Single Tax Movement in the United States*, p. 263.

it socially appropriated; but if so, how much, and how could the shares of the various governmental units be allocated?

Finally, the single-taxers certainly err in thinking that rent in the sense of a surplus resulting from price, but not a cost necessary to meet in order to secure production, is confined only to land. There are many groups of savers who would continue to save without abatement at a rate lower than that of the market; and there are rents upon personal ability as well. The unearned increment may attach itself to a variety of objects aside from land and while this is not, as some have supposed it to be, an argument against applying such a tax to land, it is a reason why we should not be content with stopping there.

IX. Bolshevism

Bolshevism, or the modern form of the communistic philosophy, springs from the despair of conquering political power by peaceful means and advocates instead the seizure of the state by revolution and its subsequent employment as an agency to crush the remnants of capitalism.

Like the syndicalists, the Bolshevists emphasize the hopelessness of attempting to gain control of the state by political action. Not only is the middle class a strong barrier, but the working class itself is not and cannot be expected to become as a whole class conscious. Some workers, such as those engaged in the luxury trades, are directly attached to the capitalists, while other large groups are lethargic and without interest. The state moreover represses genuine movements of the workers by the use of the military and the police and imposes upon the workers capitalistic laws interpreted by capitalist judges. Many other restrictions are imposed to prevent political action on the part of the proletariat. Thus Lenin in his *The State and Revolution* says,[1]

"If we look more closely into the mechanism of capitalist democracy, everywhere,—in the so-called 'petty' details of the suffrage (the residential qualification, the exclusion of women, etc.), in the technique of the representative institutions, in the actual obstacles to the right of meeting (public buildings are not for the poor), in the purely capitalist organization of the daily press—on all sides, we shall see restrictions upon restrictions of Democracy. . . . In their sum, these restrictions exclude the poor from politics and from an active share in democracy. Marx

[1] Lenin, *The State and Revolution*, pp. 89-90.

splendidly grasped the essence of capitalist democracy when he said that the oppressed are allowed, once every few years, to decide which particular representatives of the oppressing class are to represent and repress them in Parliament."

But capitalist domination does not stop here. The capitalists, through their economic power and through their control of the state, are able almost exclusively to monopolize the sources of propaganda and to keep the workman, in opposition to his economic interests, an upholder of capitalism. The most widely used communist text-book says of this,[1]

"Among the means of spiritual subjugation at the disposal of the capitalist state, three deserve especial mention; the State school: the State church: and the State, or State-supported, press. The bourgeoisie is well aware that it cannot control the working masses by the use of force alone. It is necessary that the workers' brains should be completely enmeshed as if in a spider's web. The capitalist state maintains specialists to stupefy and subdue the proletariat: it maintains bourgeois teachers and professors, the clergy, bourgeois authors and journalists: In this manner the capitalistic system ensures its own development."

Finally, even if the workers should win at the polls, although this is virtually impossible, the capitalists would not turn the government over to them.

The self-conscious proletarians therefore should by force seize the state, which Lenin defines[2] as "the organization of violence for the purpose of holding down some class" and use it as the weapon with which to break by force the resistance of the capitalist class. The bourgeoisie will not vanish immediately with the advent of a proletarian revolution, they cannot be dispossessed of their property for some time, and both before and after that they will be anxious to overthrow the proletarian régime. "The toilers need the state," says Lenin,[3] "only to overcome the resistance of the exploiters, and only the proletariat can guide this suppression and bring it to fulfillment."

Buharin, the programme maker of the Bolshevists, states the objectives as follows,[4]

"How is the communist order to be instituted? Through the dictatorship of the proletarist. Dictatorship means a power of iron, a power

[1] N. Buharin and E. Preobrazhensky, *The A. B. C. of Communism*, p. 44.
[2] Lenin, *The State and Revolution*, p. 27.
[3] *Ibid.*, p. 27.
[4] N. Buharin, *Program of the World Revolution* (Glasgow, Socialist Press), p. 21.

that shows no mercy to its foes. The dictatorship of the working class means the governing power of the working class, which is to stifle the bourgeoisie and the land owners—We, communists, want a worker's government which we must have provisionally until the working class has completely defeated its opponents, thoroughly drilled the whole of the bourgeoisie, knocked the conceit out of it, and deprived it of the last shred of hope ever to rise again to power."

The proletarian dictatorship is to enforce its rule by the following methods. First, all attached to the capitalistic class are debarred either from voting or holding office. Thus in Russia, the following classes are disfranchised: (1) persons employing hired labor for profit. This would of course exclude the small as well as the large employer, (2) persons living on unearned income, (3) private merchants, (4) the clergy, (5) ex-police-agents. In practise the dictatorship of the proletariat has virtually become the dictatorship of the Communist Party. Thus the second congress of the Third (Communist) International declared that the working class, composed as it was of special groups, could not be expected to represent the real class interests of the workers. The communist party by the process of natural selection was composed of the "most class-conscious revolutionary part of the proletariat" and its decisions were consequently always right even when the great mass of the working class were opposed to them. It seems undeniable that in practise the Bolshevists have limited the rights and opportunities of other political parties within the proletariat and have monopolized power for the Communist Party.[1]

In the second place, the Communist leaders urge the unqualified use of force to check anyone who seeks to restore capitalism. Trotsky in the *Defense of Terrorism* writes[2] "the problem of revolution, as of war, consists in breaking the will of the foe" and declares[3] that there is in history "no other way of breaking the class will of the enemy except the systematic use of violence." Nor is imprisonment a sufficient punishment for[4] "in a revolutionary period, the party which has been thrown from power cannot be terrorized by the threat of imprisonment, as it does not believe in its duration. It is just this simple but decisive fact that explains the wide-spread re-

[1] For instances, see *Report of the Committee to Collect Information on Russia* (1921), Cmd. 1240, pp. 33-38.
[2] Trotsky, *The Defense of Terrorism*, p. 51.
[3] *Ibid.*, p. 52. [4] *Ibid.*, p. 55.

course to shooting in a civil war." To the critics of such a policy, Trotsky replies,[1] "The state terror of a revolutionary can be condemned 'morally' only by a man who, as a principle, rejects every form of violence whatsoever—consequently every war and every rising." And if asked how these methods differ from those of the Czarist Government, his rejoinder is[2] "the terror of Czarism was directed against the proletariat. Our extraordinary commissions shoot the landlords, capitalists, and generals who are striving to restore the capitalist order. Do you grasp this distinction? . . . For us communists it is quite sufficient." In justice to the Bolshevists, however, it should be recognized that in practise the most violent exercise of the "Red Terror" has been at those times when their government was menaced by military attacks fomented by the allied powers and that their opponents, the "whites," have frequently exceeded them in ferocity.

Thirdly, the former capitalists would be disciplined by being assigned to manual labor and by being rationed. Lenin in his brochure *Will the Bolsheviks Maintain Power?*[3] recommends the use of bread cards, and the conscription of all the wealthy to labor as effective means of crushing their passive resistance, "which is undoubtedly far more dangerous and harmful" than their active resistance. The implication that by a decrease of the ration or by the increased severity of the required work, the bourgeoisie could be disciplined, is a hint which has been quite consistently used in practise by the Bolshevist government.

As might be expected, the Bolshevists have little use for either the freedom of the press or of speech. Replying to the criticism of Kautsky, the Socialist opponent of Bolshevism, who had written[4] that the justification of the suppression of the press by the communists "is reduced to the naïve idea that an absolute truth exists and that only communists possess it," Trotsky rejoins that "in Kautsky's eyes, the revolution—when it is a question of the life and death of classes, continues as hitherto to be a literary discussion with the object of establishing truth. What profundity! Our 'truth' of course is not absolute. But

[1] Trotsky, *The Defense of Terrorism*, p. 55.
[2] *Ibid.*, p. 56.
[3] Lenin, *Will the Bolsheviks Maintain Power?* pp. 55-58.
[4] Kautsky, *Terrorism and Communism.*

as in its name we are at the present moment shedding our blood, we have neither cause nor possibility to carry on a literary discussion as to the relativity of truth with those who 'criticise' us with the help of all sorts of arms. Similarly, our problem is to throttle the class lie of the bourgeoisie and to achieve the class truth of the proletariat, irrespective of the fact that in both camps there are fanatics and liars." In other words, while the struggle to establish communism is going on, the communists can neither examine their own premises nor permit others to do so.

Finally, children are to be drilled in communism to render them immune from capitalistic agitation. "Thanks to the schools, the bourgoisie was able to impose upon proletarian children a bourgeois mentality. The task of the new communist schools is to impose upon bourgeois and petty-bourgeois children a proletarian mentality—It is the task of the new school to train up a younger generation whose whole ideology shall be deeply rooted in the soil of the new communist society."[1]

Through such means, the Bolshevists hope to be able in time to abolish all classes, both in reality and in men's aspirations. When that has been achieved but not until then, the state will, in the words of Engels, "wither away." Are then the Bolshevists anarchists in their ultimate aims? Lenin's statement[2] "we do not all disagree with the anarchists on the question of the abolition of the State as a final aim" and that the only difference between the two is that the communists believe that they "must make temporary use of the weapons and methods of the State against exploiters," would indeed lead one to believe that this was so. But the state is only to be abolished in the Leninian sense of "an organization of violence for the purpose of holding down some class. Since all classes will ultimately be merged into one, there is no longer any necessity for the state apparatus of class violence. But Lenin says[3] "We are not Utopians and we do not in the least deny the possibility and inevitability of excesses by individual persons and equally the need to suppress such excesses." He also declares his ultimate belief in the principle anathematized

[1] Bucharin and Preobrazhensky, *The A. B. C. of Communism*, p. 233.
[2] Lenin, *The State and Revolution*, p. 62.
[3] *Ibid.*, p. 93.

by all anarchists—majority rule—by saying[1] "we do not expect the advent of an order of society in which the principle of the submission of the minority to the majority is not observed." Political government with coercive powers over the individual will therefore still be retained even when the Bolshevik paradise has been attained.

To the rigid Marxian, it is of course bewildering that the first country to establish a communistic régime should be Russia, industrially the most retarded country in Europe. According to the Marxian laws of capitalistic development, one would expect England or Germany to be the first to overthrow capitalism instead of Russia, with its relatively small city proletariat. As a matter of fact, however, it was not the slow workings of machine industry which lifted the Bolshevists to power but the catastrophe of a defeated nation in modern warfare. Russia in 1917 was a defeated country, indeed the first defeated country of the war. The March revolution that overthrew the Romanoffs was a movement by a war weary people who felt they had been betrayed. The failure of the succeeding governments to give peace and the general disorganization of the country permitted the compact group of Bolshevists, disciplined and tested by long years of persecution, to seize power and to wield it. It is not indeed the direct operation of machine technology in any country which threatens to involve capitalism in its final "cataclysm" so much as modern warfare, which inevitably, in beaten nations, causes the poor to rise against the powerful, who have not only permitted but have actually directed the war itself.

Another change which the Bolshevists have made in the orthodox Marxian theory is their doctrine that the political state, instead of being a passive agency, which merely follows the distribution of economic power, can be used as a powerful weapon to change of itself the whole basis of property and thus by force to make possible the coming of communism.

As will have been noted, the philosophy of the Bolshevists as regards violence is essentially identical with that of the left-wing syndicalists. The relationship between the proletariat and the capitalists is one of war which should be waged without mercy until the latter as a class are exterminated. What

[1] *Ibid.*, pp. 84-85.

then is to prevent the capitalist from fighting back with similar methods? The Bolshevists would say that the capitalists are already doing this to the extent that it is needed to keep the proletariat in subjection, and that when the battle is brought out into the open the proletariat will win. But this does not necessarily follow unless the bourgeoisie, as has already been pointed out, are badly broken in resources and prestige from an unsuccessful war and if the arms are distributed widely among the people.

The inevitable result of such a campaign of violence and of hate would of course be lamentable. Such a spirit poisons the very political system of Bolshevism itself and tends so to alter the outlook of the participants that humane policy becomes difficult. But it ill-behooves those who are willing to employ the same tactics for other ends to complain of the barbarity of the Bolshevistic methods. Communistic Russia is not the only country in the world to live in glass-houses.

Following Marx's brochure on *The Gotha Program*, the Bolshevists have always advocated ultimately distributing income according to needs. This is to be attained when people [1] "will voluntarily work according to their abilities" and when the narrow horizon [2] "of bourgeois law which compels one to calculate, with the pitilessness of a Shylock, whether one has not worked half an hour more than another, whether one is getting less pay than another"—will be left behind. Pending this consummation, the time of which the Bolshevists refuse to prophesy, the articles of consumption are to be distributed according to the quantity of work performed. During this period there should be [3] "the strictest control, by society and by the state, of the quantity of labor and the quantity of consumption." This must be carried out [4] "not by a government of the bureaucrats, but by a government of the armed workers."

The Bolshevists, upon attaining power, were quite hazy in their mind as to the technique by which industry was to be carried on, whether by workshop units, by each industry itself, or by the state. They were not clear as to the place of the skilled technician and his relation to the manual workers, nor

[1] Lenin, *The State and Revolution*, p. 99.
[2] *Ibid.*, p. 99. [3] *Ibid.*, p. 100. [4] *Ibid.*, p. 100.

of the place of the cooperatives or of private traders, nor of the agricultural system to be adopted.

The policy of the Bolshevists in these matters has been of necessity groping and in large part opportunistic. In general, industry and transportation in Russia have gone through three main stages under Bolshevist control. The first was marked by the seizure of the factories by the workers in the various plants and their management as separate enterprises by the respective workshop committees. This was accompanied by the shooting of many technicians and the expulsion of others who were suspected of sabotage. The Bolshevists attempted to introduce order into the situation by nationalizing the ownership of industry and by the end of 1920 had applied this virtually to all industries. At the head of each industry, or group of industries, is a committee of from four to six members who are federated in a Supreme Council of National Economy. There are regional committees and councils, one-third of the members of whom represent the supreme council, one-third the unions, and the remainder the workers in the plants involved. Each factory is in turn managed either by a committee or by a single director. If the former, two-thirds of the members are chosen by the supreme council or the corresponding higher body and the remainder by the workers themselves. If there is only one manager, which has by now come to be almost universally the case, he is appointed by the supreme council, although the workmen may elect his assistant. The decisions of the factory management moreover are subject to repeal and reversal by the agency immediately above.

The control of all large industries is given to the committees of the Supreme Council of local and less important industries to the regions and municipalities. Credit is furnished by the State People's Bank without being subjected to preliminary scrutiny by the state, the latter, however, having the right of subsequent inspection. A great deal of confusion is caused by the fact that the more purely political branch of the government has many departments, such as Industry, Communication, Finance, etc., with virtually identical functions to those of the Supreme Economic Council.

In such a system control radiates from the top. The workmen, it is true, are compelled to belong to trades-unions and

are given some representation in the lower units, but they are in the main forced to labor at the dictates of officials appointed by the state and do not actually control production. In 1920 indeed the principle of labor conscription was adopted, which was defined as meaning[1] "that every workman is obliged to do the work which is assigned to him by the state." It has been because of this rigid control of the workers by the state that some syndicalistic bodies, such as the American Industrial Workers of the World, have come strenuously to oppose Bolshevism.

The third stage in Russian industry was the adoption of the "new economic policy" which permitted private ownership and management in the smaller industries. This, however, has not been taken advantage of in manufacturing to any considerable extent.

In order to stimulate efficiency the Bolshevists have been compelled to introduce differential systems of wage payment. In many cases, standards of output have been established with premiums for output in excess of the standard, in other instances piece-work has been used, and of late labor has been graded on the basis of efficiency into some sixteen classes with graded rewards for each class. The actual experience of Bolshevistic communism thus far has therefore been away from the equality of payment, or payment according to needs, instead of towards it as Lenin had predicted. Private trading was early prohibited and as a substitute, the consumers' cooperatives were nationalized. Membership in these societies was made compulsory upon the part of all, instead of voluntary as before. The cooperatives themselves were placed under the direction of the soviet system, and direction and control from the new central cooperative body was substituted for the previous loose federation of autonomous units. With the introduction of the new economic policy, however, distribution was opened up to private traders, who sprang up in large numbers, and the cooperatives were restored to their former status.

It was the failure of the Kerensky government to satisfy the hunger of the peasants for the estates of the nobles which in large part enabled the Bolshevists to attain power. The early

[1] Statement of People's Commissariat of Labor, April 15, 1920. Quoted in Pasvolsky, *The Economics of Communism*, p. 189.

Bolshevist decrees asserted the principle of the nationalization of the land combined with individual occupancy for those who tilled it. The government took for the state all surpluses of grain above a stated minimum for the peasant. The decrease in production caused by this policy led the Bolshevists to abandon the confiscation of the surplus and to substitute for it a proportionate tax levy. They also tried to develop the idea of communal farming by setting up a number of Soviet estates which were farmed on a large scale under state direction. Autonomous agricultural communes, owning their implements and live-stock collectively, and with the product also shared in common, were encouraged as were agricultural associations, in which individuals owned their tools, etc., but loaned them for the common good. Despite these efforts, individual occupancy and cultivation, tempered by the cooperation which naturally attaches itself to the open field system of strip farming, has become overwhelmingly dominant. These private holdings are equalized in so far as is possible; alienation of the land is prohibited; and a periodical redistribution is made to adjust the holdings to the size of the various families in the locality. Within these limits, however, it has been individualism that has triumphed in Russian agriculture. Paradoxically enough, the final result of the Russian Revolution may be more firmly to cement the mass of the Russian people to private property.

The political units which the Bolshevists have fostered are the soviets, or representative bodies chosen upon an occupational basis. Under this system, men working in the same factory or industry and not men living in the same wards, elect representatives to the town soviets. For the country, the territorial and the occupational units are, of course, virtually identical.

The soviets are a natural outgrowth of modern revolutions. The factories and the regiments, and all those places where the workers must congregate become almost inevitably the cells of the revolutionary movement when it breaks out. The Russian revolution of 1905, and the German revolution of 1918, as well as the Russian revolution of 1917, all manifested themselves through the soviet form. The soviets are, therefore, antecedent to and independent from Bolshevist theory as such. The Bolshevists indeed in the spring and early summer of 1917, opposed the permanent maintenance of the soviets as the primary

political institutions and demanded instead the speedy calling of a constituent assembly based upon territorial units. It was not until the soviets had demonstrated the vitality of their appeal to the popular imagination and the Bolshevists had unexpectedly won the fall elections to the Petrograd and Moscow soviets, that the Bolshevist leaders reversed their position and vigorously demanded their creation as the permanent and normal legislative assemblies.

In practice, the soviet system is a complicated hierarchy of bodies. At the base stand the local soviets, whether urban or rural. These in turn elect representatives to the provincial soviet. The latter, together with the city soviets, choose representatives to the All-Russian Congress, which meets only annually and delegates its interim powers to the Central Executive Committee of 300 members. This selects the Præsidium and the Council of People's Commissaires, the latter being virtually a cabinet. The inner circle is, therefore, at least six stages removed from the voters. The elections for all bodies above the local soviets are indirect. An attempt is made to offset the patent disadvantages of this method by giving the members only very short terms of office and by providing for the free use of the recall if a soviet is dissatisfied with its representatives to the next higher assembly.

One salient feature of the system is the preferential representation accorded to the city workers. Thus the urban soviets are given one representative in the provincial soviets for every 2000 *voters,* whereas the rural soviets are only allowed one for every 10,000 inhabitants. This amounts to giving a given number of city workers approximately two and a half times as many representatives as a similar number of peasants. The over-representation of the towns, however, does not stop here. The All-Russian Congress is itself composed of members elected both by the provincial and by the town soviets, the former being given one representative for every 125,000 inhabitants and the latter, one for every 25,000 voters. The town workers, therefore, are not only given greater weight than their mere numbers justify in the election of the representatives from the provincial soviets to the All-Russian Congress, but in addition they alone have the privilege of directly electing members.

Occupational representation is, of course, not new in either

theory or practice.[1] The municipal councils of many medieval European cities were composed of representatives elected by the various craft guilds while the national parliaments, based as they were upon the "estates," had occupations as the virtual units of representation. It has, however, been primarily the syndicalists and the Bolshevists who have reawakened interest in occupational representation, although as a piece of political machinery it is logically independent of them and is indeed advocated by many vigorous anti-communists.

These two divergent groups, of course, advocate occupational representation from different motives. The communist supports it because it centers the voter's attention upon his work-relationships and forces him to think in proletarian terms. The non-communist, on the other hand, tends to favor it because of his disgust with the present system of election, whereby legislators are chosen from single member districts by majority or plurality vote. This results in the gross under-representation of minorities, in the election of inferior men who represent the lowest common denominator of the interests and aspirations of the majority, in the disproportionate power exercised by small groups that hold the balance of power, and in violent fluctuations of the political pendulum far in excess of changes in public sentiment. Both of these sets of advocates believe that men are much more intelligent and trustworthy judges of the real qualities of those who work in the same industry than of those who live in the same geographical district, while many also believe that the chief political issues are necessarily industrial issues which need to be decided by representatives of the industries involved.

Upon close analysis, however, occupational representation presents such serious weaknesses as to make it little, if any, better than territorial representation: (1) It would continue to deny proportionate representation to minorities that might be imprisoned under it. (2) It would offer no protection to the independent voter, who might still be prevented from voting for the candidate he liked most, lest by thereby splitting the vote, he would help to elect the candidate he liked least. (3) It would present great difficulties in classifying industrial group-

[1] I have treated this subject at greater length in my article, "Occupational Representation Versus Proportional Representation." *American Journal of Sociology*, Vol. XXIX (September, 1923), pp. 128-157.

ings and in determining to which group an individual belonged. This would be complicated by the fact that such groupings would necessarily vary according to the number of representatives to be elected and the relative occupational distribution of the quota. The same craft or industry would, therefore, be found in different combinations in different localities and if indirect elections were to be avoided, in different elections in the same locality. (4) It would make no adequate provision for those who move from industry to industry. (5) Finally, it would ignore the fact that the industrial interest is by no means dominant with many, perhaps not with a majority of the electors who desire to be represented in some other capacity than that of merely being workers in a given occupation.

All the good features of occupational representation, without its blemishes, would as a matter of fact be secured by proportional representation in the form of the single transferable vote. This would permit men to be represented according to their occupational interests to the extent that these interests were actually dominant but it would not force the voters to be so represented, if other interests were paramount. It would at the same time enable all groups to be represented in proportion to their strength and by freeing the voter from the fear of throwing away his vote would ensure that more men of independent spirit would enter legislative life.

Selected References

1. The Background of Proletarian Theory

Marx and Engels, *The Communist Manifesto* is absolutely essential for all students, while Marx's *The Civil War in France* and *The Gotha Program* are also vital. Marx's *Capital,* vol. 1, is basic for an understanding of his economic doctrines. Engels, *Socialism—Utopian and Scientific,* is another important work. See also Bernstein, *Evolutionary Socialism* (*Die Voraussetzungen des Socialismus*); Kautsky, *The Class Struggle;* Seligman, *The Economic Interpretation of History;* Postgate, *The Workers International;* Webb, S. and B., *The Collapse of Capitalistic Civilization, and* Laidler, *Socialism in Thought and Action.* Four stimulating approaches from the idealistic rather than the Marxian are: Wells, *New Worlds for Old;* Lowes-Dickinson, *Justice and Liberty,* and Russell, *Roads to Freedom* and *Prospects of Industrial Civilization.*

2. Collectivism

See Shaw, Webb, Wallas, etc., *Fabian Essays in Socialism;* S. and B. Webb, *A Constitution for the Socialist Commonwealth of Great Britain;* Davies, *The Collectivist State in the Making;* Chiozza-Money, *The Triumph of Nationalization;* Hodges, *The Nationalization of the Mines;* Fabian Research Bureau, *Report on State and Municipal Ownership;* Walling and Laidler, *State Socialism Pro and Con;* Shaw, *The Commonsense of Municipal Trading;* Strobel, *Socialization in Theory and Practise;* Laidler, *Public Ownership Here and Abroad.*

3. Anarchism

For the early anarchist theories see Godwin, *Political Justice;* Proudhon, *Qu'est-ce que la Proprieté;* Sterner, *The Ego and his Own.* For the theories of the founder of Modern Anarchy, see Bakunine, *God, and the State;* Kropotkin's *Fields, Factories and Workshops, The Conquest of Bread, Mutual Aid,* and *Memoirs of a Revolutionist* are classics. So too are the *Essays* by the same author. See also Malatesta, *Anarchy,* and Goldman, *Anarchism and Other Essays.* Tolstoi's views are best given in *The Kingdom of God is Within You, What Shall We Do Then, My Religion,* and *Essays.* For an expression of individualistic anarchism, see Tucker, *Instead of a Book, By a Man too Busy to Write One;* Donisthorpe, *A Plea for Liberty;* Spencer, *Man versus the State.* For a general analysis, Eltzbacher's *Anarchism* and Zenker's *Anarchism* are valuable, while Shaw's *The Impossibilities of Anarchism* is a trenchant criticism.

4. Syndicalism

Levine, *The Labor Movement in France,* is the best history of the French movement which may be supplemented by Cole, *The World of Labour,* and by the section on France in De Montgomery's *British and Continental Labour Policy.* Pataud and Pouget's, *Comment Nous Ferons la Revolution* and Pouget's, *Sabotage* give the position of the left wing of the French movement. Lagardelle, *La Grève générale et le Socialisme* gives a discussion of the general strike, as does also Roller's *The Social General Strike.* Sorel's *La Decomposition du Marxisme* and *Reflections on Violence,* while extremely valuable, are the observations of an acute observer rather than of a participant in the movement. A recent book is Jouhaux, *Le Syndicalisme et le C. G. T.* For the American movement, Brissenden's *The I. W. W.* is most valuable. For hostile criticisms of syndicalism, MacDonald's *Syndicalism and* Spargo's *Socialism, Syndicalism and Industrial Unionism* are of interest.

5. Guild Socialism

Hobson's *National Guilds* and *National Guilds and the State* should be read by all students of guild socialism, as should also Cole's *Self-*

Government in Industry, Social Theory, and *Guild Socialism Restated.* See also RECKITT and BECHOFER, *The Meaning of National Guilds,* STIRLING-TAYLOR, *The Guild State,* and DE MAEZTU, *Authority, Liberty and Function.* The point of view of a medievalist is given in PENTY'S *Restoration of the Guild System, Old Worlds for New, and Post-Industrialism.* Carpenter's *Guild Socialism* is a creditable history and analysis of the movement.

6. CONSUMERS' COOPERATION

GIDE'S *The Consumers' Co-operative Societies,* S. and B. WEBB'S, *The Consumers' Co-operative Movement in Great Britain* and BEATRICE POTTER'S (Mrs. Webb) *The Co-operative Movement in Great Britain* are probably the three best references. HOLYOAKE'S, *The Rochdale Pioneers,* CATHERINE WEBB'S *Industrial Co-operation,* MAXWELL'S *History of Co-operation in Scotland,* REDFERN'S *History of the C. W. S.* and WOLFF'S *Co-operation and the Future of Industry* are also valuable. FAY'S *Co-operation at Home and Abroad* is also an excellent treatment. The two best American works on this subject are SONNICHSEN'S *Consumers' Co-operation* and WARBASSE'S *Co-operative Democracy.*

7. AGRARIAN DISTRIBUTIVISM

There is no good work upon this subject. BEARD'S *Cross-Currents in Europe* is illuminating. The Reconstruction Supplement Number VI to the Manchester Guardian, *The Agrarian Revolution,* gives more information than any other source.

8. THE SINGLE TAX

HENRY GEORGE'S *Progress and Poverty* is, of course, the classic and should be read by all. GEORGE'S *Our Land and Land Policy, The Land Question,* and his *A Perplexed Philosopher* are also interesting. For other single-tax works see FILLEBROWN, *The A. B. C. of Taxation;* SHEARMAN'S *Natural Taxation;* HOWE, *Privilege and Democracy in America;* NEILSON, *The Old Freedom,* and POST, *The Taxation of Land Values.* YOUNG'S *The Single Tax Movement in the United States* is an excellent history, while SCHEFTEL'S *The Taxation of Land Values* describes experiments with discriminatory taxes on land. HAIG'S *Exemption of Improvements from Taxation in Canada and the United States* is another fiscal analysis.

9. BOLSHEVISM

LENIN, *The State and Revolution,* is invaluable for the political theories of Bolshevism. LENIN, *Soviets at Work,* and *The Proletarian Revolution;* TROTSKY, *Our Revolution,* and *In Defence of Terrorism;* BUHARIN and PREOBNAZHENSKY, *The A. B. C. of Communism;* BUHARIN, *Programme of the World Revolution,* are also important.

POSTGATE'S *The Bolshevik Theory* is a good elementary statement. The International Labour Office's, *Labour Conditions in Soviet Russia,* gives valuable material, as does the report of the British *Commission to Collect Information about Russia.* ANTONELLI'S *Bolshevik Russia* is an excellent historical analysis, while PASVOLSKY'S *The Economics of Communism* describes the economic policies of the Bolshevists and the results up to 1921. LENIN, BUHARIN and RUTGERS, *The New Policies of Soviet Russia,* gives the Bolshevist justification for their new economic policy. KAUTSKY'S *The Dictatorship of the Proletariat,* and *Terrorism and Communism* are attacks by a prominent socialist upon the methods employed by the Bolshevists. RUSSELL'S *Bolshevik Theory and Practice* is a thoughtful description.

CHAPTER VII

INFLUENCE OF POLITICAL TACTICS ON SOCIALIST THEORY IN GERMANY, 1863–1914[1]

Carlton J. H. Hayes

I. The Lack Of Revolutionary Tradition In Germany

In 1848 Marx and Engels published the Communist Manifesto, that "birth-cry of modern Socialism" which, by its strident appeals to the demons of Revolution and proletarian Internationalism, was well calculated to affright divine-right monarchs and to terrify all respectable well-to-do bourgeois. "You have nothing to lose but your chains," cried the prophets of the new and awful dispensation: "you have a world to win; workingmen of *all* countries, *unite!*" In 1914 the German disciples of the Communist gospel, more numerous by far than their comrades in any other country, stood staunchly loyal to Kaiser as well as to Fatherland, and voted taxes and gave their lives, seemingly in perfect concord with the titled nobility and the wealthy middle class, in order that victory in a huge world-war should be wrested by Germans from other Nationalities, even from the workingmen of other Nationalities. Of internationalism, so emphasized in 1848, they now said little, and of revolution, revolt, or rebellion, they breathed not a word. Yet the attitude of the German Social Democrats in 1914, far from being determined on the spur of the moment by frenzy or absence of thought, was in fact conditioned quite rationally by a gradual change in certain basic doctrines of German Socialism, a change which had been proceeding ever since 1848 and which in every instance was primarily the result of the exigencies of

[1] This essay is a revision of an article which the author published under the title of "The History of German Socialism Reconsidered" in *The American Historical Review*, XXIII, 62-101 (October, 1917). Acknowledgement is hereby made of indebtedness to, and courtesy of, the Editors of *The American Historical Review*.

practical politics. It is the intent of this paper to show how political tactics influenced Socialist theory in Germany and by degrees eliminated those policies which in an earlier day had made German Social Democracy feared and hated and thoroughly disreputable.

It is not without significance that organized Socialism in Germany is hardly older than the ministry of Bismarck. It stepped into the political arena at a time when violent revolutionary republicanism had been discredited and when the ablest and most forceful Prussian Junker was already in the saddle with his baggage of a more or less benevolent Hohenzollern paternalism. There was no tradition in Germany of successful revolution, such as had been firmly established in France by the events of 1789, 1830, and 1848. From its first formal appearance, German Socialism was less revolutionary than evolutionary.

At first glance the happenings of 1848 might seem to disprove this thesis. Was not the revolutionary movement of 1848 attended in Germany by a lively agitation among the working classes? Were not the *Bund der Gerechten* and the *Arbeiterverbrüderung* true precursors of Socialism? Upon closer scrutiny, however, the revolution of 1848 reveals itself as an essentially middle-class uprising, in which outbreaks of violence among the workingmen for the most part bore a closer resemblance to riots than to organized revolution. Germany in 1848 was hardly ripe for a democratic and nationalistic revolution; it certainly was then quite unripe for a Socialistic revolution. Industrial development, the spread of the factory system and the growth of cities—the very stuff from which Marxian socialism has always been fashioned—was much more backward in Germany than in England or in France. Urban wage-earners were relatively few and impotent. What workers there were, moreover, were imbued with the petty bourgeois spirit and, worse still from the standpoint of revolution, to some extent actually with the spirit of the medieval gilds.

Only a comparatively small minority of the German workers had grasped the revolutionary mission of the working class. If they everywhere fought in the front rank of the advanced parties; if, wherever they could, they tried to urge on the middle-class democracy, they paid the cost of all this in their own person. The Communists of 1848 fell on the barricades, on the battle-field of Baden; they filled the prisons,

or they were obliged, when the reaction triumphed all along the line, to go into exile, where a large number of them died in misery.[1]

Great economic prosperity in 1850 not only bolstered up the tottering thrones of central Europe but also snuffed out the last flickering flames of the workingmen's agitation of the period. The governments soon felt themselves strong enough to dissolve all revolutionary organizations, and, on the motion of Prussia and Austria, the Bundestag in 1854 decreed that all the federated states must suppress every workingmen's society or fraternity which pursued political, socialist, or communist ends. Not only did the revolutionary movement of 1848–1849 mean for German Socialists the loss of their leaders and the dissolution of their organizations, but it likewise left in their minds an ineradicable distrust of violence as a means of realizing their ends. Marx and Engels perceived the signs of the new era and on the eve of their expulsion from Germany published a gloss on their gospel of 1848, a gloss to which their German disciples attached, as time went on, an ever greater reverence and authority.

In the universal prosperity of the present time [wrote Marx and Engels in 1850], when the productive forces of bourgeois society are developing as luxuriantly as is possible under bourgeois conditions, *there can be no question of an effective revolution.* Such a revolution is possible only in periods when the two factors of modern productive force and bourgeois productive methods are in conflict with each other.[2]

In the Karl Marx of 1850 is an almost pessimistic fatalism in sharp contrast to the romantic enthusiasm of a Ledru-Rollin, a Mazzini, or a Kossuth.

When, more than a decade later, almost synchronizing with the advent of Bismarck to power in Prussia, the workingmen's agitation was resumed, the chief legacy of reborn German Socialism from the days of 1848–1849 was a horror of violence. No more incitements to immediate revolution came from the people's apostles. The foremost leaders had, temporarily at least, turned from dangerous propaganda to scholarly exegesis. Marx published his *Critique of Political Economy* in 1859 and forthwith set to work on his masterpiece *Das Kapital;* Lassalle's

[1] Bernstein, *Ferdinand Lassalle as a Social Reformer* (1893), pp. 4-5.

[2] "Revue von Mai bis Oktober 1850," *Neue Rheinische Zeitung,* V. and VI. 153 (1850). Quoted by Engels in his introduction to *Enthüllungen über den Kommunisten-Prozess zu Köln* (1885), p. 15.

System of Acquired Rights appeared in 1861. In the meantime, the middle-class German liberals were rapidly substituting England for France as the model for their programme and their methods. The *Fortschrittspartei,* organized in June, 1861, soon comprised the bulk of Prussian liberals under the leadership of such men as Karl Twesten, Eduard Lasker, and Rudolf Virchow; and when, in the elections of November, 1861, the new party gained complete control of the House of Representatives, a most gracious springtime for the people seemed close at hand; as Bernstein has remarked, "it promised the rose without the thorns." Everything would now come off in the most approved parliamentary style. The party of progress would utilize the pending questions of military reform and the budget in order to compel the government both to accept the doctrine of ministerial responsibility and to respect the constitutional guarantees of personal liberties. Should the government oppose the lawfully-elected deputies, then the Progressive majority would hold up supplies until such time as the government would be disgraced and obliged to retire. But above all, no violence! Only a quiet, pacifistic, idyllic parliamentary pressure.

Besides, the Progressives in their sympathetic study of English institutions and precedents had hit upon a happily peaceful way of solving the social and economic problems of the day. If they could consecrate Prussia to "liberty"—liberty of trade, liberty of contract, liberty of association, liberty of education, liberty of self-help—they would wean the workingmen from socialistic Utopias and win them to a proper respect for law and order and individual rights, not the least of which was the right of private property. Like their English contemporaries, these Prussian liberals were not simon-pure democrats: as well-to-do middle-class people, they themselves were entrenched in the three-class electoral system of their country and could see no good reason for introducing a universal manhood suffrage which might imperil their majority in the House of Representatives and endanger glorious "liberty," especially since the workingmen, to enjoy the blessings of this liberty, had no need of the ballot. The workers had no need of direct parliamentary representation; the Progressives were their benevolent if self-constituted champions. When a group of

workers humbly petitioned for full membership in the party, the magnanimous but hardly satisfactory reply was vouchsafed that "all workers might consider *honorary* membership as their birthright."

II. The Influence of Lassalle

To some of the German workers in the early '60's, the magnanimity of the leaders of the Progressive Party was not convincing. Such workers suspected that "liberty" of the middle-class variety might not prove a panacea for long hours, small wages, and miserable factory and tenement conditions. It was before a group of these doubters and upon their invitation that Ferdinand Lassalle in 1862 delivered his lectures on the "Workers' Programme" (*Arbeiterprogramm*) and "What now?" (*Was nun?*). He confirmed their suspicions and strengthened their doubts. And thenceforth the issue was squarely joined between the middle-class Progressives and the Socialist followers of Lassalle.

Lassalle's following was never numerous. Although he was a brilliant speaker and writer, fired with the most ardent enthusiasm, tireless in travel and propaganda, and possessed in no small degree of organizing ability, he was unable to awaken the bulk of the German working class to any appreciation of the rôle which it might conceivably play in the national, political, and social life of Germany; and *Der Allgemeine Deutsche Arbeiterverein,* which Lassalle formed in 1863 and over which he exercised practically dictatorial powers, numbered at his death on August 31, 1864, fewer than five thousand adherents. Nevertheless, it is from this General Association of German Workingmen that the present-day German Social Democracy is derived in unbroken apostolic succession, and, as I hope to show, the "deposit of faith and morals" delivered by the Master Lassalle during his brief ministry to a mere handful of rather ignorant and poverty-stricken German workers (many of them of Jewish extraction) was preserved jealously and zealously—one might almost say superstitiously—for the guidance and inspiration of some four and a quarter million German voters (1912). The real beginning of German Social Democracy dates from Lassalle's "Open Reply Letter" (*Offenes Antwort-Schrei-*

ben) of 1863 rather than from the "Communist Manifesto" launched by Marx and Engels in 1848.

What was the essence of the gospel according to Lassalle? In the first place, it dogmatized the popular conviction that force and violence could not materially further any radical cause. Lassalle despised the French Revolution of 1789 as a compromising bourgeois revolution. He thought the German failure of 1848 only natural. Under the spell of Fichte and Hegel, he held in common with Marx and Engels that historical evolution (*Entwicklung*) is gradual and is determined by changing economic conditions, but, truer to Hegel and Fichte than Marx and Engels had been, he extolled the state as an eternal, unchanging concept, an end in itself. In this sense he quoted a passage from an address of Boeckh's in which the celebrated antiquarian appealed from the "State-Concept of Liberalism," the passive-policeman idea, to the "antique civilization" (*Kultur*) which had become once and for all the inalienable foundation of the German mind and which had given birth to the notion that the concept of the state must be so far enlarged that "the state shall be the institution in which the whole virtue of mankind shall realize itself."[1] "The immemorial vestal fire of all civilization, the state, I defend with you against those modern barbarians" (*i. e.*, the Progressives of Prussia), he exclaimed to the judges of the Berlin *Kammergericht* in his speech on "Indirect Taxation."[2] So ideological did he make his concept of the state that he instilled into the workers a semi-mystical reverence for even the active-policeman Prussian State of his own day. In this respect a most literal Hegelian, he never uttered any of the ambiguities which characterized Marx and Engels. The one thing which he held in common with the Progressives was an abhorrence of violence.

A second note of Lassalle's gospel was an unwavering belief in the inevitability and desirability of political democracy. Here he was one with the British Chartists. He wished redress of workingmen's grievances; he championed productive cooperative societies as the goal of social reform. But in his opinion cooperative societies and redress of grievances could come only

[1] The clearest statement of Lassalle's idea of the State and of his repugnance to violent revolution is to be found in the *Arbeiterprogramm* (ed. Bernstein), II, 9-50 (1893), although all his writings are impregnated with the same idea and the same repugnance.

[2] *Die Indirekte Steuer* (ed. Bernstein), II. 388 (1893).

by means of state aid and state action, and the assistance of the state would be forthcoming only when a class-conscious proletariat should become a political force, and the only way in which the proletarians could exert direct and commanding influence would be through universal manhood suffrage. To the very end Lassalle held fast to his conviction that the demands of the General Association of German Workingmen should be limited to this one point: "Universal suffrage in order to obtain state help for productive co-operative societies."[1]

When Lassalle preached his simple gospel, Prussia, it must be remembered, was in the throes of a desperate constitutional conflict. On one side was the Conservative government, headed since September, 1862, by Bismarck, backed by the Junkers and lauded by the Evangelical clergy, a government determined not only to effect thoroughgoing military reforms but also to safeguard the ideas of von Gerlach[2] and the *Kreuz Zeitung*—the Christian State, divine-right monarchy, "historic rights," benevolent and bureaucratic paternalism, invocation of the God of Might. On the other side was the Progressive majority in the House of Representatives, whose ideal of monarchy was much nearer to the traditions of the British Hanoverians and of the French Orleanists than to those of the Prussian Hohenzollerns, and whose ideal of economic society approximated that of the Manchester school rather than that of Hegel or of Fichte. Their immediate programme was, of course, to assure "liberty" to the individual and constitutional parliamentary government to Prussia. Had all the forces opposed to Bismarck and his Conservative régime been able to cooperate, the outcome of the struggle might have been quite different. But, as has often happened, divisions among its opponents and mutual recriminations between their camps proved a veritable godsend to the government. The Progressives distrusted if they did not despise the Socialist workingmen. Lassalle hit back manfully; he taught his followers to hate the Progressives and to give free expression to their hatred.[3]

Enough has been said to make clear how fundamental and

[1] *Cf.* the *Offenes Antwort-Schreiben* (ed. Bernstein), II. 409-445 (1893).

[2] Ernst Ludwig v. Gerlach (1795-1877), the great intellectual proponent of German Conservatism. *Cf.* the *Aufzeichnungen aus seinem Leben und Wirken* (ed. Jakob v. Gerlach, 1903, 2 vols.).

[3] Lassalle set the pace in his vindictive *Herr Bastiat-Schulze von Delitzsch, der Oekonomische Julian, oder Kapital und Arbeit* (January, 1864).

how natural were the divergences between Lassalle and the Progressives. Lassalle styled the Progressives a "clique" and inveighed against "a Louis-Philippe monarchy created by the bourgeoisie."[1] To Karl Marx the conflict between the bourgeoisie and the proletariat was part of an elaborate epic economic *theory;* to Ferdinand Lassalle it was rather the precise, definite political *fact* of the fight between the Prussian Progressives and his own Workingmen's Association. Marx, in order to subdue the bourgeoisie, would have the proletariat make no terms whatsoever with the landed aristocracy and other supports of a conservative society which to him represented but an anachronistic survival of an older economic struggle. Lassalle, on the other hand, for reasons of practical politics in Germany, found himself gradually impelled into Conservative or quasi-Conservative lanes and by-ways. He could see good points in what the English have termed "Tory Socialism" more clearly than in middle-class liberalism; and many of his utterances must have been as pleasing to Bismarck as they were angering to the Progressives. He insisted that in the pending constitutional conflict the Prussian Conservative government could not and should not yield to "the clique," but he suggested that

> it might well call the people upon the scene and trust to them. To do this, it need but call to mind the origin of the monarchy, for all monarchy has originally been monarchy of the people. . . . A Louis-Philippe monarchy certainly could not do this; but a monarchy that still stands as kneaded out of its original dough, leaning upon the hilt of the sword, might quite certainly do this if it determined to pursue truly great, national, and democratic aims.

Though Eduard Bernstein, the foremost authority on matters Lassallean, has assailed the usually accepted idea of Lassalle's intense nationalism, the fact remains, nevertheless, that Bismarck in the pursuit of his foreign policy would have found a more loyal equerry in the leader of the Association of German Workingmen than in any member of the parliamentary majority. Lassalle ardently desired the political unification of Germany, and perceived readily that real unity could be obtained only by the arms of Prussia and the exclusion of Austria. As early as 1859, in a brochure on the Italian War,[2] he unfolded

[1] *Der Hochverraths-Prozess wider Ferd. Lassalle vor dem Staatsgerichtshofe zu Berlin am 12. März 1864* (ed. Bernstein), II. 743-830 (1893).

[2] *Der Italienische Krieg und die Aufgabe Preussens: eine Stimme aus der Demokratie* (pub. anonymously, 1859).

the plan which Bismarck was to execute seven years later. Possibly at some future date unified Germany might be transformed peaceably into a national republican state, but in the meantime the domination of Prussia would be essential. This power, reactionary *par excellence*, was called to be the instrument for national union and for the emancipation of the working class, and that, through social royalty and state socialism.

Without attempting to give a comprehensive view of Lassalle's career,[1] it has seemed worth while to dwell at some length upon certain features of his work which were destined for a long while to influence the German Social Democrats. Particularly, his policy of combating the liberal bourgeoisie and of coquetting with the court was maintained in full vigor by Jean Baptista von Schweitzer, the president of the party from 1864 to 1872 and editor of the *Socialdemokrat*, the official organ of the movement. Schweitzer, like Lassalle, believed that if Bismarck could be prevailed upon to utilize the lower classes as a counterpoise to the obstreperous middle-class Progressives, the king out of the plenitude of his royal grace and benevolence might freely grant the fundamental demand of the General Association, *universal suffrage in order to obtain state help for productive cooperative societies;* and in this question of tactics Schweitzer went further than Lassalle in adopting a positively fawning attitude toward the Hohenzollern family and the aristocratic Prussian Minister-President. Early in January, 1865, a leading article in the *Socialdemokrat* indicated that the best solution of the Schleswig-Holstein problem would be the unconditional annexation of the disputed provinces to Prussia; and in a series of articles on "The Bismarck Ministry," running from January 27 to March 1, Schweitzer declared that the only two forces capable of dealing successfully with the question of national unification were the proletariat and the Prussian army. He spoke of "the mighty genius" of Frederick the Great, "a man admirable in every respect," and of "the remarkable" and "the praiseworthy" policy of Bismarck.

It has long been customary for Socialist historians and apolo-

[1] The authoritative works on Lassalle's career are: Becker, *Geschichte der Arbeiter-Agitation Ferdinand Lassalle* (1874); Brandes, *Ferdinand Lassalle: ein Literarisches Charakterbild* (1877, Eng. trans. 1911); Dawson, *German Socialism and Ferdinand Lassalle* (1888); Bernstein, *Ferdinand Lassalle as a Social Reformer* (1893), and *Ferdinand Lassalle und seine Bedeutung für die Arbeiter-Klasse* (1904); and Harms, *Ferdinand Lassalle und seine Bedeutung für die Deutsche Sozialdemokratie* (1909).

gists to denounce Schweitzer as "the paid agent of Bismarck" and as a renegade (and something of a renegade he was, after 1872) and to emphasize the differences between his corrupt movement on the one hand and the pure movement of Wilhelm Liebknecht and August Bebel on the other. A re-examination and reappraisal of the facts in the matter, however, while establishing neither proof nor disproof of Schweitzer's alleged acceptance of bribes from Bismarck, would seem to show that Liebknecht and Schweitzer were separated far less on the question of Socialist principles than on the question of political tactics. Liebknecht, it is true, during his thirteen years' exile in England lived much in the society of Marx and Engels and shared their radical views to a greater degree than Lassalle or Schweitzer. But Marx and Engels by this time were not preaching violence or rebellion; and that there was no incompatibility of major tactics between Lassalle and Liebknecht is evidenced by the fact that the latter was a great admirer of the standard-bearer of English Tory Socialism. Disraeli's *Sybil* was translated by Liebknecht's wife and given an honorable place in the German Socialist library. Liebknecht himself, like Marx and Engels, trusted the feudal aristocracy of Prussia less than that of England and disliked Lassalle's flirtations with Bismarck as well as the autocratic organization of the General Association of German Workingmen. But a difference of quite another sort better explains the bitterness with which Liebknecht and his disciple Bebel subsequently assailed Schweitzer and the General Association. Bebel was a Saxon and Liebknecht was a native of Hesse, and both men shared the South Germans' fear and hatred of Prussia. Liebknecht, an *enfant terrible* of 1848-1849, had come to decry the use of violence as a result of his stirring and disheartening experiences in those years, but he never lost faith in the ultimate triumph of the ideal of that revolutionary movement—a Greater Germany welded together under a republican form of government for the attainment of thoroughgoing social democracy. These principles might be the eventual goal of Lassalle and Schweitzer, but the means of reaching the goal were quite different. The latter, as we have seen, would solve the immediate problem of German unification precisely as Bismarck was preparing to solve it; Liebknecht and Bebel, on the other hand, would hark back to the days of the Frankfurt

Assembly and would achieve national unification not under the aegis of Prussia, not with the aid of militarism, not at the expense of the exclusion of Austria. The result was that in February, 1865, while Schweitzer was penning his fulsome praises of Bismarck's Schleswig-Holstein policy, Liebknecht resigned his connection with the *Socialdemokrat* and turned his attention to propaganda in Saxony, which then was a field ripening to the anti-Prussian harvester. To his own brand of Socialism Liebknecht speedily won August Bebel and a sufficient number of other Saxon workingmen to admit of the election of himself and Bebel as representatives of a *Sächsische Volkspartei* in the Reichstag of the North German Confederation.

In this Reichstag, newly created in 1867 as a result of the Seven Weeks' War, Liebknecht and Bebel found themselves beside Schweitzer, who had been elected by votes of the General Association of German Workingmen. Their differences about national policy were more patent than ever. Schweitzer insisted upon taking the credit for Bismarck's condescending acquiescence in the establishment of universal manhood suffrage in the North German Confederation; he considered the Confederation a *fait accompli* which should not be undone if it could, and which should be utilized to further social and economic reforms for the workingmen. Liebknecht and Bebel, on the other hand, maintained that universal suffrage for the Reichstag was delusive so long as it was hedged about by so many constitutional restrictions and rendered impotent by the retention of the three-class electoral system in all-powerful Prussia; they protested vehemently against the very existence of the North German Confederation as consecrating the policy of violence and of Prussian monarchical domination; they refused to make terms with a political order based on brute force, injustice, and autocracy.

In vain did Liebknecht endeavor to discredit Schweitzer with the majority of the General Association. Unable to force him out of its presidency, Liebknecht at length convened a minority congress at Eisenach in August, 1869, and there formed a rival organization—the Social Democratic Workingmen's Party (*Sozialdemokratische Arbeiterpartei*)—with a Marxian programme and a Marxian organization. The secessionists from the Lassallean association were promptly affiliated with the International which Karl Marx had launched at London in 1864, only a few

weeks after the death of Lassalle. From 1869 to 1875 the two rival societies existed side by side and for some time Eisenachers and Lassalleans vied with each other in the art of calling names: the Eisenachers accused the Lassalleans of accepting bribes from the Prussian government; the Lassalleans retaliated by styling the Eisenachers "traitors" and charging them with being the agents of the bourgeoisie.

Such was the situation when on July 19, 1870, the Reichstag of the North German Confederation was convened in extraordinary session to grant credits for the war which France had just proclaimed against Prussia. The Reichstag voted the credits unanimously except for the two votes of Bebel and Liebknecht. The latter merely withheld their votes: casting them in the negative might seem to countenance the criminal policy of Napoleon III.; casting them in the affirmative would certainly be construed as an endorsement of the inevitable outcome of the Bismarckian "crime of 1866." The deputies of the Lassallean faction and one Eisenacher, believing that Prussia had been outrageously attacked by the jealous and ambitious emperor of the French, voted the appropriations necessary for the conduct of the war.

After Sedan, all the German Socialists, both Eisenachers and Lassalleans, declared and voted against the continuation of a war which they considered no longer defensive. A "Manifesto to the German Workingmen," published by the party executive of the Eisenachers on September 5, 1870, stated that

> it is a duty of the German people, and indeed it is in their own interests, to accord an honorable peace to the French Republic. . . . Above all it is the duty of the German workingmen, among whom the solidarity of interests between the German and French peoples has become a sacred conviction and who see in the French workingmen only brothers and comrades to whom they are united by a common lot and by common aspirations, to secure for the French Republic such a peace. . . . It is absolutely necessary that in all places the party, in accordance with our manifesto, shall organize popular demonstrations as imposing as possible against the annexation of Alsace-Lorraine and in favor of an honorable peace with the French Republic.[1]

The answer of Bismarck's government to this appeal was the imprisonment of its signatories by military order in the fortress

[1] Carl Stegmann and C. Hugo, *Handbuch des Socialismus* (1897), art. "Eisenacher," p. 170.

of Boyen near the Russian frontier and the quick forcible breaking-up of every attempted demonstration inspired by it. On November 24, when the government opened the regular session of the Reichstag and demanded a new loan for the prosecution of the war, Liebknecht and Bebel were quite outspoken in urging the rejection of the loan and in begging the chancellor to terminate the war without any annexations. In December, the two annoying and talkative deputies were arrested, together with Hepner, the associate editor of the *Volkstaat*, the official organ of the Eisenachers, on the charge of "inciting to high treason." After three months and a half of close surveillance—the war by that time being practically concluded—the accused were given provisional liberty. Subsequently, in March, 1872, they were tried at Leipzig: Hepner was acquitted, but Liebknecht and Bebel were condemned to two years' confinement in a military fortress; and Bebel was released in 1874 only to be clapped into jail another nine months for lèse-majesté.[1] Beside these leaders of the Eisenachers, four member of the Leipzig committee and numerous other members of the party had been accused of organizing protests against the later developments of the Franco-Prussian War and had been condemned to various terms of imprisonment.

Nor were the government's prosecutions directed solely against the Eisenachers. The Lassalleans themselves, who up to Sedan had been under Bismarck's spell and had been magnanimously tolerated by him, now broke with him and paid the penalty by losing his protection. While they acclaimed the overthrow of Napoleon III. and the establishment of the German Empire, they denounced the annexation of Alsace-Lorraine; and the failure of Schweitzer to secure re-election to the Reichstag in 1871 lost him both his popularity with his followers and his usefulness to Bismarck. Moreover, the Lassalleans all along had based their admiration for the chancellor upon his strenuous opposition to the hated bourgeoisie, but now in the early 'seventies Bismarck was apparently surrendering himself completely to the programme and the policies of the National Liberals and the Free Conservatives, those very elements of the national life

[1] Interesting side-lights on these events are supplied by *Der Hochverraths-Prozess wider Liebknecht, Bebel, Hepner, vor dem Schwurgericht zu Leipzig vom 11, bis 26. März 1872, mit einer Einleitung von W. Liebknecht* (1894), and by Bebel, *Aus meinem Leben* (3 vols., 1910-1914).

which the Lassalleans most distrusted. To cap the climax, in June, 1874, the Imperial Prosecutor Tessendorf obtained a court order for the provisional closing of the General Association of German Workingmen. Whereupon, Toelcke, one of the Lassallean chieftains, wrote to Liebknecht and to Geib, a member of the Eisenach executive, proposing a corporate union of the rival Socialist organizations. At Gotha, accordingly, a joint congress assembled in May, 1875, comprising seventy-three delegates representing 16,000 Lassalleans, and fifty-six delegates representing some 9000 Eisenachers. The outcome, as everyone knows, was the coalescence of the two groups into a well-knit "Socialist Workingmen's Party of Germany" (*Socialistische Arbeiterpartei Deutschlands*). In general, the Lassalleans had their say in the programme of the new organization, much to the chagrin of Karl Marx in distant London, and the Eisenachers contented themselves with democratizing the form of party administration. The comparative ease with which agreement was reached is proof positive of the fact that the mere "moderation" of Lassalle's fundamental principles had never been the real reason for the revolt of Liebknecht and Bebel.

It may seem surprising that the German Socialists considerably increased their enrolled number and their electoral strength in the decade of the 'seventies, since their ineffective but fierce opposition to the Franco-Prussian War and to the annexation of Alsace-Lorraine and their loud but dangerous praise of the revolutionary Paris Commune might naturally be expected to alienate the multitude of patriotic and order-loving Germans. In explanation of this phenomenon, it is to be observed, first, that *in Germany* the Socialists precipitated no riots and submitted to persecution in a most dutiful manner; secondly, that the larger measure of freedom of speech, of the press, of meeting, and of association, which characterized the first years of the German Empire under the influence of the National Liberal régime, afforded a better opportunity than ever before for Socialist propaganda; and thirdly, that the immediate mushroom growth of German industry and trade, consequent upon the erection of the empire and the payment of the French war indemnity, and resulting in the "Panic of 1873," rapidly huddled lower-class Germans into towns and cities, only to reduce

many of them to want and suffering, and thereby greatly increased the potential number of those who would turn to the economic doctrines of Socialism for deliverance from their miserable plight. Socialism, as Liebknecht said, "became the barometer which indicated the general discontent." Even before the unifying Gotha Congress, Socialism was growing in Germany. In 1871 the Socialists polled 124,700 votes in the empire and elected two candidates to the Reichstag; in 1874 they polled 352,000 votes and elected nine deputies. The Gotha Congress contributed further to the effective propaganda of the Socialists, with the result that at the elections of 1877 they secured 493,300 votes and twelve members of the Reichstag. In 1877-1878, the work of making Socialist converts was being forwarded by forty-four political newspapers, one illustrated journal, a monthly and a semi-monthly review, two comic papers, and fourteen trade-union publications, in addition to *Vorwärts*, the party's official organ.

III. The Era of Persecution

Bismarck, once the courteous and agreeable host of Lassalle, was now becoming the avowed enemy of the Social Democrats. Formerly perceiving in them a useful foil to the hated Progressives, he now recognized their growth as a grave menace to his newer national policies. On May 20, 1878, closely following an unsuccessful attempt of a madman to take the emperor's life, the chancellor, with the consent of the Bundesrat, introduced an anti-Socialist bill in the Reichstag. So serious were its proposed infringements of personal liberty, however, that it was promptly rejected by the decisive vote of 251 to 57. On June 2 another attempt was made to assassinate William I., and this time Bismarck did not try to win the existing Reichstag to his measure; taking advantage of the excitement throughout the country, he caused the Bundesrat to dissolve the inconvenient lower house and to order new elections. The ensuing campaign was waged on the single issue of the proposed coercion of the Socialists, and the government, in order to secure a popular verdict in its favor, spread broadcast throughout the empire the idea that the Socialists were enemies of Kaiser, country, morality, and the family, that they were inciting to murder, rapine, and most bloody revolution, that they were outlaws *de facto*

and should be outlaws *de jure*. The bulk of the electorate responded to these charges by appropriate shiverings and tremblings and by choosing a compliant Reichstag, which on October 18 enacted the anti-Socialist bill by a vote of 221 to 149, the squeamish minority being composed chiefly of Centrists and Radicals.

It is not necessary to define again the general scope or the many details of this anti-Socialist law, which, through various re-enactments,[1] remained in force until 1890, for these things are known to all students of German history. There are, however, certain aspects of the measure which have often been subordinated or quite neglected, but which, in view of their effects upon the German Social Democracy and likewise upon the empire as a whole, merit at least passing mention. In the first place, the tactics of Bismarck in securing the passage of the bill were largely responsible both for the popular fears of Socialism and for the resulting recoil from the Liberalism of the 'seventies to the Conservatism of the 'eighties. The electoral campaign of 1878 was the first occasion (though by no means the last) on which the government flaunted before the eyes of patriotic, peace-loving, property-owning Germans the bogey of Socialism, the "red spectre" of mob violence, treason, and terrorism. So effective was this invocation of an imaginary demon, that Liberalism, if not Social Democracy, was immediately weakened,[2] and Bismarck was thenceforth free to break his unnatural *liaison* with the Liberals and to return to his earlier Conservative love. The period from 1878 to 1890 was not only the period of the anti-Socialist law; it was also the period of Conservative rather than Liberal influence; its ideal was benevolent bureaucratic paternalism instead of individual liberty and national *laissez-faire;* it was characterized by the establishment of tariff-protectionism, overseas imperialism, and Bismarckian State Socialism. So successful, indeed, was the electoral *coup* of 1878 that not only Bismarck himself but subse-

[1] The law as enacted in October, 1878, was to remain in force until March 31, 1881. It was re-enacted in May, 1880, to September 30, 1884; May, 1884, to September 30, 1886; April, 1886, to September 30, 1888; and February, 1888, to September 30, 1890.

[2] In the Reichstag, National Liberal deputies numbered 141 in 1877; 109 in 1878; 47 in 1881; and 42 in 1890. Progressive deputies numbered 39 in 1877; 29 in 1878; and 32 in 1887. The popular vote of the National Liberals, amounting in 1877 to 1,604,300, had decreased in 1878 to 1,486,800, and in 1890 to 1,177,800.

quent and less original chancellors found it expedient rather frequently to terrify the German people with the red rag of Socialism and thereby to elicit from them a verdict favorable to militarism, to tariff reform "upwards," to colonialism and *Weltpolitik,* or to any other policy which an essentially unrepresentative government might at any time wish to foist upon the German nation.

In this way, the anti-Socialist law called an abrupt halt to the progress of liberty and democracy in the empire. In the late 'sixties and early 'seventies it had seemed as if united Germany was to play quite a different political rôle from historic Austria or Prussia. Universal equal suffrage had been introduced in the North German Confederation and extended to the empire. The North German Confederation had legalized coalitions and associations of artisans for trade purposes. The empire had adopted on May 7, 1874, a law on the freedom of the press, providing that neither the administration nor the courts could deprive any citizen of the right of carrying on any part of a publishing business and that the only limitations upon the exercise of this right should be such as would secure a fair amount of publicity and lessen national danger in time of war. A reaction against these liberal and democratic tendencies was foreshadowed by the anti-Catholic laws which attended the Kulturkampf. But the anti-Catholic laws were mainly *state* laws, while the anti-Socialist law was *federal,* and with the passage of the latter the reaction was in full swing. Associations, meetings, publications, and collections of money alike, which "by means of Social Democratic, socialistic, or communistic designs, aim at the overthrow of the existing order of state or of society," were to be prohibited, and likewise such associations, meetings, publications, and collections of money in which these designs, though not the expressed object, appear "to endanger the public peace and in particular the harmony of the different classes of the population." The execution of the law was entrusted not to the regular courts but to the police authorities of the several states and, on appeal, to a special Imperial Commission composed of four members of the Bundesrat and five judges appointed by the emperor. A final section of the law contained the most reactionary provisions: whenever the "intrigues of the Socialists" promised "to endanger the public peace," the ministry of any state might, with the

consent of the Bundesrat, arbitrarily suspend constitutional guarantees and decree a "lesser state of siege" (*i. e.*, police law).[1]

And the law was vigorously enforced! During the twelve years from 1878 to 1890, all public activities of the Social Democrats were stopped in Germany, except in the Reichstag and state legislatures; 352 associations were dissolved; 1299 publications were banned; the "lesser state of siege," proclaimed for periods at Berlin, Hamburg, Harburg, Leipzig, Frankfurt-am-Main, Hanau, Offenbach, Stettin, and Spremberg, led to the arbitrary expulsion of 893 persons, including 504 married men with 973 children dependent upon them; and imprisonments imposed by police authorities for violation of the measure aggregated 850 years, 5 months, and 19 days.[2] But more grievous than the actual imprisonments and banishments under the anti-Socialist law was the fact that many of the people who in 1871 accounted themselves Liberal as well as National now gave support to arbitrary measures which certainly put Bismarck in a class with Metternich. The only difference between the assailants of popular liberties was that Metternich had no popular mandate for his acts while Bismarck commanded a majority of the deputies elected by universal direct suffrage throughout Germany. The German people of the new era must share with their unrepresentative government the responsibility for a most serious set-back to liberty.

One other aspect of the anti-Socialist law invites our attention, and this is its effect upon the Social Democrats themselves. From first to last they submitted to the outrageous measure. They preached no violence, no rebellion. Smitten on one cheek, they turned the other cheerfully and dutifully. They seemed to be possessed of a holy joy, of an ecstatic other-worldly vision, like unto that of the early Christian martyrs. To their own traditions—those of Lassalle in the constitutional crisis of 1863, and of Liebknecht and Bebel in the Franco-Prussian War of 1870—they were absolutely true. They would be vocal but not

[1] An excellent analysis and criticism of the law is to be found in an article by Henry W. Farnam in the *Journal of the American Social Science Association*, XIII. 36-53 (1880). See also R. von Gneist, *Das Reichsgesetz gegen die Gemeingefährlichen Bestrebungen der Sozialdemokratie* (1878), and Bamberger, *Die Culturgeschichtliche Bedeutung des Socialistengesetzes* (second ed., 1879).

[2] These statistics are cited in connection with the Socialists' observance of the 25th anniversary of the passage of the law. *Bericht des Parteivorstandes an den Parteitag zu Bremen* in *Protokoll* (1904), pp. 13-14.

violent. While the bill against them was pending in the Reichstag, *Vorwärts* printed at the top of every number the exhortation: "Party Comrades! Do not let yourselves be provoked to violence! The authorities are only anxious to shoot you down! The reaction needs riots in order to win its game."[1] With *Vorwärts* suppressed and with the party organization reduced to catacomb-like secrecy, the Socialists kept their passive form to the end. At the party congress held at St. Gall in Switzerland in October, 1887, they unanimously declared that

> violence is as much a means of reaction as of revolution and in the past has been more often so used; the use of violence by individuals is not the sort of tactics which will lead to our goal, and, in so far as it wounds the sentiment of right among the masses, is positively to be condemned and accordingly rejected.[2]

It may well be that this persistently passive attitude of the Social Democrats in the face of their persecution was not unconnected with the growing devotion of their leaders during the period to Marxian, as opposed to Lassallean, principles, that is, to the fatalistic notion that the hardships and oppressions of capitalistic society simply cannot be prevented from accumulating and multiplying up to the day of the millennial cataclysm when the faithful will automatically be delivered from bondage and will enter into the Promised Land. Not from Bismarck or any other governmental potentate could salvation come, but only from the slow, painful, inevitable evolution of capitalism. At any rate, after 1880, Marxian tenets sank deeply into the German Socialist consciousness. The appearance of Friedrich Engel's *Herrn Eugen Dührings Umwälzung der Wissenschaft* contributed to this end; and *Die Neue Zeit*, founded by Karl Kautsky in 1883, was conducted from the outset in a rigidly Marxian sense. The Gotha programme of 1875, as we have seen, was more Lassallean than Marxian, but in 1890, at the congress of Halle, the first held on German soil after the lapse of the anti-Socialist law, it was unanimously resolved that

> Whereas the Gotha programme, however excellent it has proven itself in the struggles of the last fifteen years, is no longer abreast of the times in every respect, the party executive is hereby authorized and

[1] Stegmann and Hugo, *Handbuch des Socialismus* (1897), art. "Socialistische Arbeiterpartei," p. 761.

[2] *Verhandlungen des Parteitages der Deutschen Sozialdemokratie in St. Gallen abgehalten 2. bis 6. Oktober, 1887.*

directed to propose a revised programme for consideration at the next congress.

The resulting Erfurt programme in its theoretical part not only disposed of Lassallean catchwords — the "iron law of wages" and the demand for cooperative productive associations—but, what was still more characteristic, it substituted for the universal and ethical features of Lassalle's doctrine the historico-economic definition of Socialism which Marx had sketched in the Communist Manifesto and developed in *Das Kapital*.[1]

One might expect that as the German Social Democracy between 1875 and 1891 swung more and more from the teachings of Lassalle to those of Marx, the movement would take on an even more radical and "revolutionary" complexion. It is indeed true that while the German Socialists during the period of their persecution were holding their congresses outside of Germany they emphasized as never before or since the *international* character of their movement and the sacred solidarity of all the world's workingmen. But, contrary to general expectations, several developments of the period tended to make the agitation in Germany even less radical and "revolutionary."

In the first place, the forcible expulsion of the most radical leaders from Germany left the conduct of party affairs to the "moderates," the particular friends of law and order. Many of the exiles never returned to Germany, and of those who did return a goodly number had acquired from an extended sojourn in England a real respect and admiration for the Fabian tactics of slow, quiet education.[2]

Secondly, the Social Democratic leaders in Germany had discovered that the methods to be pursued in proselytizing from among the intelligent skilled workers in the trade-unions were less likely to bring them into conflict with the police and consequently to result in punishment under the anti-Socialist law than were the street-corner harangues addressed to the unskilled, unorganized, lowest-class workingmen. Numerical gains to the Socialist cause were far greater, during the period, from among trade-unionists—the "aristocracy of labor"—than from among

[1] Conrad Schmidt, "Condition of Social Democracy in Germany," *Journal of Political Economy*, VI. 505 (1898).

[2] Eduard Bernstein is an excellent example of this type of Socialist exile from Germany. He resided in England from 1888 to 1902.

the lowest orders of the laboring class. Trade-unionists turned naturally to Socialism as soon as the government impaired the right of association, but they were far less interested in the theoretical side of Socialism than in the practical. They were doubting Thomases about the paradise beyond the cataclysm and they were downright sceptical of what Georges Sorel has termed the "social myth" of the "general strike"; they were, however, intent upon exercising their political rights to the end that they might forthwith secure higher pay, shorter hours, and better working and living conditions. They rendered lip-service to the Marxian creed but at heart they were Lassalleans. They constituted a conservative bulwark to German Socialism.

Then, in the third place, it was during the period of the anti-Socialist law that the German Social Democracy began to draw to itself a number of *voters* far in excess of the number of its regularly enrolled *members*. In other words, it was during this time that many middle-class Germans, caring little or nothing about the purely economic dogmas or the ultimate goal of Socialism, began to cast votes for Social Democratic candidates for the Reichstag as the most obvious and direct rebuke to an illiberal and unrepresentative government, which was most seriously abridging the freedom of speech, of association, of meeting, and of the press. The contemporaneous decline of the National Liberal and Progressive parties was not due wholly to defections to conservatism; it illuminatingly paralleled the growth of the electoral strength of the Social Democrats. Thus, the popular vote for Socialist candidates, reduced to 312,000 in 1881, rose to 550,000 in 1884, to 763,100 in 1887, and to 1,427,300 in 1890; while the number of Socialist deputies in the Reichstag increased from nine in 1878 to thirty-five in 1890. The "extra members" of the German Social Democracy had no direct voice in the deliberations of the party congresses or in the decisions of the party executive, but as time went on there was a growing tendency on the part of congress and executive not to make decisions which would alienate votes and thereby lessen the influence which a steadily augmenting poll-strength might exert upon the reactionary government. The getting of votes was becoming all-important; and indirectly middle-class liberals were pointing the Socialist party organization into the path of opportunism. And in seeming confirmation of the value of the peaceful tactics

pursued by the party from 1878 to 1890 could be cited a sort of Socialist "prosperity" evidenced not only in an increase of votes but also in a remarkable increase of funds in the party treasury. At the Congress of Halle in 1890, August Bebel explained that the regular receipts had been 37,410 marks in 1880, 95,000 in 1883, 208,655 in 1887, and in the current year had risen to 324,322 marks, and that of the last amount over one-third had been saved; "the Socialist party," he added, in the midst of general hilarity, "become capitalistic, seeks good investments abroad for fear of confiscation at home."

Bebel should not have feared confiscation at home. Bismarck, it is true, still maintained that the only defect of the anti-Socialist law was its leniency, but neither the Reichstag nor William II. would hear of re-enacting it, to say nothing of making it more drastic, and this, despite the fact that the Social Democracy was a greater political force in 1890 than in 1878. So impressed was the young emperor with the importance of Socialism, that he sought to deal with it in a clement and kindly spirit.[1] His ousting of Bismarck in 1890 signified, so far as the Social Democrats were concerned, the passing of Diocletian and the coming of Constantine.

For the happy ending of their twelve years' bondage, the Social Democrats themselves ascribed the praise not to the favor of a clement prince but to their own energy and endeavors, and above all to the persistently peaceful tactics which they had employed. "No violence, no rebellion," was a slogan which in their opinion had amply justified itself in a most pragmatic test.

In 1890 the German Social Democracy came out of its catacombs, and at Halle inaugurated the series of great annual congresses which assembled regularly on German soil down to the Jena Congress of 1913. The public organization of the party, with its five-member executive, its commission of control, its Reichstag group, its annual congress, its treasury, its affiliated trade-unions, its branches for women and for youths, and its official publications, was inaugurated at the Halle Congress of 1890 and perfected at the Mainz Congress of 1900. Its pro-

[1] See on this point the *Memoirs* of Prince Hohenlohe and the *Reminiscences* of Prince Bismarck. It was in 1890 that William II. convened at Berlin the International Congress on Labor Legislation. *Cf. Europäischer Geschichtskalender* for 1890 and 1891.

gram was revised and promulgated at the Erfut Congress of 1891. The German Social Democracy was prepared to resume the open propaganda which it had been obliged to abandon in 1878. But upon the purposes and methods of the propaganda after 1890, the persecutions of the preceding period, 1878-1890, left an indelible imprint.

Congress after congress repeated the formulas of Marxian Socialism—economic determinism, the class struggle, the inevitable social cataclysm of the future, demands for political democracy and for collective ownership and operation of all the economic means of production and distribution, unswerving opposition to the whole capitalistic system, particularly to indirect taxes, militarism, and imperialism. Nor was Marxian internationalism ever lost sight of. German Social Democrats were conspicuous in the councils of the Socialist International. The executive of the German party repeatedly voted appropriations and authorized the collection of special funds for the aid of comrades in other countries, in England, in Belgium, in Denmark, in Austria. The German party, while stigmatizing the Boer War as a barbarous and abominable war of conquest, combated manfully the growing Anglophobia in Germany. At the very time when the German "patriot" press was hypnotizing public opinion by the spectacle of British "atrocities" in South Africa, the Socialist press was exposing the atrocities of the allied troops in China, especially of the German contingent, in the bitingly sarcastic "Letters of the Huns."[1]

To make the Marxian formulas living realities, it would not suffice to resort to violence and revolution. That was the capital lesson of the Era of Persecution. As Liebknecht said at the Congress of Erfurt:

> If we should now accord chief importance to physical force, we should place ourselves in the position of our enemies. Bismarck was the man of brute force, the man of iron and blood. No one has ever employed greater means of force or acted in manner more unscrupulous. And the result? What has become of him? He had at his disposal for more than a quarter of a century the police, the army, the money, the power of the State, in short all the means of physical force, while we could oppose him only with our good right, our good conviction, our naked breasts—and *we* have conquered. Our arms have been the better. In time brute force must yield to the moral factors, to the logic of

[1] Milhaud, *La Démocratie Socialiste Allemande* (1903).

events. Bismarck retired in disgrace—and the Social Democracy is the strongest party in Germany. Is not this a potent proof of the value of our present tactics? . . . The essence of revolution does not lie in the means but in the end. Violence for thousands of years has been a reactionary factor.[1]

No one in the party [said Bebel eight years later at the Congress of Hanover] can have any doubt of what we think of violent revolution. It is absurd to admit that there is in our party a single person who would feel disposed to precipitate a revolution if he thought that he could attain his goal much better, much more easily, and much more simply. It is not revolutionaries who precipitate revolutions, but in each and every instance it has been reactionaries. [*Lively applause.*] Even the great Goethe said to his Eckermann that when revolution occurs the fault is wholly the government's; and I could cite you a dozen passages from writers, even from old Mommsen who as a good classicist states in his *Roman History* that when a government shows itself incapable of fulfilling its duties in the interest of the great majority of the citizens, then it is right to precipitate a revolution, then the fault is not on the side of those who have recourse to violence but is on the side of those who have driven them to it. And, comrades, with us in Germany the bourgeoisie at all times has acted on this principle.[2]

Here again the theorists and leaders were applying their historical fatalism. *Fata viam invenient.* For the future, let princes and chancellors be good or bad, favorable or not, it would matter little. The best Caesars could not prevent the Roman Empire from going to dissolution and ruin.[3]

To be sure, the German governments did not take at full face value the peaceful protestations of the Socialists; they continued after the lapse of the anti-Socialist law to fight the movement with every weapon at their disposal. The Prussian State Secretary for the Interior directed his under-officials in 1893 to "oppose the progress of the Social Democracy by every possible means"; and the Saxon Minister of the Interior issued a circular instructing the local authorities, "in order to conform to the intentions of the government, to interpret any law which they might invoke against the Social Democrats according to political considerations."[4] In 1895 Liebknecht was condemned to four months' imprisonment for lèse-majesté for having declared at the Congress of Breslau that "Under cover of the

[1] *Protokoll des Parteitages* (1891), pp. 205-206.
[2] *Protokoll des Parteitages* (1899), p. 121.
[3] *Cf.* Bourdeau, *Le Socialisme Allemand et le Nihilisme Russe* (second ed., 1894), p. 86.
[4] *Protokoll des Parteitages* (1894), p. 28.

highest power in the State, injury is done the Social Democracy; under the cover of the highest power in the State, the gauntlet is thrown down to our party and we are provoked to mortal combat." But the Social Democrats had already derived too many advantages from their martyrdoms really to wish a complete cessation of persecution after 1890. With an almost Christian boastfulness and mirth did they dwell upon the thought of bolts and bars, and of the rich electoral harvest that was to be reaped from the wide advertisement of their sufferings. Liebknecht gleefully paid the penalty for his crime of lèse-majesté during the winter of 1897-1898, and being released on March 18, the anniversary of the revolution of 1848, more gleefully still recounted his martyrdom to a monster mass-meeting held at Berlin in celebration of the event. "I can be content," he had already written, "with the Breslau trial. If Paris was worth a Mass, this trial was well worth four months in prison. The advantages which we derive from it have been a good bargain."[1] A conspicuous place in every annual report of the party executive, moreover, was reserved for an exhibit of the total terms of detention in workhouse and in prison, and of the total fines meted out to Socialist "martyrs." The exhibit was deemed an excellent bit of propaganda and at least until 1900 was quite imposing.[2]

IV. Patriotism and Revisionism

The German Social Democracy was growing apace. Its popular vote increased to 1,876,700 in 1893, to 2,107,100 in 1898, and to 3,010,800 in 1903, while its deputies in the Reichstag num-

[1] *Der Prozess Liebknecht. Verhandlung wegen Majestäts-Beleidigung vor dem Landgericht zu Breslau* (sixth ed., 1896), preface by Liebknecht, p. 5.

[2] After 1900, the average fines remained about the same as before, but the terms of imprisonment tended to decrease in measure as the "loyalty" of the Socialists increased: 35 years in 1901; 68 years in 1906; 36 years in 1907, and in 1910; only 7 years and 8 months in 1912; and for the first six months of 1913, three years and three months! The statistics throughout are taken from the *Berichte des Parteivorstandes* to the several party congresses.

	Imprisonment	Fines
1891	87 years, 6 months, 28 days	18,262 marks
1892	117 " 0 " 26 "	20,532 "
1893	86 " 8 " 26 "	31,937 "
1894	58 " 8 " 6 "	43,747 "
1895	83 " 4 " 1 "	34,120 "
1896	84 " 8 " 8 "	31,773 "
1897	118 " 8 " 3 "	28,229 "
1898	54 " 7 " 10 "	19,948 "
1899	74 " 1 " 0 "	23,251 "
1900	71 " 3 " 23 "	16,427 "

bered 44 in 1893, 56 in 1898, and 81 in 1903. As in the preceding period, a large part of its electoral increment came from "extra members"; but from regularly enrolled paying members the returns to the party treasury amounted in 1893 to 258,326 marks, in 1898 to 315,866, and in 1903 to 628,247.[1] The causes of this noteworthy growth in votes and in financial resources are to be found in the marvellously rapid contemporaneous expansion of German trade and German industry, in the lapse of the anti-Socialist law, which now rendered Socialist propaganda enormously easier and more effective, in the "martyr's pose" which the Social Democrats continued to assume and to utilize for arousing the sympathies of their liberally-minded fellow-citizens, in the perfecting of the organization of the allied "Red" trade-unions,[2] and, last but not least, in the changed circumstances of German foreign politics which now rendered it possible for the party for the first time in its history to make a "patriotic" appeal to the German people.

It must be remembered that the retirement of Bismarck in 1890 marked not only the end of exceptional legislation against the Social Democrats but also a momentous revolution in the empire's foreign policy. For more than a century Russia and Prussia had lived side by side in pretty amicable relations with each other, sometimes in formal alliance; and Socialists and Radicals alike had come to look upon a Russo-German *entente* as a mighty prop of "Tsarism" and "barbarism" and consequently as the gravest menace to political democracy and free institutions within the German Empire. Now, in 1890, William II., to Bismarck's chagrin but to the delight of Radicals and Socialists, broke with the Tsar and held out an affectionate hand to England. And then, in 1891, when open flirtation began between the Russian autocracy and the French Republic, the Social Democrats found themselves drawn willy-nilly into sympathy with, and even support of, the Triple Alliance. For example, Georg von Vollmar, the leading Bavarian Socialist, in

[1] The receipts of the party treasury increased in 1908 to 852,976 marks and in 1913 to 1,469,718. The surplus of income over expenditure from 1891 to 1913 amounted to more than two million marks.

[2] A convenient summary of the relation of the "Red" trade-unions to the Social Democratic Party is given by Professor S. P. Orth in his *Socialism and Democracy in Europe* (1913), pp. 171-179, as well as statistics (p. 295) gathered from *Statistisches Jahrbuch für das Deutsche Reich*. *Cf.* Schmoele, *Die Sozialdemokratischen Gewerkschaften in Deutschland seit dem Erlasse des Sozialistengesetzes* (1896 *et seq.*).

two remarkable speeches at Munich in the summer of 1891, declared that, although the foreign policies of 1866 and 1870 were wrong, the party should not squander its force in incessant and fruitless discussions of the past; Germany was now quite pacific, and the Triple Alliance must be defended as the best guarantee of world peace. France alone, according to Vollmar, was too chauvinistic, and it was a disgusting spectacle "to see the French Republic coquetting with Russian Tsarism and barbarism"; the French Socialists who sincerely preached peace were certainly in a small minority and were absolutely unable to influence the chauvinistic majority of Frenchmen.

In any case [said Vollmar] we can render only service to all true friends of peace in France and elsewhere by giving them to understand clearly and in a manner admitting of no doubt precisely what would be the attitude of the German Social Democracy in case of a declaration of war. If ever anywhere abroad it should be hoped that, in case of an attack directed against Germany, the aggressor could count on the German Social Democracy—in such hope one would be profoundly deceived. As soon as our country was attacked from without, there would be but a single party, and we Social Democrats would not be among the last to do our duty! And this duty we shall perform much more zealously if that enemy of all civilization—Russian barbarism—is involved.[1]

In the discussion of these views of Vollmar, at the Erfurt Congress, Bebel, though dissenting from some of their implications, had this to say:

Concerning an offensive war against Germany and its consequences I have insisted that we, equally with the gentlemen of the government, are Germans. . . . The German soil, the German country belongs to us, the masses, as well as to them. If Russia, the citadel of cruelty and barbarism, the foe of all human civilization, should attack Germany in order to weaken and dismember her—and such a war could have no other aim—we should have as much or more at stake than those who are at the head of Germany, and we would resist the aggressor. I have also insisted that if we should thus fight side by side with those who to-day are our adversaries, we would do so not to save them and their political and social order, but to deliver Germany, that is, *ourselves* and *our* soil, from a barbarian who is the greatest enemy of our aspirations and whose victory would signify our defeat as Socialists.[2]

[1] Georg von Vollmar, *Ueber die Nächsten Aufgaben der Deutschen Sozialdemokratie: zwei Reden gehalten am I. Juni und 6. Juli 1891 in "Eldorado" zu München* (1891), pp. 9-10. Vollmar cited as confirmation of his position remarks of Liebknecht in the Reichstag on November 28, 1888, and on May 16, 1891, and in the Congress of Halle on October 15, 1890, of Bebel in the Reichstag on June 25, 1890, and of Auer in the Reichstag on December 3, 1890, and February 9, 1891.

[2] *Protokoll des Parteitages* (1891), p. 285.

The international events of 1890-1891 served likewise to silence Socialist protests against the annexation of Alsace-Lorraine. Already at the International Congress at Paris in 1889 the Socialist delegates from those provinces had declared that their doctrines obliged them to repudiate the idea of a war of revenge; and now the whole German Social Democracy persuaded itself that the annexation, originally outrageous, was nevertheless a *fait accompli*, and that Socialistic internationalism, by gradually effacing all distinctions between Germans and Frenchmen, would be the surest and best solution of the problem.[1]

Now that the German Social Democracy was moved to accept the annexation of Alsace-Lorraine as a *fait accompli* and to extol the Triple Alliance as a bulwark of world peace, why should it not cooperate with other *national* German parties in voting military budgets which would guarantee the efficacy of the Triple Alliance and prevent any war of conquest on the part of Russia or of *revanche* on the part of France? Some German Social Democrats perceived the logic in such reasoning and advised action accordingly. At the Hamburg Congress of 1897, Max Schippel, the reporter of the Reichstag group, said:

> We have not approved of the soldiers, but there they are. For our proposals in favor of a militia and the abolition of all standing armies, no majority is available at present or in the near future. This is a fact which is surely disagreeable to us but with which we must reckon. Because the bourgeois parties do not share our opinion in this matter, must we expose the German workingmen, as if for punishment, to the risk of having to pay with their blood for the lack of intelligence of our opponents? Such behavior would be idiotic and absolutely contrary to the interests of the working class.[2]

Replying to critics, Schippel admitted that "the existing government thrives on war" but emphasized the ever-present possibility of war.

> If one cannot prevent wars, nevertheless one cannot give our soldiers bad rifles, bad cannon. . . . If the militaristic system drives us to a war which we cannot prevent, if we suffer a defeat, and if the blood of our German proletariat doubly flows, I believe that we shall all be reproached by the government for not having taken the necessary precautions at the right moment.[3]

[1] Edgar Milhaud, *op. cit.*, pp. 261-262.
[2] *Protokoll des Parteitages* (1897), pp. 121-122.
[3] *Ibid.*, p. 137.

Though the utterances of Schippel were not well received by the majority of the delegates to the congress, they evoked an eloquent defense from Ignatz Auer, the Bavarian Socialist, who dwelt upon the necessity of adequate military preparedness against Russian "barbarism." And when, in the ensuing electoral campaign, it was felt necessary to disprove accusations of anti-patriotism, several Social Democratic candidates intimated to their constituents a ready willingness to compromise on the old question of militarism and on the new question of navalism. Said Auer at Hanover on February 9, 1898:

> We can approve nothing of the government so long as we are not recognized as a factor possessing equal rights in parliamentary and public life. But if the working class is recognized as possessing equal rights, then will the tasks of this class increase and likewise its responsibility; and it is indeed quite possible that from the day on which the workingman perceives himself a factor possessing equal rights we shall allow ourselves to speak on the naval question. Only for the present must we on principle refuse to vote "a single man, a single penny."

On the following day, Wolfgang Heine, candidate at Berlin, expressed his belief that for the present and the immediate future the attitude of the party would be the same as formerly, but he did not perceive in the refusal of military credits a question of principle and thought the time would come when the party might grant them in return for definite political concessions.

> *Do ut des.* We give military credits to the Government; the Government thereupon grants us new liberties. . . . The "policy of compensations" has worked advantageously for the Catholic Centre, why not for the Social Democracy?[1]

Was the German Social Democracy, in gaining two million voters, losing its own Marxian soul? A certain group of its adherents hoped so; to them a Lassallean opportunism appeared more substantially spiritual (if the expression may be used) than the dogmas of Marx. They would not repudiate the gospel according to Marx or deny their own Marxian profession of faith made at the Congress of Erfurt; they would simply "interpret" and "revise" the gospel; they would merely apply the principles of private judgment and modernistic reason to the

[1] These remarks of Heine and Auer (and much else that is interesting in this connection) were reported to the Hanover Congress. *Protokoll des Parteitages* (1899), p. 250.

proper understanding of the Erfurt symbol. This tendency, inchoate in the early 'nineties, reached fruition in the influential sect of "Revisionism" largely through the writings of Eduard Bernstein, especially his *Probleme des Sozialismus,* which appeared in serial form in *Die Neue Zeit* in 1896-1897,[1] and his *Voraussetzungen des Sozialismus und die Aufgaben der Sozialdemokratie,* published in book form in 1899. Without pausing to indicate the manifold changes in tactics which Revisionism involved, it may be remarked that the essence of the new movement was the denial of the "catastrophic" doctrine of Marxism.

> I confess freely [wrote Bernstein] that I have extremely little feeling for, or interest in, what is commonly spoken of as "the ultimate goal of Socialism." This goal, whatever it may be, is for me absolutely nothing; the movement itself is everything. And I mean by the movement as much the general movement of society, that is, social progress, as the political and economic agitation and organization for the purpose of realizing this progress. . . . In securing a good factory law, Socialism can accomplish more than in the public ownership of a whole group of factories.[2]

Bernstein's Revisionism was at once championed by some of the party's ablest publicists, such as Dr. Conrad Schmidt, Dr. Woltmann, and Dr. Eduard David, and by such an astute political leader as Vollmar; and it proved powerfully attractive to the allied trade-unions.[3] Nevertheless it was denounced by Karl Kautsky,[4] editor of *Die Neue Zeit* and premier theorist of the party, and also by Rosa Luxemburg,[5] the dominating personage in the women's Socialist movement; and, after acrid debates at the Hanover Congress of 1899 and at the Lübeck Congress of 1901, it was formally condemned at the latter congress as a "heresy." For a few years at the opening of the

[1] There were four of these articles, all in vol. XV., pt. I., of *Die Neue Zeit:* (1) "Allgemeines über Utopismus und Eklektizismus" (October 28, 1896), pp. 164-171; (2) "Eine Theorie der Gebiete und Grenzen des Kollektivismus" (November 4, 1896), pp. 204-213; (3) "Der Gegenwärtige Stand der Industriellen Entwicklung in Deutschland" (November 25, 1896), pp. 303-311; (4) "Die Neuere Entwicklung der Agrarverhältnisse in England" (March 10, 1897), pp. 772-783. Bernstein, it must be remembered, was at this time in England; he did not return to Germany until 1902.

[2] "Der Kampf der Sozialdemokratie und die Revolution der Gesellschaft. II. Die Zusammenbruchs-Theorie und die Kolonialpolitik," in *Die Neue Zeit,* vol. XVI., pt. I., p. 556, January 19, 1898.

[3] It is not without significance that Revisionism affected Socialist trade-unionism in Germany at about the same time as the British trade-unions were being drawn into a political alliance wth Socialist groups to form the British "Labor Party," which puts its emphasis upon practice rather than upon theory.

[4] *Bernstein und das Sozialdemokratische Programm* (1899).

[5] *Sozialreform oder Revolution?* (1899).

twentieth century it seemed as if the German Social Democracy was reacting strongly against Revisionism It was the time when the party dallied with the idea of the "general strike" and contended vigorously against the imperialist policies of the government.

The main impetus to the dallying with "direct action" as opposed to orderly parliamentary agitation came from the putative success of the general strike in Russia which wrung from the Tsar the ambiguous constitution of October, 1905. Throughout western Europe there was a new impatience with parliamentary delays, and in Germany the impotence of the Social Democratic members of the Reichstag, in spite of the three million votes behind them, seemed intolerable. Why should not the German Socialists learn a lesson from their Russian comrades and seek to realize their political and economic aims, seek, moreover, to prevent international war, by utilizing the methods of revolutionary syndicalism? So queried Rosa Luxemburg and Liebknecht the Younger. It was the first serious attempt in thirty years to divert and subvert the Socialist movement by an anarchistic agitation from within.[1] And when rumor spread that the German government was concerting measures with the Tsar for the suppression of the Russian revolution, the apostles of revolutionary syndicalism temporarily became very influential. The Jena Congress of 1905 endorsed the principle of the general strike "in case of an attack upon universal, equal, direct, and secret suffrage or upon the right of combination."[2] But the German trade-unionists in their congress at Cologne overwhelmingly rejected the principle: they were unwilling to sacrifice their accumulated funds and endanger their own livelihood by bearing the brunt of a struggle which, whatever good it might do the Russian democracy, was not likely to be of considerable immediate service to themselves individually. Under pressure from the trade-unionists, the Socialist Congress at Mannheim in 1906 reopened the question and in the protracted, bitter debate which ensued, August Bebel threw all his prestige and oratorical gifts into the scale on the side of the trade-unionists and other advocates of "moderation" and "parliamentary action."

[1] Ensor, *Modern Socialism* (second ed., 1908), introd.
[2] *Handbuch der Sozialdemokratischen Parteitage von 1863-1909* (ed. Wilhelm Schröder, 1910), p. 306.

Very few of you, comrades [said Bebel on that occasion], have experienced a great war. You have no notion of the situation on the outbreak of war in 1870. Of course we have grown much stronger since then, but the forces at the disposal of the anti-Socialists have grown too. [*"Quite right!"*] Above all, the nature of military armament has completely changed. Who believes that at a moment when a violent shock, a fever, is moving the masses to their very depths, when the danger of a gigantic war with its appalling misery confronts us—who believes that at such a moment it is possible to institute a general strike? [*"Quite right!"*] The idea is childish. From the first day of such a war there march under arms in Germany five million men including many hundreds of thousands of our party comrades. The entire nation is in arms. Frightful want, universal unemployment, starvation, stoppage of factories, fall of paper securities—is it credible that at such a moment when each is thinking only of himself, one could institute a general strike? [*"Very good!"*] If any leaders of the party were so senseless as to institute a general strike on such a day, martial law would at once be extended, along with the mobilization, over the whole of Germany, and decisions would then pass from the civil courts to the courts martial. I have often heard it said—and I think it probable because in governmental circles it is supposed that the Social Democrats could be crazy enough to take such a course—I have often heard it said that exalted persons have long nursed the idea of preparing the same fate for all the leaders of the Social Democracy as was meted out in 1870 to the members of our party executive. If you think that in such a case our adversaries will exercise any clemency, you are mistaken; I think it inconceivable that in any such case any should be expected. Things are different with us from things in other countries. Germany is a kind of state like unto no other. That may be taken as a compliment, but it is the truth; and this truth we must keep in sight, and direct our affairs accordingly. [*"Quite right!"*] [1]

Bebel and the trade-unionists carried the day at Mannheim; [2] and at the international congresses of 1907, 1910, and 1912, the majority of the German delegates renewed their opposition to the general strike. [3]

V. The Fateful Election of 1907 and the Triumph of Revisionism

Parallel with the debates in the Socialist congresses on the practicability of the general strike, went debates in the Reich-

[1] *Protokoll des Parteitages* (1906), pp. 240-241; *cf.* Ensor, *Modern Socialism* (second ed., 1908), p. 195.

[2] The Mannheim Resolution was worded as a compromise; in effect it was a defeat for Rosa Luxemburg and her party. *Cf.* Wilhelm Schröder, *op. cit.*, p. 310.

[3] Walling, *The Socialists and the War* (1915), pp. 30-49.

stag and in the press on the changed tendencies of German foreign policy: the new imperialism and "world power," and the rapid increase of military and naval armaments. Into these debates the Social Democrats entered with enthusiasm and unanimity, denouncing the Chinese expedition of 1900, the Bagdad railway concessions, the spectacular entry of the Kaiser into the Moroccan imbroglio in 1905, the outrages committed by German soldiers in suppressing the Southwest African revolt in 1905-1906, and the constant threats of armed force with which the emperor and Chancellor von Bülow sought to widen the sphere of Germany's participation in world politics and in economic exploitation.[1] It was because the Socialist group in the Reichstag made common cause with the Centrists in 1906 in refusing appropriations deemed necessary for the suppression of the African revolt, that the government dissolved the lower house and decreed the fateful elections of January, 1907. The decisive nature of the impending elections was clearly stated in the electoral address of the Social Democrats:

You have now to choose new deputies at the polls, in accordance with your opinions, not merely upon the position in Southwest Africa, but upon our entire policy at home and abroad. The situation is serious, very serious. After a thirty-five years' existence the German Empire finds itself in almost complete isolation. For the last fifteen years there has been no lack of speeches and trips made in many potentates' countries, no lack of presents made to the most diverse nations. But the result of all these unsought assurances of love and affection is that to-day German policy is regarded with distrust by almost every foreigner, and Germany instead of friends has scarcely any but covert or overt enemies. Consequently, the world-situation is such that despite all the peace-loving assurances which ruling sovereigns give on occasion after occasion, armaments by land and sea are continually reinforced, the debts of nations and their loads of taxes are continually mounting up, and a feeling of anxiety, as at the advent of an immense catastrophe, continually strengthens its hold on the civilized peoples and forbids them peacefully enjoying the fruits of their labor. . . . [Instead of arbitration and disarmament] we see the ruling classes and their solution, "If you want peace, you must be armed for war," with which they carry on their policy of embittering nations in order to maintain their own class-rule in domestic affairs. The military and naval armaments serve to enrich them. Besides, they cherish the thought on the sly that nations kept in constant anxiety about a grasping and warlike neighbor do not apply themselves to improve their social conditions as they otherwise

[1] See Parvus, *Die Kolonialpolitik und der Zusammenbruch* (1907), and Gustav Noske, *Kolonialpolitik und Sozialdemokratie* (1914).

could and would. This policy of international ruin, in which Germany to-day sets the pace, we have hitherto most decidedly opposed, and we shall continue to oppose it.[1]

Again the government invoked the red demon of revolutionary and traitorous Socialism; again Conservatives and National Liberals, "patriots" of every stamp, rallied in defense of family, morality, country, Kaiser, and God, and incidentally of a very vigorous foreign and world policy; and again when the votes were counted it was discovered that the Social Democrats had suffered a signal defeat. True, the Social Democrats had gained 248,200 popular votes over their number in the general election of 1903, but their representation in the Reichstag, thanks to the adroitness of Bülow[2] and the cooperation of the various bourgeois parties, had been cut from eighty-one to forty-three.[3]

The national verdict of 1907 had a most sobering and moderating effect upon the German Social Democracy. The party, which for all practical purposes had repudiated the general strike, now found the realization of its one remaining hope—majority control of the Reichstag—further off than at any time since 1890. This sad discovery dampened the ardor of extreme Marxists and galvanized the Revisionists into greater activity. Without moving for the withdrawal of the ban promulgated against them at Lübeck in 1901, the Revisionists now slowly but surely communicated much of their "heresy" to the entire party. A much larger delegation in the Reichstag must be obtained. For this purpose a phenomenal increase in the succeeding popular elections must be secured. To this end the party must not alienate well-organized trade-unionists or enlightened middle-class sympathizers. Accordingly, cataclysms and other disquieting bits of the Marxian system must be pushed into the background; a too unpatriotic attitude eschewed; and the party, in pursuit of all-important votes, must hold to practical exigencies—educational reform, extension of the right of association, direct and progressive taxation, universal direct

[1] Signed by seventy-eight Social Democratic deputies in the Reichstag and published in *Vorwärts*, December 16, 1906. Translation in Ensor, *Modern Socialism*, pp. 370-371.

[2] Prince von Bülow in his *Imperial Germany* gives a naïvely candid account of his remarkable activities and manoeuvres in the epochal elections of 1907.

[3] For an admirable explanation of the elections from the standpoint of the leading Revisionist, see Bernstein, "The German Elections and the Social Democrats," in the *Contemporary Review*, XCI, 479-492 (April, 1907).

suffrage extended to Prussia as it already existed for the empire, reduction of the hours of labor, increase of wages, protection against oppressive factory regulations. Though the Social Democrats both in the Reichstag and in their congresses continued to support arbitration and disarmament and to criticize the government for what they called its dangerous foreign policies,[1] nevertheless there could be little doubt that from 1907 to 1914 the tide was running ever stronger toward moderation and compromise.

In the matter of imperialism—so significant in the elections of 1907—there was noticeable shifting. The historic attitude of the Marxian Socialists had been expressed at the International Congress of London in 1896 in a resolution declaring that "Whatever may be the pretext of colonial politics, whether it be religion, or the advancement of civilization, it is in reality nothing but the extension of the field of capitalistic exploitation in the exclusive interest of the capitalist class." Now, at the International Congress of Stuttgart in 1907, most of the Socialists of nations possessing colonies voted to modify the policy; and of the Germans, Karl Kautsky and Georg Ledebour wished to reaffirm the London Resolution, but Eduard Bernstein and Eduard David, supported by the trade-union leaders, were anxious to discard it.

The increasing toleration of imperialism was after all but a natural corollary to earlier Revisionist influence upon the question of "protectionism *versus* free trade." At the German Congress of Stuttgart in 1898, Kautsky had insisted that free trade is a Socialist "principle," but Max Schippel, ably seconded by Vollmar and Wolfgang Heine, had held it to be a mere matter of "tactics"; the resolution adopted at that time was Kautsky's with an important qualifying amendment introduced by Bebel in order to conciliate the Revisionists: free trade was indeed a "principle," but "eventualities might arise in which it would be legitimate to accord some measure of protection." Ambiguities were deemed preferable to party splits. Even "principles" must not be exalted above the requirements of vote-getting.

[1] There is an illuminating résumé of these endeavors of the Social Democrats in the *Bericht der Reichstagsfraktion* in the *Protokoll des Parteitages* (1911), pp. 129-133, and in the *Verhandlungen des Reichstags*, XII. Legislaturperiode, II. Session, Band 266, *Stenographische Berichte*, 159, Sitzung am 30. März 1911, especially the speeches by Scheidemann, Frank (Mannheim), and David.

So chastening was the effect of the election of 1907 upon the German Social Democracy that Bebel himself became something of a champion of the government in spite of its high-handed methods of combating his party. On the very morrow of the elections Bebel declared at the International Congress at Stuttgart that

> affairs are no longer in such shape that the threads of a war catastrophe are hidden to educated and observing students of politics. Closet diplomacy has ceased to be. . . . The war party, to be sure, is small with us Germans and has no adherents in governmental circles. . . . In the ruling classes of Germany nobody wants war, partly out of regard for the existence of the Socialist movement. Prince Bülow himself conceded to me that the authorities know what great dangers for government and society lie in a European war, and therefore would avoid it if possible.[1]

Another effect of the elections of 1907 upon the German Social Democracy was to settle beyond doubt the much-mooted question of cooperation with bourgeois parties in electoral campaigns. Bernstein had advocated such a policy as early as 1893,[2] but it had been condemned by the Cologne Congress in that year. It had been debated, with special reference to the curious three-class electoral system in Prussia, at the Hamburg Congress of 1897 and at the Stuttgart Congress of 1898, but without decisive results. At the Hanover Congress of 1899, largely under Revisionist influence, the following resolution was adopted:

> In order to reach its goal, the party utilizes every means which, in harmony with its fundamental principles, promises it success. Without entertaining any illusions concerning the character and methods of bourgeois parties, representatives and defenders of the existing political and social order, it does not refuse in a given instance to co-operate with certain of them whenever it is a question of strengthening the party at elections, of extending the political rights and liberties of the people, of ameliorating in a serious way the social condition of the working class, of favoring the accomplishment of the duties of civilization, or of combating projects hostile to the working class and the people. But the party guards above all, in its activity, its complete autonomy and independence and considers each success which it achieves only as a step which brings it nearer its ultimate goal.[3]

Next year the Mainz Congress applied this general principle specifically to the impending Prussian elections:

[1] Walling, *op. cit.*, pp. 30-31.
[2] *Die Neue Zeit*, vol. XI, pt. II, pp. 772-778 (1892-1893).
[3] *Protokoll des Parteitages* (1899), p. 67.

In all the German states in which exists the three-class electoral system, the members of the party are bound at the next elections to take part in the campaign with their secondary electors. For the elections to the Prussian Landtag the party executive forms the central electoral committee, and without its approval the members of the party in the several electoral districts must make no coalitions with bourgeois parties.[1]

Relatively slight use was made of these formal authorizations while the Marxists seemingly had the upper hand, from 1901 to 1907, but the great success of the coalitions effected by other parties against the Social Democrats in 1907 was a lesson to be taken to heart by the defeated party.

Under these circumstances came the general elections of 1912. This time the Social Democrats were quite restrained in denunciation of imperialism, militarism, and foreign policies; they confined their efforts to attacks upon the unpopular Finance Act of 1909; and, in order to break the "Blue-Black Block," their party executive made arrangements to cooperate on the second ballotings with the *Fortschrittliche Volkspartei*. The latter promised to support the former in thirty-one constituencies, and the former were to reciprocate in sixteen constituencies. By this means, the party executive estimated that it gained at least sixteen deputies more than it otherwise would have had.[2] The total gains of the German Social Democracy in 1912 went far to remove the stigma of the 1907 defeat and to justify the "moderate" tactics which of late the party had been following, for its popular vote increased from 3,259,000 to 4,250,300, and its representation in the Reichstag from 43 to 110.[3]

Only a few facts and impressions concerning the German Social Democracy after 1912 need now detain us. The "victory" of 1912 was a victory less of Marxian doctrines throughout Germany than of Revisionist, opportunist tactics within the Social Democratic party. The number of Socialist votes polled in the empire was indeed four and a quarter millions; yet the number of regularly enrolled members of the party—presumably the *bona fide* proletarians—was but 970,112, and of this

[1] *Ibid.*, (1900), p. 241.
[2] *Bericht des Parteivorstandes an den Parteitag zu Chemnitz 1912* in *Protokoll*, pp. 29-31.
[3] For electoral statistics, 1871-1912, see Cl. v. Stumpf-Brentano, *Ravensteins Reichstags-Wahlkarte des Deutschen Reichs* (1912).

number over 130,000 were women [1] and perhaps as many more were males under the voting age of 25. And of the enrolled members, a majority were trade-unionists, far more Lassallean than Marxist in general outlook, while their Reichstag representatives, frantically endeavoring to bridge the wide gulf between the voting-strength and the membership-strength of the party, were ever veering toward opportunist tactics.

At the very first session of the newly-elected Reichstag, the Marxist wing fell back almost pathetically but quite naturally upon fatalism and abhorrence of violence. As Ledebour expressed it:

> All Social Democrats know that Socialism must come as a result of historical necessity, as an inevitable result of economic development. . . . But I warn you, do not have recourse to force! You would thereby but invoke a terrible penalty for yourselves and the whole capitalistic society.[2]

And Hugo Haase, on whom the mantle of Bebel was about to fall, quoted Lassalle's dicta against violent revolutions, and endorsed Kautsky's statements:

> If I speak of war as a means of revolution, that does not say that I desire war. Its horrors are so terrible that to-day it is only military fanatics whose ghastly courage could lead them to demand a war in cold blood. But even when revolution is not a means to an end, but an end in itself, which even at the most bloody price could not be too dearly purchased, still one cannot desire war as a means of unshackling revolution.[3]

To the rising anti-Russian feeling which was now gradually overspreading all Germany, the Social Democrats, in consonance with their traditions and principles, could contribute, and in its popularity they could share. In 1912 they talked much about the need of a *rapprochement* between Germany on the one side and France and Great Britain on the other in order to curb the ambitions of "Tsarism and Russian barbarism." For example, Eduard David, speaking in the Reichstag on foreign policy, after qualifying his praise of the Triple Alliance by the

[1] *Bericht des Parteivorstandes an den Parteitag zu Chemnitz 1912.* At the Jena Congress of 1913, the number of members was reported as 982,850, including 141,115 women.

[2] *Verhandlungen des Reichstags,* XIII. Legislaturperiode, I. Session, Band 286, *Stenographische Berichte,* 75, Sitzung am 2. Dezember 1912, p. 2283.

[3] Quoted from Kautsky's *Die Soziale Revolution,* p. 58, in *Stenographische Berichte,* Band 286, p. 2534.

statement that "if perchance Austria should attack Serbia and Russia should hasten to Serbia's assistance, we should not be bound by the engagements of the Alliance to take up arms," went on to say that "the division of the Western European powers had led to the situation where Russia could reach out unhindered in all directions for new masses of land and likewise could assume a most threatening attitude in the Balkan question."[1]

It was out of the Balkan conflicts of 1912-1913 and the resulting upset of the balance of power as between Russia and Austria-Hungary, it must be remembered, that the gigantic "preparedness" movement of 1913, common to all Europe, proceeded. Against the German Army Bill of 1913, providing for an increase of 19,000 officers and 117,000 men in the peace establishment, the Social Democrats in the Reichstag voted *en bloc;* but when it came to the question of furnishing funds to render the Army Bill operative, the same Social Democrats discovered "principles" whereby they were enabled for the first time in their history to vote in favor of increased taxes for military purposes.[2] The "principles" were discoverable in the fact that the government proposed to raise the required fund mainly by direct progressive taxation of the rich.[3] In effect, the party was inverting an old but questionable maxim and proclaiming that the means justified the end.

The "tactics" of the Reichstag group were exposed to the Jena Congress of 1913:

> The existing situation in the Reichstag forced us to vote in favor of these laws. Even if by chance the special levy should be passed without our votes, it would hardly be so with the property-tax law. In fact it is highly probable that the Conservatives, the Poles, and a part of the Centrists would vote against the property tax, which would mean its defeat. Then there would be two possibilities: either the dissolution of the Reichstag, or the postponement of the question of taxation until autumn. To be sure, every one of us would gladly [!] go to the country for election to a new Reichstag. But we should enter the campaign

[1] *Bericht der Reichstagsfraktion an den Parteitag zu Jena 1913.*

[2] The question of voting *any* budget proposed by a non-Socialist government had long been a mooted one with the German Social Democrats. Acceptance of such budgets had been advocated particularly by Vollmar and Anton Fendrich ("Zur Frage der Budgetbewilligung" in *Socialistische Monatshefte,* vol. V, pt. II, pp. 649-661, September, 1901), and opposed by Bebel and Rosa Luxemburg ("Die Badische Budgetabstimmung" in *Die Neue Zeit,* vol. XIX, pt. II, pp. 14-20, April 6, 1901), and debated in the congresses of 1894 and 1901. At Lübeck in 1901 it was resolved to vote against budgets in order to express "lack of confidence," but to admit of occasional exceptions.

[3] See the apology of Hermann Wendel, a Socialist deputy for Saxony in the Reichstag, in the *New Review,* I, 765-771 (1913).

under very unfavorable conditions. We should be rightly accused of having defeated national direct taxes although we had always demanded them. It is likely that the group would suffer a noteworthy shrinkage, —an eventuality which could not be risked in view of the approaching revision of the tariff.[1]

The caucus of the Reichstag group had adopted this view by a vote of 52 to 37, with seven abstentions; and at the congress it was endorsed by a vote of 336 to 140, the majority including Bernstein, David, Frank, Göhre, Liebknecht, Scheidemann, Südekum, Weill, and Wendel, and the minority counting Geyer, Ledebour, Rosa Luxemburg, Stadthagen, and Klara Zetkin.[2].

The German Social Democrats, especially the radical minority, did their best to convince their foreign comrades that the action of the Jena Congress in approving the stand of the Reichstag group on the question of the military budget could not be construed as an endorsement of militarism. Karl Liebknecht's celebrated Krupp "revelations" of 1913 were continued and enlarged in May, 1914. The "Zabern affair" was repeatedly exploited in the Reichstag,[3] Wendel going so far in May, 1914, as to conclude a speech with the words, *Vive la France.* Similarly exploited was the prosecution of Rosa Luxemburg on the charge of libelling the army.[4] And when the Great War actually threatened, *Vorwärts* fairly fulminated against the impending disaster. In an extra edition published on July 25, 1914, a proclamation of the party executive in bold black-faced type denounced "Austrian imperialism bringing death and destruction to all Europe." "However much we condemn the deeds of the Pan-Serb nationalists," it went on to say,

the frivolous war-provocation of the Austro-Hungarian government demands at any rate our sharpest protest. . . . *No drop of blood of a single German soldier may be sacrificed to the ambition of an Austrian potentate in the interest of imperialistic gains.* . . . The governing classes who in peace gag, despise, and exploit you, will use you as cannon-fodder. Everywhere must sound in the ears of the potentates: *We wish no war! Down with war! Long live the international brotherhood of the peoples!*

[1] *Bericht der Reichstagsfraktion an den Parteitag zu Jena 1913* in *Protokoll*, pp. 169-170.
[2] *Protokoll* (1913), pp. 171, 515-516.
[3] See the *Stenographische Berichte* of the sittings of November 28 and December 3-4, 1913, January 23-24, and May 14-15, 1914.
[4] This was just on the eve of the outbreak of the war. She was finally found guilty and sentenced to one year's imprisonment, beginning in March, 1915.

In the din of the clash of arms, the voice of protest, of "international brotherhood," was swiftly silenced. Indeed the party executive hardly awaited the outbreak of war to sound a different note in another proclamation in *Vorwärts*.[1]

> The frightful self-slaughter of the European nations is the cruelest confirmation of what we have long but vainly declared. . . . Yet not with fatalistic indifference shall we live through the coming events. We shall remain true to our cause, we shall hold firmly together, inspired by the greatness of our cultural mission. . . . The strenuous prohibitions of martial law affect with fearful force the workingmen's movement. Indiscretions, needless and foolish sacrifices, may disgrace at this moment not only the individual but likewise our cause.

Then came, on August fourth, the voting of the first war loan by the Reichstag. From what has already been indicated of the Socialist movement in Germany, no surprise should be evoked by the fact that the Social Democratic group voted "aye," nor by the statement which Chairman Haase read to the Reichstag in justification of the patriotism of his party:

> Now we are only too surely confronted by the fact that war is upon us and that we are menaced by the terror of foreign invasion. The problem before us now is not the relative advisability of war or peace, but a consideration of just what steps must be taken for the protection of our country. . . . As far as our people and their independence are concerned, much, if not everything, would be endangered by a triumph of autocratic Russia, already weltering in the blood of her own noblest sons. It devolves upon us, therefore, to avert this danger, to defend the civilization and independence of our native land. Therefore we must to-day justify what we have always said. In its hour of danger Germany may ever rely upon us.[2]

The vast majority of the German Socialists were undoubtedly patriotic and quickly pro-war. The opinion which was to dominate them throughout the Great War was expressed by Philipp Scheidemann on August 21, 1914.

> When France, republican France, [he wrote] has allied herself with Russian autocracy for the purpose of murder and destruction, it is difficult to conceive that England, parliamentary England, democratic England, is fighting side by side with them for "liberty and civilization." That is truly a gigantic, shameless piece of hypocrisy. . . . The motive of England is envy of our economic development. . . . Russia,

[1] *Vorwärts*, August 1, 1914.
[2] Walling, *op. cit.*, pp. 143-144: *cf.* La Chesnais, *Le Groupe Socialiste du Reichstag et la Declaration de Guerre* (1915).

France, Belgium, England, Serbia, Montenegro, and Japan in the struggle for liberty and civilization against Germanism, which has given to the world Goethe, Kant, and Karl Marx![1]

That Lassallean and Revisionist and nationalistic tactics were finally and fully triumphant in the German Social Democracy was exemplified by a noteworthy speech[2] delivered at Stuttgart on February 22, 1915, by Wolfgang Heine, in which he argued against peace and in support of the government not only in the prosecution of the war but also in the assurance of "permanent territorial guarantees"; he extolled imperialism as an essential part of normal national development and asserted that the working man's chief aim of the future must be to strive by means of a simple labor party gradually to realize political and social reforms. And whoever is disposed to doubt the representative character of this discourse should turn over the pages of the *Socialistische Monatshefte* and behold article after article of the most patriotic import from a great variety of pens; the Entente Allies are universally damned, and German Socialists who die on the battlefield are raised to the altars.

So triumphant were Revisionist and Lassallean tactics down to the very end of the Hohenzollern Empire that the German Socialists were quite as unable to achieve the economic goal of Marxian Socialism in the military disasters and political revolution of 1918 as amidst the military and imperial successes of 1871. At no time from 1871 to 1918 were the German Socialists qualified by their traditions or their tactics to establish a Marxian society and order in the Fatherland or to usher in a universal brotherhood of the world's workingmen. This, however, was but one side of their ledger—the debit side. On the credit side must be written plainly and emphatically that at all times from 1871 to 1918 the Socialists did more than any other political group in Germany—more, it may be said without exaggeration, than all other political groups put together—to preserve to present-day Republican Germany the heritage of the days of 1848, the popular passionate longing for political democracy, for personal liberties, and for social equality.

[1] Letter written August 21, 1914, and published in the New York *Volkszeitung*, September 10, 1914.

[2] The speech of Heine is to be found in great part in *Vorwärts*, February 25, 1915.

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CHAPTER VIII

POLITICAL IMPLICATIONS OF RECENT PHILOSOPHICAL MOVEMENTS[1]

Herbert W. Schneider

PROFESSOR DUNNING is reported to have said that recent political speculations are radically unintelligible. Anyone, I think who is even casually acquainted with Professor Dunning's intimate friends, Aristotle, Machiavelli, Hobbes, Montesquieu, Mill, and the rest, will experience a similar feeling on turning from these classic thinkers to a contemporary work on political philosophy. Most of the old problems, the well-defined distinctions, and the apparently cumulative wisdom of past generations seem to be discarded, and one is plunged into a sea of new problems, new states, new sovereignties, new nationalisms, new freedoms, new men, and new gods, without chart, compass or anchor and with naught but new waves for an horizon. Especially now that Henry Adams and James Bryce,[2] the last of the old school, are gone, the outlines of *terra firma* seem to have disappeared entirely. Gone are the old principles and the old faiths. Recent philosophic thought can only be understood in terms of adventure and novelty, which means, at least to a classical mind, that

[1] This chapter does not pretend to be a survey of recent political speculation. It confines itself to those thinkers who are known as philosophers in the technical or professional sense of the word. Such men as Carlyle, H. G. Wells, Tolstoy, for example, and in general philosophical men of letters, have been left out of consideration. So also such men as J. A. Hobson, G. Lowes Dickinson, Lester F. Ward, Thorstein Veblen, and other important figures in the realm of social theory, have been excluded because their philosophies are almost wholly political or sociological. Only those thinkers whose political ideas are part and parcel of a more general and technical system of philosophy are discussed here, though they may be far less important and influential than the men just mentioned. Other chapters of this volume will do more justice to political theorists who are not technical philosophers.

Chronologically, too, the subject-matter of the chapter is arbitrarily delimited. Emphasis is placed on those recent philosophical movements which were not treated in Professor Dunning's last volume. Hegel, Spencer, Marxian socialists, and the Utilitarians, all of whom are discussed in Professor Dunning's volume, are taken for granted here as forming the background for this chapter.

[2] See *The Education of Henry Adams. An Autobiography;* James Bryce, *Modern Democracies.*

it is not to be understood at all. The young men dream dreams and hence the old men see visions of the sun being turned into darkness and the moon into blood. But whether one looks at recent developments in fear and trembling, or whether one is kindled with a new hope, the fact remains that political thought has launched out into unexplored deeps and that the outcome is veiled in mystery. This chapter must consequently not be expected to throw light on the future, nor even to clarify the present, but merely to give a general account of how and why philosophical thought has cut loose from its old moorings. The story begins in the fair haven of idealism, where Professor Dunning left the proud ship of state under the captaincy of Georg Wilhelm Friedrich Hegel. At the time our story opens, however, Hegel has long since died, the old ship has had a rough voyage, has suffered somewhat from the piracy of Herbert Spencer, but has succeeded in regaining the idealistic haven, and is being reconditioned under the captaincy of T. H. Green with a picked crew of British mariners.

I. The Rival Methods

A. Idealism

Things are what they are known as, says the idealist, for nothing could be more unreal than an unknowable. A reality must have a meaning to some mind, but having a meaning is equivalent to being a member of a group or class; for the meaning of a thing is its nature or essence, and its essence is given in its definition, and definition consists in subsuming the species under the genus, the part under the whole, the particular under the universal. Our original statement, therefore, implies that to be real is to be part of a whole, a concrete embodiment of a universal. An absolute individual would be as lost in the real world, as a youth without "connections" in the world of politics. But if the reality of the part consists in its connections with the whole, the whole is real not because it in turn is part of a larger whole, for reality would then elude us entirely, but precisely because it has parts. The universe, therefore, is the only absolute individual. This insight, like a two-edged sword, cuts in both directions. Either I am that absolute individual and the world is mine, or I am but part and parcel of a more inclusive

and objective individual whom, for short, we will call God. Romantic idealists like Schelling and Fichte take the former alternative; pious idealists take the latter. Emerson, in his attempt to reconcile his democratic generosity with his puritan piety, tried to use both edges of the sword at once, granting to each member of God's world his own private world, but this bold thrust merely turned and rent him. Let other spiritual pluralists take warning. God will not be mocked. The more cautious and respectable idealists have, therefore, been of the pious or "objective" sort, seeking the Absolute or objective mind in the manner which Hegel had prescribed.

Hegel and the German idealists, however, have a great advantage over philosophers of a different tongue, especially over the English, because of their admirable word *Geist*. They can speak of the *Volksgeist*, the *Weltgeist*, the *Zeitgeist*, and others with little danger of being misunderstood, and, what is more, with great power of conviction. Thus Rudolf Eucken speaks eloquently and inspiringly of *Das Geistesleben*.[1] In Italy Benedetto Croce with his *Filosofia dello spirito* seems to achieve a similar effect. But when these works are translated into English they lose much of their meaning and most of their force, for the English empirical and psychological tradition has no equivalent set of concepts. "These English psychologists!" cries Nietzsche in exasperation. And indeed to a German or to an Italian, whose languages have an immediate emotional compelling power indistinguishable from their intellectual functions, all this picking the "spirit" to pieces, all this analysis into states of consciousness, cognitions, feelings, volitions, selves, and the like, must seem like pure and diabolical *Gruebelsucht*.

For this and for political reasons the philosophy of the *Geist*, on being imported into England and thence into America, met with certain distinctions and traditions which called for reinterpretations; and so it happened that reinterpreting Hegel became a favorite sport of English-speaking philosophers long after Hegelianism ceased to cause much excitement in its native country. In fact, Hegel's *Geist* disintegrated in Germany almost as fast as his body. Schopenhauer began the work by divorcing idea and will, which had been married by the Hegelian dialectic. Will became the universal reality, taking

[1] Rudolf Eucken, *The Life of the Spirit*.

the place of the *Weltgeist,* and the world of ideas with its intricate dialectic became a toy world for philosophers and artists, a world in which Schopenhauer could amuse himself in a carefree way, safe from the cruelties and vanities of the real world of Will. This hard world of the will, however, was enthusiastically championed by Nietzsche, who had enough chips on his shoulders for all comers, who gloried in the fight, and whose Zarathustra with his supermen, promised to make more rapid headway than the dialecticising *Geist* of Hegel. Meanwhile Bismarckian statesmen made what use they could of Hegel's nationalism in sanctioning the *Kulturkampf,* pan-Germanism, and the supremacy of the *Bundesstaat.*[1] On the other hand, the Marxians had succeeded in making their socialism "scientific" by turning Hegel's dialectic up-side-down, converting it into the theory of the class struggle. Thus Hegel became the father of many, but was owned by none. Even the church, which he tried to serve, feared to own him and joined in the popular chorus of "back to Kant." The war was one more blow to his *Weltgeist,* and when Oswald Spengler, in his *Untergang des Abendlandes,*[2] gave a more or less Hegelian interpretation to recent events by showing that the career of Europe was completed (*vollendet*), this proud Spirit seems to have been given an official funeral.

But among the English, as has been indicated, Hegel fared better, though here too he served many masters and various causes. A leader among the British idealists was Edward Caird,[3] Master of Balliol, who paved the way by his idealistic or Hegelian interpretation of Kant, and who, by his numerous writings and addresses, gave philosophical prominence among English-speaking peoples to the doctrines which had inspired Coleridge and Carlyle. But Caird developed primarily the metaphysical and religious, rather than the social and political implications of idealism. From the standpoint of political philosophy, the greatest of the English idealists was, no doubt, T. H. Green,[4] and to his personal power much of the recent vogue of idealism can be directly or indirectly attributed. His idealism, however, was based more directly on Kant than on Hegel. Green suc-

[1] See John Dewey, *German Philosophy and Politics.*
[2] See Oswald Spengler, *Untergang des Abendlandes.* 2 vols. 1920-21.
[3] See *The Critical Philosophy of Immanuel Kant, Essays, in Literature and Philosophy,* and *Lay Sermons.*
[4] See T. H. Green, *Principles of Political Obligation to Prolegomena to Ethics.*

ceeded in marrying, in all solemnity (for he had no sense of humor), the Kantian notion of moral freedom to British liberalism. Starting with the individual conscious self, as a true British philosopher should, he conceived the moral end in terms of self-realization. A self is truly free, said he, when all its capacities are fully developed. But here trouble begins. The actual, partial, unrealized self does not know its own completion or realization precisely because it is merely partial. The actual self must therefore set up as its "other" an ideal self which is still unknown and yet somehow its goal. The helplessness of the poor partial self in this situation must be obvious. But it is equally obvious that no man lives to himself alone and that he actually realizes himself in his social relations. Each individual, one may therefore suppose, wills along with his own self-realization and as implied in it a common good. This common good being willed by all but known to none in his capacity as mere individual, is the rational basis of the social order. It is the moral end which political organization serves as a means. The philosophical basis of the state, whatever its historical basis may be, is therefore will, not force. Political subjection differs from slavery in that a citizen voluntarily imposes certain obligations upon himself in order to realize a common moral end. Hence the state may be said to be based on natural rights in the sense that the recognition of a moral end implies the "natural" or necessary conditions to its realization. But since the state acts by force, and since morality is based on a spontaneous good-will and not on force, the state can promote morality only indirectly and externally. It is merely a "hindrance to hindrances"; it can remove external obstacles to the self-realization of individuals such as poverty, ignorance, drunkenness, filth, but it cannot enhance morality directly. Green thus leaves politics in this predicament: the state is justified by its moral end, but its acts are by their very nature the opposite of morality. How can a moral freedom be attained by immoral compulsion? Green sees the apparent contradiction and rests his case on the observation that, though law and morality are opposites in essence, they have gone hand in hand historically. Says he: "It is important to understand that while the enforcement of obligations is possible, that of moral duties is impossible. But the establishment by law or authoritative custom, and the gradual

recognition of moral duties, have not been separate processes. They have gone on together in the history of man."[1] The state is thus supposed to encourage the ever growing consciousness in each individual of the common good and the voluntary imposition on himself of those moral duties which alone make the complete realization of all selves possible.

The emphasis in Green is on the individual self and on the moral limitations of law. In F. H. Bradley[2] and Bernard Bosanquet,[3] the other, and more Hegelian side of the theory is emphasized. A man owes his moral freedom to what Bradley calls his "station and its duties," to his membership in a community. His welfare therefore consists in maintaining the life of that community, for the welfare of any organ depends on the health of the organism. And this is no mere analogy, for the community must be a real organism having a life, a consciousness and a mind in the fullest sense of the words. By thus emphasizing the organic unity of the community, Bradley gives the common good a less precarious reality than Green gave it, for on the idealistic principle the common good cannot be real unless it be known to some mind, and since the individual member cannot know it, there must be a common will and mind. Bradley speaks of the community rather than of the state. He is well aware that there is a distinction, and that there are non-political groups or "communities," but, like Hegel, he thinks of all these groups as being coördinated in and subordinated to the state. The various social groups are no more isolated than are the individual members of these groups. They too have common interests and specific functions in the life of the "moral organism," which embraces them and which has its material embodiment in the state. It does not follow that the state is perfect. On the contrary, precisely because of the imperfections of our actual community of interest and coöperation, our morality is still imperfect, is still evolving; and Bradley looks forward religiously to the time when humanity as a whole will be one completely developed community in which all the capacities of each member find their unique but organized realization.

Bosanquet has given this conception of the state its com-

[1] *Principles of Political Obligation*. Section 251.
[2] F. H. Bradley, *Ethical Studies*, 1876.
[3] Bernard Bosanquet, *The Philosophical Theory of the State* and *Social and International Ideals*, in *Proceedings of the Aristotelian Society*, Vol. 16.

pletest expression. To the logical implications of part and whole, which form the background of the idealistic method, he gives a more empirical psychological content than even Green gave it. His analysis centers around two concepts:—self-government and the real or general will. Self-government appears to be a paradox, and yet it is a fact; men do govern themselves. This is possible only because, underlying the temporal will which fluctuates, there is the real will corresponding to what Green calls "the ideal self." Bosanquet identifies it with Rousseau's "general will." But this general will is not, as is the case with Green's ideal self, inaccessible to the particular will. It is a present fact, of which we are usually unconscious, but which comes into consciousness whenever moral and political rights and duties are acted upon. We then feel ourselves to be members of a group mind. Bosanquet believes in the reality of the collective mind not only on logical grounds, but also for empirical reasons, such as those developed in William McDougall's *The Group Mind.* It follows that groups are persons, are responsible like persons and have their own moral rights and obligations, which need not be those of their several members, as Green had supposed. It follows further that if institutions are group minds they may be regarded as the embodiment of ethical ideas. Bosanquet suggests,[1] for example, that the family embodies the idea of a "a natural union of feeling with ideal purpose"; property, the idea of the unity of the individual life with the material instruments of living; the neighborhod, the idea of the spiritual unity of our geographical district; and so on, class, even poverty, all institutions symbolize ideal relations. Finally the national state is "the widest organization which has the common experience necessary to found a common life."[2] The integration of life has not as yet gone much farther and Bosanquet's chief hope for creating a real and inclusive mind of humanity is in the gradual extension of such "ideas" as the British commonwealth of nations. The principle is clear: only when based on a genuine general will or spiritual unity can internationalism or cosmopolitanism succeed. Although Bosanquet recognized the distinction between society and the state and regarded the state as merely one of a number of group minds, he

[1] *The Philosophical Theory of the State,* last chapter.
[2] *Ibid.,* page 298.

exalted the state so far as to make it the most inclusive of all the moralizing institutions. He speaks of a *hierarchy* of institutions, and he quotes with approval from Miss M. P. Follett's *The New State:* "The whole of every man must go into his citizenship." "The true state must gather up every interest within itself."[1] Bosanquet evidently had a deep faith in the power of the state to unify human life. This faith, as in the case of Green, was not based on his philosophy; on the contrary, his philosophy was based on it, and it in turn was based on his practical interest in public philanthropic enterprises, in social legislation, and in Ethical Culture.

When we turn to the greatest of the American idealists, Josiah Royce, we note an interesting contrast in this respect. Royce had as great a passion for unity and organization as any human being could have. Both his familiarity with pioneer life in California and his study of idealistic philosophy seem to have contributed to this result. He frankly called individualism "the sin against the Holy Ghost," and emphasized the Calvinistic doctrine that the individual is utterly lost except he be saved by membership in "The Great Community."[2] In his early writings[3] Royce exhibits all the confidence in the state as an organizer of human life that characterizes Hegel and the British idealists. But in his last important work, *The Problem of Christianity,* he states quite unequivocally that political society in its modern form, far from unifying mankind, really breeds individualism. Therefore Royce turns his back on the political world and seeks salvation in the "community of interpretation," which is the whole body of lovers of truth forming a spiritual communion under the Absolute Truth which hovers over them as "the Spirit of the Great Community." It is to science and to religion, therefore, that Royce turns. American idealists, it seems, were losing faith in their state just when the British were gaining faith in theirs.

Idealists, therefore, like other mortals, vary in their attitudes toward particular states, whatever they may believe of *the* state; Royce loses hope in politics and Hegel deifies it. But their method of approach is common and they have certain common presuppositions or principles. Their method is "philosophi-

[1] *The Philosophical Theory of the State,* third edition, lviii.
[2] This phrase was first suggested to him by Charles Peirce.
[3] See *The Religious Aspect of Philosophy.*

cal" or "speculative." All things which have a general name (states, for example) must have something in common by virtue of which they are given the common name, and idealism tries to define this essence, nature, or function. This can be discovered not by an analysis of the history, origins and activities of the actual things, but by defining what they aim at being, by discovering their final causes. Their ideal goal unites them. Therefore they are all chapters in the philosophy of mind; they all embody ideas and are understood when those ideas are discovered.[1] And precisely because no actual state will be found to embody adequately its idea, the world of ideas, the real world, is proven to be still in the process of giving itself material embodiment. The world is thus approached *von oben herab,* as it were. The analysis of mind is the ultimate science and from it is deduced morality, and from morality politics. All things are thus given an ideal foundation. And, since every definition and every discovery of a "nature" unites a multitude of particulars into a whole, as states are unified by *the* state, it follows that the world is ultimately a unity and the moral order which unites the part to the whole is the ultimate structure of reality.

B. Naturalism and Evolutionism

Angels and idealists descend upon us through the roof, rats and naturalists get in through the cellar. Instead of attempting to understand things by their formal and final causes, and presuming these to be the bonds which unite particulars into an intelligible whole, a man may seek in things a common material basis or origin. Physical, not mental science now becomes ultimate. To use an analogy; you and I are travelling on different roads. We meet at the crossing. If we take for granted that our roads have nothing in common except this crossing, we

[1] Says Bosanquet, in *Social and International Ideals,* page 310, "To say that 'the nature' of 'the state' is an ideal in the sense opposed to a fact, and that we have no evidence what it is as distinct from the vices and narrownesses of 'states' is really to say that we cannot distinguish a function from its derangements. The state has a nature as much as the brain or the railway system—what we mean to imply when we use the word, and what is present in particular states in so far as they succeed in being what analysis shows that they claim to be, and pretend to be even when they are not. And more; you may make a good state or a bad one, but you can no more make the nature of a state other than it is, than you can make a pony-carriage the same thing as a motor car, or good the same as evil. . . . It does seem an open secret to the eye of civilized man that in proportion as 'states' show more of 'the state'—in proportion as communities develop an orderly political system—the organization of rights goes forward."

turn out of each other's way and pass on. If we believe that they have either a common starting point or a common destination, we have certain common interests and may profit by conversation and enjoy acquaintance. An idealist assumes that our roads are converging and that our common interest and point of mutual understanding lies ahead. An evolutionist assumes that our roads are diverging from a common starting point; they may possibly converge again, but our knowledge of each other depends on our common past. So we now turn with him to the attempt at understanding and explaining things by their origins and their history.

But no sooner have we turned our back on Hegel than he again stares us in the face, for he too, is an evolutionist. Our analogy, he would tell us, begs the question. We travel not like pilgrims to some Mecca, but like salesmen "on the road." The road is the goal. History is the realm of mind. The actual is the ideal. The march of events is the march of the great *Geist*, and each earthly birth heralds a new idea. This is, to quote Croce, who is perhaps closest to Hegel's own spirit, "the dialectic conception of reality as development, that is, as a synthesis of being and not-being. . . . The synthesis is the thesis enriched with its antithesis, and the thesis is the good, being, not the bad, or not-being. But who will wish to oppose this logical consequence? Is it not a fact that men hope and live, although in the midst of their sorrows? Is it not a fact that the world is not ended and does not appear to have any intention of ending? And how would that be possible, if the moment of the good did not prevail, just because the positive prevails over the negative and Life constantly triumphs over Death? This continuous triumph of Life over Death constitutes cosmic progress."[1] Croce calls this "dialectic optimism." The world is the life of the Spirit. All acts are acts of will. All willing is both free and necessary. There is no such thing as compulsion or force. We are always free to suffer the consequences of our choice! Similarly evil is only negative. All action consists in the selection of a good and evil is precisely that which is not-selected. All action, moreover, has two sides, the economic and the moral, the useful and the final. The moral will aims at the universal and sets up laws,

[1] Benedetto Croce, *The Philosophy of the Practical*, translated by Douglas Ainslie, p. 252.

rights, states, on the economic side, as means to help it realize the universal. "The Spirit, which is infinite possibility passing into infinite actuality, has drawn and draws at every moment the cosmos from chaos, has collected diffused life into the concentrated life of the organ, has achieved the passage from animal to human life, has created and creates modes of life ever more lofty. The work of the Spirit is not finished and never will be finished. Our yearning for something higher is not vain. The very yearning, the infinity of our desire, is proof of the infinity of that progress."[1] Thus mental and physical processes, time and eternity, good and evil, freedom and necessity are not only reconciled, but identified as complementary phases of a single world order.

Royce, who made a greater effort to reconcile idealism and naturalism than any thinker since Hegel, is even more ingenious than Croce, and less blatantly optimistic. Of the two aspects of experience, appearance and reality, which Royce calls[2] the World of Description and the World of Appreciation, the latter is fundamental. All things are members of a cosmic self of conscious feeling, will or appreciation, but since their experience is in terms of different "time spans" of consciousness they can not all communicate and therefore cannot interpret their experience to each other. But human beings have invented the world of description with its laws of nature and of physical causation to facilitate the interpretation and communication of appreciative experience. Thus the physical order of natural science is purely instrumental to human purposes and needs; it is in fact, a particular instance of the general idealistic principle that reality is that which fulfils human purposes. Croce and Royce thus exploit the physical order for their own idealistic ends; they are merely sheep in wolf's clothing.

But the distinction between the world of description and of appreciation takes us to the heart of the philosophy of Bergson,[3] who uses it to develop a genuinely evolutionary philosophy. Bergson's philosophy stands half way, as it were, between idealistic and naturalistic evolutionism, and represents the culmination of a strong movement in French thought. Fouillée and

[1] *Ibid.*, p. 258.
[2] *The Spirit of Modern Philosophy*, and *The World and the Individual.*
[3] Henri Bergson, *Matter and Memory; Time and Free Will; Creative Evolution; Mind Energy.*

Guyau, had developed the essentials of the method.[1] Bergson's significance lies in the fact that, starting with the traditional notion of the two worlds, and applying a rigorous psychological analysis to it, he was able to divorce the world of appreciation, or, to use his terms, of intuition (feeling, immediate consciousness) from the world of mind with its epistemological dialectics, and to link it up with the world of life, of instinct, of free or creative energy conceived in a biological rather than in an ideational sense, thus making the processes of intellectual analysis (the world of description) an instrument of life rather than of the absolute mind. In this way Bergson escapes the "intellectualist" dilemmas of idealistic dialectic and the consequent necessity of an absolute *deus ex machina;* and at the same time he assigns to the freedom of the individual an ultimate metaphysical status. Having established freedom and individuality by his psychological analysis, he then proceeds to give them an evolutionary setting, describing the world process as a genuine conflict between mechanical or material energy and creative vital energy. This reinterpretation of evolution marks Bergson's own chief interest. He approached philosophy as a biologist. His scientific interest in the history of life led him to the attempt to assign to life and especially to the free human consciousness an adequate place in the general scheme of evolution. "Things have happened just as though an immense current of consciousness, interpenetrated with potentialities of every kind, had traversed matter to draw it towards organization and make it, notwithstanding that it is necessity itself, an instrument of freedom. But consciousness has had a narrow escape from being itself ensnared. Matter, enfolding it, bends it to its own automatism, lulls it to sleep in its own unconsciousness. On certain lines of evolution, those of the vegetable in particular, automatism and unconsciousness are the rule; the freedom immanent in evolution is shown even here, no doubt, in the creation of unforeseen forms which are veritably works of art; but, once created, the individual has no choice. On other lines, consciousness succeeds in freeing itself sufficiently for the individual to acquire feeling, and therewith a certain latitude of choice; but the necessities of existence restrict the power of choosing to a

[1] Alfred Fouillée, *Science sociale contemporaine;* Marie Jean Guyau, *Esquisse d'une morale sans obligation ni sanction.*

simple aid of the need to live. So, from the lowest to the highest rung of the ladder of life, freedom is riveted in a chain which at most it succeeds in stretching. With man alone a sudden bound is made; the chain is broken. The human brain closely resembles the animal brain, but it has, over and above, a special factor which furnishes the means of opposing to every contracted habit another habit, and to every automatism an antagonistic automatism. Freedom, coming to itself whilst necessity is at grips with itself, brings back matter to the condition of being a mere instrument. It is as though it had divided in order to rule."[1]

The contrast between this and the idealistic metaphysics is obvious. The idealist gave the natural order a secondary and precarious place in the logical order of mind. Bergson gives life itself, together with its mind, the rôle of a struggling creative force emerging in an alien world of matter and mechanism. But the moral and social implications are not so obvious, and, indeed, Bergson himself has not developed them in any detail. Consequently his philosophy has been exploited by many and made to sanction a great variety of practical attitudes from James' "meliorism" to French syndicalism. There are, however, enough hints in Bergson to give us some idea of the moral and social implications which he thinks it to have. There is, first of all, the emphasis on free creative activity. Not unity but individual acts of free creation are the goal of the evolution of life. Nature not only "appears as immense inflorescence of unforseeable novelty,"[2] but in addition she puts the seal on this ultimate value by implanting in man the supreme joy which accompanies free creative activity. Freedom is therefore not so much a social and moral matter as it is a quality of the inherent nature of conscious activity. Society's chief function is to order the conditions of life as efficiently as possible for the maximum amount and scope of individual creation. "Society which is the community of individual energy, benefits from the efforts of all its members and renders effort easier to all. It can only subsist by subordinating the individual, it can only progress by leaving the individual free: contradictory requirements, which have to be reconciled. With insects, the first condition alone is fulfilled. The societies of ants and bees are admirably

[1] *Mind Energy*, pp. 25, 26. [2] *Ibid.*, p. 31.

disciplined and united, but fixed in an invariable routine. . . . Individual and society, both in a state of somnambulism, go round and round in the same circle, instead of moving straight forward to a greater social efficiency and a completer individual freedom. Human societies alone have kept full in view both the ends to be attained. Struggling among themselves and at war with one another, they are seeking clearly, by friction and shock, to round off the angles, to wear out antagonisms, to eliminate contradictions, to bring about that individual wills should insert themselves in the social will without loosing their individual form, and that different and diverse societies should enter in their turn into a wider and more inclusive society and yet not lose their originality or their independence. The spectacle is both disquieting and re-assuring, for we cannot contemplate it without saying that, here too, across innumerable obstacles, life is working both by individualization and integration to obtain the greatest quantity, the richest variety, the highest quality, of invention and effort. To conclude, then, the aspirations of our moral nature are not in the least contradicted by positive science."[1]

Question-begging and platitudinous as this may seem, from the point of view of concrete social problems, it at least gives these problems a setting in which the liberation of individuality is emphasized without implicating it at the start in an idealistic "hankering after unity." And though Bergson admits with the idealists that in morality life reaches its culmination, the agreement is more verbal than real, for to Bergson morality is not defined in terms of duty or loyalty to a universal but in terms of a romantic heroism. "It is the moral man who is a creator in the highest degree,—the man whose action, itself intense, is also capable of intensifying the action of other men, and, itself generous, can kindle fires on the hearths of generosity. The men of moral grandeur, particularly those whose inventive and simple heroism has opened new paths to virtue, are revealers of metaphysical truth. Although they are the culminating point of evolution, yet they are nearest the source and they enable us to perceive the impulsion which comes from the deep. It is in studying these great lives, in striving to experience sympathetically what they experienced, that we may penetrate by an act of in-

[1] *Mind Energy*, pp 33, 34.

tuition to the life principle itself."[1] Such an account of morality would certainly be more welcome to a Carlyle or an Emerson than to a Bosanquet or a Royce, and it brings into relief the underlying romanticism in Bergson's evolutionism.

Bergson's philosophy is a speculative and imaginative interpretation of the evolution of life, as the idealistic philosophy is a dialectic interpretation; it is not an application of the evolutionary method in any scientific sense. But when we turn now to those thinkers who have used evolution not as something to be explained but as itself a method or means of explanation, those thinkers who try to understand social life in terms of how it has developed, we come to men who might prefer not to be called philosophers, but sociologists or social scientists, and whom both out of courtesy and out of considerations of the limits of this chapter we ought to leave for another chapter. But since the lines between philosophy and science are difficult to draw, and since the term "scientific" is now clearly seen to be a label for their philosophies rather than a characterization of their methods, we must give them brief mention. Such writers as Benjamin Kidd and John Fiske would no doubt be classed among the pre-scientific evolutionists. Fiske,[2] who introduced and popularized the Spencerian philosophy to American readers, tried to prove, reinterpreting Spencer's principle of the "evanescence of evil," that the principles of Christian morality, especially that of altruism, were brought about by natural selection, that in man this law is working towards the end of throwing off the "brute inheritance" and the establishment of peaceful, unselfish, civilized communities. Kidd, on the other hand, in his *Social Evolution* comes to the same conclusion but for the opposite reason. The law of natural selection, if allowed to go unimpeded, would brutalize and barbarize society, but man fortunately forsakes his reason which obeys the law of natural selection, and acts on the irrational principles of religion and altruism, which alone save him from the ruthless struggle. Buckle[3] seeks in the physical environment, climate and natural resources, the key to the explanation of human progress. These shape man's intellect and the intellect, not morality, is at the basis of human progress. Accordingly our hope lies not in government.

[1] *Ibid.*, p. 32.
[2] John Fiske, *Outline of Cosmic Philosophy*, and *The Destiny of Man*.
[3] H. T. Buckle, *History of Civilization*.

but in the demands which our environment makes on science. Hobhouse,[1] on the other hand, sees in the growth of institutions of regulation the key to moral progress. W. K. Clifford tries to prove that only men's verifiable beliefs are necessary to morality and that the growth of science is directly responsible for moral growth. In his attempt to give right and wrong a purely natural basis, he links up historically the ideas of right and wrong with the welfare of the social group as a whole, and comes to the conclusion that "the first principle of natural ethics is the sole and supreme allegiance of conscience to the community. I venture to call this *piety* in accordance with the older meaning of the word. . . . There are no self-regarding virtues properly so-called, those qualities which tend to the advantage and preservation of the individual being only morally *right* in so far as they make him a more useful citizen. . . . Happiness is not the end of right action. My happiness is of no use to the community except in so far as it makes me a more efficient citizen; that is to say, it is rightly desired as a means and not as an end. The end may be described as the greatest efficiency of all citizens as such."[2] In contrast to the rationalistic and collectivistic approaches of Hobhouse and Clifford, Graham Wallas in *Human Nature in Politics* suggests that reason has little to do with the whole process. The secret of politics lies in man's suggestibility, his habits and emotions. Names are set up for artificial entities (my country, my party, my nation,) and the emotional or "suggestive" power of these symbols is the real basis on which politics rests and by which it operates. Only by setting up more desirable "names" and by giving them emotional power is democratic progress possible. S. Alexander, in *The Moral Order and Progress,* has developed an interesting mixture of Darwinism, idealism and Spencerianism. Alexander applies the law of natural selection to the rivalry of moral ideals and describes their mutual struggle for existence. According to him the survivor is the ideal of "free service to a whole which is in continual progress," and this, he tells us, is "nothing but the analogy of animal life pushed forward one stage further."[3] The good is defined in the Spencerian term of equilibrium, and involves both an equilibrium of all impulses in the individual

[1] L. T. Hobhouse, *Morals in Evolution* and *Development and Purpose.*
[2] W. K. Clifford, *Lectures and Essays,* vol. II, "Right and Wrong," pp. 172-3.
[3] *Ibid.,* p. 410.

and an equilibrium of all individuals in society. The moving equilibrium, which constitutes progress, resembles on the one hand Spencer's theory of adaptation and on the other Hegel's dialectic; indeed, the terms are those of natural science, but the spirit is that of the idealists. Similar results are achieved in Leslie Stephen's *The Science of Ethics,* though he takes his point of departure from the utilitarians, whereas Alexander takes his from T. H. Green. One more "scientific" approach should at least be mentioned; the French positivists, notably Emile Durkheim and Lucien Levy-Bruhl, have tried to put morals and social philosophy on a scientific basis by dealing exclusively with what they call "social facts," instead of deriving social implications from an essentially individualistic ethics. Guyau had given this philosophy a naturalistic and evolutionistic setting. The chief "social fact" on which they build is *solidarité,* the interdependence of all members of society arising out of the division of labor. This philosophy of solidarity is the political analogue of the economic theory of the partnership of capital and labor. It helped to pull France through the trying 1870s and is today being used to combat both the syndicalists and the clericals.

These random specimens of the application of evolutionistic and "scientific" methods to social philosophy may serve to prove that they yield an even greater variety of fruits than the idealistic method. It is quite obvious by this time that the term "scientific" in this connection is really more of a sanction than a well-defined method, and that evolutionism merely illustrates the old story that history can be made to prove whatever one wishes. One of the first to become conscious of this was himself one of the leaders of the evolutionists. T. H. Huxley, in his famous essays on *Evolution and Ethics,* pointed out that the principle of natural selection has no moral value, that whatever the "cosmic process" may be evolving, man has his own ideals and standards which he must maintain, though he be forced to defend them heroically against nature herself and with the knowledge of ultimate defeat. Man artificially protects his gardens from the weeds to which nature is partial; nature ruthlessly kills off the weaklings, but man, if perchance he cherishes them, nurses them. In opposition to the "cosmic process" man sets up the "horticultural process." Natural selection, paradoxical as it

may seem, has at last created a being who turns to battle with his creator. In this struggle man will use what weapons he can. Government is such a weapon and ought to do whatever it can do. The origin of the state would be difficult to explain on Huxley's naturalistic basis, but whatever its origin, its function is clear—it is a tool for the cultivation of the human garden. We need not start out with political principles, any more than we need argue the principles of the spade; the question of utility or function is the only real question. Huxley had more confidence in the ability of the state to be useful than Spencer and his disciples had, but on the whole, he was willing to let it demonstrate its usefulness or lack of usefulness experimentally.

In Bertrand Russell we meet a similar attitude toward the processes of physical evolution, but less confidence in the state. In a beautiful essay, *The Freeman's Worship,*[1] he pictures man chained to a cruel, unmeaning, alien world of blind mechanism, doomed ultimately to extinction, but rising temporarily above his doom in the creative activity of the imagination. Tragedy is the noblest of the arts, for it turns defeat itself into a thing of imaginative beauty. Next, we suspect, would come mathematical philosophy, Russell's own favorite art, for in it the abstract imagination departs farthest from the level of sense experience and matter. The war, however, kindled Russell's political imagination and he has recently indulged in political ideals as well as in mathematics. The goal of political organization ought to be the maximum liberation of the creative impulses in all men. To do this the acquisitive impulses, which are the arch foe of the spirit, must be curbed. But our whole modern capitalistic civilization and nationalistic politics stand condemned on this principle. They foster acquisition, power, enriching one at the expense of another, and culminate inevitably in war. A rational use of government would be to satisfy the fundamental economic needs of man as efficiently and as simply as possible, and then let the remainder of human effort take creative channels. But the modern state, since it is based on force, is a poor instrument for this. It works in the opposite direction. Therefore the activities of the state should be taken out of the hands of a power

[1] In *Mysticism and Logic.* See also his *Political Ideals: Why Men Fight (Principles of Social Reconstruction)*; and *Roads to Freedom.*

loving class and should be cut to a minimum. For this purpose Mr. Russell favors a combination of anarchism and guild socialism. Thus we return to the Spencerian fear of state power, not, however, for Spencer's reasons, not because of its ineffectiveness, but precisely because of its industrial effectiveness, because of its acquisitiveness, and because of its failure to do what the idealists assume it does, namely, to encourage individual creativeness.

This cursory survey of the political implications of the idealistic and naturalistic methods in philosophy ought to suffice to prove both the importance of personal or temperamental factors, in determining their outcome, as well as the force of particular social circumstances. For there are represented here almost all conceivable conclusions from ostensibly the same general premises, and both methods seem about equally prone to such variations. This should not blind us, however, to the many contributions which these types of analysis have made. It is easy to see the bias and the artificial selection of data in any one of these philosophies, but taken together they have brought to light many highly important facts, and there can be no doubt that we have a better knowledge of the actual social and moral developments than before, and that these many attempts to over-simplify and formulate social evolution have opened our eyes to the real complexities of the facts and of the problems to which they give rise.

The conclusion to which we are driven is that we have here a variety of hypotheses, some contradicting others, some supplementing others, some definitely false and others true as far as they go, and that the chief error in all of them is that they are not content to be mere hypotheses, but have a claim to finality and scientific demonstrability about them which smacks more of dogmatism than of scientific enquiry. Certainly this much seems to be clear, that evolution is not as infallible a guide as it was supposed to be. It is altogether too easy to cover up an optimistic prejudice that one's own ideas are bound to win out by an appeal to history or to evolution. Nothing could have been a more conclusive demonstration of this than the War. The outbursts from the whole host of philosophers, each seeing in the war a verification of his own philosophy, and each finding in his own philosophy the most adequate basis for democracy,

internationalism, self-determination, or whatever else it was we fought for, betrayed the sentimentalism and dogmatism of contemporary philosophers. At present, whether from disillusionment or from fatigue or from uncertainty, there is an evident disinclination to draw political conclusions from philosophical systems. Convictions do not grow out of philosophies, as is popularly supposed; rather philosophies grow out of convictions, and hence when political convictions are difficult to hold, as at present, philosophy hides its political face. Curiously enough both politicians and philosophers heave a sigh of relief. Philosophers are rid of their moral burden and politicians of the tiresome task of seeking sanctions. And as Dewey puts it; "While saints are engaged in introspection, burly sinners run the world." [1]

C. Pragmatism and Experimentalism

This disillusionment about philosophical speculation has become a byword among scientists and men of affairs, and has found some champions among the philosophers themselves. Some mention should therefore be made of those philosophers who, under the banners of pragmatism, humanism, instrumentalism, experimentalism, and pluralism, have recently championed the methods of experimental science in philosophy. The movement has been widely denounced as the very negation of the philosophic spirit, and as a conspiracy to surrender the field of moral and political philosophy if not to the devil himself at least to mere scientists. It is an even worse conspiracy, for it attempts to make a philosophy out of the very commonplaces of scientific methodology.

"William James' *Principles of Psychology,*" said a distinguished American philosopher, "marks the end of modern philosophy." It certainly marks a turning point, and even more than his book, James' personality worked a revolution in philosophic thinking. Temporarily at least, he "loosened up" philosophic problems by approaching them directly each in its own terms, instead of from the point of view of a predetermined method. Though he was technically far surpassed by some of his philosophic contemporaries, he surpassed all in the breadth of his interests, in the generosity of his intellectual sympathies, in

[1] John Dewey, *Reconstruction in Philosophy*, p. 196.

his practical insight into life and in his sense of humor. He had no conscience to appease and no system to defend. But he had strong sentiments and a genuine appreciation of all phases of human experience. He revolted against the current philosophic systems not so much because they were false, as because they failed to do justice to the concrete fulness of experience. He felt the artificiality both of the sensationalistic psychology, which broke up the continuous stream of conscious life into isolated "states," and of the absolute idealists for exploiting this predicament to make occasion for their *deus ex machina*. He rebelled against the rationalism and dogmatism of the scientists because he knew that science lives not by truth alone, but also by faith and imagination. He broke loose from mechanistic dialectics, because they left out of account the empirical facts of freedom and he even welcomed occasional "moral holidays." He was himself so open to everything new that he demanded the same trait for the universe. Novelty, plurality, growth, individuality, these were the most striking and fundamental characteristics of experience for him, and if philosophies could not account for them, so much the worse for the philosophies. F. C. S. Schiller attempted a similar revolt in England, but with less success. This was due partly to the differences in the general traditions and trends of thought in America and in England, partly to personal factors. Schiller was more polemic and his humor had a sting; James was conciliatory, but his cavalier freedom was contagious. Schiller was interested in fighting for humanism, James in defending humaneness. Charles Peirce [1] had suggested "pragmatism," a new name for the laboratory type of thinking, as a method for clarifying philosophical ideas and for defining issues. James seized upon this suggestion [2] primarily to discredit the old systems, which, he thought, when put to this test would show their futility. But this bold stroke miscarried, for instead of putting the old theories to the experimental test he succeeded for the most part merely in starting one more pedantic controversy, the controversy about truth. But fundamentally James succeeded, for he broke up the cake of philosophic custom and opened the universe for new lines of inquiry.

What was largely a personal and temperamental matter with

[1] *Chance, Love, and Logic.* Edited by M. R. Cohen.
[2] William James, *Pragmatism.*

James, has been developed by Dewey into a technical, reasoned philosophy.[1] Experience is not primarily a matter of knowing or of thinking. Thinking is only one type of activity, and though thinking transcends itself, it does not transcend experience. Thinking and knowing can be understood only when they are studied in their actual relations to other types of experience, to art, to industry, to play, to all the things that go to make up life in addition to thinking. When thought is approached in this way it becomes possible to see its actual function in life. Thought is stimulated by a specific type of situation, a situation of blocked activity, problematic and indeterminate, and finds its completion in releasing again activity in that situation. Thinking is always an intermediate process, arising out of action and terminating in action, and by this process action is guided. Now, to apply this immediately to political and moral problems with which we are here concerned. The problems of *the* good, *the* state and *the* individual are not real problems at all. The real problems always concern a particular state in relation to certain individuals and specific goods in particular situations. To speak of *the* state, *the* individual and *the* good makes of them abstractions which may serve as general concepts or hypotheses to be applied to a particular case. It is only by applying these general concepts experimentally to specific cases that their validity can be determined, and this is a continual process not admitting of any final conclusion as long as experience continues to change. The burden of this for political theories is that their meaning and their validity can be determined only by applying them to particular problems. When this is done it is seen that most of them mean very different things in different situations. It is easy to prove that historically such concepts as divine right, natural right, sovereignty, duty, happiness, democracy, and what not, have actually meant vastly different things when stated in terms of their implications for different situations. To start out with the assumption that the common name stands for a constant universal "nature" or essence begs the question and oversimplifies the facts. Before we can judge of the present value or bearing of any of these concepts it is therefore necessary to state them in terms of their specific implications for present

[1] John Dewey, *Essays in Experimental Logic: The Influence of Darwin on Philosophy; Creative Intelligence* (Ch. I); *Reconstruction in Philosophy; Human Nature and Conduct.*

problems. When this is done it usually happens that what is supposedly a single theory reveals radically different implications and that supposedly different theories make no pragmatic or experimental difference. Numerous illustrations of both of these facts are to be found in the preceding pages. Pragmatism or experimentalism, as a method, therefore claims not to do away with political philosophies, but merely urges the necessity of putting them in such a way that their concrete meaning will be clear and capable of experimental verification.

Peirce and James were little interested in applying this method to political philosophy. Peirce applied it primarily to symbolic logic and James to such concepts as truth, experience, consciousness and the absolute. Even morality interested James primarily in its religious and esthetic, not in its social implications. But Dewey has attempted to apply it primarily to social philosophy, ethics, and education, and others have contributed even more than he personally to a revision of social philosophy on an experimental basis.[1]

Such terms as society, happiness, self-realization, common good, and good or value in general, are purely formal concepts. Their concrete meanings are not only different for different individuals, but vary from time to time even for a single individual. Society is merely a collective name for all sorts of associations into which persons enter for all sorts of purposes. Happiness means even more things than the pleasure-pain calculus of the utilitarians indicated. "The good . . . is happiness, happiness for each man after his own heart and for each hour according to its inspiration."[2] Self-realization, if it is anything real at all, must be the realization of actual selves in all their manifoldness. A good which is a common good in one situation may have no such application in another, and to assume that there are certain final or eternal values "whose service is perfect freedom" and which constitute the ultimate ends of all rational beings is a pure fiction. To say that men seek happiness, beauty, goodness, and the rest, is true only in a formal and truistic sense, and not in any sense which overlooks the almost infinite variety of actual things embodied in any of these terms.

[1] In this connection such political thinkers as Thorstein Veblen, Roscoe Pound, Justice O. W. Holmes, Léon Duguit, H. J. Laski and Walter Lippmann should be mentioned. They, and many others, have all contributed to the general point of view here outlined.

[2] George Santayana, *Soliloquies in England*, p. 258.

Even to attempt any sort of fixed hierarchy of values, or to imagine that there is a real unity of social content behind these names is to overlook the empirical facts entirely.

If society is as pluralistic as the variety of human associations makes it, it is not only necessary to distinguish state and society, but it is impossible to assume that the state embraces or includes them within it. A state is merely one more form of association and its functions or aims vary from time to time and from state to state. Even when a state corresponds roughly to national boundaries it is a fallacy to attribute whatever cultural community of life there may be to the state rather than to religious, artistic, scientific, or industrial associations. In fact, there is good reason in view of the modern state to identify such common goods with non-political rather than with political types of association, though here one must remember that it is dangerous to generalize, and that this applies only to most western national states of today, not to *the* state. The *Kulturstaat*, except in the case of Russia, is largely a thing of the past, even in Germany and France where it has been cultivated most assiduously. Civilization in many of its phases is trans-national and the national state is today exclusive rather than inclusive; but even in the genuinely national aspects of civilization the state proper has a very minor rôle to play. Allegiance of the citizens to its authority cannot be interpreted to mean that this common allegiance is indicative of common aims, wills, or goods. The state, to use Dewey's analogies, is supreme or sovereign only in the sense that the conductor of an orchestra or the umpire of a ball game or the traffic policeman are sovereign. They are purely instrumental to the music, the game, or the traffic. And even this is misleading, for one need not suppose that all the citizens are playing the same symphony, or the same game. The traffic analogy is probably better, for even though individuals have few or no common aims, they may find it efficient to establish some sort of regulations when they live in a common world. The truth is, of course, that we are not dealing with isolated individuals but with various groups of individuals having more or less in common. To use another of Dewey's analogies, though Spencer and other organismic theorists have made it dangerous, if we compare social life with the life of an organism and distinguish its various activities into (A) needs, wants, impulses; (B) hab-

its, organized modes of behavior; and (C) functions, the results achieved by these processes,—the state would be engaged in so directing the various institutions and organized modes of behavior (B), that each may operate effectively, each B having as its object the channelizing or ordering of certain As in such a way as effectively to promote certain Cs. The state has therefore no end of its own, being purely instrumental, and the ends which it serves are as multifarious as they may happen to be. That there is need of such an instrumental agency is obvious from the fact that (A) and (C) are usually so widely separated. Too much energy fails to be really productive, for the ends of production are lost sight of. Production tends to become an end in itself. What is needed is a more intimate correlation of consumption and production; "productive consumption" and "consumptive production" need to be encouraged. Modern states are forced to seek some remedy for this disjunction. And only future experience can tell whether this attempt of states to function in this way will prove effective. In the meantime there is a real danger that this instrumental agency, the state, will in turn pretend to set itself up as the social end or common good, and that patriotism will lapse into fanaticism.

One more implication of this method and we must pass on. It follows that we are not so much concerned with the relation between individual and group, between part and whole, between particular and universal, as we are concerned with the interrelations of groups, or more accurately, of the various *interests* which persons share. The problem is not one of uniting all of these groups into a single, harmonious whole; it is a problem of enabling these various interests to be carried on with a minimum of interference one with the other. Therefore the traditional dialectics of the part and the whole are not relevant. What effect this point of view will have on our political institutions and practices, one can scarcely surmise. The pluralistic conception certainly raises more problems than it solves. Whether it will lead to a system of functional instead of geographical representation, whether to the compromises urged by the guild socialists, or whether the distinction between political and non-political types of government will vanish, whether it will lead to centralization or de-centralization of authority, whether sovereignty will be more accurately located or whether it

will be abolished, all remains to be seen. These are matters of experimentation, not of principles.

II. Fundamental Issues

After this survey of the various methods of approach it remains to select from the whole panorama of opinions and ideals thus presented a few which seem to be most important and which indicate general tendencies in contemporary philosophizing. I select three such seeming fundamental issues, though with much hesitation, for in such muddy and turbulent waters it is almost impossible to see bottom.

A. Monism vs. Pluralism

The issue between the One and the Many has appeared time and again in the above survey as fundamental. The monism of the idealistic method has been sufficiently emphasized. Let me therefore turn to an illustration of a monistic social philosophy which is developed on a naturalistic basis. Mr. L. T. Hobhouse seems to have gained a pyrrhic victory in his attack on Bosanquet's "metaphysical theory of the state," for in his *Development and Purpose* and in *The Rational Good* he has defended a monism which has the same practical outcome though based on the principles of empirical psychology, rationalism, and evolution. Psychology, according to Hobhouse, discovers the good to be a "harmony of experience with feeling." Reason is the principle of harmony or inter-connection in experience. Therefore the rational good, the objective moral standard, must be the principle of harmony, which seeks the ultimate integration of all goods. "Ethical idealism, in the shape given to it by T. H. Green, was deeply opposed to utilitarianism, in its metaphysical presuppositions, but much less alien to it, as Green recognized, in its practical and humanitarian spirit. To the conception of developmental harmony it is still more closely akin. Green conceives the ethical order as arising from the spiritual principle in man seeking to realize itself in a Common Good. The several elements in this conception, if pressed and defined, yield point by point the principle of harmony and development. The self-realization which is held out as the goal for each personality cannot be, and is not, of course, intended as, any sort of realization of any sort of self. The miser may

'realize' his avarice or the vindictive man his vengeance, but the more the self realizes capacities of this kind the worse it becomes. Self-realization must mean (a) not any kind of experience in which some psychical capacity is fulfilled, but an orderly development of an organic whole, and (b) this development, if it is to form part of a 'common' good, must be conditioned by the equally desirable development of other human beings. But this is precisely the conception of the good as the harmonious development of the life of the race as a whole. Apart from the conception of harmony there is no criterion to decide between the kind of development that would be good and the kind that would be bad."[1]

"On this view reality is an inter-connected system which develops in time, the principle of rational harmony or Love being the permanent underlying ground of development. This principle is not the ground of Reality, but only of the development which takes place in reality, subduing as it advances the equally real and significant element of disharmony. The scope of the principle is, therefore, accurately expressed in the formula 'universally applicable' rather than 'universal in operation.' But there should be this rider that the principle, being a principle of development, is a creative force always at work in extending its own field of application. Briefly, if this view is correct the principle will ultimately dominate the universe."[2]

"The evolution of new types through a cruel and anarchic struggle in which the majority of individuals perish prematurely in each generation is a process which occurs throughout the organic world, but can in no sense be called a permanent condition of progress. On the contrary, in proportion as higher types come into being they emancipate themselves in greater and greater degree from the struggle, substituting in ever larger measure the principle of coöperation and the deliberate organization of life. The ethical principle of harmony here laid down, far from being antagonistic to this movement, is merely an expression for the goal to which it tends. It is the principle of true progress in evolution become conscious and operating with full sense of its own meaning and aim in the higher organization of life. There is no abysmal conflict between ethics and evolution. The flower of the evolutionary process is the ethical spirit.

[1] *The Rational Good*, p. 141. [2] *Ibid.*, pp. 157-158.

The rational harmony contemplated here means neither more nor less than the more perfect adjustment and coördination of the permanent forces that make for betterment in the movement in the world, and which, slowly gathering vitality as civilization advances, now mainly require a fuller and more adequate expression to secure to them the ultimate control of the movement of social life."[1]

This is obviously a plea for more harmony between nations as well as between economic groups, and for the coöperative organization of the whole human race. But it involves more. Harmony is the end. All life, on the analogy of a rational system, which consists of a body of consistent propositions, must itself *become* a single rational system. It is not enough that men should be reasonable, they must constitute a rational whole. One is reminded of a pathetic passage in Royce's *The Religious Aspect of Philosophy*[2] where after describing what happens in Shelley's poem when Prometheus is unbound, how each hies himself to a pleasant cave with his friends to weave garlands, laugh and weep together, and engage in pleasant discourse, Royce breaks out into the wail: "No organization! Mere fragmentary amusements!" "That will not do." "Organize all life!" "Be loyal to loyalty" itself, as the supreme end or cause.

Contrast with this attitude a radical pluralism which takes ends or goods in all their manifoldness and merely demands enough "harmony" to keep them from frustrating each other. Ends or goods are specific, reason with its universals is instrumental. Intelligence consists not in weaving all goods into a rational whole, but in integrating certain competing impulses with reference to certain situations. Not in the complete unification of all experiences lies the ultimate goal, but in the continuous reconstruction of our systems to meet the specific demands of ever new and changing conditions. Reason is a continuous exercise, not a final goal of evolution. There is a difference between *using* reason and *being* reason. Socially speaking, the significance of recent pluralistic philosophy[3] lies first of

[1] *The Rational Good*, p. 161.

[2] Josiah Royce, *The Religious Aspect of Philosophy*, p. 191.

[3] The pluralistic implications of the philosophies of James, Dewey, Bergson and Russell have been indicated above. But there is in addition to these philosophers a group of political writers known as "the pluralists," who, whether or not they are committed to a radical philosophical pluralism, have emphasized the pluralistic nature of society. The differences between these writers are perhaps more significant than this common element. Miss Follett,

all in that it does not fall back on the older individualism with its "man versus the state" and the individual versus society. Pluralists like Emerson, who rebelled against the unifying attempts of government, were forced to fall back on the sacred individual, and retire more or less from society to the woods. That is no longer dialectically necessary. Society itself is pluralistic. This however, is not as new a discovery as it is supposed to be, for the idealists were well aware of the fact and not only admitted it but made it their *problem.* The very fact that it is pluralistic points to the need of some unifying agency like the state to make an "identity in difference." But at this point the modern pluralists take issues. They are not even interested in a single coördinated system or hierarchy as an ideal for this pluralistic society. The pluralism is supposed to be ultimate and is welcomed as such. Man's citizenship is but one of his many interests, and to it the others are not subordinated. When and if they conflict, citizenship may take priority, but it is a far cry from that fact to the unified whole of the monists. To be sure, some of the pluralists play into the monists' hands in their attempts to emphasize the non-economic functions of the state. Thus Miss M. P. Follett in *The New State* makes the following statements, which Bosanquet greedily quotes: "The true state must gather up every interest within itself. It must take over many loyalties and find how it can make them one. I have all these different allegiances. I should indeed lead a divided and therefore uninteresting life if I could not

for instance, while emphasizing the pluralistic nature of society, makes it the basis of her plea for a "unifying" state. The syndicalists and some of the Guild Socialists are more radical pluralists. In chapter XXVIII to XXXII of Miss Follett's *The New State* will be found a good account and a criticism of social pluralism. The following have all contributed to various phases of the general movement away from monistic and classic political theories, though to merely label them all "pluralists" does injustice to their individual differences:

Norman Angell, *The Great Illusion* and *The Press and the Organization of Modern Society;* Ernest Barker, *Political Thought from Spencer to To-day* and *Greek Political Philosophy,* numerous articles of importance: Hilaire Belloc, *The Servile State;* Arthur Christensen, *Politics and Crowd Morality;* Léon Duguit, *Etudes de droit public* and *Les transformations de droit public;* J. N. Figgis, *Churches in the Modern State;* M. P. Follett, *The New State;* Harold Laski, *Studies in the Problem of Sovereignty;* James Ramsay Macdonald, *Parliament and Revolution;* Ramiro de Maeztu, *Authority, Liberty and Function;* A. R. Orage, *Guild Socialism;* Georges Sorel, *Reflections on Violence;* Ludwig Stein, *Philosophical Currents of the Present Day* and *Die soziale Frage im Lichte der Philosophie;* R. H. Tawney, *The Acquisitive Society;* Ferdinand Tonnies, *Gemeinschaft und Gesellschaft;* Graham Wallas, *The Great Society;* Sidney and Beatrice Webb, *A Constitution for the Socialist Commonwealth of Great Britain;* H. G. Wells, *New Worlds for Old.* Such periodicals as *The New Age, The New Republic,* and *The Freeman* should also be mentioned.

unify them. . . . The true state has my devotion because it gathers up into itself the various sides of me, is the symbol of my multiple self, is my multiple self brought to significance, to self-realization."[1] G. D. H. Cole in his philosophic defenses of guild socialism tries to make the state a sort of clearing house for all "community" interests, the non-economic as well as the economic groups, and talks as though the state thus embraced all life. But the emphasis is certainly on the groups and the chief purpose of the guild socialists and of the syndicalists is to give as much autonomy to the several interests as possible, "coördinating" them only in so far as points of conflict make them necessary. Mr. Laski,[2] following out the legal implications of pluralism, has popularized the notion of plural sovereignty. He bases his argument on the legal facts pointed out by Duguit and others that different groups have real authority in different matters, and that sovereignty in a legal sense is therefore not a single thing. The legal side of this theory belongs to another chapter, but whatever the value of this legal theory, it is at least proof that social pluralism has far reaching implications for political practice as well as for the meaning of sovereignty. "Plural sovereignty" seems to be a contradiction in terms and we may both get nearer to the facts of modern society and avoid ambiguous terms if we approach the state under other categories than that of sovereignty, which is full of monistic implications and of the old rigid separation of ruler and ruled. On the pluralistic basis ruler and ruled are theoretically not two distinct classes, nor is the concept of self-government as paradoxical as it was under monistic theories. Any person may be a ruler in one situation and ruled in another. It is all a question of specific functions in specific situations. How much subordination, coördination, harmonizing will be necessary remains to be seen. It is an experimental and instrumental matter and not an end in itself to which one is rationally and morally committed. The guild socialists, one suspects, will not feel offended if it takes a large amount; on the other hand, more anarchistically minded thinkers, like Russell, hope for a minimum. Dewey writes: "To foster conditions that widen the horizon of others and give them command of their

[1] M. P. Follett, *The New State*, p. 312, quoted in Bosanquet, *The Philosophical Theory of the State*, third edition, p. lviii.

[2] H. J. Laski, *Studies in the Problem of Sovereignty.*

own powers, so that they can find their own happiness in their own fashion, is the way of 'social' action. Otherwise the prayer of a freeman would be to be left alone, and to be delivered above all from 'reformers' and 'kind' people."[1]

B. Moralism versus Non-Moralism

The issue between monistic and pluralistic ideals is thus seen to involve another issue which may be even more fundamental, the issue between moralism and—what shall I say, estheticism, secularism, paganism?—non-moralism; between those who look upon morality as a luxury and those who see in it at most a necessity; between those who worship the moral order, and those who feel superior to it.

There is an old tradition, especially in England, which uses the term "moral good" as coördinated with other ultimate goods. Such expressions as "truth, beauty, and goodness" or "religion, art, and morality" are common. Moral goodness was conceived as one of the several ultimate or eternal values. But the general tendency of recent ethical theory is to break down these rigid distinctions and to re-interpret morality in such a way that it includes all of life. The utilitarians, approaching ethics from the exterior, made happiness the end of all life and ethics was thus given an universal subject matter. Their difficulty was not that of reconciling politics and morals, but that of assigning any limit at all to political action,[2] since politics is moral in essence. The idealists, approaching ethics from the interior, from the spontaneous good will, made the whole problem of realizing all of man's capacities a moral problem, and thus they in turn gave the realm of politics a moral status, for politics undoubtedly contributes to complete self-realization. However, as we have seen above, they had difficulty in reconciling morality and government, since government is force and morality is spontaneity. They finally succeeded in positing an "ideal self" or "a real will" behind the force, and let it go at that. In both cases, the utilitarians and the idealists, the net result was to give politics a real place in the "moral order," and the moral order became the great unifying principal of human life. This motive is obvious in Hobhouse's *The Ra-*

[1] Dewey, *Human Nature and Conduct*, p. 294.
[2] This was the problem of J. S. Mill's *Liberty*.

tional Good, from which we quoted above, and ever since Fichte made a moral order out of the external world, idealists have made that conception fundamental, notably in recent times, Bradley, Bosanquet and Royce. Knowledge itself has a moral basis. The world is what I *ought* to believe, says Royce.

The recent revivals of Puritanism in politics, especially in America, make us aware of another tradition which makes morality politically fundamental. Political toleration of "sin" was regarded by the Puritans as itself a sin, for the state was conceived as the attempt to create a moral order. And the Americans are obviously having great difficulty in reconciling the French ideas of the Revolution about liberty and toleration with the Puritan elements in their politics, which assume a "holy commonwealth" and a moral ideal as the basis of the state. Hegel, with his "moral freedom," had a more ingenious way of reconciling Protestantism and Rousseau, and of moralizing politics.

The following paragraph from S. Alexander is a typical statement of modern moralism: "Morality is the supreme concern of life, not merely the process of attaining some higher condition. All goods run up into good practice—everything is grist to that mill. The end of life is good character. But the conceptions of practice and character we enlarge so as to include more than those activities, which have usurped the names. Art and science are practice equally with benevolence. And in character we reckon not merely that which is bent on intellectual or imaginative results. All the powers of human nature find thus their ultimate significance in the use to which they are put in conduct or character, the highest expression of human life." [1]

This makes it clear that morality is to be regarded not as a separate department of life, but as a category which is applicable to the whole of life. Such a point of view has probably been given its completest expression by Felix Adler, who deserves to be put at the head of the list of contemporary moralists. Adler's point of departure is the categorical imperative of Kant, but he tries to give it a better foundation than Kant did. The ethical or spiritual universe is not a matter of empirical knowledge; it is a universe which we posit when we regard each man as having intrinsic worth. "To assert the worth of

[1] *The Moral Order and Progress,* p. 186.

man is to view him as one of an infinite number of beings, united in an infinite universe, each induplicable in its kind. Of this spiritual multitude ideally projected by us as enveloping human society only our fellow human beings are known to us. The moral law is the law which reigns throughout the infinite spiritual universe applied within the narrow confines of human society. It is applied within those confines, it is spiritual, universal in its jurisdiction. The task of humanity as a whole is to embody more and more the universal spiritual law in human relationships, and thus to transform and transfigure human society."[1] Social institutions and their corresponding human vocations may accordingly be evaluated ethically, that is, from the point of view of their particular contributions to the realization of the spiritual universe; or, in Bosanquet's words, institutions are ethical ideas. For example, "the vocation of the artist is to create the semblance of the spiritual relation between the parts of an empirical object."[2] "In a work of art each line, color, sound, word, must be irreplaceable, and on that account convincing. Each member must be indispensable in its place and the connection with the rest inevitable. Substitute for line, color, sound, and so forth, a life—an ethical being,—conceive the members to be not a few but in number infinite, and you have the spiritual ideal, which is the reality whereof the art work is a semblance."[3] Now, to come directly to the moral function of the state: "The state supplies the external conditions required for development toward ethical personality by those who pass through the institutions of the family, of the vocation, etc. The state possesses a spiritual character in so far as it supplies these conditions, and inasmuch as it has a spiritual character it is not merely justified but ethically required to use force. Force is spiritualized when employed to establish the conditions indispensable to spiritual life. The conditions enforced must be such as in the opinion of the preponderant number of citizens indisputably make for the development of personality. Examples of such conditions are protection of life, property, reputation, compulsory education, the maintenance of the monogamic family, protection against foreign invasion, etc. . . . The redeeming thought

[1] *An Ethical Philosophy of Life*, p. 177.
[2] *Ibid.*, p. 277.
[3] *Ibid.*, p. 286.

with respect to the use of force by the state consists in regarding force as ethical discipline, and in making the extent to which it is favorable to spiritual freedom the measure and test of its rightful use."[1] "The state is sovereign only in so far as the exercise of its supremacy is necessary to the spiritual end of citizenship. . . . But so far as the spiritual ends to be achieved in the international relations are concerned, the state with respect to these is subject to international sovereignty,—a new conception which mankind is striving to bring to the birth today."[2]

The reaction to this moralistic approach to life in general, and to politics in particular, takes various forms. We might begin with Schopenhauer,[3] who turned his back on the whole world of will and its problems. It is true, he talks of an ethics of pity, but this is largely negative, an avenue of escape from positive problems of practical life. A woman can find release from the world of will by complete self-sacrifice to others, as in the case of the nurse; but a *man* will seek escape by the higher road of poetry and philosophy! In art, not in morals lies genuine individuality; and though man is part and parcel of the common world of the Universal Will, the sooner he renounces his allegiance to it the better. Nietzsche,[4] taking his clue on the one hand from Schopenhauer, on the other from his interest in Greek art, revolted more violently and more aggressively. "We immoralists," he cries, we will go beyond moral good and evil, beyond right and wrong. We will speak of nobility and vulgarity, not of right and wrong, of *gut und schlecht,* not of *gut und boese.* Our standards are essentially esthetic. What have we to do with the masses, the slaves? Shall the artist turn nurse? Shall we all share the air of the sick-room for the sake of a spiritual unity? What would happen to beauty if we all turned missionaries to the barbarians? Forget the masses and turn to beauty and power. Be a master, if you can,—a Napoleon, a Beethoven, a Bismarck, a Wagner. It is these few who give life its real worth. Politically the implications are, let those rule who really can, in whom the Will to Power can effectively assert itself. A state is judged by the masters it pro-

[1] *An Ethical Philosophy of Life,* p. 306.
[2] *Ibid.,* p. 309.
[3] Arthur Schopenhauer, *The World as Will and Idea.*
[4] Friedrich Nietzsche, *The Will to Power; Beyond Good and Evil; The Joyful Wisdom,* etc.

duces. The masses are mere instruments in producing them. War? Certainly, if that is the most effective means for gaining noble ends. War is not an evil in itself: all life is essentially war. What makes most modern wars detestable is that they are fought for such paltry ends—slavish wars about coal and iron and oil. Wars might be fought, in the spirit of Napoleon or of Bismarck, for European unity, or for some other noble, heroic end. These ends, however, are not moral ends. Nietzsche's Europeanism and cosmopolitanism was esthetic rather than moral. Pragmatically it might make little or no difference whether one is devoted to esthetic "nobility" or to moral "spirituality," except in the first place, that dialectically moral categories are usually bound to philosophic monism, and artistic categories usually flourish on individualism and pluralism; and secondly, that morality is more closely intertwined with politics than art is. The artist has critical standards which set him apart; the moralist has obligations which bind him to his fellows. Consequently the non-moralistic philosophies tend to detach themselves from the specifically political problems.

This revolt against moralism, usually in the interests of art, sometimes of science, has spread significantly. In America it early took violent form in men like Thoreau, who were surfeited with the moralism and reformism of New England. It was encouraged by Henry and William James' temperaments and Walt Whitman's poetry, to say nothing of the younger generation of intellectuals who, breaking under the strain of moralism and its disciplinary virtues, have launched their attack on the sordidness, the vulgarity, the lack of beauty, and of standards of taste in American life; in England, by Walter Pater and Ruskin and, less definitely, Matthew Arnold, and their disciples. We have already noted Bertrand Russell's emphasis on the "creative impulses," by which he means art and science rather than morals, and Bergson's emphasis on individual acts of creation rather than on the moral order has a similar bearing. In Germany Graf von Keyserling[1] is meeting with some success in trying, like a modern Fichte, to arouse the disheartened German people to "new ideals," but his appeal is not moral, like Fichte's, but rather an appeal to an interest in art, science and philosophy as well as more specifically in a philosophic *art* of politics con-

[1] *Philosophie als Kunst*, etc.

ceived in international terms. In Italy and France we have a curious situation, for in these two countries the moralistic tradition has probably had the least power, and in France, at least, there seems little danger of a revival of moralism in the general intellectual habits, but now, as a consequence of the war which naturally revived moralism everywhere, politics is exceedingly moralistic; and in Italy such "pragmatic Christians" as Papini [1] are influential, and their emphasis on the moral virtues is as decided as Croce's emphasis on esthetics. In Russia, of course, moralism of a kind has its innings. But with these exceptions the general trend of philosophic thought, though not necessarily of political practice, is decidedly non-moralistic, especially since the war. Even Bosanquet, in his interesting post-bellum introduction to the recent edition of his *Philosophical Theory of the State,* calls particular attention to "the positive values which are not diminished by sharing; to beauty that is, to truth and to religion," [2] as the ultimate aims and guides of social and civic life. In short, there seems to be a more general willingness to allow the ends which institutions serve to stand by themselves instead of subordinating them to a "moral order." There is a tendency to relegate both the moral order and the political to instrumentalities instead of regarding them as final ends, or at least, if this is too broad a claim, there is an evident shift of emphasis; whereas it was formerly taken for granted that ends must fit into a unified scheme and criticism was focused on the political implications of this moral order, now the moral and political problems of order and of the common conditions of life are put in the background and the problems of ends, values, and esthetic standards are being subjected to criticism in their own terms. The political implications of this shift of emphasis are, of course, negative. It means that these philosophers are sceptical about the real value of political progress. The best tools are useless in the hands of a poor craftsman, and the best political institutions are wasted on a nation of slaves. A sense of values, more than moral discipline, is the first prerequisite of real progress. In any case, it is to the problems of refining the sense of values that these philosophers turn as their proper interest, abandoning the narrowly political problems to more

[1] Giovanni Papini, *The Life of Christ,* etc.
[2] Page lxii.

menial minds. They attempt to liberate the philosophic imagination from preoccupation with instrumentalities, and to focus attention on the natural goods of life. Men take their "moral holidays," preachers dislike being preached at, and philosophers refuse to be eternally reminded of their citizenship. It may be a natural reaction from the excessive moralism of the nineteenth century in general and of the war in particular, it may be that moral and political problems are given up in despair, it may be that ends are being questioned and evaluated which formerly had been taken for granted, or it may be that the tendency of moral theory to degenerate into moralizing and preaching has robbed ethics of its concrete meaning and vitality. If this last is the case, let the preachers of the Gospel of Beauty [1] take warning from the fate of their brethren, the preachers of Goodness.

C. Democratic versus Aristocratic Ideals

There is, however, another fundamental issue involved, which may help to explain the decline of moralism, but which at the same time carries us far beyond it—the issue between democratic ideals and Greek or aristocratic ideals. These terms must be understood here not in their narrow political sense, but in their broadest philosophic sense. Here we are confronted with so many varieties of both types of ideals, that it may seem futile to define the issue at all. Two democrats as different as Emerson and Tolstoi, and two aristocrats as different as Matthew Arnold and Nietzsche make it impossible to define "the nature" of democracy and of aristocracy in any way which would do justice to representative thinkers. I choose, therefore, one representative of each side for discussion, and make no attempt to generalize.

Of all the recent defenders of the democratic faith from Woodrow Wilson down, probably none has developed it so radically and thoroughly on the philosophic side as John Dewey. The democracy of Whitman and even of Emerson is largely romantic and sentimental, and their emphasis on self-reliance and "the open road" is more of a gesture than a philosophy. But consider this definition of democracy by Dewey: "The extension in space of the number of individuals who participate

[1] *Cf.* Vachel Lindsay, *Adventures While Preaching the Gospel of Beauty.*

in an interest so that each has to refer his own action to that of others, and to consider the action of others to give point and direction to his own," which "is the equivalent to the breaking down of those barriers of class, race, and national territory which keep men from perceiving the full import of their activity."[1] "Government, business, art, religion, all social institutions have a meaning, a purpose. That purpose is to set free and to develop the capacity of human individuals without respect to race, sex, class or economic status. And this is all one with saying that the test of their value is the extent to which they educate every individual into the full stature of his possibility. Democracy has many meanings, but if it has a moral meaning, it is found in resolving that the supreme test of all political institutions and industrial arrangements shall be the contribution they make to the all-around growth of every member of society."[2]

All this may be a platitude and it may be urged that it is merely Dewey's way of saying what he learned from T. H. Green; but what makes it really new, radical, democratic and adventurous is that Dewey, unlike Green and the rest, is willing to start with actual individuals and their present interests and to work from them towards ends which expand indefinitely. The others have taken for granted that before one could intelligibly talk about growth, about possibilities, and about self-realization, it is necessary to set up certain standards by which growth and progress can be measured. And when Dewey claims that growth is itself the end, and that not good and bad but the becoming better or worse are the only real standards, it is easy to accuse him of formally contradicting himself. But to do so is to miss the real point, namely, that it is impossible to know in advance the direction which such growth may take. All we know is that certain activities are blocked now, that now certain wants are not satisfied, and our problem is to find out experimentally how these barriers can be removed. Human life is like any other new natural growth, it is possible to learn how to cultivate it, but impossible to know into what it will ultimately grow. This puts problems in the social, moral and natural sciences all on the same experimental basis, and democ-

[1] *Democracy and Education*, p. 101.
[2] *Reconstruction in Philosophy*, p. 186.

racy is nothing less than the persistent will to liberate experimentally the actual activities of each and every individual.

But more than that, it means not the fitting of all as parts into a whole, with a super-individual or institutional mind controlling it all. The seat of control is to be each individual. Each member of a democratic society is ideally to control himself by his own intelligence, that is, by the knowledge which he has of the social bearings or consequences of his acts. Not a moral will, not a willingness to submit to the will of the majority, not external government of any sort is the democratic ideal, but self-government in an empirical sense, consisting of the guidance of every act in every individual by a knowledge of the consequences or significance of that act. This is evidently a bold faith. It implies a reorganization of education which will enable the child to acquire habits of intelligence by following out the bearings of his present interests and activities, instead of merely preparing him for a future adult life. It implies a reorganization of industry which will make labor meaningful and the laborer responsible. It implies that ideal values be not the possession of a small class, but that they be active factors in directing the lives of all. It means, briefly, that no persons and no actions be merely means or merely ends, but that in each the means and the ends be kept in vital correlation. Only in this way, says Dewey, can we avoid "luxury on the one hand and slavery on the other." Consequently the problem of freedom is neither that of freedom versus mechanism, as it is for Bergson and James, nor of freedom versus authority, as in traditional political theory, but on the one hand of freedom versus undergoing *unforeseen* consequences of action, the remedy for which is more empirical knowledge, and on the other hand of freedom versus inability to try out one's plans or decisions, the remedy for which is breaking down barriers and isolations, and giving increased scope to those agencies which enable actions or opinions to interact, agencies of publicity, of discussion, of association, of cooperative enterprise and mutual understanding.

The other type of social ideal, one not necessarily contradicting this democratic philosophy, but one which has a radically different mode of approach and a different emphasis, seems to be primarily the outgrowth of the recent revival of Greek ideals.

It is more definitely committed to a philosophy of life, to a scheme of values, than is this democratic open door philosophy. Again, I select for discussion only one philosopher as more or less typical of a wide-spread tendency—George Santayana.

His social philosophy is but a particular illustration of his general attitude toward life. "The Life of Reason" consists in man's attempts to give his ideals a natural basis, and to give to natural existences an ideal fulfilment. For example, love has its natural basis in animal passion and reproduction, but achieves its ideal fulfilment in the love of beauty and wisdom; the human family similarly has its animal basis, but it can serve the ideal purposes of education, friendship, and culture. Every natural fact has these two sides, its material ground and its possible ideal functions, its matter and its rational uses, its mechanical and its final causes. The skylark, which circles from the meadows to sing at heaven's gate, may serve us as a symbol.[1]

Thus society or human intercourse has its natural birth and its rational goals. It exists on three levels—natural, free and ideal society. Natural society is the association of human beings in so far as it organizes the material basis of existence into what is called civilization. A civilized society provides its members principally with "a greater wealth, greater safety and greater variety of experience."[2] But these are merely instrumental goods and depend for their rationality upon what ends they are made to serve. The problems of government and industry, therefore, belong to the "natural" stage of social life. "In the natural stage its function is to produce the individual and equip him with the pre-requisites of moral freedom. When this end is attained society can rise to friendship, to unanimity and disinterested sympathy, where the ground of association is some ideal interest, while this association constitutes at the same time a personal and emotional bond. Ideal society, on the contrary, transcends accidental conjunctions altogether. Here the ideal interests themselves take possession of the mind; its companions are the symbols it breeds and possesses for excellence, beauty, and truth. Religion, art, and science are the chief spheres in which ideal companionship is found."[3]

[1] *Soliloquies in England*, number 26.
[2] *The Life of Reason: Reason in Society*, p. 61.
[3] *Ibid.*, p. 205.

Government and citizenship are institutions, in other words, which are to be judged by their tendency to encourage or discourage free and ideal society, which is usually non-political, except in the case of genuine patriotism, a love of country as the embodiment of one's ideal values. What kind of government and industry will best foster "free and ideal society" is largely a matter of individual cases and practical experience, not of philosophy. Usually, however, when a state tries to harness the government directly to ideal ends, to religion, art and science, it breeds fanaticism, not real progress. In any case modern governments have on the whole given up the attempt to create *Kulturstaaten*. The real alternatives confronting us at present seem to be the aristocratic and the democratic ideals for political society. The aristocratic state tends to create artificial inequalities and unjust suffering; the democratic state tends to convert democracy into an end instead of a means, and thus brings about a worship of equality and quantity, the worst foe of the spirit. If aristocracy is to be rational its inequalities must be just, or proportioned to natural capacities. "If a noble and civilized democracy is to subsist, the common citizen must be something of a saint and something of a hero."[1] In other words, only a democracy of aristocrats could really create a liberal society, and in most democracies of today this quality is lacking, especially, thinks Santayana, in America. "Free government works well in proportion as government is superfluous. That most parliamentary measures should be trivial or technical, and really devised and debated only in government offices, and that government in America should so long have been carried on in the shade, by persons of no name or dignity, is no anomaly. On the contrary like the good fortune of those who never hear of the police, it is all a sign that cooperative liberty is working well and rendering overt government unnecessary. Sometimes kinship and opportunity carry a whole nation before the wind, but this happy unison belongs rather to the dawn of national life, when similar tasks absorbed all individual energies. If it is to be maintained after lines of moral cleavage appear, and is to be compatible with variety and distinction of character, all further developments must be democratically controlled and must remain, as it were, in a state of fusion. Variety and dis-

[1] *Reason in Society*, p. 136.

tinction must not become arbitrary and irresponsible. They must take direction that will not mar the general harmony, and no interest must be carried so far as to lose sight of the rest. Science and art, in such a vital democracy, should remain popular, helpful, bracing; religion should be broadly national and in the spirit of the times. The variety and distinction allowed must be only variety and distinction of service. If they ever became a real distinction and variety of life, if they arrogated to themselves an absolute liberty, they would shatter the unity of the democratic spirit and destroy its moral authority." [1]

This is gently satirical, for it is precisely this levelling of art, science and religion to the popular will that most offends Santayana's nice standards. Real variety, real individuality, real intellectual life or ideal society has little opportunity in such an atmosphere. He says elsewhere in the same volume, and this ought to be interpreted autobiographically, "the luckless American who is born a conservative, or who is drawn to poetic subtlety, pious retreats or gay passions, nevertheless has the categorical excellence of work, growth, enterprise, reform, and prosperity dinned into his ears: every door is open in this direction and shut in the other; so that he either folds up his heart and withers in a corner—in remote places you sometimes find such a solitary, gaunt idealist—or else he flies to Oxford or Florence or Montmartre to save his soul." [2] Mr. Santayana is only one of several contemporary thinkers who have fled to Oxford and to more "ideal society." It is symbolical of a general tendency on the part of philosophers to abandon the world of politics and civil society, in order to save what remains of liberal and speculative society from falling prey to the deluge of democracy.

This does not mean that democracy is regarded as inherently evil, except in the case of the Nietzscheans, it is evil only when it sets itself up as a social ideal. There lies the danger. "It is not politics that can bring true liberty to the soul; that must be achieved, if at all, by philosophy." [3] Political liberty and democracy if they go so far as to destroy tradition, and the other sources of culture, are doomed, for then they merely pave

[1] *Character and Opinions in the United States*, pp. 207-208.
[2] *Ibid.*, p. 170.
[3] *Soliloquies in England*, p. 184.

the way for tyranny. Or, as Nietzsche put it, a society that encourages slavishness will produce few masters, and when a master does appear, he will be all the more powerful since he is dealing with slaves. "Culture is a triumph of the individual over society. It is his way of profiting intellectually by a world he has not helped to make. Culture requires liberalism for its foundation, and liberalism requires culture for its crown. It is culture that integrates in imagination the activities which liberalism so dangerously disperses in practice."[1] "There is an uncovenanted society of spirits, like that of the morning stars singing together, or of all the larks at once in the sky; it is a happy accident of freedom and a conspiracy of solitudes. . . . When minds, being naturally akin and each alone in its own heaven, *soliloquize in harmony*, saying compatible things only because their hearts are similar, then society is friendship in the spirit; and the unison of many thoughts twinkles happily in the night across the void of separation."[2]

This is a modern restatement of a classic ideal. Philosophers should be kings, but their kingdom is not of this world. On the contrary, the kingdoms of this world should acknowledge the rule of philosophy. Philosophy, the love of wisdom and beauty, is the crown of life. Political and social institutions find their rational goal not in themselves, but in the opportunities they afford their members to live in the spirit. The current revival of this emphasis on the ideal values of life is a direct reaction against modern industrialism and against the dominance of economic interests and problems. Man is not saved by work alone and certainly not by government, nor even by the moral order. Man is saved by devoting his leisure to the pursuit of wisdom and beauty. With the disappearance of the old leisure class and the ideals of aristocracy and nobility, and with the growing demand that leisure be distributed democratically, there comes the fact, or at least the fear, that leisure is either being frittered away by untutored masses, or devoted to piling up economic power. In either case the life of reason perishes, and man enslaves himself to what should be his tools. Reflective minds feel a keen disappointment over the spiritual fruits of our economic and political "progress." Disillusionment is rife.

[1] *Soliloquies in England*, p. 176.
[2] *Ibid.*, p. 27.

"Have the philosophers any suggestions?" the practical man immediately asks. Yes, indeed. There is Dewey with his suggestion of a more thorough-going democratizing of intelligence; there are the Nietzscheans, on the other hand, with their plea for "the new mastery"; there are the guild socialists who would transform the economic order itself into something "creative"; there are Thoreau and Tolstoi with their plea for economic simplicity, and there are many more. But, these "Greeks," have *they* any suggestions? There is this: be a philosopher and be a king. Love beauty and wisdom; and if you cannot, leave in peace those who do. But, you reply, that is a platitude; we seek a platform, a principle of social reconstruction. At this question, they turn and leave you. They are at once too humble and too proud to reply. As well, bid the skylark to crow as the philosopher to give political advice. The philosopher merely discovers problems for others, and assumes no responsibility himself. These Greeks have come into the world not to save the world but to condemn the world. Ye have philosophy to judge you; science and art to save you!

We are thus confronted by two types of philosophers, those who are ready to give advice and those who are not. There are also two kinds of politicians, those who seek advice from philosophers and those who do not. Just at present little advice is being asked and little given. The divorce may be a happy one, until both philosophers and politicians mend their ways.

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CHAPTER IX

SOME CONTRIBUTIONS OF SOCIOLOGY TO MODERN POLITICAL THEORY [1]

Harry Elmer Barnes

I. Sociology and Political Science

It has rarely been conceded by orthodox and respectable political scientists that sociology has any significant relations to the science of politics. Indeed, most political scientists in the past have denied that sociology possesses any of the major characteristics or qualities of a science. It has been either totally ignored or viewed as an arrogant pretender.

Many of the more liberal and progressive political scientists will doubtless ask themselves if this is not erecting a man of straw, and will inquire if there was ever a time when political scientists were not willing to consider the doctrines of sociology. One or two brief reminders will doubtless allay this suspicion. It was only about twenty years ago that a leading New York daily is reputed to have characterized a distinguished American sociologist as "the fake professor of a pretended science." About a decade ago an ex-president of the American Political Science Association declared in a twice published paper that sociology was essentially worthless and unscientific and that all of its data had already been dealt with more adequately by the special social sciences. The only good he could see in sociology lay in some vague value in "the streams of sentiment from which the sociological fogs arise." [2] An eminent ex-president of

[1] The writer and the editors desire to express their appreciation of the courtesy of Professor John A. Fairlie, Editor of the *American Political Science Review*, in allowing this chapter to be reproduced in substantially the same form in which it appeared in that journal in the issue of November, 1921.

[2] H. J. Ford, *American Journal of Sociology*, Vol. 15, pp. 96-104. The desirable historical introduction to this article is provided by my article on "Sociology before Comte," in the *American Journal of Sociology*, September, 1917; and W. A. Dunning's *Political Theories from Rousseau to Spencer*, pp. 345-347, 377-407. Much the best brief survey of modern sociological doctrines is

the American Sociological Society retorted that this writer admittedly preferred "obscuration in the company of Oxford and Cambridge to unbiassed search for truth."[1] Much more recently one of the most brilliant, original and progressive of American political scientists complained that sociology has done little more than "wander around in the dim vastness of classified emotions, touching neither the substantial borders of the state on the one hand nor the equally tangible structures of commerce and industry on the other."[2]

At present, however, it will probably be conceded in most quarters that the time has arrived when the old lion, political science, may lie down in peace with the young lamb, sociology. In fact it is highly probable that most of the trouble in the beginning arose from the unseemly and awkward youthful gambols of the lamb and its somewhat preposterous threat to swallow the lion. Comte, who is conventionally regarded as the "founder" of sociology, proposed to absorb all of the special social sciences in a single unitary science of social phenomena. Herbert Spencer embodied a very thorough and comprehensive treatment of political problems, both of genesis and of structure and function, in his systematic survey of sociology. From this side of the Atlantic there appeared in the writings of Lester F. Ward an even more dithyrambic description of the lofty position of sociology:[3]

> The special social sciences are the units of aggregation that organically combine to create sociology, but they lose their individuality as completely as do chemical units, and the resultant product is wholly unlike them and is of a higher order. Sociology, standing at the head of the entire series of the complex sciences, is enriched by all the truths of nature and embraces all truth. It is the *scientia scientiarum.*

Such a view of sociology was scarcely soothing or flattering to the political scientists, and it is not surprising that they pre-

to be found in E. A. Ross, *Foundations of Sociology,* pp. 256-352. The most satisfactory histories of sociological theory in English are L. M. Bristol, *Social Adaptation;* J. P. Lichtenberger, *The Development of Social Theory;* E. S. Bogardus, *A History of Social Thought;* and R. G. Gettell, *A History of Political Thought.*

[1] A. W. Small, *American Journal of Sociology,* Vol. 15, p. 259.

[2] *New Republic,* November 17, 1917, supplement, p. 3. This same writer, however, consciously or unconsciously, has been one of the most stimulating and productive contributors to the sociological point of view in politics.

[3] L. F. Ward, *Pure Sociology,* p. 91. The Dewey library classification also gave sociology a generic and comprehensive significance which few sociologists have ever had the audacity to approve, but it helped to alarm the political scientists and economists.

pared to resist this imminent absorption of their subject. Opposition was intensified by the fact that most political scientists were at this time generally under the spell of the political theories of Austinian jurisprudence and the Manchester school, and sociology was, though quite erroneously, popularly identified with state socialism. As sociology developed, however, it proved less of a cannibal than had been feared, and the more tolerant and synthetic of the political scientists came to see that, instead of absorbing their subject, sociology brought forward much useful data for political analysis and threw much light upon important but hitherto obscure problems in politics. Helpful cooperation is gradually replacing animosity and jealousy; the whole orientation of the newer political science has taken on a sociological cast, while sociology has derived much information of great value from the descriptive data and the refined analysis of political behavior which political science has produced.

There are a number of views regarding the nature of sociology which are supplementary rather than mutually exclusive. From one point of view it is a method of analysis of social phenomena. As Professor Hobhouse has expressed it:[1]

> General sociology is neither a separate science complete in itself before specialism begins, nor is it a mere synthesis of the social sciences consisting in a mechanical juxtaposition of their results. It is rather a vitalizing principle that runs through all social investigation, nourishing and nourished by it in turn, stimulating inquiry, correcting results, exhibiting the life of the whole in the parts, and returning from a study of the parts to a fuller comprehension of the whole.

The unique characteristic of this sociological method of approach to the study of social and political phenomena is that it stresses in all phases of analysis the group aspects of social activities and achievements. As Professor Small has very concisely expressed this cardinal differentiating feature of sociology:[2]

> The sociological technique is that variant among the social science techniques which proceeds from the perception that, after allowing for their purely physical relations, all human phenomena are functions not only of persons, but of persons whose personality on the one hand expresses itself in part through the formation of groups, and on the

[1] L. T. Hobhouse, *The Sociological Review*, I (1908), p. 8. This also is the position of Durkheim.

[2] A. W. Small, article "Sociology," in the new edition of the *Encyclopedia Americana*, Vol. 25, p. 208.

other hand is in part produced through the influence of groups. In brief, sociology is that technique which approaches knowledge of human experience as a whole through investigation of group-aspects of the phenomena.

The purpose and function of this sociological approach has been well stated by Professor Giddings. "Sociology is an attempt to account for the origin, growth, structure, and activities of society by the operation of physical, vital, and psychical causes, working together in a process of evolution."[1] Utilizing as its basic equipment the accepted results of the organic, physical and psychological sciences, sociology attempts to analyze the associative mechanism as a unified whole and aims at the attainment of an adequate and accurate knowledge of the social process in its most general and fundamental aspects. One of the most vital contentions of sociology is that this generalized knowledge of social evolution, organization and processes furnishes the indispensable basis and orientation of the special social sciences.

The relation of sociology to political science is typical of its bearing upon all or any of the special social sciences. Sociology is primarily concerned with the evolution of the political community, which political science assumes as existent, and with the development and functioning of all the organs of social control, of which the state is only the most prominent among many. It is also immediately interested in the modifications effected by the organs of social control, among them the state, in the structure of society. To an even greater extent it is concerned with the genesis and struggle of contending social interests and the adjustment which they seek and secure through the political institutions of society. Political science assumes the existence of political institutions and concentrates its attention upon an analysis of the state and the mechanism of government, and is only indirectly concerned with the broader problems of social origins, structure and processes or with the reaction of the state upon society. Sociology must derive from political science its knowledge of the details of political organization and activities, while political science can only avoid becoming metaphysical by accepting as indispensable prolegomena the sociological generalizations with respect to the underlying social foundations

[1] F. H. Giddings, *Principles of Sociology*, p. 8.

of law and political institutions.[1] The development of the two subjects has been closely parallel in the last half century. They took shape in a period of classification, definition and description of the form and structure of institutions and have now passed into a stage of analysis of processes.[2]

II. The Sociological View of the Nature of the State

Sociological interpretations of the nature of the state have, like the views on this subject held by economists, political scientists and jurists, been diverse and in some cases completely at variance. To a certain extent these differences of opinion have been correlated with the progress of society and social science. In earlier days the sociological theory of the state was associated with the individualistic view of classical economists, utilitarians and analytical jurists, or with the more socialized conceptions which rested upon the biological analogy. Such writers as Herbert Spencer, Jacques Novicow, Gustave Le Bon and William Graham Sumner shared the interpretation of the state as the collective or communal policeman, with its functions limited to the protection of life and property from domestic assault or foreign invasion, and to the enforcement of contracts.[3] It was but a short step from the views of the more extreme members of this school, such as Novicow, to the avowedly anarchistic notions of Kropotkin with his renunciation of the state and all positive political institutions.[4]

The theory of the state which was founded upon the organic analogy, or the usual characterization of the state as the brain or coördinating mechanism of the social organism, tended to confer upon the state much wider functions. Such writers as Lilienfeld, Schäffle and Worms viewed the state as the chief coördinating and directing organ of society and maintained that the more highly developed the civilization of a society the

[1] *Cf. ibid.*, p. 37; *Political Science Quarterly*, December, 1909, pp. 571 ff. *Cf.* also the various articles by Dean Roscoe Pound on sociological jurisprudence. See the complete bibliography of his writings in the *Centennial History of the Harvard Law School.*

[2] *Cf.* A. W. Small, *General Sociology;* C. A. Beard, *Economic Interpretation of the Constitution of the United States*, Ch. I.

[3] *Cf.* H. Spencer, *Social Statics;* and *Man Versus the State;* J. Novicow, *Les Luttes entre sociétés humaines;* G. Le Bon, *La Psychologie politique;* W. G. Sumner, *What Social Classes Owe to Each Other.*

[4] Kropotkin, *Mutual Aid: a Factor in Evolution;* and *Anarchism, Its Philosophy and Ideal.*

greater the desirable scope of state interference.[1] To be sure, there were some members of the biological school who either denied the identity of the state as the brain of the social organism or refused to concede that this analogy in any way justified extending the powers of the state or magnifying its position in society.[2]

A transition from the organic to the psychological school is made from two quite different points of approach by De Greef and Fouillée on the one hand, and by Gierke and Maitland on the other. De Greef and Fouillée look upon society as a "contractual organism" and view the state and political institutions as the highest manifestation of association—that in which the voluntary element is the greatest.[3] Gierke and Maitland, in direct line of theoretical descent from Althusius, hold that the state is the product of a number of corporate groups, and that it performs the function of adjusting the relations of groups to each other and to the state. Each of these constituent groups as a corporation is not a mere fictitious legal or juristic person, but a real person—an actual and vital "psychic personality."[4] From these points of view it is easy to pass to the purely psychological view of the state, according to which political obedience is held to grow out of psychological forces, and political processes are represented as chiefly psychological.[5]

A significant advance in the sociological conception of the state appeared in the works of the Austrian sociologist, Gustav Ratzenhofer, which have been affectionately commended and interpreted to American readers by Professor Small. Instead of resting content with dogmatic statements about political policy or an elaborate description of social structure, Ratzenhofer, following the lead of Gumplowicz, attempted to penetrate beneath the surface of things and catch a glimpse of the real nature of social and political processes. In this way he came to view

[1] See their works and doctrines summarized in F. W. Coker's *Organismic Theories of the State*, pp. 115 ff.

[2] Novicow maintained that the intellectual aristocracy was the real brain of the social organism, and Spencer opposed state activity.

[3] G. De Greef, *Introduction à la sociologie;* A. Fouillée, *La Science sociale contemporaine.*

[4] O. Gierke, *Das deutsche Genossenschaftsrecht;* and *Die Genossenschaftstheorie;* F. W. Maitland, *Gierke's Political Theories of the Middle Ages*, introduction; *Collected Papers*, III, p. 210 ff.

[5] For names, titles and contributions of the psychological sociologists, see section X below. *Cf.* also the chapter on social psychology and political theory by Professor Gehlke in the present volume.

society as a complex of contesting interest groups seeking a realization of their aims and reaching an adjustment with the contrary aspirations of other groups. He regarded it as the function of the state to apply the necessary restraints and to impose the essential limitations upon this conflict of interests, so that it would result in progress and social justice rather than in exploitation and anarchy.[1] According to this view, then, the state appears as the "umpire" of the social process.

This conception of political processes has been elaborated in America by Mr. Bentley in his all too neglected work on the *Process of Government*.[2] Gumplowicz, Loria and Oppenheimer have also agreed with this analysis of the nature of political processes, but have held that the adjustment of the conflicting interests always emerges in one specific manner, namely, in the domination of the economically inferior majority by the economically powerful minority. According to this school of thinkers, who are by no means orthodox socialists, the economic exploitation of the majority through the possession of political sovereignty by the minority has been the essence of the political process and the real achievement of the state since primitive times. The state, in other words, is legalized oppression.[3]

Another method of characterizing the sociological view of the nature of the state would be to point out the two prevailing interpretations of the relation of the state to social prosperity and progress. One group, best represented by such writers as Ward, Giddings, Hobhouse and Ludwig Stein look upon the state as the supreme social institution, the indispensable prerequisite for all stability and progress, and the chief instrument for improving the condition of the human race. Professor Giddings lauds the state as "the mightiest creation of the human mind, the noblest expression of human purpose."[4] Ward, in his classic statement, phrases his eulogy of the state in the following manner:[5]

[1] G. Ratzenhofer, *Wesen und Zweck der Politik;* Small, *General Sociology,* pp. 226 ff.

[2] This work is regarded by many penetrating critics as the most notable American contribution to political theory.

[3] L. Gumplowicz, *Der Rassenkampf;* and *Grundriss der Soziologie;* F. Oppenheimer, *The State;* A. Loria, *The Economic Foundations of Society. Cf.* F. H. Giddings, "A Theory of History," *Political Science Quarterly,* December, 1920, p. 507.

[4] Giddings, *The Responsible State,* pp. 48 ff. *Cf. Inductive Sociology,* pp. 210 ff.

[5] Ward, *Pure Sociology,* p. 555.

We thus see that the state, though genetic in its origin, is telic in its method; that it has but one purpose, function, or mission, that of securing the welfare of society; that its mode of operation is that of preventing the anti-social action of individuals; that in doing this it increases the freedom of human action so long as it is not anti-social; that the state is therefore essentially moral or ethical; that its own acts must necessarily be ethical: that being a natural product it must in a large sense be representative; that in point of fact it is always as good as society will permit it to be; that while thus far in the history of society the state has rarely performed acts that tend to advance mankind it has always been the condition to all achievement, making possible all the social, industrial, artistic, literary, and scientific activities that go on within the state and under its protection. There is no other institution with which the state may be compared, and yet, in view of all this, it is the most important of all human institutions.

Ludwig Stein finds that the principle of authority is as important for the maintenance of the race as the principle of self-preservation is for individual survival. Those who wield authority in society are the agency for the education and discipline of the social will. Civilization has never developed save as a result of the establishment of authoritative control in society.[1] Professor Hobhouse shares the point of view of Giddings, Ward and Stein, though perhaps with more qualification and discrimination.[2]

At variance with this type of interpretation, though perhaps more eager and enthusiastic in their search for some method of social improvement, are Durkheim and the administrative syndicalists, and Cole and the guild-socialists. After deploring the development of moral and social anarchy in modern society and seeking some remedial agency, Durkheim and Laski hold that the state must be supplemented by specialized and semi-autonomous administrative agencies if it is to accomplish much for social improvement. The state can legislate with intelligence only on general policies; its massive and slow moving machinery is becoming progressively less fitted to deal with the highly specialized and complex industrial activities and social relations of the present day. The state should give unity to social action by laying down general principles of policy and

[1] L. Stein, *La Question sociale*, pp. 122, 225 ff., 269 ff., 351; *Philosophische Strömungen der Gegenwart*, Ch. XV; *Einführung in die Soziologie*, pp. 286 ff.

[2] Hobhouse, *Democracy and Reaction*, p. 207; *Social Evolution and Political Theory*, pp. 186 ff.; *The Metaphysical Theory of the State; The Rational Good; The Elements of Social Justice;* and *Social Development*,

should secure competent administration of law by handing this over to the occupational or professional groups that possess the requisite specialized knowledge and immediate interest.[1]

Cole and the guild-socialists share Durkheim's view with respect to the growing incompetence of the national state in modern industrial civilization, but would go even further in limiting its action. Conceding to the state the essentially "political" function of protecting life and property and enforcing contracts, and large legislative powers in economic matters which concern society as consumers, they deny that the state is the supreme coördinating agency in society and would restrict the state in regard to productive operations not only in the matter of administration, but also of legislation. Both legislation and administration in productive enterprise in society they would confer upon exalted and improved trade-unions.[2]

While there are thus real and significant differences of opinion among leading sociologists as to the nature and importance of the state, there is almost unanimous agreement among them on one fundamental problem, namely, the relation between society and the state. Sociologists are agreed that society is the more general and basic fact and entity, which refers to and embraces in an inclusive manner all forms of associated life, whether that life be among animals or men. The state is a specific agency, perhaps the most important, among several fundamental types of organs or institutions utilized by society to insure that collective modes of life shall be more safe, efficient and progressive. Though its roots extend far back into the early history of mankind, the state, of modern political terminology, is a very late and recent product of social evolution, and is, thus, by its very origin and genesis, as well as by analysis of its present status and functions, demonstrated to be a product, creation and creature of society. This is the basic point of departure for the sociological study of political problems and constitutes perhaps the most permanent and distinctive contribution of sociology to the theory of the state.

[1] E. Durkheim, *De la Division du travail social* (2nd ed., 1902), preface; *Le Suicide*, pp. 434 ff. *Cf.* Laski, *The State in the New Social Order.*

[2] G. D. H. Cole, *Self-Government in Industry; Social Theory;* and *Guild-Socialism. Cf. Political Science Quarterly*, December, 1920, pp. 665-669; and N. Carpenter, *Guild Socialism.* On the subject of pluralistic theories see Coker, *American Political Science Review*, May, 1921, pp. 186-213. The extreme supporters of *laissez-faire* among sociologists were mentioned at the opening of this section.

III. The Origins of Political Institutions

The importance of the sociological contributions to the investigation of the origins of political institutions grows out of the fact now generally conceded by all social scientists, that while society is far older than the human race, the state is a recent product of human progress. In fact, in the light of the newer historical chronology, it is but a contemporary development. Its origins, then, must be looked for within the general complex of social evolution and its genesis interpreted in the light of those basic socio-psychological forces and influences which made its appearance desirable and possible.

Following out this line of doctrine the earlier historical sociologists, and the comparative school of anthropologists, such as Spencer, Lubbock, McLennan, Post, Letourneau, Kovalevsky and Morgan, worked out an elaborate scheme of the orderly, sequential and unilateral evolution of institutions. The stages of social and political development were sketched with assurance and were correlated with certain definite advances in material culture. Social organization was represented as having everywhere moved forward in a uniform manner through the stages of the unorganized endogamous horde, the exogamous maternal clan, the exogamous paternal gens, tribal feudalism and the territorial state. Democracy was believed to be correlated with inferior culture, while monarchy invariably appeared with the proximate approach to the territorial state. The most famous synthesis of this point of view was embodied in Lewis Henry Morgan's *Ancient Society,* for more than a generation the most revered and quoted among the sacred books of the historical sociologists.[1]

While this type of historical sociology is now regarded as possessing little or no scientific value, its real significance may, perhaps, be passed over too lightly. While founded on a hopelessly faulty methodology and almost invariably in error in their hypothetical synthesis of social development, this group of writers must be accorded the credit of having sketched out the problem to be solved, and of having indicated the correct avenue of approach to a study of the genesis of the state. A more scien-

[1] See *Publications of the American Sociological Society,* 1921, pp. 17-83, for a more extended survey of the development of historical sociology and anthropology. See chapter by Goldenweiser below.

tific methodology of research, and a wider range of more reliable data, have enabled a later generation to traverse the same ground with more assured results, but these pioneers created the background against which constructive criticism could later build the permanent structure of social and political genesis.

The destruction of the imposing but treacherous edifice of Morganian genetic sociology and the establishment of the science of social genesis on a firm and reliable foundation have been chiefly the work of a group of American anthropologists led by Professor Franz Boas. Following a truly inductive method, they reserved generalization until after a thorough study of concrete data had been made through personal observation. For about twenty-five years they have been working in intensive studies of local cultural areas, and now the generalized synthesis of their results has begun to appear in such works as Boas' *Mind of Primitive Man,* Lowie's *Primitive Society,* and *Culture and Ethnology,* Wissler's *Man and Culture,* Goldenweiser's *Totemism* and *Early Civilization,* and Kroeber's *Anthropology.* These writers have proved that there is no general tendency towards uniform unilateral evolution of social institutions, no succession of maternal and paternal relationship in sequential forms of social organization, no correlation of maternal organization with inferior culture or of paternal relationship with higher material civilization, or of primitive democracy with backward material culture and tribal monarchy and autocracy with more advanced civilization. Peoples appear to have developed to the threshold of the territorial or civil state through local groups with no clan or gens organization and through both maternal clans and paternal gentes. No authentic instance can be found in the whole literature of critical anthropology of the independent passage of any group through all of these assumed "stages." As Professor Lowie summarizes the conclusions of these critical scholars in his notable work, which is as much the authoritative synthesis of the newer position as Morgan's was of the old:[1]

> There is no fixed succession of maternal and paternal descent; sibless tribes may pass directly into the matrilineal or patrilineal condition; if the highest civilizations emphasize the paternal side of the family, so do many of the lowest; and the social history of a particular

[1] R. H. Lowie, *Primitive Society,* p. 185.

people cannot be reconstructed from any generally valid scheme of evolution but only in the light of its known and probable cultural relations with neighboring peoples.

Of Morgan's view that primitive social and cultural institutions are associated with democratic political institutions, Lowie caustically remarks that "it may be said categorically that even at his worst Morgan never perpetrated more palpable nonsense, and that is saying a good deal." Monarchical and aristocratic political institutions frequently occur in connection with a very primitive material culture and a kinship basis of organization.[1] Finally, Lowie shows on the basis of Schurtz's *Altersklassen und Männerbünde* that there was no sharp and complete break between kinship society and the political or territorial state, nor any probability that this transition took place only in a few instances and by deliberate legal enactment, as in the case of the classic example of the legislation of Cleisthenes. The origin of the territorial state was prepared for centuries before its formal and final appearance by many and diverse types of primitive associations and by special forms of group organizations which joined the population of a territorial aggregate into a unity for certain forms of action, many of them of a political nature, irrespective of the diversity of kinship relations.[2] The origin of the political state, then, seems to have been the product of a gradual development rather than a semi-cataclysmic transformation.

Though there was no catastrophic transition from tribal to political society, it has usually required something more than normal peaceful conditions to produce modern political society founded on rather extensive territorial units. What has now come to be regarded as the distinctive sociological theory of the origin of the state is the doctrine that the territorial states of historic times have been the product of war and the forcible amalgamation of lesser groups into one larger aggregate. Hume and Adam Ferguson[3] had postulated this theory in the eighteenth century and it was revived by Herbert Spencer and Walter Bagehot. The writer, who has by the thoroughness of his treatment made this contribution peculiarly his own, was an

[1] *Ibid.*, pp. 389-390.
[2] *Ibid.*, pp. 390-396.
[3] D. Hume, *Essays Moral, Political and Literary*, I, pp. 113-114; II, pp. 197 ff., 204; A. Ferguson, *A History of Civil Society*.

Austrian Pole, the jurist and sociologist Ludwig Gumplowicz. In his *Rassenkampf* and his *Grundriss,* Gumplowicz has sketched in detail the various stages of this process of conquest, superimposition, assimilation and amalgamation which has characterized the development of the state from the clash of primitive tribal feudal groups to the establishment of the national state. His view of political origins has been accepted by most sociologists who have concerned themselves with this subject, most notably Ratzenhofer in Austria, Oppenheimer in Germany, Edward Jenks in England and Lester F. Ward and Albion W. Small in this country.

This conception has been bitterly attacked by Jacques Novicow, who, in his *La Critique du Darwinisme social,* calls attention to the many peaceful phases of political origins and activities and insists that the state arose chiefly to regulate commerce and protect property. Kropotkin in his *Mutual Aid: a Factor in Evolution* has also assailed this notion and pointed out the significance of cooperation in social and political origins. Eclectic writers, particularly Professor Giddings and Professor E. C. Hayes, have attempted a synthesis of these opposing points of view.[1] They agree, however, with the majority of sociologists that in the period of political origins war was the most powerful factor in the creation of the state. It is significant that most of these various groups of writers unite in the belief that in peace or war economic factors lie at the foundation of political origins and genesis.[2]

In addition to indicating the nature of political origins sociologists have outlined in an illuminating manner the stages of political development in their relation to the general progress of civilization. Spencer's scheme divided political and social evolution into three stages, the military, the industrial and the ethical, the last of which had not been attained anywhere and the second but partially.[3] Bagehot postulated an age of the development of custom, an age of the conflict of customs and the building up of nations, and a final age of political progress through discussion.[4] Giddings divides the stages of social prog-

[1] Giddings, *Principles of Sociology,* p. 316; E. C. Hayes, *An Introduction to the Study of Sociology,* pp. 538 ff. This is also the position of Ludwig Stein.

[2] The most notable contribution to this point of view is Oppenheimer's *The State;* the most extreme view is to be found in Loria's *Economic Foundations of Society.*

[3] Spencer, *Principles of Sociology,* II, pp. 569 ff.

[4] W. Bagehot, *Physics and Politics.*

ress into the zoögenic, the anthropogenic, the ethnogenic and the demogenic, the first of which corresponds to the prehuman stage and the last to the period of civil society. This last period he further divides into the military-religious, the liberal-legal, and the economic-ethical stages.[1] There is little doubt that Giddings' classification of the stages of social and political progress is the most satisfactory achievement in this field, though we may expect in the revised edition of his *Principles of Sociology* a rewriting of much of the detailed treatment of social evolution in the light of the newer views of primitive social organization which have been worked out by Boas and his colleagues and brought together by Lowie and Goldenweiser. Other well-known classifications of political evolution are Oppenheimer's postulate of progress through the stages of the primitive feudal state, the maritime state, the developed feudal state and the constitutional state,[2] and Hobhouse's notion that political authority has in turn rested upon the principles of kinship, authority and citizenship.[3] In all of these classifications the significant fact is that political progress is represented as having been correlated with, and dependent upon, general social development.

The contributions of psychological sociologists to the analysis of the psychic foundations and genesis of the state and political obedience will be dealt with later and in another connection, but it may be here remarked that their work has, if anything, been more significant and original than the sociological contributions to the historical genesis of the state.[4]

IV. The Basic Factors in the State

While political scientists have long been virtually agreed that a state must embrace as essential elements population, territory, property, and sovereign power, they have done little more than assume these as metaphysical entities and, with the exception of elaborate dialectical discussions of sovereignty, they have not proceeded to a concrete description and analysis of these fundamental factors in the state in such a way as would indicate their

[1] Giddings, *Principles of Sociology*, bk. III.
[2] Oppenheimer, *The State*.
[3] Hobhouse, *Morals in Evolution* (ed. 1915), pp. 42 ff.
[4] See section X below.

direct bearing upon political action or furnish any real guidance to the statesman. Here again sociology has made a modest attempt to penetrate beyond formal definition and logical assumption and relate these political elements to substantial reality.

That branch of sociology generally designated as demography has for the first time thoroughly described and classified the social population according to numbers, sex, age, property, occupation, religion, nationality, mobility and the factors involved in vital statistics. Instead of a vague and undifferentiated entity the social population has become something which is definite, classified and adapted to intelligent analysis by political scientist or governmental official. This line of work has been associated with such names as Newsholme, Bowley, Dumont, Levasseur, Hansen, Nitti, Wilcox, Mayo-Smith, Wright, Durand and Bailey.[1] A more thorough investigation and a more scientific analysis of the problems of race have also led to notable contributions to a more accurate understanding of population problems. The careful descriptive studies and classifications of races on the foundation of valid physical criteria by Ripley, Dixon, Deniker and others have revealed the hopeless mixture of races in ancient and modern times and demonstrated the essential illiteracy and scientific bankruptcy which is self-confessed on the part of any writer who would attempt a racial explanation of the political development of any European state, ancient or modern. These writers, together with Professor Boas, have shown how extremely tenuous is all evidence for the doctrine of racial superiority, and have put to rest for all time the Aryan myth and all allied vestiges of racial arrogance which have perverted history and politics from the days of Aristotle and St. Peter to Count Joseph Arthur of Gobineau, Houston Stewart Chamberlain, and Madison Grant and his followers.[2]

Differential biology has been utilized for sociological purposes by such writers as Galton, Pearson, Bateson, Ammon, Schall-

[1] Perhaps the first comprehensive achievement of this sort which appeared in English was Professor Richmond Mayo-Smith's two books, *Statistics and Sociology* and *Statistics and Economics*. See J. Koren, ed., *A History of Statistics;* and *Quarterly Publications of the American Statistical Association*, vol. XIV, pp. 1-121; vol. XV, pp. 225-91.

[2] See especially W. Z. Ripley, *Races of Europe*, Chs. VI, XVII; F. Boas, *Mind of Primitive Man*, Ch. I. For hold-overs of the old doctrine, see W. McDougall, *The Group Mind*, and *Is America Safe for Democracy?;* H. G. Wells, *Outline of History;* L. Stoddard, *The Rising Tide of Color*, and M. Grant, *The Passing of the Great Race*. For the history of the doctrine of race, see T. Simar, *Étude critique sur la formation de la doctrine des races*. See also the chapter by Professor Hankins below.

mayer, Jacoby, Vacher de Lapouge, Conklin, Tenney, Holmes, Davenport, Carr-Saunders and Hankins with the aim of discovering whether or not modern political tendencies are justified by the findings of biological science. While they can scarcely be said to have arrived at any consensus of opinion, they have at least proved that the questions of democracy and aristocracy, of social strata generally, of remedial social legislation and of immigration policies all involve biological problems of the first magnitude and cannot be finally settled without an appeal to biological criteria. It might be said in passing that Ammon and Vacher incline to a justification of aristocracy, Jacoby, Tenney and Conklin, with reservations, to a vindication of democracy, and Bateson to a defense of modified socialism. It is significant that nearly all agree that there is no biological support for a pure or egalitarian democracy and that democracy can scarcely hope to survive unless it improves in the matter of the utilization of superior capacity and in its ability to check the increase of the defective biological types that are no longer as ruthlessly eliminated as formerly by the processes of nature.[1]

Differential psychology has revealed equally significant variations in mental capacity and has challenged in many ways the complacency of the unqualified exponents of democracy. Professor Giddings has made a suggestive effort in this direction in his psychological classification of the population of the United States. The extensive data which have been brought forward by the recent intelligence tests administered by the United States army and now being introduced into civilian endeavor will do much to aid in this all-important problem of arriving at a scientific estimate of variations in mental capacity in the population with all the implications which this carries for political questions.[2] It is probable that this differential psychology, when

[1] A significant contribution to this subject which reviews much of the important literature is A. A. Tenney's *Social Democracy and Population.* See also A. J. Todd, *Theories of Social Progress,* Chs. XVI-XX. Probably the most valuable and representative books in this field are W. Schallmayer, *Vererbung und Auslese im Lebenslauf der Völker;* S. J. Holmes, *The Trend of the Race;* A. M. Carr-Saunders, *The Population Problem;* and E. G. Conklin, *The Direction of Human Evolution.*

[2] Giddings, "A Provisional Distribution of the Population of the United States into Psychological Classes" in the *Psychological Review,* July, 1901. *Cf.* Sumner, *Folkways,* pp. 40 ff.; J. P. Lichtenberger, "The Social Significance of Mental Levels," in *Publications of the American Sociological Society,* Vol. 15; McDougall, *Is America Safe for Democracy?* H. H. Goddard, *Human Efficiency and Levels of Intelligence;* and the article by Mrs. Cannon in the *Atlantic Monthly,* February, 1922, pp. 145-157.

once adequately developed, will provide the most valuable information which has yet been placed at the disposal of political science by any psychic or social science. Already it has revealed the fact that there is no greater illusion possible than the Jacksonian thesis of the actual equality of men in political or any other form of human activity. It has given scientific confirmation to the old Aristotelian dogma that some men are born to rule and others to serve, and makes it clear that we can have no efficient and progressive social system unless we recognize the real value of leadership and make it possible for the actual intellectual aristocracy to control society. It is, of course, obvious that an acceptance of this point of view does not in any sense involve a justification of the economic, social and political hierarchy which now prevails in most modern states, but it is equally true that differential psychology is even more destructive of such forms of socialistic dogma as rest upon assertions of innate human equality or the wisdom of absolute majority rule.

Finally, Professor Giddings has shown how the social population develops into a society requiring political direction and control, and has suggested a differentiation of the population into classes which are expressive of their relation to political authority. He finds that there are subjects of authority, or all those who dwell within the limits of the state; makers of moral authority, or those who in any way help to shape public opinion; makers of legal authority, or those who exercise the right of suffrage; and agents of authority, or the political government.[1] These, then, are a few of the ways in which sociology has aided in giving definiteness and significance to the conception of the social population which political scientists have metaphysically assumed as a prerequisite of the state.

Sociologists working from the geographical standpoint have also given to the concept of territory some meaning and significance other than so many thousand square miles indicated on a map by means of some distinctive chromatic characterization. That aspiration to understand the relation between political structure and processes and geographical conditions which Montesquieu voiced and which has stimulated writers from Hip-

[1] Giddings, *Principles of Sociology*, bk. II, Ch. I; *Elements of Sociology*, pp. 201-202.

pocrates and Aristotle to Ratzel and Huntington has now been in good part realized. The accumulation of geographical data as a result of the discoveries from the time of Marco Polo, Columbus and Chardin to Alexander Von Humboldt enabled Karl Ritter during the first half of the last century to systematize the subject of physical and human geography.[1] With the aid of the Darwinian doctrine Friedrich Ratzel was able to go further and more firmly establish the science of anthropogeography, within which he found ample space for a detailed discussion of the relation between geography and the state.[2] In France, Elisée Reclus, Jean Brunhes, and Camille Vallaux have rivalled Ratzel as a systematizer,[3] and in America Ratzel's disciple, Miss Ellen Semple, has given a faithful English rendition of her master's doctrine.[4] As Ratzel has well insisted, it is not a problem of man versus nature, but of man, society and nature evolving together through reciprocal influences.

In addition to these systematic treatises other writers have made important contributions to special phases of the general subject. Cowan and Mackinder have indicated the importance of a protective topography and the possession of strategic areas and positions. Léon Metchnikoff has sketched the significance of river basin environments for political origins and development. Le Play and Geddes have demonstrated the relation of natural geographic regions to political segregation and unity. Demolins has brought together a striking review of the bearing of routes of migration, travel and communication on the foundation and disruption of states. Huntington has surveyed the operation of the climatic factor in both its static and dynamic aspects, and has developed an original thesis as to the relation between climatic conditions and the genesis, prosperity and decadence of political aggregates. Dexter has investigated the relation between conduct and the weather, and has indicated that a study of the barometer will allow police captains to determine when they will need their reservists. Brunhes has called

[1] See especially the introduction to his *Erdkunde.* His significant doctrines have been translated by W. L. Gage as *Ritter's Geographical Studies.*

[2] His important contributions to this specific subject are *Der Staat und sein Boden,* and *Politische Geographie.*

[3] See E. Reclus, *Nouvelle géographie universelle; L'Homme et la Terre;* J. Brunhes, *Human Geography;* Brunhes and Vallaux, *La Géographie de l'histoire,* and C. Vallaux, *La Géographie sociale.*

[4] E. C. Semple, *American History in Its Geographic Conditions;* and *Influences of Geographic Environment.*

attention to the fact that the concept of physical environment must be expanded to include additions and variations introduced by man, a modern city block being as much a part of the environment as an adjoining mountain peak.[1] Professor Giddings in his *Theory of Social Causation* has endeavored to relate the physical environment to the psychic factors in society and the state.

Though the part of property and economic factors in political processes has been recognized by the most significant writers on the subject of politics from Aristotle through Machiavelli, Hobbes, Harrington, Locke, and the "Fathers," such as Adams, Madison and Calhoun, to the Ricardian socialists, the vital importance of this material factor in politics was well nigh lost sight of in the last generation of metaphysical and juristic political science, and a leading American student of historical politics almost received professional ostracism for calling attention to the fact that the framers of the constitution admitted that economic factors had played a large part in the drafting of that document and in the reception accorded it.[2] Sociological writers have rendered notable service in helping to revive this line of approach which alone can give rationale to any interpretation of political activities. Commons and Loria have indicated the relation of property to the genesis and structure of government and the location of sovereign power; while Veblen, Sombart and Hobson have made the most notable contribution to the explanation of the manner in which economic factors react upon the other social institutions, such as politics, religion, law, education, custom and fashion.[3] Gumplowicz and Oppenheimer have insisted that economic exploitation has furnished the motive power in political processes since the dawn of history.[4] Ratzenhofer, Small and

[1] A. Cowan, *Master-Clues in World History;* H. J. Mackinder, *Democratic Ideals and Reality;* L. Metchnikoff, *Les grandes fleuves historiques;* P. Geddes, *Cities in Evolution;* A. Demolins, *How the Route Creates the Social Type;* E. Huntington, *The Pulse of Asia; Civilization and Climate; World Power and Evolution;* E. G. Dexter, *Weather Influences;* J. Brunhes, *Human Geography.* A comprehensive but ill-organized survey of this literature is contained in A. H. Koller's *The Theory of Environment.* A systematic treatment by Professor Franklin Thomas is under way; see below, chapter XII.

[2] Beard, *An Economic Interpretation of the Constitution.* Professor Beard's little book, *The Economic Basis of Politics,* is far the ablest summary of the importance of economic factors in political life.

[3] J. R. Commons, "A Sociological View of Sovereignty," in *American Journal of Sociology,* Vols. 5-6. Loria, *The Economic Foundations of Society.* T. Veblen, *The Theory of the Leisure Class;* and *The Vested Interests;* J. A. Hobson. *The Evolution of Modern Capitalism;* and *Problems of a New World;* W. Sombart, *Der moderne Kapitalismus;* and *The Quintessence of Capitalism.*

[4] Gumplowicz, *Outlines of Sociology;* Oppenheimer, *The State.*

Bentley have contended that the forwarding of the legal and pacific adjustment of contending interests is the one uniform, permanent and unique function of the state.[1]

Sociologists have undertaken to indicate the social origins and limitations of political sovereignty. While Spencer and Novicow have rejected the concept outright, most sociologists have inclined to the view that it is a valid political concept, but must be studied in its vital social setting. Professor Giddings, while admitting that sovereignty is "the dominant human power, individual or pluralistic, in a politically organized and politically independent population," denies that it is original, absolute, unlimited or universal power. It is strictly limited by social circumstances, and its modes of expression have been closely correlated with the stages of social evolution.[2] Commons and Loria have made clear the vital relation between the economic supremacy of a social class and the possession of sovereign power, and have indicated the correlation of alterations in property and economic power with shifts in the location of sovereignty. Not only have sociological writers questioned the doctrine of absolute sovereignty, some have also expressed a doubt as to its unity.[3] The pluralists and guild-socialists contend that sovereignty is not only limited and relative, but is also distributed.[4] Another challenge has come from sociological students of international relations.

Finally, Professor Ross has contended that political institutions and influences constitute but a portion of the agencies which secure social control and enforce obedience to group rules, and has attempted to formulate the laws which govern the relative degree of potency in these political and non-political factors in the way of maintaining order in a community.[5] This interesting line of development has been cultivated by a long list of social psychologists who have demonstrated beyond question the fact that without the proper socio-psychological background and support, political sovereignty could not have even

[1] Ratzenhofer, *Wesen und Zweck der Politik;* Small, *General Sociology,* pp. 193 ff., 242; A. F. Bentley, *The Process of Government.*

[2] Giddings, "Sovereignty and Government," *Political Science Quarterly,* Vol. 21; *The Responsible State,* pp. 36-48.

[3] *Cf.* Coker, *loc. cit.*

[4] *Cf.* H. J. Laski, *Studies in the Problem of Sovereignty,* Ch. I; J. N. Figgis, *Churches in the Modern State;* L. Duguit, *Law in the Modern State; Political Science Quarterly,* Vol. 24, pp. 284-295; see the chapter by Professor Coker above.

[5] Ross, *Social Control.*

the most nebulous existence or any power whatever to compel obedience.[1]

V. The Forms of the State and of Government

While sociologists have accepted the validity of the technical distinction between the state and the government, they have regarded political activity as a unified whole and have not dwelt to any extent upon the sociological implications of this distinction. Their classifications of the forms of the state and of the government have, then, been based upon a consideration of the general type of political control in any society. The sociological writings on this subject may be divided into two types of approach, the sociological interpretation of conventional forms of classification and distinctly original sociological classifications.

Though a few writers, such as Le Bon, W. H. Mallock, Le Play, Ammon and Vacher de Lapouge incline to favor aristocracy as against democracy, most sociologists have come to accept the existence of democracy as assured for the present at least and have therefore devoted their comment to the consideration of the problems of democracy. The common point of departure for sociological discussions of democracy has been the conviction that the typical statement of the political scientists that democracy is the form of the state in which the power is in the hands of the majority or where universal suffrage prevails is but a very imperfect and incomplete characterization of this form of socio-political organization.

A. F. Bentley has shown that the essence of all governments is the struggle of interest groups with each other, and holds that a despotism is a form of government in which group interests and antagonisms are settled by the action of an individual, an aristocracy where they are handled by the powerful few, and a democracy exists only where every interest and group can express itself and secure representation for itself in a fair and equitable manner.[2]

Lester F. Ward in a socio-historical analysis of the varieties of democracy finds three successive types: physiocracy, or the dominance of *laissez-faire* concepts; plutocracy, or the present

[1] W. Trotter, *Instincts of the Herd;* Wallas, *The Great Society;* G. Tarde, *Les Transformations du pouvoir.* The psychological factors in the state are classified in section X below. See chapter by Gehlke below.

[2] Bentley, *The Process of Government,* pp. 305 ff.

exploitation of philosophical individualism in the interest of the corrupt vested interests; and the sociocracy of the future, when government will be utilized for the interest of the whole community and will be founded on the laws of social science.[1] Professor Giddings has held that a true democracy must embrace not only popular sovereignty and universal suffrage but a social system in which equality of legal right and of economic and social opportunity prevail.[2] This view that any democracy worth while must provide for a democratic social and economic régime is shared by most other sociologists; and Small, Cooley, Loria, Commons and Hobhouse have made important contributions in the way of elaborating this notion. Cooley has dwelt at length upon the problems of modern democracy, which, he believes, center around the difficulties encountered in putting into operation on a large scale the fundamental notions, ideals and practices of democracy which were originally developed in the small face-to-face primary groups, such as the family, neighborhood and community.[3] Mr. Walter Lippmann, in one of the most penetrating studies yet made of democracy in its socio-psychic aspects, has shown the unprecedented complexity of the problems to be solved by modern governments and has indicated the necessity of providing machinery to insure that contemporary democracy shall rest upon an informed public opinion which grows out of the best scientific knowledge at the disposal of the real intellectual leaders.[4] Other stimulating writers, chiefly Professor MacIver, Miss Follett and Professor Geddes, believe that democracy can be saved only by a reversal of present centralizing tendencies and a revival of the importance of community interests and unity in both social and political affairs.[5] Perhaps the most novel and significant of the various attempts to analyze the nature and practicability of democracy has been that made by exponents of differential psychology. They have demonstrated that the innate mental differences in the social population present even more serious and stubborn problems for democracy than the prevailing levels of economic and social power and capacity. Many believe that differential

[1] Ward, *The Psychic Factors of Civilization*, pp. 311 ff.
[2] Giddings, *Elements of Sociology*, Ch. XXIV.
[3] C. H. Cooley, *Social Organization*, especially pts. I-III.
[4] W. Lippmann, *Public Opinion;* and *Liberty and the News.*
[5] R. M. Maciver, *Community, a Sociological Study;* M. P. Follett, *The New State;* P. Geddes, *Cities in Evolution.*

psychology has shown democracy to be a hopeless illusion, in so far as it involves the rule of the mentally mediocre or defective majority.[1] Several sociologists, most notably Sumner and Hobhouse, have considered the relation of democracy to international affairs and have contended that democracy and imperialism are mutually exclusive and destructive, a position which Professor Giddings has vigorously attacked.[2]

The sociological innovations in the way of a reclassification of political systems have not been epoch-making or revolutionary, but they have pointed the way to the only significant type of classification, namely, that which will be expressive of the general social system and its reaction upon political affairs. Comte believed that there are but two really fundamental types of government, a theocracy, or government by priests, and a sociocracy, or the control of political policy by sociologists.[3] Spencer believed that political institutions were shaped by the general purpose of social organization, which has been for war or industrial expansion. Therefore, the two great successive types of states have been the military and the industrial. He hazarded the hope that an ethical type of social and political organization might ultimately appear.[4] Bagehot believed that there were two vital forms of political organization, one based on rigidity of custom and authoritative dominion and the other founded on free discussion and representative institutions.[5] Ratzenhofer and Small have argued that there have been two chief types of states, the early authoritarian conquest-state and its gradual development into a more democratic and progressive culture-state.[6] Tarde, looking at the question from a psychological point of view, has maintained that the two possible forms of political institutions are a teleocracy, or the sovereignty of desires, and an ideocracy, or the dominion of ideas.[7] Ross has expressed with vigor the doctrine that the location of the dominant social power is the only real criterion of political authority and has classified the various régimes which are indicative of the dominating forces in society.[8] In his *Historical and De-*

[1] See references in footnote 2 on p. 372.
[2] *Cf.* Hobhouse, *Democracy and Reaction;* Giddings, *Democracy and Empire.*
[3] Comte, *Principles of a Positive Polity,* III, p. 326.
[4] Spencer, *The Principles of Sociology,* II, pp. 568 ff.
[5] Bagehot, *Physics and Politics.*
[6] Small, *General Sociology,* pp. 193 ff.
[7] Tarde, *Les Transformations du pouvoir,* pp. 212-213.
[8] Ross, *Social Control,* p. 79.

scriptive Sociology Professor Giddings has made an even more ambitious effort to classify the different types of societies in a manner which will express both their general psychic characteristics and the form of social bond and public policy which prevails in each. He differentiates some eight such types—sympathetic, congenial, approbational, despotic, authoritative, conspiritual, contractual and idealistic.

VI. The Processes and Mechanism of Government

While sociological writers have devoted considerable attention to the problems of the processes and mechanism of government, as, for example, Tarde's attack on Montesqieu's theory of the division of powers and Ward's argument for executive leadership in the legislature, the really significant contributions that they have made to this phase of politics lie in three main departments: the essence of the governmental process, the nature and tendencies of political parties, and the necessity of finding some way for decentralizing the top-heavy and over-grown national state of the present day.

In dealing with the important problem of the real essence of government the sociologists have in most cases abandoned as an adequate description the pious abstraction that government "exists for the good of the governed" or for the advancement of the Christian virtues in the community, and have sought to discover the real nature of the "process of government." In doing so they have gone back to the position first established by Aristotle, elaborated by Althusius, and revived in more recent times by John Adams, Madison and Calhoun in this country, and by Hall and the Ricardian socialists in Great Britain: namely, that society is a complex of groups each of which is given coherence and energy through the possession of a common interest or set of interests.[1] The state exists to furnish the necessary restraint upon this conflict of interests and to insure that it will be a beneficial rather than a destructive process. Government is the agency or avenue through which these groups carry on the pub-

[1] For the most elaborate formal treatment of the type, structure and persistence of social groups, which Professors Small and Ellwood have well called "social geometry," see G. Simmel, *Soziologie, Untersuchungen über die Formen der Vergesellschaftung.* An admirable analysis of the social philosophy of Simmel by Dr. N. Spykman is in process of publication.

lic phases of their conflict and realize their objective, or effect a temporarily satisfactory adjustment of their aims with the opposing aspirations of other groups. Log-rolling, accordingly, instead of representing a degenerate and depraved mode of political activity appears to be the typical and inevitable political process and legislative procedure. This conception of the fundamental nature of the governmental function and process was first thoroughly worked out in its sociological form by Ludwig Gumplowicz. It was taken up in Europe by Ratzenhofer, Oppenheimer, Loria and a number of brilliant French and Belgian sociologists and jurists, and was brought into this country by Professor Small. In a modified form it was accepted by Gierke in Germany, by Durkheim in France, and Maitland and Figgis in England. But the most thorough and comprehensive exposition of this cardinal contribution of sociology to politics has been the work of Mr. A. F. Bentley in his treatise on *The Process of Government.*

This view of the nature of government has led immediately to the consideration of the problem of representative government and the desirable type of representative units. As might be expected, there are few sociologists among those who have given any special attention to the subject who can find courage to defend the present illogical, anachronistic and artificial method of representation through territorial units, which is based upon the preposterous political and psychological fallacy that there is a general community or district sentiment, apart from the interests of the various classes and groups, which can be isolated and represented in government. Sociologists have demonstrated the fact that even under territorial representation the basic interest groups seek, and in various indirect and subterranean ways obtain, that representation which is denied to them in a direct and open form. Indeed, most sociologists, in common with progressive political scientist, agree that if the adjustment of group interests is the core of government, representative institutions must have their form and mechanisms brought into harmony with the real purpose and function of government. It scarcely needs to be asserted that the psychological sociologists have long since laid at rest the Rousseauean dogma of the "general will" and the fractional distribution of sovereign power among the citizens of a state, upon which territorial representa-

tion was in part based and by which it was justified.[1] About the only sociologist of constructive or liberal tendencies recently to defend territorial representation against vocationalism is Mr. Graham Wallas. In *Our Social Heritage* he maintains that vocationalism would produce group selfishness, conservatism, the rule of mediocrity, inefficiency in the accumulation of socially necessary capital, and the loss of national patriotism and cooperative activity. But even he admits that the solution of the problem of representative government will lie in a compromise between vocationalism and territorial representation.[2]

These views concerning the essence of governmental activity and the real basis of representative government are intimately related to what may be regarded as the sociological doctrine of political parties. Sociologists who have devoted much time to this problem are practically united in the belief that a vital political party is in reality an interest group or a coalition of interest groups which have more common than divergent objects, and find it advantageous to present a unified front against other combinations of opposed interest groups. The party organization itself tends to become an interest group which seeks the prestige and financial rewards which flow from party loyalty and success. While there is a considerable amount of group selfishness and wasted energy through counter efforts, sociologists are inclined to believe that the contention of these interest groups is the chief dynamic and progressive factor in political life.[3]

Beyond this illuminating identification of parties with interest groups sociologists have investigated the very important question of the development of oligarchical tendencies in political parties, which is one of the most threatening phases of modern democracy and perhaps its gravest defect. The psychological sociologists, such as Le Bon, Sighele and Ross, have suggested that this may be due to the prevalence of crowds and crowd psy-

[1] *Cf.* De Greef, *La Constituante et le régime representatif;* Durkheim, *De la Division du travail social* (2nd ed.), preface; *Le Suicide,* pp. 434 ff.; Wallas, *Human Nature in Politics; The Great Society;* McDougall, *The Group Mind;* Cooley, *Social Organization.*

[2] G. Wallas, *Our Social Heritage,* Chs. IV-VI. Cf. G. D. H. Cole, *Social Theory.* For an interesting and suggestive defense of proportional as against vocational representation see the article by Dr. P. H. Douglas in the *American Journal of Sociology,* September, 1923.

[3] See the works of Gumplowicz, Oppenheimer, Ratzenhofer, Small and Bentley referred to above; also Ward, "The Sociology of Political Parties." *American Journal of Sociology,* January, 1908.

chological conditions in modern urban civilization, a situation which gives the unscrupulous leader or manipulator of crowds an unparalleled opportunity to exploit their weaknesses.[1]

Graham Wallas has indicated the manner in which party leaders are able to make an emotional appeal to the citizens through party symbols and shibboleths and thus reduce to a nullity the critical capacity of the voters and make them easy victims of the party propaganda.[2] Professor Giddings believes that oligarchy in party politics is but one aspect of the operation of the sociological law that "the few always dominate." This is as true in other phases of political and social life as it is in partisan politics. Through differential reaction to stimulation, which is due to differences in individual capacity and opportunity, the alert and energetic few invariably dominate all situations and the oligarchical tendencies in political parties are but one manifestation of a universal social tendency.[3] Of course, few sociologists are naïve enough to imagine that the ostensible political bosses represent the real power in modern parties. They recognize what Bryce, Ostrogorski, Sumner, Brooks, Beard and others have pointed out, namely, that the real power resides in the great economic interests, whose puppets and servants are the political bosses. This important fact constitutes the final answer to those critics of American democracy who condemn it as the rule of the ignorant and propertyless classes.

All of these various contributions to the subject of the autocratic nature of parties have been brought together by Professor Robert Michels in what is unquestionably the most signal sociological contribution to the analysis of political parties. He makes it clear how democracy requires organization for representation and government, how organization renders necessary leadership, how leaders are able to utilize the crowd psychological conditions that prevail in modern society and political life for their own interest and advancement, and how leadership and authority tend to develop arrogance, impatience of restraint and a lack of a sense of responsibility on the part of leaders.[4]

[1] See especially, Le Bon, *The Crowd.* For a more scientific psychological study of crowd behavior see E. D. Martin, *The Behavior of Crowds.*

[2] Wallas, *Human Nature in Politics.*

[3] Giddings, *The Responsible State,* pp. 18 ff.; *American Journal of Sociology,* March, 1920, pp. 539 ff.

[4] R. Michels, *Political Parties; a Sociological Study of the Oligarchical Tendencies of Political Parties.*

The remaining contributions of some significance which sociologists have made to the analysis of political procedure are related to the problem of providing for some rational and effective method of decentralizing the overburdened and dangerously artificial national state. There are, to be sure, some sociologists who favor the growing tendency towards centralization in large political aggregates and who would even advocate further extension,[1] but most of them agree that the present large national states were the product of dynastic and military ambitions in a past age when the duties of the state and the problems which confront political agencies were much less numerous and complex than those which have followed the industrial revolution and its reaction upon society and politics. They feel that the huge national state is both incompetent to deal with such a variety of problems in any detail and unable to arouse the necessary interest on the part of the citizens in political affairs. While admitting the necessity of preserving the unity of states for matters of international relations and for securing a common policy on things which affect the whole population in much the same way, these writers contend that some method must be found which will secure specialized skill in administration and legislation and arouse a keen interest on the part of the citizens in public affairs, the absence of which are leading defects of the modern political order.

One method of securing this result has been proposed by Durkheim and constitutes the sociological avenue to administrative syndicalism. He would have the state lay down general policies in legislation and then hand over the detailed application in special cases to syndicates of employers and employees.[2] The guild-socialists would go even further and restrict state legislation to matters concerning the interests of consumers. Producers organized in improved trade-unions would be given practical administrative and legislative autonomy.[3] The economic syndicalists propose a more extreme program in lessening the power of the *bourgeois* territorial state. They urge the elimination of the political state and the substitution of a system of social control founded upon the basic economic organization of the proletariat—the trade-union. They aim thus to secure a

[1] For example, Tarde, Giddings and Ludwig Stein.
[2] Durkheim, *De la Division du travail social* (2nd ed.), preface.
[3] Cole, *Social Theory; Guild Socialism.*

closer dependence of governing institutions upon the fundamental facts of modern economic life.[1]

Another group of thinkers would solve the problem by territorial decentralization and the centering of political life around the natural community or the geographically unified region. Those who lay most stress on the importance of group or community believe that only by making the community the basis of social and political reconstruction can morale and efficiency be insured in political life.[2] The regionalists hold similar doctrines, but lay more stress upon the geographical factors determining the limits of the natural social and political units and less upon a community of interest.[3] Both of these schools of political thought would provide for unity in general policy and for protection from invasion through an improved type of federalism. Finally, the Italian sociologist and jurist, Vaccaro, believes that the future is bound to witness a process of political devolution and the development of small states adjusted to natural regional advantages and to administrative convenience. The large national states were a product of the necessity of finding some manner of avoiding war, but, with the gradual elimination of war, the very advantages of small states in times of peace will force a return to more natural and organic political units.[4]

VII. Sociological Opinion on Liberty and Rights

Sociologists have given little attention to the age-long question of the problem of whether or not authority is essential to liberty. In fact, most of them dismiss the question as scholastic and hold that it is self-evident that under any known conditions of associated life some type of authority is essential to liberty if not to existence.[5] Only a negligible minority with essentially anarchistic leanings, such as Kropotkin, have denied this. Yet

[1] L. Levine, *Syndicalism in France;* P. F. Brissenden, *The I. W. W.;* R. L. Mott, "The Political Theory of Syndicalism," in *Political Science Quarterly,* March, 1920, pp. 25-40.

[2] For example, R. M. MacIver and M. P. Follett. Both of these writers, of course, make common interest rather than geographical proximity the real test of community. For the most thorough sociological discussion of the distinction between society, state and community see F. Tönnies, *Gemeinschaft und Gesellschaft.*

[3] Geddes, *Cities in Evolution;* Geddes and Branford, *The Coming Polity;* C. Brun, *Le Régionalisme.* These writers derive most of their inspiration from the writings of F. Le Play.

[4] M. A. Vaccaro, *Les Bases sociologiques du droit et de l'état,* pp. 472 ff.

[5] *Cf.* Stein, *Philosophische Strömungen der Gegenwart,* Ch. XV; and *Einführung in die Soziologie,* pp. 388 ff.

sociologists have done a useful service in setting forth the social foundations of liberty and in indicating the conditions under which liberal institutions are possible. In the first place, they make it clear that liberty is not primarily a political matter. Politics have little relation to the creation of the basic motives affecting human conduct. Probably nine-tenths of the impulses to action and the restraining inhibitions of the average citizen come from social and psychological influences and forces which are not even indirectly political.[1]

Confining themselves more specifically to the problem of political liberty, the sociologists have emphasized the fact that liberty and liberal institutions are not matters which may be deliberately willed by statesmen and put into operation without reference to the social environment. They have shown that a high degree of liberty is possible only in those communities or societies where there is a large amount of like-mindedness and cultural similarity, and where gross inequalities of culture, wealth and opportunity are relatively absent.[2] Further, states which are usually capable of allowing and enjoying a considerable degree of liberty in normal times may find it necessary in times of stress and danger, such as war or famine, to curtail greatly the normal amount of individual freedom of action. Liberty, both in its normal manifestations and in its temporary fluctuations, is a function or product of "circumstantial pressure" coming from the social environment.[3] Further, sociologists have recognized that it is unscientific, if not futile, to talk about some vague generalized liberty. There are many specific types of liberty, all of which must be provided for in a truly liberal state, as for example, civil liberty, economic liberty, religious liberty, personal liberty and so on. Professor Hobhouse, in particular, has attempted to classify and define the various types of liberty and to give greater precision to this line of discussion.[4] A significant recent sociological contribution to the doctrine of liberty is contained in Wallas' *Our Social Heritage*. He makes it clear that any socialized theory of liberty must provide, not only for the removal of all obstructions in the way

[1] *Cf.* Trotter, *Instincts of the Herd;* Ross, *Social Psychology;* and, above all, Sumner, *Folkways.*

[2] Giddings, *Inductive Sociology,* pp. 225 ff.; Ross, *Social Control,* pp. 411 ff.

[3] Giddings, "Pluralistic Behavior," *American Journal of Sociology,* January and March, 1920; and *The Responsible State.*

[4] Hobhouse, *Liberalism,* especially Ch. II.

of using one's faculties, but also for the conscious and organized will to use them. Liberty is, thus, a positive as well as a negative concept. On these grounds Wallas finds that the Periclean notion of liberty is far more helpful than the negative definitions of John Stuart Mill and Sidney Webb.[1]

The sociological view of political rights is that they are those "rules of the game" in the social process which are accepted and applied by the community through constitutional or statutory law. But by far the most significant contribution which sociologists have made to the subject of political rights is to rejuvenate the doctrine of natural rights, divest them of their metaphysical origins and implications, and give them an essentially evolutionary restatement. They reject completely the notion that the natural is identical with the primitive and that natural rights are those metaphysical liberties and immunities which man has brought over with him from the primitive age into political life. Rather, what is natural is that which seems to be in harmony with the essential conditions of existence and development as revealed by the evolutionary process. Natural rights, then, are those types of individual immunity and freedom which seem, on the basis of the investigation of the process of social evolution, to be conducive to the most effective functioning and the most rapid development of the social organism. As such they are the indispensable foundation and guide for all moral and legal rights.[2] Professor Giddings has concisely summarized this sociological view of the nature and importance of "natural rights:"[3]

> Natural rights, as the term was once understood, have gone to the limbo of outworn creeds; not so those natural forms of positive right that sociology is just beginning to disclose. Legal rights are rights sanctioned by the law-making power; moral rights are rules of right sanctioned by the conscience of the community; natural rights are socially necessary norms of right, enforced by natural selection in the sphere of social relations; and in the long run there can be neither legal nor moral rights that are not grounded in natural rights as thus defined.

[1] Wallas, *op. cit.*, Ch. VII.

[2] Giddings, *Principles of Sociology*, pp. 418-419; *The Responsible State*, pp. 59-68; Hobhouse, *Social Evolution and Political Theory*, pp. 196-200; Cooley, *Social Organization*, pp. 46-48.

[3] Giddings, *Principles of Sociology*, p. 418. This doctrine is, of course, destructive of that theory of natural rights which has flourished in the chambers of the United States Supreme Court.

Professor Giddings also insists that, from the sociological point of view, natural rights cannot be monopolized by the individual; the community can claim natural rights as well:[1]

> Natural rights are of two categories. There are natural rights of the community, and natural rights of the individual. Both the community and the individual have a natural right to exist and a natural right to grow or develop.
>
> If mankind or any moiety of mankind has a moral right to exist, a community or society has such a right because it is only through mutual aid that human life is possible, and only through social relationships that the intellectual and the moral life of man can be sustained.

It is this doctrine of the natural rights of the community, or the conception of social interests, which has greatly influenced progressive sociological jurisprudence.[2] Moreover, as Mr. Wallas has insisted in his most recent work, it is necessary to adopt a dynamic theory of natural rights. Evolutionary products are rarely permanent and transcendental. Natural rights, that is, socially necessary rights, must vary in their content with changes in general social conditions and institutions. Rights which may have been socially "natural" in a primitive community may have ceased to be such at the present time. Natural rights, then, are a product of social needs and interests, and must necessarily vary in their character with the development of the social order.[3]

VIII. Social Progress and the Scope of State Activity

The sociologists have devoted considerable attention to an attempt to discover an adequate definition of progress. Comte looked upon it as a gradual triumph of the scientific outlook over the theological and the metaphysical. Spencer and Bagehot both viewed it as the more perfect adjustment of the organism to the environment. Lester F. Ward regarded it as essentially the increase of human happiness through the overcoming of ignorance and error. Giddings has stated his belief that the essence of progress is the amelioration of the biological conflict between individual interest and race interest. Ratzenhofer and

[1] Giddings, *The Responsible State*, p. 65. Graham Wallas has also emphasized this point of view in *Our Social Heritage*, Ch. VIII.

[2] *Cf.* R. Pound, "A Theory of Social Interests." *Publications of the American Sociological Society*, Vol. 15 (1920). See chapter by Patterson above.

[3] Wallas, *Our Social Heritage*, Ch. VIII.

Small hold that it consists in the gradual substitution of cooperation for conflict. Hobhouse believes that it is to be found in the development of harmonious relations in society and the more perfect development of cooperative activity. Professor Tenney looks upon progress as a substitution of integral for partial satisfaction in the standard of life. Professor Cooley has recently made a plea for a tentative theory of progress. The most profound sociological study of the facts and processes in social and cultural progress has recently been executed by Professor W. F. Ogburn.[1]

Much more important than these representative formulations of the idea of progress have been the sociological conceptions of the manner in which progress is achieved and the relation of the state to this process. The earlier sociologists, under the spell of the Darwinian doctrine and the belief in the inheritance of acquired characters, and impelled at every turn to apply it by direct analogy to human society, were inclined to believe that progress was a spontaneous and inevitable product of natural processes working in an evolutionary manner. Human effort could not hasten the process, but might fatally retard or divert the movement. Hence, the biological analogy as applied to human society by this early group of sociologists served to bolster up a doctrine of political quietism and individualism in much the same way that the appropriation of Newtonian celestial mechanics for social philosophy a century earlier provided a pseudo-scientific foundation for the individualistic political philosophy of the physiocrats and the classical economists. The most forceful exponents of this point of view among sociologists were the Englishman, Herbert Spencer; the Russian, Jacques Novicow; the Austrian, Ludwig Gumplowicz; the Frenchman, Gustave Le Bon, and the American, William Graham Sumner.[2]

More recently, however, sociologists have inclined to the view that "the theory of continuous automatic inevitable progress is

[1] Professor A. J. Todd has produced a comprehensive compilation of the various notions of social progress. See his *Theories of Social Progress*. Professor A. A. Tenney has been working for some time on a plan to present an objective estimate and measurement of progress. Gumplowicz and Le Bon differ from most sociologists in denying that there is any definite verifiable progress.

[2] Spencer, *First Principles*, pt. II; *The Study of Sociology;* Novicow, *Les Luttes entre sociétés humaines;* Sumner, "The Absurd Attempt to Make the World Over," *War and Other Essays*, pp. 195-210; Gumplowicz, *Outlines of Sociology*, p. 207. While a believer in spontaneous development, Gumplowicz inclined to the view of cycles rather than progress in history.

impossible," or that, if possible, it is a slow and expensive matter as compared with the acceleration and direction of the process by the conscious control of the human mind. They believe that though the evolutionary process in society has been, down to the present, a genetic and spontaneous development, the time has now arrived or is fast approaching when social science will enable the human mind to take conscious charge of the developmental process and insure more rapid and certain progress with a minimum of social cost. This transition from natural genesis to social telesis they view as the real turning-point in the evolution of humanity. While this notion was clearly expressed in a somewhat erratic and fantastic manner by the French Utopian socialist, Charles Fourier, and implicity accepted in the social philosophy of St. Simon and Comte, it was an American sociologist, Lester F. Ward, who made this the pivotal element in what is perhaps the most imposing body of sociological doctrine which has yet appeared. More recently it has been defended with equal vigor by the English sociologists, Hobhouse and Wallas.[1] It is, of course, the point of departure for all scientific social economy and is one of the two or three epoch-making contributions of sociology to political theory and practice.

The attitude of sociologists with respect to the nature of progress has colored if not wholly determined their stand with respect to the scope of state activity. Believers in automatic evolution, such as Spencer, Novicow, Gumplowicz and Sumner, have counselled a policy of complete *laissez-faire*. Holding that laws only create new problems, while failing utterly to remedy the situation at which they are aimed, Spencer would limit the state solely to the function of protecting the life and property of citizens and repelling invasion.[2] Novicow bitterly criticized the incompetence of the state in all phases of activity, save that of serving as the communal policeman, and his views on the proper scope of state interference coincided with those of Spencer.[3] Gumplowicz, maintaining that social institutions are the product of "blind natural laws," held that the chief prac-

[1] Ward, *Pure Sociology*, pp. 463 ff., 551, 573-575; Hobhouse, *Development and Purpose; Social Evolution and Political Theory*, Ch. VII; Wallas, *Our Social Heritage*.

[2] Spencer, *Social Statics; Man versus the State; Principles of Ethics*, pt. IV; *Study of Sociology*, pp. 270-271.

[3] Novicow, *Les Luttes entre sociétés humaines*, pp. 227, 335, 341, 355, 494, 604.

tical value of sociology is the discouragement of any attempt to hasten or alter social development through legislation.[1] Sumner contended that no social class had any moral obligation to protect the interests of any other class, that social legislation only tended to crush and eliminate the healthy middle class of "forgotten-men" in order to conserve and increase the class of defectives, and that the sociologist's message to the class of reformers or "ignorant social doctors" was "mind your own business!"[2] The *laissez-faire* position has also been defended from the standpoint of obscurantism and aristocracy by W. H. Mallock, Gustave Le Bon and Frederic Le Play.[3]

On the other hand, Lester F. Ward vigorously criticized as "Misarchists" and obstructionists such writers as Spencer and Sumner and defended the entry of the state upon an ambitious program of social legislation, but he strongly contended that before any such attempt will be either scientific or feasible government and education must be reorganized in such a manner as to give social scientists a controlling position in advising and shaping such legislation. Ward was, then, as little of an exponent of indiscriminate social legislation by the present incompetent political agencies as was Spencer or Sumner.[4] Essentially the same attitude has been taken by Hobhouse, Ludwig Stein, Schäffle, Dealey and Duprat.[5]

While the position taken by the majority of sociologists thirty years ago was more in accord with the views of Spencer than those of Ward, the tendency since that time has been to swing to Ward's point of view. Most sociologists are, however, careful to indicate that they are taking an eclectic rather than a dogmatic position in doing so. As Professor Giddings has expressed this reservation, "the worst mistake that political philosophers have made has been their unqualified approval or condemnation of

[1] Gumplowicz, *Socialphilosophie im Umriss*, pp. 77-90.

[2] Sumner, *What Social Classes Owe to Each Other.*

[3] W. H. Mallock, *Aristocracy and Evolution;* and *The Limits of Socialism;* Le Bon, *La Psychologie politique;* F. Le Play, *L'Organisation de la famille;* and *La Constitution essentielle de l'humanité.*

[4] Ward, *Dynamic Sociology*, II, pp. 212-250; *Outlines of Sociology*, pp. 187-189; *Psychic Factors of Civilization*, pp. 309-312; *Pure Sociology*, pp. 568-569. *Cf.* J. Q. Dealey, "Eudemics, a Science of National Welfare," *Publications of the American Sociological Society*, Vol. 15, 1920.

[5] Hobhouse, *Social Evolution and Political Theory*, Chs. VIII-IX; Stein, *La Question sociale*, pp. 122, 267 ff., 281 ff., 314; A. Schäffle, *Bau und Leben des socialen Körpers*, II, pp. 427 ff.; *The Quintessence of Socialism;* G. L. Duprat, *Morals; a Treatise on the Psycho-Sociological Basis of Ethics*, pp. 204 ff., 256 ff., 274 ff., and *La Solidarité sociale.*

laissez faire."[1] Professor Cooley also contends that "we must, of course, take the relative point of view and hold that the sphere of government is not, and should not be fixed, but varies with the social condition at large. Hard-and-fast theories of what the state may best be and do we may well regard with distrust."[2] This attitude is shared by Professor Ross.

An important addition to the theory of state activity is embodied in the above-mentioned proposal of Durkheim to hand over the specific application and administration of law to functional or occupational associations. It has frequently been asserted that though a greater degree of state activity might be required to deal with the complex problems of modern society, yet the administrative machinery of the over-centralized national state would be inadequate for the task. Such an arrangement as Durkheim suggests would give large scope to state activity and secure unified policy, and yet would make possible specialized and competent administration.[3] In an important way this view furnishes the sociological foundation for administrative syndicalism.[4] Sociologists further maintain that the only criterion for deciding as to the validity of any proposed social legislation is the facts in the case, carefully gathered and critically presented through refined statistical methods, thus sharing the view of the German historical economists and W. Stanley Jevons.[5]

IX. International Relations

Sociologists have devoted no little attention to the problems of nationality and international organization. The now popular doctrine that nationality is a cultural rather than a political concept, which is associated especially with the writings of A. E. Zimmern, was set forth with clarity and vigor by Novicow thirty years ago.[6] Gumplowicz developed many of his sociological and juristic doctrines from an observation of the problems and difficulties involved in maintaining one political authority

[1] Giddings, *Principles of Sociology*, p. 353. In later years and especially since the World War, Professor Giddings has moved further towards a eulogy of state-activity.

[2] Cooley, *Social Organization*, p. 403. *Cf.* Ross, *Principles of Sociology*, p. 624.

[3] Durkheim, *De la Division du travail social* (2nd ed.), preface.

[4] See Laski, *Authority in the Modern State*, Ch. V, for a good review of administrative syndicalism. See also his *The State in the New Social Order.*

[5] Ward, *Glimpses of the Cosmos*, II, pp. 168-171.

[6] Novicow, *Les Luttes entre sociétés humaines*, pp. 125 ff., 239 ff., 345.

over the diverse national groups within the old Austro-Hungarian Dual Monarchy.[1] An extremely important contribution to a significant phase of this subject has been made by the eminent Belgian sociologist, Guillaume De Greef, in his notion of the necessity of adopting a sociological point of view in dealing with frontiers. He insists that the notion of a fixed and definite political boundary, or even a "natural" geographical frontier is essentially fallacious. The only true boundaries or frontiers are the continually changing lines which express in a rough geographical and political way the resultant of the pressure exerted by social groups. It is utterly futile to lay out even approximately permanent boundary lines which will mark off the territories inhabited by distinct ethnic groups. Differences in social pressure, which are indicative of differences in birth-rate, economic prosperity, group-coherence and so on, will soon serve to nullify any such attempt.[2] Finally, sociologists, especially such American writers as Commons, Ross and Fairchild, have investigated the matter of the admixture of national groups through immigration, and have concluded that it is highly detrimental to the well-being of a state if it goes on more rapidly than the process of assimilation.[3]

The majority of sociologists are inclined to hold that, in spite of all the misery entailed by the accompanying warfare, the development of the great national territorial states was an essential and beneficial process reducing the possibility of war and conflict and furnishing the proper discipline in group life on a large scale.[4] Yet there are wide differences of opinion as to the morality and desirability of political expansion and imperialism among sociologists. Gumplowicz has contended, in much the same vein as Machiavelli, that a state must continue a policy of aggressive territorial expansion or face inevitable decline and extinction.[5] Professor Giddings has defended modern imperialism in a sociological version of "the white man's burden."[6] On the other hand, Novicow and Nicolai have almost savagely attacked the views of Gumplowicz, Treitschke and the exponents

[1] Gumplowicz, *Der Rassenkampf;* and *Das Osterreichische Staatsrecht.*
[2] De Greef, *Structure générale des sociétés. Cf. Political Science Quarterly,* Sept., 1910, pp. 505-508; and *American Journal of Sociology,* Vol. 10, pp. 64 ff.
[3] *Cf.* Commons, *Races and Immigrants in America;* Ross, *The Old World in the New;* H. P. Fairchild, *Immigration.*
[4] Tarde, *Les Transformations du pouvoir,* p. 175.
[5] Gumplowicz, *Outlines of Sociology,* pp. 150-153.
[6] Giddings, *Democracy and Empire,* especially Chs. I, XVII.

of the so-called "social Darwinism,"[1] and Sumner and Hobhouse have contended with vigor that imperialism and democracy cannot be reconciled.[2]

A great majority of the sociologists are agreed that the sovereign national state cannot be regarded as the final stage in political evolution. Some form of international organization must be found which will eliminate national wars in a manner similar to that in which the national state has ended neighborhood and sectional conflicts. Novicow has proposed a federation of European states,[3] but, while most writers look upon federalism as the ultimate solution of the problem, they incline to doubt whether so close a form of union is feasible at the present time. They feel that any international organization which will not invite immediate disintegration and disruption must take as a nucleus a group of states with a considerable degree of homogeneity of culture and interests. Political likemindedness, as Professor Tenney has reminded us, cannot well proceed from cultural diversity and economic rivalry. Professor Giddings has put this point very succinctly:[4]

> A league to enforce peace must be composed of nations that will both keep faith with one another and practically act in coöperation with one another against the law-breaker. Practically, these requirements can be met, and will be met, only if the component nations of the league share a common civilization, hold a common attitude towards questions of right, liberty, law and polity, and share a sense of common danger threatening them from nations whose interests, ambitions, moralities and policies are antagonistic to theirs.

Perhaps the chief thesis of Graham Wallas' latest book, *Our Social Heritage,* is the assertion that society and civilization cannot long endure unless some adequate method is found to avert the destructive wars of the modern era. He makes a number of interesting suggestions as to how we may build up reac-

[1] Novicow, *La Critique du Darwinisme social;* G. F. Nicolai, *The Biology of War.*

[2] *Cf.* Hobhouse, *Morals in Evolution,* p. 68; *Democracy and Reaction; Question of War and Peace.* Sumner, *War and Other Essays.*

[3] Novicow, *La Fédération de l'Europe.*

[4] Giddings, "The Basis of an Enduring Peace," in the *Publications of the American Association for International Conciliation,* April, 1917, No. 113, pp. 16-17. For a thorough discussion of the relation of cultural homogeneity and likemindedness to any effective internationalism see Tenney, "Theories of Social Organization and the Problem of International Peace," *Political Science Quarterly,* March, 1915. See also the suggestive article on "Sections and Nations," by the sociological historian, F. J. Turner, in the *Yale Review* for October, 1922.

tion patterns founded upon international cooperation rather than national egoism and rivalry.[1]

Some sociologists believe that ultimately, when higher cultural and political development has put an end to the perennial threat of war a period of political devolution will follow which will allow governmental units to assume a size that harmonizes best with geographical regions or unified districts of habitation, and with administrative convenience and an alert public interest in political affairs. The age of the national territorial state and the world organization of states may be looked upon as a temporary episode in the history of humanity and a necessary discipline of the race.[2]

X. Extra-Legal Phases of Political Institutions

There can be no doubt that the most important of all the contributions of sociology to political theory and practice are those which deal with the extra-legal social and psychological phases of behavior and control. In fact it is in this field that sociology can be more useful to political science than in a specific treatment of purely political problems. Sociology has analyzed the social foundations of the public order, the processes of social control and the origin and nature of obedience, and looks upon the state as one highly developed and specialized agency within society for enforcing uniformity of behavior and insuring order and obedience.

William Graham Sumner, in his masterly compilation, *Folkways,* has shown with a great wealth of illustrative material how customs and conventions actually furnish most of the guides for conduct in human society. Wilfred Trotter, in his *Instincts of the Herd,* has supplemented the work of Sumner by analyzing the socio-psychic basis for the tyranny of socially derived folkways and mores. Professor Ross in his famous work on *Social Control* has expounded with originality and acumen the operation of the various socio-psychological forces which bring about order and conformity in society, such as custom, fashion, convention, public opinion, suggestion, beliefs and ideals, and has made clear how small a part, after all, political institutions play in maintaining order and uniformity in society. Walter Lippmann, in

[1] Wallas, *op. cit., passim,* esp. Chs. IX-XII.
[2] Vaccaro, *Les Bases sociologiques du droit et de l'état,* pp. 473 ff.

his brilliant *Preface to Politics*, and in his *Drift and Mastery*, and *Public Opinion* has made a notable contribution to this same field and has brought into play a somewhat more up-to-date psychology. Professor Giddings has indicated the various ways in which society secures conformity to behavior types and patterns, through what he terms the process of "social self-control."[1] In his three works, *Human Nature and the Social Order*, *Social Organization*, and *Social Process*, Professor Cooley has analyzed the elements of personality, ideals, organization and social processes which lie back of political and economic activities and institutions. Graham Wallas in his *Human Nature in Politics* has attacked the older intellectualistic political and social psychology that characterized the Benthamite hedonistic calculus, and has indicated the importance of instinctive and emotional forces. In his later works, *The Great Society* and *Our Social Heritage*, he has both carried on his critical work and made helpful suggestions as to the solution of current political and social problems through "social invention" which may provide more adequate forms of social organization and cooperative endeavor. John Dewey in his *Human Nature and Conduct* has made an extremely important contribution to a scientific socio-psychological conception of ethics, and has emphasized the modifiability of human nature through its flexibility in adapting itself to changing social settings and cultural conditions. James Harvey Robinson in *Mind in the Making* has furnished ample historical data to support Professor Dewey's thesis. A more technical discussion of the problem of the flexibility and modifiability of human instinctive tendencies has been provided by Professor L. L. Bernard. These works by Dewey and Bernard are representative of the present assault on the older views of the instincts.

Special treatments of particular phases of the operation of socio-psychic factors are numerous. Among the more notable are Sumner's voluminous descriptive treatment of the sociological significance of customs, usages, folkways and mores;[2] Giddings' analysis of the sociological significance of the "conscious-

[1] Giddings, "Social Self-Control," in *Political Science Quarterly*, Vol. 24, No. 4 (1909); "Pluralistic Behavior," in *American Journal of Sociology*, January and March, 1920. I have analyzed more thoroughly most of the contributions of psychological sociology to political theory in the *Sociological Review*, 1921-23; the *American Journal of Sociology*, 1921-22; the *Philosophical Review*, May, 1919; the *Political Science Quarterly*, June, 1920; and the *American Journal of Psychology*, October, 1920. See chapter by Gehlke below.

[2] Sumner, *Folkways*.

ness of kind" and "pluralistic behavior";[1] Tarde's analysis of repetition, opposition and adaptation;[2] the importance of social impression and the crowd-psychological state as set forth by Durkheim, Le Bon and Sighele;[3] Trotter's telling statement of the great sociological importance of herd instinct;[4] the emphasis of Ross, Sidis, Davenport and Wallas on suggestion;[5] McDougall's discussion of the importance of the gregarious and self-regarding instincts and the nature of the group mind;[6] Sutherland's voluminous genetic and analytic exposition of social sympathy;[7] Kidd's insistence that religion alone has been able to furnish the chief element in social cohesion and control;[8] and Fouillée's view of the nature, importance and evolution of "idea-forces" in society.[9] Most of these contributions to political psychology have been anti-intellectualistic, but Ward and Hobhouse have pointed out the dangers in overemphasizing this point of view. While acknowledging the dominance of instinctive and emotional forces at present, they correctly insist that only through an improvement and utilization of intellectual factors can any definite future advancement be assured.

From another angle sociologists have set forth the importance of individual forces, such as the leadership of great men in social and political processes. Comte, Mallock, Le Bon, Galton, Ward, Michels, Sumner, Howard and Mumford have analyzed the problems of leadership from various angles, historical, cultural and political; Professors Cooley and Baldwin have succeeded fairly well in the difficult task of working out a synthesis of the individual and social influences operating in society and politics.[10]

A number of writers, especially Lippmann, Cooley, Tarde, Ross, McDougall and Tönnies, have dealt with the subject of pub-

[1] Giddings, *Inductive Sociology*, pp. 91 ff.
[2] Tarde, *Social Laws;* and *Les Transformations du Pouvoir.*
[3] Durkheim, *Les Règles de la méthode sociologique;* and *The Elementary Forms of Religious Life;* Le Bon, *The Crowd;* S. Sighele, *Psychologie des sectes.*
[4] Trotter, *Instincts of the Herd.*
[5] Ross, *Social Control*, Chs. XIII-XV; *Social Psychology*, Ch. II; B. Sidis, *The Psychology of Suggestion;* F. M. Davenport, *Primitive Traits in Religious Revivals;* Wallas, *Human Nature in Politics.*
[6] McDougall, *Social Psychology;* and *The Group Mind.*
[7] A. Sutherland, *The Origin and Growth of the Moral Instinct.*
[8] B. Kidd, *Social Evolution.*
[9] Fouillée, *L'Evolutionisme des idées-forces*, especially introduction.
[10] In addition to the works of these authors which have been mentioned above, see F. Galton, *Hereditary Genius;* and *Inquiries into Human Faculty;* E. Mumford, "The Origins of Leadership," *American Journal of Sociology*, Vol. 12.

lic opinion, have given this concept more precision and have indicated its relation to political processes.[1] Lester F. Ward has discussed the sociological nature and uses of education with a profundity and thoroughness not equaled by any other writer.[2] Professor Ellwood has brought together a synthesis of these psychological factors in a work which is easily the most comprehensive and scholarly contribution yet made to sociology from the psychological standpoint.[3] Finally, it should be remembered that those biological, economic and geographical factors in the state, which were dealt with above, also fall logically within the scope of sociological contributions to the extra-legal aspects of politics, and that the whole sociological analysis of the social process furnishes the indispensable propaedeutics for the study of the genesis, nature and operation of political institutions.[4]

XI. Political Theory and the Social Environment

One of the most widely accepted of the present views concerning the history of political theory is that the type of theory is normally closely related to the social environment from which the author draws his material and receives his stimuli. Kropotkin, Oppenheimer, Gumplowicz, De Greef, Novicow, the French social psychologists, and McDougall are good examples of sociologists whose contributions may be traced directly to their social environment.[5] The work of Sumner and Trotter on the mores and herd instinct has thrown much light upon the basis for this relation between social environment and social theory, but Professor Giddings has gone further than any other sociologist in his attempt to explain the correlation between the successive advances in social and political theory and the changes in the social and political environment. Modern analytical psychology is producing convincing evidence that there is another phase of the subject, namely, the specific psychic complexes of the indi-

[1] See their works as cited above; and F. Tönnies, *Kritik der öffentlichen Meinung.*

[2] Ward, *Dynamic Sociology*, II, Ch. XIV.

[3] C. A. Ellwood, *Sociology in Its Psychological Aspects.* For the best guide to the literature of this subject see G. E. Howard's *Syllabus of Social Psychology.* The best recent manual is E. S. Bogardus, *The Fundamentals of Social Psychology.*

[4] *Cf.* Giddings, *Principles of Sociology*, bk. II, Ch. I; Small, *General Sociology*, pp. 193 ff.

[5] *Cf.* Lippmann's review of McDougall's *Group Mind* in the *New Republic*, December 15, 1920. See my *Sociology and Political Theory*, Ch. XIII.

vidual writer. The synthetic approach to the interpretation of the political theory of a given writer will doubtless have to be based upon both the social and the individual background.[1]

XII. Concluding Estimate

Though the above rapid enumeration of the most notable sociological contributions to political problems would indicate that sociological writers have done something more than to "touch the substantial borders of the state," the most significant thing about sociology and modern political theory is that most of the changes which have taken place in political theory in the last thirty years have been along the line of development suggested and marked out by sociology. This is the best possible justification of the sociological excursion into social science and political analysis. As Professor Small has very well said:[2]

> The only possible vindication of an intellectual movement is that people after a while find themselves thinking its way. It is as evident that all thinking about social relations is setting irresistibly towards sociological channels, as that all our thinking is affected by Darwinism. The solemn men, who return from reading the signs of the times with reports that there is nothing in sociology, deserve a stanza in the old song of Noah's neighbors. They knew it wasn't going to be much of a shower.

Of course, no one would be foolish enough to contend that this broader approach to political problems is ultra-modern or a recent contribution of sociology. From the time of Aristotle onward there have been writers who stressed the social, economic and psychological background of political phenomena. Aristotle's analysis of the psychological and economic factors in political institutions; Machiavelli's psychological study of leadership; Bodin's crude attempt to work out the physical and psychic foundation of politics; Althusius' emphasis on the group as the basis of social and political life;[3] Harrington's views on the importance of property and mental capacity in political

[1] Giddings, "Concepts and Methods of Sociology," *American Journal of Sociology*, Vol. 10; "A Theory of Social Causation," *Publications of the American Economic Association*, third series, V, No. 2; Article "Sociology," in *New International Encyclopedia; American Journal of Psychology*, July, 1913, pp. 360-377; *ibid.*, April, 1918, pp. 159-181; *Psychoanalytic Review*, January, 1921, pp. 22-37; and Reede and O'Higgins, *The American Mind in Action*. For a suggestive study of the problem raised in this paragraph see W. F. Ogburn, in *Publications of the American Sociological Society*, 1922, pp. 62-74.

[2] Small, *American Journal of Sociology*, Vol. 15, pp. 14-15.

[3] Probably Althusius will, sooner or later, be regarded as the real "founder" of sociology.

activity and policies; Montesquieu's notion of political relativity, founded upon a sociological view of the factors creating and shaping the state; Ferguson's anticipation of Gumplowicz in tracing the historical origins of the state; the economic interpretation of politics brought forward by the Ricardian socialists; Hamilton's contention that the raw material of politics was to be sought in the facts of human nature and not in "musty parchments"; the keen analysis of the part played by property in determining political alignments which is contained in the writings of John Adams, Madison, Webster and Calhoun; and the contention of Calhoun that representative government should be based to a considerable extent upon the recognition of these elemental interest groups, are but some of the more conspicuous examples of a fundamentally sociological approach to the analysis of political phenomena.

This tendency was, however, interrupted and obstructed for a half century by the influence of the lawyers upon political theory and practice. So far did this go that we find so eminent a political scientist as Professor John William Burgess declaring, "I do not hesitate to call the governmental system of the United States the aristocracy of the robe and I do not hesitate to pronounce this the truest aristocracy for the purposes of government which the world has yet produced."[1] Even formal political science was for the most part dominated by the abstract metaphysical and legalistic approach and concepts of the Hegelian dialectic, the Austinian analytical jurisprudence and the German *Staatsrechtslehre.* Perhaps that which is most to the credit of these schools is the frankness and cheerfulness with which they have admitted the fact that their doctrines have nothing in common with those of the sociological school.

This does not in any way imply that the sociological postulates cannot be harmonized with the viewpoint of the student of jurisprudence. It is not a matter of sociology versus law, but of sociology versus the type of law represented by the political and juristic doctrines of Roscoe Conkling, Joseph H. Choate, A. B. Anderson and Kenesaw Mountain Landis, or in the majority decision in the cases of *Pollock* v. *Farmers' Loan and Trust Company, Lochner* v. *New York, Coppage* v. *Kansas* and the

[1] *Political Science,* II, p. 365. Cited by C. E. Merriam, *American Political Ideas,* p. 155. Small wonder that Professor Burgess was not succeeded by the author of *Social Reform and the Constitution.*

Hitchman Coal and Coke Company v. *Mitchell.* Indeed, some of the most significant and helpful impulses to the sociological orientation have come from such lawyers as Gierke, Maitland, Duguit, Pound, Freund, Kirchwey, Wigmore, Powell, Frankfurter and Goodnow, and from judges such as Holmes, Harlan, Brandeis, G. W. Anderson, Cardozo and Learned Hand.

What modern sociology has done for political science is not to originate the synthetic approach to politics, but rather to put the lawyers of the metaphysical and "mechanical" schools to rout, and to restore the viewpoint of Ferguson, Hall, Madison and Calhoun. Indeed, it has done more than to restore this general viewpoint; it has strengthened and modernized it through an infusion of Darwinian and Neo-Darwinian biology and functional and behavioristic psychology. It would be futile to discuss whether this change has been due to sociological influences alone or in part also to that general change of method and attitude that has been contemporaneous with the gradual development of sociology. Be that as it may, one cannot well escape from the conviction that it has been a product of the triumph of the "sociological movement," for there was certainly nothing in Austin or Holland which would lead directly to Roscoe Pound and Léon Duguit, and little in Laband or Jellinek which would bring forth the doctrines of Graham Wallas, Ratzenhofer, Bentley, Laski, Krabbe, Lippmann or Beard.[1]

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[1] Those who care to follow further a more detailed consideration of the contributions of leading sociologists to political theory will find articles in the *American Journal of Sociology,* September, 1917, July and September, 1919, November, 1921, to September, 1922; the *Journal of Race Development,* April, 1919; the *Philosophical Review,* May, 1919; the *Political Science Quarterly,* June, 1920; the *American Journal of Psychology,* October, 1920; the *Encyclopedia Americana* (1920), Vol. 25, pp. 166-186; the *Journal of International Relations,* October, 1921; the *English Sociological Review,* 1921-23; the *Lutheran Quarterly,* October, 1921; the *Archiv für Geschichte der Philosophie,* September, 1922; and the *Open Court* for July and August, 1922, and May, 1924. See also my *Sociology and Political Theory.*

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CHAPTER X

SOCIAL PSYCHOLOGY AND POLITICAL THEORY

Charles Elmer Gehlke

I. The Group and Social Control

Political theory, in the sense in which the term is here considered, concerns itself with the state, its power to control, and with government. The consideration of the state involves the problems of its nature, its origins and its transformations. Its coercive power, "sovereignty," absolute or limited, projects the thinker immediately into questions of which the psychological element is a necessary constituent. Government, the complex of organizations through which the state functions, opens at once another field of studies of infinite variety. Here appear first the diverse forms that government takes. At any given time these forms are as numerous as the folk-groups or peoples in which they exist; and within any people the form of government may change in greater or less degree within even the brief compass of a single decade.[1]

In this brief discussion only one of the numerous approaches to the theory of political phenomena will be considered, namely the psychological. This is not a peculiarly modern approach.[2] No psychological study of political phenomena would be normal without some reference, however slight, to Aristotle's "*Zoön politikon*"; to Thomas Aquinas' "*Animale sociale et politicum*"; to Machiavelli's self-interest, Hobbes' self-seeking and fear, as examples of theories which antedated modern social psychologists by centuries. We are chiefly concerned here, however, with the evaluation of the contributions to political theory of that group of social scientists, most of them pro-

[1] See H. M. Kallen, "Political Science as Psychology," in *American Political Science Review*, May, 1918.

[2] See *Sociological Review*, Vol. XIII, pp. 152-6.

fessed sociologists, who are known as the social psychologists. Many of them would better be called psychological sociologists, but the other term is more inclusive as it admits those who are not primarily sociologists, but rather psychologists, like McDougall and Dewey. The characteristic that all of these have in common is their emphasis, sometimes almost to the exclusion of any other, upon the psychic factor in the origin, forms, and changes of political and social phenomena.

To the sociologist at least, political phenomena are regarded primarily as "social."[1] That is, they occur as activities of those aggregations of the animal *homo sapiens* to which we give the non-committal name of "societies". They share this "socialness" with phenomena some of which we differentiate as "economic" or "religious". With these they can be regarded as group ways of acting. The admirable terms "folkways" and "mores", introduced by William Graham Sumner, are directly useful here. Political phenomena are political folkways and mores. From the sociological angle they involve two functions found in every society; control of the individual by the group—"social control", as Ross has called it; and cooperation through certain organs of common action—collectively referred to as "government"—to secure certain common ends of the members of the group. These functions correspond closely to the "executive" and the "administrative" forms of governmental activity.

Not all "social control" is political, of course.[2] The difference between the two might be illustrated in a modern instance by this example: before the passage of the prohibition laws a man might have been and frequently was restrained from purchasing alcoholic beverages because of the feeling that his family or his church might disapprove of such a transaction. Today such a purchase is illegal, i.e. it is subject to the punitive power of the government. To use Professor Giddings' admirable distinction—what was a "folkway" has now become a "stateway".[3] Social control has become political control. Moreover we cannot ascribe to any human society now known a total absence of political activity. Advanced or backward, parliamentary or tribal, societies exhibit certain folkways that

[1] H. E. Barnes, *Sociology and Political Theory*, esp. Chaps. iii, vii, xii.
[2] See esp. E. A. Ross, *Social Control;* and W. G. Sumner, *Folkways.*
[3] F. H. Giddings, *Studies in the Theory of Human Society*, pp. 190-196.

are concerned with control and with group coöperation. In general, we may say that such control is universal within the group. Whether in a democratic council of American Indians, or in the despotic court of the African king, or in the gerontocracy of the Australian blackfellow, the power exercised in a primitive group affects all members of the tribe. It likewise extends to the enforcement of practically all the folkways of the tribe. The unwillingness of the individual savage to remain at odds with his fellows naturally removes much of the outwardly coercive appearance of such jurisdiction. Save in the isolated case of the African despot the rule of such authorities is almost to be called "constitutional", since it is so closely limited by general knowledge of and respect for tribal taboos and standards of conduct for both ruler and ruled.[1]

Among civilized peoples the power of the state is universal over its subjects; all persons within the three mile limit, citizens or aliens, are in varying degrees subject to control. Not so clear, however, is the universality of the jurisdiction of the state over acts. Written constitutions and unwritten folkways limit the field of control by the state. Theoretically a constitution might give unlimited power to the state. In practice, constitutions look to a diametrically opposite end. The constitution sets metes and bounds to the power of the state. A state may not be allowed in one age to control religion, or in another to confiscate private property, or to limit the power of contract.

In other types of social phenomena we see similar contrasts between primitive and advanced societies. It is difficult, for example, to distinguish between the religious and the non-religious sanctions upon acts in a primitive society. Even during the Middle Ages the church governed the citizens' acts no less, or indeed more, than the state. The state itself enforced many religious regulations, as e.g. the obligation of the citizen to be orthodox. But today the religious sanction is highly specialized in its application and the state enforces very few of the church's injunctions. The sanctions of neither religion nor the state are applied in much of our economic life or in our sports. But the church still remains potent as a factor in social control.[2]

[1] A. A. Goldenweiser, *Early Civilization*, Chap. xiii.
[2] J. T. Shotwell, *The Religious Revolution of Today.*

Closely related to the question of the extent of state control over folkways is that of the clash of different sets of folkways under the same state. Where the state and the folk are not identical the clash between the stateways and folkways is really a clash between two sets of folkways. This is illustrated in the familiar phenomenon of control of one folk by another, as in the case of the Norman Conquest, or of the dominance of the Magyar over the Slavic peoples of Hungary. In the latter case, the insistence of the ruling folk as to the use of the Magyar language was an indication of an attempt to force the acceptance of an alien folkway.[1]

In the case of a so-called democratic society a situation exists having many of these same characteristics of a clash of folkways and stateways. Every democracy has parties and social classes: sometimes these two kinds of groups are coterminous. The clash of the folkways of Anglo-Saxon puritanism against those of the Continental peoples in the United States is clearly reflected in the line of cleavage on the liquor question. At present the Puritans have made prohibition—their folkway—a stateway, but with only partial success.

Viewed from another angle the state in our modern democracy becomes not the ruler, but the agency of the people. It is a type of cooperation, involving common ends and approved means. Here we run afoul of one of the serious obstacles to the acceptance of a naïve conception of the unity and single-mindedness of the democratic society in its political aspects. All realists, have, throughout the history of political theorizing, called attention to the problem of group decision. All the citizens do not agree as to what the state shall do for them. The decision is made by the groups with the dominant power; this may be numerical or economic or traditional and inherited power. The groups themselves may be divided on religious, or nationalistic, racial, or, most often, on economic lines. The mere chance of numerical superiority of one group or bloc determines that one country shall be "socialistic" and another "individualistic" in its policy as to state services for the citizens.[2]

[1] See L. Gumplowicz, *Der Rassenkampf;* J. Novicow, *Les luttes entre sociétés humaines.*

[2] L. Gumplowicz, *Outlines of Sociology,* Part III; F. Oppenheimer, *The State;* A. F. Bentley, *The Process of Government.*

Whenever a line of division appears and groups define themselves, the nature of the group becomes important from our point of view.[1] Is it a group with great internal cohesiveness? Is it a flotsam and jetsam of citizenry, for the moment fortuitously juxtaposed, and breaking up in the next moment into pieces of social driftwood? Is it a new group or an old? Are its collective desires centered on objects that mean life or death to its members? How vigorously will the members fight—and for what weapons will they reach? In other words, what is the scope of the distinctive folkways of each of these groups, and how intensely does the group maintain their existence? To what extent can it impose its folkways as stateways that involve its own principles of state service?

The situation is further complicated by the fact that in no democracy is mere numerical supremacy of one group or party a guarantee of its political power. A powerful economic group may, through constitution, laws, and social prestige, through possession of political offices, through manipulation of party management, through control of the organs of public opinion and propaganda, maintain itself despite its insignificant numbers.

II. Psychological Factors in Social Control.

Thus far we have looked at the large outward aspects of the political activities of men. We must next consider briefly certain of the general problems involved when we turn to the psychic side of the picture. The contributions of the social psychologist to an understanding of the nature and functioning of society in its political aspects cannot be understood without some consideration of the different approaches toward the understanding of man as a member of society. A hard and fast line can no more be drawn between man as a social and man as a political animal, than between the political and non-political folkways of men in masses.

There are in brief two problems which have concerned the social psychologist. The first has to do with the constitution of the human mind, with those characteristics of it which are of importance in the group life. The second is the explanation of social phenomena in terms of the workings of the human

[1] G. Simmel, *Soziologie;* G. Ratzenhafer, *Wesen und Zweck der Politik.*

mind. Obviously they are closely inter-related. In the next few pages will be presented certain of the views of this group of thinkers in their barest outlines: and the choice of the writers has been based largely on their handling of the two problems just referred to.[1]

Of course there are numerous other approaches to the study of their contributions. We might examine them with respect to their emphasis on ideas as mental content, in contrast to emotion and volition as mental content. They might be subjected to analysis with respect to the emphasis they put upon the individual as the component of the society, as compared with that put upon the society's moulding influence on the individual.

The problem of the original nature of man, as Thorndike calls it, and its function in social life is the chief concern of William McDougall, and of another British writer, Wilfred Trotter.[2] The former approaches the problems from the point of view of the professional psychologist, and the latter from that of the sociologist attempting to explain certain outstanding facts of social life on psychological grounds. McDougall's analysis is broader and more detailed, Trotter's relatively one-sided, as he tends to emphasize one of the mental characteristics of man, gregariousness, largely to the neglect of the others. What characterizes both of them is a non-intellectualist attitude. That is, they look to innate impulse and emotion for the basic explanations of social life and not to ideas. Trotter is much more detailed in his discussions of the social phenomena based on gregariousness than is McDougall. But essentially both have the same approach.

Man, Trotter reminds us, is a gregarious animal.[3] What are the characteristics of gregariousness which are of importance in group life? In the first place the innate tendencies toward self-preservation, nutrition and reproduction are all essentially

[1] For a detailed discussion of the contributions of these writers the reader is referred to the studies made by Professor H. E. Barnes during the past two or three years, to be found particularly in the *American Journal of Sociology*, and in the *Sociological Review*. The best syntheses of the social and individual points of view in psychological sociology have been the works of J. Mark Baldwin and Charles H. Cooley. See the *Sociological Review*, October, 1921, pp. 204-11; and July, 1923, pp. 194-205.

[2] Wm. McDougall, *Social Psychology*, and *The Group Mind*; W. Trotter, *The Instincts of the Herd in Peace and War*.

[3] For more detail see *American Journal of Sociology*, July, 1922, pp. 49-66.

egoistic, self-regarding. Social life would be impossible did not a fourth innate tendency, gregariousness, modify and mould the forms that these powerful impulses take so that they may be incorporated in a social life. Instead of the rationalistic explanation of Hobbes, we have here an instinctive explanation of the existence of social groups, whether they be animal herds or European nations. Implied in the acceptance of gregariousness as a human instinct is the conclusion that man brought this valuable characteristic with him from his pre-human state.

The animal herd, to survive, requires homogeneity. This is automatically secured by the existence of the gregarious impulse in its members. The members who deviate too far from the herd norms of action tend to be eliminated because of that deviation. Separation is both objectively dangerous and subjectively intolerable. In human group life this instinct apparently functions in man's intellective processes. But only apparently. For the acceptance of group ideas and of group conduct norms by the individual is not intellectual but instinctive in its origin. Suggestions from the herd or the society have a peculiar force. Action in harmony with them is so much more comfortable than action in opposition to them. Science, with its disregard of past opinions, has an uphill struggle to incorporate its truths among the ideas of the members of the herd. Adherence to group ideas appears reasonable, because mankind "rationalizes" the subconsciously derived ideas of social provenience. To an overwhelming degree, also, emotions as well as ideas are fixed by the gregarious relationship and its discipline.

But gregariousness in human society has lost some of its usefulness. If societies tend to an apparently greater self-direction, if man seems to be able to control his destinies more exactly than in the past, it is because he has discovered a technique of orientation in a very complicated universe. In so far as group ideas and standards are opposed to the conclusions of modern science, social self-direction becomes difficult. Moreover, the conflicts aroused between the egoistic impulses referred to and this gregarious impulse, together with those between a true rationalism and the blind acceptance of herd ideas and norms, tend to create classes of individuals either

extremely unprogressive, or extremely unstable, blown about by all winds of doctrine.

The significance of the herd for politics is obvious. Whenever a project, be it of war or of peace, can be identified with the accepted herd principles it can be "put over". The skillful politician no less than the far-seeing statesman uses this principle. In internal as well as external relations the modern nation is guided by appeals to the group consciousness of its members. Largely such guidance has come from subgroups (social classes) that themselves exemplify also the characteristics of the herd. A situation of minimum potentiality for evil can be envisaged in the idea of a nation with a maximum homogeneity, in which the whole nation is the herd, but is led by its ablest and most original minds.

Of the greatest importance for the future of modern society is the acceptance of this view of Trotter's of the predominating emotional and instinctive bases of social life. To deal with mankind in groups as if each human being were a pure intelligence untouched by emotion, is fatal, but to recognize the true state of affairs, to make allowance for it, is the beginning of wisdom in statecraft.

This brief discussion of one of the most fruitful approaches to social psychology should at least refer to the work of another Englishman, Graham Wallas, whose views, expressed in his three books *Human Nature and Politics, The Great Society* and *Our Social Heritage* are essentially in accord with those of Trotter, though Wallas is more concerned with discovering effective methods of substituting rational control of social processes for the unreasoning discipline of the herd.[1]

William McDougall may justly claim to have made the first detailed discussion of the nature of those instincts which have social significance. In his *Social Psychology,* published first in 1908, this writer analyzes the instinctive behavior of man in his social relationships into eleven primary instincts.[2] Much emphasis is placed on the theory that seven of these instincts are accompanied each by an emotion peculiar to the given tend-

[1] See *American Journal of Sociology,* September, 1922.

[2] For a more extended analysis of McDougall's views see *American Journal of Sociology,* May, 1922, pp. 742-57. His *Group Mind* was an effort to develop more thoroughly the social side of group behavior, but it proved primarily a rationalization of McDougall's patriotic complexes. See the *New Republic,* December 15, 1920, pp. 82-6.

ency to "pay attention to" and to "act or experience a tendency to act" which constitutes the particular instinct. These instincts and their accompanying emotions are the following: flight and the emotion of fear; repulsion and disgust; curiosity and wonder; pugnacity and anger; self-abasement and subjection; self-assertion and elation; the parental instinct and the "tender emotion"; the sex instinct; the instinct of acquisition; the gregarious instinct; and the constructive instinct. Certain blendings of two or more of these give us the sentiments, such as awe, which is a compound of subjection and fear, and so forth. In this development McDougall aligns himself somewhat directly with E. L. Thorndike whose conception of the "original nature" of man involves similar description of innate tendencies, though by no means the identical classification used by McDougall.

McDougall's theory has been criticized as not concrete enough, as being so abstract that the functioning of these instincts in a social medium cannot be envisaged from his analysis of them. Recently McDougall's position has been attacked by the philosopher and psychologist, John Dewey, on somewhat different ground.

In his *Human Nature and Conduct*[1] Professor Dewey advances the following propositions which are at many points at variance with Professor McDougall's. Man's innate tendencies, he says, are never found functioning in a vacuum. There is always a social situation which conditions them, gives them their concrete manifestation. Moreover, it is unsafe to analyze to so complete a degree the specific impulses or instincts. They are always blended inextricably with each other as well as modified by the social situation. More important by far for social life is the habit-forming tendency. This is an almost perfectly flexible blank capacity which fits man into the infinitude of social acts which we call "customs", "folkways", "mores" and so forth. The endless variety of customs presented by different contemporaneous societies or by the same society at successive periods indicates how indefinitely adaptable is this habit-forming tendency. Instead of the immutable traits posited by the pessimist who claims that "you cannot change human nature", there is a plastic mass which may be

[1] See the masterly review of this book by H. M. Kallen in *The New Republic*, May 24, 1922.

moulded in whatever social forms are imposed on it. These forms, not the human mind, are the elements of the situation which resist change. Dewey, in company with Cooley, Geiger and Hunter, occupies a position midway between the upholders of the belief in definite and persistent inborn and hereditary instincts, such as James, Thorndike and McDougall; and Faris, Josey, Ayres, Kantor and Kuo who challenge this view and claim that most of the instincts are but acquired and socially modifiable tendencies. Kuo and Josey go so far as to deny the reality of instincts altogether. The matter is still in the controversial stage, but it is already quite evident that we shall have to modify markedly the dogmatic assertion of extensive instinctive traits which characterized psychology a decade ago, and along with it such political theory as was based upon that premise and assumption.[1] This will open the way for a more dynamic and pragmatic conception of "human nature."

Obviously, the logical conclusion to be drawn from these premises is that social psychology is to be studied in the objective manifestations of the human mind in society rather than abstrusely in its subjective form. As Giddings has said, social psychology is necessarily behavioristic psychology; that is, the clue to man's social life is to be found in the concrete social acts, or folkways, mores, customs, laws, which are the universal elements of culture.

Compared with McDougall and Trotter the American sociologist, Edward A. Ross, shows a tendency to a greater emphasis on social facts and a lesser emphasis on the individual or psychological.[2] He does not go so far in this direction as to deny the importance of the individual's mental processes as factors in explaining social phenomena. Nevertheless he does not engage in the minute kind of analysis of man's nature presented by McDougall, Trotter or Thorndike. His lucidity of style, vividness of imagery, and cleverness in the coining of new phrases as in the use of old, has made him more widely read than perhaps any other present day American in his field. Professor Ross is primarily interested in the problem of "social control". That is, briefly, the problem of how and why the

[1] The literature of this critical phase is indicated in S. Eldridge, *Political Action*, Chap. xxxi. The authoritative work on the psychological theory of the instincts is in preparation by L. L. Bernard.

[2] See *Sociological Review*, April, 1923, pp. 120-31.

individual shows at every point of his conduct the guidance and compulsion of his group.

On the psychological side Ross has been greatly influenced by Tarde.[1] While Tarde reduces social activity largely to "imitation and opposition" Ross is not so exclusively interested in the process as a psychic phenomenon. Rather does he analyze the sources of models to be imitated, the social classes from which the imitation spreads, and the conditions of that spreading. In the field of political action Ross recognizes the "lust of dominating" and the "impatience of restraint"[2] largely obscured, however, by the modern rôle of the state as an organ for attaining common ends rather than for controlling its subject members.

Ross distinguishes, furthermore, between non-political and political modes of control. He differs from the traditional writers in the field of political science and public law in recognizing the state as the outcome of the interaction of social groups or classes, whose conflicts result in political institutions.[3] To that extent he agrees with those modern realists in politics who see in economic classes the ultimate sources of political power and political structure. So the "social power" rather than "political power" is basic. The political forms of any country in Europe are the crystallizations of the far more fundamental class relationships. There is, hence, a universal process of modification of political life by the ebb and flow of non-political ideas and sentiments. Ross makes there the same distinction made by Professor Giddings in contrasting the "folkways" with the "stateways". Group conditions at large determine how far social control is expressed in terms of political control. To political science this is Ross's most outstanding contribution. Important as are political structures and legal forms, they are secondary products; the group, economic or racial, is the spring of ultimate authority. Out of its control of its constituent individuals plus its relationship to other groups are derived laws and the state.

Ross is greatly preoccupied by the practical problems involved in our heterogeneous population. In harmony with his social psychology he believes that heterogeneity calls for the

[1] On Tarde see *Philosophical Review*, May, 1919, pp. 248-79.
[2] *Foundations of Sociology*, pp. 20-21.
[3] *Social Control*, pp. 11-12.

more formal, often more artificial bonds and restraints of law, as contrasted with the gentler, more spontaneous, non-political, and non-legal psychological control exercised by the homogeneous groups upon its members.[1]

A writer whose inclusion with sociologists so far considered may seem at first out of place is Émile Durkheim.[2] Unfortunately Durkheim's theories are so permeated with a metaphysical psychology that the real significance of his work is not always apparent.

Like Ross, Durkheim is interested primarily in social control. But unlike Ross, he analyzes it with the aid of a psychology that seems to vitiate many of his conclusions for the modern student. Essentially the great fact of group life for him is this: the bulk of man's ideas is of social origin. "*Representations collectives,*" to use his French terminology, constitute most of the individual's thinking. Durkheim follows Wundt in creating a kind of super-individual thinking process which produces these "*representations collectives.*" They come to the individual from without, bearing the stamp of a unique authority—that of the group mind. They control his thinking at every point. In Durkheim's opinion the individual characteristics to which MacDougall devotes all his study apparently do little more than exist. It is true that the "*representations collectives*" are the product of a fusion of "*representations individuelles*", very much as these latter in turn arise from the fusion of sensations and perceptions, but the "individual" idea or representation is of little relative importance. That is, the mind of the individual is largely furnished with ideas of a social or group origin.

Despite the apparently psychological mode of Durkheim's thought, he is essentially not psychological in his interpretation of society. The subject matter of the science of sociology consists for him of "social facts". These he defines as follows: "They consist of ways of acting, thinking, and feeling, exterior to the individual, and endowed with a power of coercion by reason of which they impose themselves on him. Consequently they cannot be confused with psychic phenomena which have existence only in the individual consciousness and through it".[3]

[1] *Social Control*, pp. 11-12, 411 ff.
[2] C. E. Gehlke, *Émile Durkheim's Contributions to Sociological Theory.*
[3] *Les Règles de la Méthode Sociologique*, p. 8.

The significance of this statement is briefly this: social facts are *social*, not individual. Durkheim holds that a social fact cannot be explained save by antecedent social facts. This is distinctly not the position of the truly psychological sociologist, who seeks to explain the social phenomenon as a psychic—i.e. individual—manifestation. Durkheim, therefore, aligns himself with those who are emphasizing the explanation of cultural facts—such as a peculiar form of relationship, an economic custom, etc.—by antecedent culture-facts, not by appeal to some posited human trait. It leads directly to a behavioristic study of man in society. It makes customs, laws, folkways, mores, not emotions, instincts, desires, etc. the material of study.

There is of course a strong resemblance at bottom between Dewey's position and that of Durkheim. While Dewey holds that one human tendency—that of habit formation—explains the basic fact of social life, which is custom, he holds that it does not explain the individual, specific, custom. That must be studied in its contemporaneous setting and in its historical sequence.

Durkheim's emphasis upon the influence of the crowd mind on the individual mind has suggested important works by crowd psychologists such as Le Bon and Sighele, who have done much to show the significance of crowds and their manipulation for modern political life and institutions. They have indicated how the heightened suggestibility of the crowd inclines it to hasty and impulsive action and makes it unusually susceptible to domination by leaders adept in the technique of mob direction. They have stressed the low intellectual life of the crowd and its primary emotional orientation and motivation. Sighele has attempted to demonstrate that a crowd psychological state dominates modern legislatures. Wallas has dealt with the importance of this matter in relation to party government.[1]

A still further step in the direction of the cultural analysis is presented in the work of William Graham Sumner.[2] In his book, *Folkways*, this very keen sociologist has presented an overwhelming mass of material of the most concrete sort, "objective"

[1] G. Le Bon, *The Crowd; La Psychologie politique;* S. Sighele, *Psychologie des Sectes; La Foule criminelle; Contro il parlamentarismo* The newer dynamic psychology has been applied to an interpretation of the crowd in E. D. Martin, *The Behavior of Crowds.*

[2] See *American Journal of Psychology*, July, 1919, pp. 3-23.

in the highest degree. Briefly the views of Sumner may be summarized as follows: Man lives in groups. He struggles to survive like other animals. His struggle is not an individual but a group struggle. Out of experience arise common modes of doing things, "the folkways". They are unplanned, the results of action and consequent pain or pleasure. They are not thought out in the first instance. "Men begin with acts, not with thoughts." Once in existence the folkways become "societal forces". Some of them develop into the only "right" ways of acting; they become what Sumner calls "mores", which are selected folkways upon which the group puts special—"moral" —emphasis.

Essentially all folkways attempt to satisfy needs which arise out of four great motives of human action.[1] These four are hunger, sex passion, vanity, and fear (of ghosts and spirits). Under each of these motives there are interests. Life consists in satisfying interests; for life, in a society, is a career of action and effort expended on both the material and social environment. Dewey's belief that the forms of social action, not the nature of human beings, are the intractable things of group life is brought out clearly in Sumner's statement that the mores become inert and rigid, stereotyped, resistive of change.[2]

The most recent phase of psychological study that is of importance for our purpose is that which is generally called, after its chief exponent, the Freudian. To Freud and his followers, the original nature of man consists of certain "egoistic" impulses.[3] Whether or not one agrees with the predominantly sexual explanation of egoism put forward by Freud himself is immaterial. What is important is that these impulses are circumscribed by the assumed necessities of social life as expressed in folkways, mores and customs. Social norms and the original tendencies clash. To avoid the results of these clashes the impulses are submerged by the automatic mechanisms of the human mind,—the censor—and continue their existence in the subconscious, reappearing in dreams and in various sublimations and disguises. The neuroses and psychoses are a result

[1] *Folkways*, p. 18.
[2] *Folkways*, p. 80.
[3] S. Freud, *General Introduction to Psychoanalysis;* and *Group Psychology and the Analysis of the Ego.* The most adequate and competent appraisal of psycho-analytic or Freudian psychology in its present stage of development is to be found in J. T. MacCurdy, *Problems in Dynamic Psychology.*

of the incapacity of the mind to make an effective disposition of the impulses in the presence of social forces repressing them. It is obvious that we have here a clear contrast between the individual and the social. The new dynamic psychology, then, is of great value in explaining certain behavior tendencies of man in society. The theory does not, however, adequately explain the existence of these customs against which the egoism of man rebels or to which it makes its own adjustments and it underestimates the importance of the social impulse in the tendencies of mankind.[1]

Enough has been presented of the views of these writers to indicate that there are distinct differences in approaches to the psychological study of society. One group emphasizes the original nature of man's mind, and the study of how it functions in social life. The other tends to emphasize the varying content of men's mind. This content differs largely because it is produced by different social groups. All the attempts at the description of a super-mind or super-soul are merely efforts to envisage this fact in a metaphysical form.

III. The Cultural Analysis of Political and Social Facts.

While certain of the psychological sociologists like Dewey, Durkheim and Sumner, have leaned to the study of social facts—folkways, customs, mores—as the most acceptable method of understanding the human mind in its social manifestations, the relative abandonment of the psychological viewpoint for the cultural and social approach has taken place in another group of social scientists.

These are the cultural anthropologists, Boas, Lowie, Goldenweiser, Wissler, Kroeber, and others. To their number should be added the sociologist Ogburn, who in his *Social Change* presents the first extended interpretation of their point of view by one who is not a professed anthropologist. In order to make clear their point of view certain concrete problems will

[1] See G. Wallas, *The Great Society,* Chaps. i-ii; W. F. Ogburn, *Social Change,* Part V; E. R. Groves, *Personality and Social Adjustment.* In his *Totem and Taboo,* and other writings, Freud has, to be sure, attempted to work out a psycho-analytic interpretation of customs, but this phase of his work is less convincing than his clinical psychology. See the excellent criticism by Elliot Smith in *The Monist* for January, 1923, in an article entitled, "Freud's Speculations in Ethnology."

be examined with a view to evaluating the psychic factor in the causation of social situations.[1]

Take first a very common folkway, that of exogamy. An individual in a certain social group must marry outside that group. This may be the immediate family of parents and children, a larger family of collateral lines, a kinship group larger than that, or a group in which kinship, in the biological sense, is clearly recognized as actually non-existent, though a fiction of kinship may exist. A psychological explanation for this custom, wherever and whenever discovered, would be that there is either (a) a recognition on the part of the members of the evil results, social or biological, of such "inbreeding", or (b) an instinct of aversion to, coupled with a horror of, mating within such limits of consanguinity, real or fictitious. As exogamy has to do with a limitation of sexual choice it is obvious that the psychological explanation must posit either a very clear intellectual process, plus great self-control, assisted by great group pressure; or a very powerful limiting instinct opposing the somewhat indiscriminate sex impulse.

In the political field we may consider an example of comparative simplicity, the kingship. Why have a king? Here again we have the choice between two psychological explanations. The first, is represented by the social contract theory of Hobbes in which each individual says, in effect, to every other: "I authorize and give up my right of governing myself to this man (or this assembly of men) on this condition, that thou give up thy right to him and authorize all his actions in like manner"[2] because he clearly recognizes the intolerable evils of a "state of nature." This is a purely intellectualistic explanation. It makes the logical capacity of the human mind the moving factor in the act of contracting that eventuates in the kingship. Another explanation is that man has an instinct of subordination, "negative self-feeling" as McDougall calls it; or an instinctive fear of the powerful as revealed in mankind or in nature.

[1] On this approach to social problems see Herskovits and Willey, *American Journal of Sociology*, September, 1923, pp. 188-99. To be sure, the anthroposociologists, W. I. Thomas and Florian Znaniecki had emphasized the cultural approach earlier than Ogburn in *Polish Peasant in Europe and America* (introduction), and in Znaniecki's *Cultural Reality*.

[2] Leviathan, Ch. xvii, quoted in Dunning, *History of Political Theories*, Vol. II, p. 278.

A closer examination of these two kinds of psychological explanations reveals an interesting contrast. In the case of the intellectualist type of explanation we strike simply and directly at the problem of the origin of a folkway. In the non-intellectualist or instinctive explanation we find that we have merely postponed the solution. It may be true that there is an instinct against mating with members of the parent-child group. Why is this revulsion extended to cousins, to the deceased wife's sister, and in one part of the world to half the women in the Australian tribe? And why, if there is an instinct, do we not have exogamy in all groups? Why should the marriage of an earl and a chorus girl be a good newspaper story? Or the marriage of a Catholic and a Protestant be regarded with apprehension by the relatives of each? In other words, as the culture historians [1] have been reiterating, if you cannot explain by a horror of incest why exogamy extends only to first cousins in Europe, and extends to half the tribe in Australia; or why a group claiming common ancestry, like the Jews, should be predominantly endogamous; what is your explanation good for? And if the kingship is the logical result of the fear on the part of subjects, or of their negative self-feeling, why should there be parliaments, and gerontocracies, and Councils of Ten, exacting and receiving reverence and subordination?

The intellectualist hypothesis had the virtues of its defects. It assumed that man reasoned and then acted; since reason is always reason, the continuance as well as the origin and the change of a folkway were satisfactorily accounted for. Social telesis like biological telesis needed only acceptance of its major premise by an act of intellectual faith, and the rest was easy. But this particular act of faith is no longer so generally practiced as it once was.

The predicament of the protagonist of the instinctive explanation of origins of social facts is clearly seen in this concrete example: the kingship is found in many societies. It is due to fear and a tendency to subordination. There are many other societies in which there is no king. Are the human beings in these societies devoid of fear and negative self-feeling? There is no Emperor in Germany or in Russia in 1923; there was in

[1] R. H. Lowie, *Culture and Ethnology*, Chap. 1; Cf. W. F. Ogburn, *Publications of the American Sociological Society*, 1921, pp. 70-83.

1914. Have the Germans and the Muscovites shed their fear and negative self-feeling within so short a period? Psychologists would hesitate to believe in a change of so extensive a character, and biologists would murmur something about the leopard changing his spots. If the rejoinder be made that the present German republic wields the power of the Kaiser, that toward it are oriented the instinctive mechanisms which formerly served the monarchic aims, the explanation of the kingship on grounds of these instincts breaks down. For these instincts are asked to explain the kingship and oligarchy and Parliament; and they explain in the same way, if we want to go further, the discipline in the army, in the family, in the trades union.

But while we cannot tell from a study of the instincts named whether in a given society we shall meet with a king, a council, a parliament, or a town meeting, we know that none of these would function for a moment if mankind had not some psychic characteristics that made them possible. These psychic characteristics are the condition of their functioning. There would be neither marrying nor giving in marriage in any form if man were unisexual instead of bisexual. If there were no inherited predisposition to mate outside of the parent-child group it might be possible that endogamy instead of exogamy would have been the usual mode in primitive society.

The problem of origins in society, which is the same as that of change and of structure and functioning, is, then, not to be solved by the psychic explanation alone. This conclusion can be paralleled with respect to two other theories of social causation, the racial and the environmental.[1]

The racial theory is one that would ascribe to the American Indian a racial bent toward democracy, and to the African Negro a bent toward monarchy. It assumes a difference in psychic constitution. This theory too, shatters on the fact of diversity with respect to forms of the political organization within each race. Of course it finds its extreme of absurdity in an "instinctive leaning" toward parliamentarism in the Anglo-Saxon, or toward despotism in the Slav. The word race here ceases to have any significance at all.[2]

The environmental influence as a sole explanation is defective

[1] R. H. Lowie, *Culture and Ethnology*, Chaps. ii, iii.

[2] F. Boas, *The Mind of Primitive Man*, Chap. 1; see F. H. Hankins, "Race as a Factor in Political Theory," Chap. xiii, below.

in the same way.[1] The "freedom loving" Swiss in their mountain fastnesses are paralleled by the Hollanders who threw off the yoke of Spain, though they lived, in part at least, below the sea level. The American Indian and the American white have lived in the same environment. Their political institutions are hardly comparable. How then shall we explain the fact of a constitutional monarch in England, and a despot in Russia? A town meeting in Massachusetts coexisting with a form of city government involving a mayor and a double council within the same state? Obviously to explain the town meeting requires knowledge of what forms of government the Massachusetts colonists knew in England, of their preoccupations with a theocratic theory, of their reactions against an arbitrary sovereign in England, of the limited range of governmental functions in a town, of the ease of government by discussion where all the governed can and do meet face to face. It is not to be denied, of course, that certain physiographic factors enter into the situation, but, in general, it is to be explained on the basis of what they inherited in the way of ideas and habits and of what they borrowed, and how they adapted inheritance and borrowings to their own problem of local self-government.

IV. Some Practical Applications of the Psychological Approach to Politics.

The application of this reasoning to the general problem of method in social psychology is to make the latter inductive and social rather than subjective and deductive. As Giddings has said[2] "All that we know about the minds of fellowmen we learn from their conduct. This is why there can be no other psychology of society than the behavioristic. A subjective psychology of the individual is possible, but it is scientific and significant only as its facts are correlated with behavior, both singularistic and pluralistic. This means that we cannot explain society in terms of an individualistic psychology, but must on the contrary explain an individualized mind (a person) as a product of society." Hence Giddings has emphasized for many years the value of statistical study of folkways where

[1] R. H. Lowie, *Culture and Ethnology*, Chaps. iii-iv.
[2] *Studies in the Theory of Human Society*, p. 155.

quantitative data are available. For the folkway forming tendency of society is after all a measure of this power to mould the individual.[1]

There is, however, a very real need for the study of the psychic character of mankind in a field of political theory that is as yet relatively untilled. If man's gregarious instinct, his tendency toward acting as the group prescribes, his fear of authority, his tendency to habit formation, as well as other more or less clearly differentiated impulses cannot be asked to furnish singly or jointly the explanation of why any particular political folkway is what it is, they are still of great importance in another field. That is the field of applied politics.[2] Where sociology makes direct connection with political science.

For it is obvious, if Dewey and Giddings are right in making the individual a product of society, that any consideration of the operation of human nature in politics must involve the "original nature of man" in its social—that is, behavioristic, aspects. When, therefore, the statesman, the reformer, or the politician is endeavoring to utilize these principles of control, or to embody certain community purposes in political structures, he must never think solely of the individual inborn tendency by itself, but of the form which it takes in the existing situation. For example, let the problem be one of enforcing a rule of conduct by state action. The assumption may be made that the individuals in society are naturally inclined, in McDougall's words, to abase themselves, and to feel subject to authority. Equally important, however, perhaps more important, is the ascertainment of what the social setting of such subjection is and has been in that particular society. In other words, are they habituated to the acceptance of authority in this field or in adjoining fields of conduct? The skillful reformer is one who seeks to modify, but seldom to abolish. Changes take place in folkways automatically, and the aim of the innovator should be always to imitate or accelerate this natural process.

[1] *Cf.* Rivers, W. H. R. *Psychology and Politics*, p. 19. "It is very necessary that the social psychologist should now avoid the similar danger into which he may fall. It is essential that he shall recognize that he will not be in a position to learn much from the psychological interpretation of social and political statistics until he has prepared the field by a close and immediate study of social and political behavior."

[2] Probably the most important contribution to this field from the standpoint of psychology is W. Lippmann, *Public Opinion*.

As Gidding points out,[1] there is a no-man's land between the clearly defined area of the stateways and the equally definite area of the folkways, wherein these two strive for mastery, and the decision lies accordingly as the recognized social need calls for the force of the state to compel what the folk cannot. The extension of state control of political and economic opinion in time of war is an excellent example of this. When war looms a new set of folkways—those appropriate to war—begin operating. They involve a much greater submission to regimentation than peace-times call for.

Graham Wallas[2] has emphasized the necessity of recognizing that the appeal to the emotions and instincts is the stock in trade of all skilled political leaders. Emotions tend to associate themselves with certain political slogans, or with a party: "White supremacy" in the Southern States; "The Party of Lincoln"; "Jeffersonian Democracy", "The Grand Old Party", are all symbols which arouse in the appropriate hearer a complex of feeling and impulse which are sufficient for all practical purposes. Of reasoning there may be little or none. Those interested in the party management furnish all the reasoning which they regard as necessary.

The analytic or Freudian school of psychologists have contributed a conception very useful for our purpose here. It is that of "rationalization". The human mind can nearly always find a good reason, or many of them, to justify any course of action it desires to follow, or has followed. This tendency offers a clue to the spurious nature of much that is called "rational" in politics. For desires and interests common to the members of a group may be rationalized first in the individual, but when the form of the rationalization is fixed by group acceptance, when it returns to the individual stamped with the approval of the herd, then it has all the sanction that is needful to give it the force of a self-evident, incontrovertible truth. There are great possibilities of manipulation by a clever politician who recognizes this tendency, who ascertains the desires—possibly inchoate and inarticulate—of masses of citizens and who offers "sound" reasons for their satisfaction.[3]

[1] *Studies in the Theory of Human Society*, pp. 195-6.

[2] *Human Nature and Politics*, Chap. ii; see also G. Le Bon, *The Crowd*; R. Michels, *Political Parties*.

[3] See J. H. Robinson, *Mind in the Making*, pp. 40-48; and for a discussion of this principle in the field of economics see W. F. Ogburn: "The Psycholog-

A still unsolved problem of social psychology, which is of prime importance for political thinking, is that which is involved in the variability of mental capacity in human beings.[1] The establishment by quantitative, laboratory methods of the laws of distribution of mental ability must have some significance for society. The measurements so far are almost exclusively of the intellective phases of mind. Methods of measuring the emotional and impulsive functions of the mind have as yet been only tentatively applied. The social psychologist might very well ask a number of questions: To what extent does the position in the intelligence scale affect the social qualities of the individual? Do mental levels tend to become economic-class levels? If so, what influence has that on the folkways of the various classes in a society? Is it easier or more difficult to govern those of low mental capacity? Can this group cooperate as effectively as a higher level group? Are class interests more or less powerful according to the mental capacity of the classes? Is a mixture of mental levels in a political group a matter of importance? [2]

Early in this chapter reference was made to the importance of the sub-group in the political society.[3] Whether monarchic, oligarchic or democratic in political form a society is never a perfect unity of homogeneous individuals. There are economic classes, religious sects, racial and nationalistic groups. These groups are more or less permanent in their membership and organization. If one group happens to have control of the state it is likely to attempt the "assimilation" of the others, sometimes by forcible means. The psychological problems involved here are of a type referred to before, involving the changing of the folkways. Such efforts, when force is applied, usually result in failure, for they tend to increase the cohesion

ical Basis for the Economic Interpretation of History," *Proceedings of the American Economic Association*, 1919; E. D. Martin, *The Behavior of Crowds;* W. Lippmann, *A Preface to Politics.*

[1] See F. H. Hankins, "Individual Differences and their Significance for Social Theory," in *Publications of the American Sociological Society*, 1922, pp. 27-39; and "Individual Differences and Democratic Theory," in *Political Science Quarterly*, September, 1923, pp. 388-412; C. J. Cannon, in *Atlantic Monthly*, February, 1922, pp. 145-57; and J. P. Lichtenberger, "The Social Significance of Mental Levels," in *Publications of the American Sociological Society*, 1920, pp. 102-24.

[2] Rather extreme versions of the anti-democratic trend are to be found in W. McDougall, *Is America Safe for Democracy?;* and L. Stoddard, *The Revolt Against Civilization*

[3] See A. F. Bentley, *The Process of Government;* M. P. Follett, *The New State;* R. M. MacIver, *Community.*

of the group and its devotion to the folkways thus attacked. This tendency of every political unit—or at least of the ruling group—to create a homogeneity is based upon a conception of the state, seldom realized, but always desired, in which all are alike subject and cooperative.

The system of representation and administration common to most political societies at the present time has been that based on geographical groupings. So far as such governmental functions are designed to be compatible with principles of justice, this system has had in mind a community of interest varied only by local differentiating factors. But our societies have changed during the period since the industrial revolution. They have lost what economic unity they may once have had. Labor, the agrarian classes, the employing group have become much more important units than the ward, township, county, state, or even country. These groups are slowly evolving their own mores. They struggle with each other, sometimes in legislatures, more often in the industrial conflict of strike and lockout. They govern their relationships by a code of administrative regulations based upon agreement rather than on law, as in the clothing industry in Chicago and elsewhere.[1] It is as a reflection of these facts that a new movement has arisen in political thought. The guild socialists, represented by such writers as G. D. H. Cole, question the geographical basis of representation. They would split the monistic state into a pluralism of industrial units, maintaining the old local representation for the citizens as consumers, but organizing the citizens as producers into a union of representatives of the great industries and professions.[2]

This theory has certain psychological corollaries. Durkheim,[3] noting the increasing diversity of codes as society has become more and more divided into specialized, interdependent groups, makes a strong plea for the recognition of the occupational group as the one best suited to control the individual. He has primarily the ethical problems of societies in mind.

[1] I am indebted to my colleague, Professor C. C. Maxey, for the suggestion that Magna Carta was this type of an agreement.

[2] See Cole, *Social Theory*, Chaps. v-viii; and H. A. Overstreet, "The Government of To-morrow," in *The Forum*, July, 1915; for a criticism see G. Wallas, *Our Social Heritage*, Chaps. v-vi.

[3] C. E. Gehlke: *Émile Durkheim's Contributions to Sociological Theory*, Ch. vii.

But it raises an interesting theoretical question, namely, that of the scope of the folkways of an occupational group. How far can such a group control its members? Obviously, any state composed of such groups would be a resultant of their combinations and cooperations. The problems of political control would be notably different in such a society from what they are in our present day American society, just as these differ from the problems of the agricultural United States of 1820.

Cooley, Lippmann and Miss Follett have made valuable contributions to the application of social psychology to political problems in the way of indicating the difficulties of executing democracy on a large scale in modern national states. The basic democratic ideals of justice, loyalty, sympathy, truth, freedom and lawfulness were developed in the small primary or local groups, characterized by face-to-face relations. It is a very real problem as to whether they are capable of extension to such a degree as to be applicable to the control of the great masses of people who make up the populations of modern states. Particularly difficult is the problem of securing adequate knowledge and expertness in political control in a democracy. Lippmann proposes special fact-finding bodies which will put at the disposal of press, schools and pulpit that reliable information which may serve as the basis of an adequate and intelligent public opinion in democratic society. Miss Follett actually urges greater recognition to group life and activities, while guarding against the dangers of localism by an effective federal system.[1]

Rivers, in one of his last essays,[2] has referred to two subjects of investigation which represented to his mind the typical psychological approach to political study. They are the behavior of committees, so important in modern governments, and the behavior associated with bureaucracy. The ubiquitous red tape, a folkway of all bureaucracies, and the "insolence of office" that characterizes bureaucrats the world over, are legitimate objects of study.

One practical question remains to be considered briefly. How is the student of politics to study the psychic factors in society?

[1] C. H. Cooley, *Social Organization;* W. Lippmann, *Public Opinion;* M. P. Follett, *The New State; cf.* R. M. MacIver, *Community.*

[2] W. H. R. Rivers, *Psychology and Politics,* first essay.

We have seen that laboratory psychology has its place, but that it can give us only the data of individual psychology. The facts of social psychology are to be found only in social behavior. Political behavior must be studied in its group, not in its individual, aspects. How do people in groups think and feel about political issues? What are the coexistences and sequences of such thoughts and feelings?

There are two approaches, the historical, and the statistical. Neither historical method alone nor statistics alone can solve these problems.

The statistician should check his conclusions by careful analysis of the individual sets of political phenomena.[1] It would be foolish to try to explain why, for example, the votes for prohibition and for woman suffrage in Cleveland in 1912 and 1914 were highly correlated without inquiring into the characteristics of the population in the precincts studied.[2] The ascertainment of the statistical fact is only the first step. We should have to ask next, what differentiated the voting body in the anti-suffrage, anti-prohibition precincts from that in precincts showing a high degree of favor toward these proposals. And after this was ascertained; after one had discovered, perhaps, that the percentage of the foreign born was highest in the most anti-suffrage precincts, the next question would be: what attitudes toward women and toward alcohol can be shown to be common to the foreign born? In what respects do these attitudes differ from those of the Anglo-Saxon of Connecticut extraction? Are the persons of rural American birth different in these attitudes from those of urban American birth? These queries obviously lead us straight to the qualitative study of the folkways and mores of the several groups. We can understand the statistical fact only as we understand the process of development of the customary attitudes and ways of acting. In other words, we can explain a social fact—in this example expressed by a correlation coefficient—only by the knowledge of antecedent social facts, the great majority of which have a psychological origin and derivation.

[1] W. H. R. Rivers, *Psychology and Politics*, p. 191.

[2] C. E. Gehlke, "On the Correlation between the Vote for Suffrage and the Vote on the Liquor Question." *Publications of the American Statistical Association*, Vol. XV, No. 117, 1916-1917.

Perhaps the best conclusion which could be chosen for this chapter is in the words of Dr. Kallen:

"The times current are not less fertile in the generation of theories of political society than the past. Against the relentless integration of the different and remote parts of the world by the modern system of communications, against the confrontation by the same means of different cultures and different peoples with one another in every land where civilization has a status, against their regimentation in daily routine and life cycle by the automatic machine, against, in a word, the Great Society, men seek now an effective defence. Marxism has become comminuted. Human nature is now conceived to have other and equal motives in play than the purely economic ones. There is talk now of political pluralism and multiple sovereignties, with its vindication of the autonomy of the church in protestant countries, and its elaboration of a guild (a term borrowed from the middle ages) as contrasted with a democratic socialism. There is talk of syndicalism in Catholic countries, with its atheistic and purely industrial connotations. Pluralism as a political philosophy, syndicalism and guild-socialism as programs of political organization, can not carry on without a coördinating revision of human nature, a revision suggested already in the concept of the functional group by which the pattern of the argument in both these systems is determined. Whether they will borrow their psychological armament from behaviorism, or a more sentimental type of psychological apparatus, is not important. What is important is that they can not formulate a variant conception of political society, without at the same time grounding it upon a variant definition of human nature, whose variant trait is established in the special group interested to be advanced, defended, and vindicated.

So then, if political science is not psychology, what is it?"

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CHAPTER XI

ANTHROPOLOGICAL THEORIES OF POLITICAL ORIGINS

Alexander A. Goldenweiser

I. The Basic Forms of Social Organization

The social life of man may be reduced to the functioning of three socio-psychological tendencies or principles: the principle of gregariousness or sociability; the principle of the segregation of kind; and the principle of classification or homological differentiation. The principle of sociability or gregariousness expresses the fact of the social nature of man, as indicated by Aristotle's famous dictum. Barring rare exceptions and special cases, man does not tend to live alone nor even in isolated families. It is obvious that he behaves in this respect like the so-called gregarious animals, such as wild horses, asses, wolves, sheep and goats and unlike the non-gregarious animals, such as foxes, tigers, lions, etc. This principle, however, is not sufficient to describe the human social aggregate, for no tribe, however primitive, can be definitely characterized by the mere statement that it comprises more than one individual or one family.

The second principle is that of the segregation of kind. Individuals who have something in common either by dint of residence or blood or age, are grouped together and are thus separated, either spatially or functionally or both, from those of other kinds. This separation, however, does not imply a complete breach of social continuity. On the contrary, owing to the operation of the third principle, namely that of classification or homological differentiation, the groups thus differentiated come to constitute homological segments of the social aggregate, for the functions or names or social status of these segments are felt to be of one kind, comparable, and therefore utilizable

for purposes of classification. Unity in diversity properly describes this aspect of a social aggregate.

In terms of these three principles any social aggregate can be described in its most general aspect. The group is a social aggregate, within its limits are comprised minor groups similar in kind, and these minor groups are so constituted in their status or functions as to preserve generic similarity while displaying specific differences.

If one further inquires on what basis such minor subdivisions within the social aggregate are formed, he discovers that there is nothing accidental or capricious in the process, but that the various aspects of the relations of man to his environment, of man to other men and of man to his culture, are seized upon as a basis for the formation of social units. Thus arise groups of *status*, based on locality, blood relationship, actual or assumed, age, generation and sex; and groups of *function*, based on different kinds of cultural activities. More specifically, we have different kinds of local groups, such as camps, villages, towns; blood relationship groups, such as families, maternal families and groups of blood relatives comprised in a terminological relationship system; groups of blood relatives, actual and assumed, such as clans, gentes, phratries and "classes"; age groups, generation groups, and sex groups. All these are groups of status. The functional groups are based on rank, property or industrial occupation and also comprise various kinds of societies or associations with medicinal, ceremonial, religious and other functions.

Some of these groupings, such as those based on locality, as well as the family and groups of blood relatives, are characteristic of all society, primitive and modern. Others, such as the maternal family, the clan, gens and phratry, while absent in modern society, frequently occur in primitive conditions. Still others, like the groups of age, generation and sex, although present both in primitive and modern communities, are more important and conspicuous in the former than in the latter. And still others, finally, such as the groups of rank, property and industrial occupation, and the societies or associations, also occur both in history and in prehistory, without, however, being omnipresent. Among the groups of the last category, those differentiated on the basis of property are more conspicuous in

modern times, while the societies or associations are more typical of primitive days.[1]

All the social units here enumerated appear as subdivisions of a tribe. The tribe itself is the oneness in the diversity, it is the lowest unit in which the integrating principle asserts itself. This is the threshold of political organization to which we shall return in the last section of this essay.

It must be remembered that the various social groupings here described are not by any means mutually exclusive. On the contrary, in many tribes several or even most of the groupings coexist. This follows, of course, as soon as one recollects that some of the groupings are omnipresent, whether other groupings exist or not. This applies to the local group, family, relationship group, sex, age and generation groups. All of these, then, are present, for example, in Central Australia. In addition, there are the gentes, classes and phratries. The purely functional groups are also not entirely absent: note the tendency for skillful craftsmen—makers of shields or stone knives or spears—to become associated with certain localities. If any groups are absent here, they are the rank, birth and economic or property groups as well as religious societies, in the strict sense—in Central Australia the gentes are not unlike religious societies.

These many social groupings perform a variety of functions which are in part overlapping, in part complementary. Thus, the local units are differentiated in connection with hunting rights, camping, ceremonial details and proximity to local totemic centers, places haunted by ancestral spirits. The family performs its usual educational functions and controls the various aspects of individual behavior, especially in the younger years. The relationship group expresses itself in numerous regulations of social behavior between specific relatives among which those referring to marriage rights are most important. It also figures in connection with the apportioning of the products of the chase. Sex appears in taboos referring to food as well as to esoteric knowledge, in industrial separation and ceremonial participation. Age is marked, once more, by taboos, initiation rites, and the privileges of the old men. Generation appears as a classificatory principle in the relationship system and in earlier days probably functioned in connection with marriage. The gentes

[1] *Cf.* the writer's *Early Civilization*, Chs. XII-XIII.

are distinguished by names, gentile myths, art symbolism, specific ceremonies, songs, ritualistic drawings, paraphernalia, magical powers, totems and taboos. Classes bear distinctive names and control intermarriage. Phratries, finally, have local and ceremonial functions and also figure in matrimonial matters.

When the preceding paragraphs are properly evaluated, it will be seen that practically the entire culture of these tribes, on its dynamic side, appears in the form of functions of a great variety of social units. From this are to be excluded only the purely mechanical or technological activities, such as the making of weapons and other objects, the pursuits of hunting, fishing and the like, individual magic and the private or personal relations of men and women. Here the individual is often permitted to face his task alone, controlled only by the general tribal pattern of knowledge and behavior.[1]

II. Theories of Social and Political Evolution

A. *Development of the Evolutionary Position*

The facts on which the preceding survey is based are now known and it is therefore no longer difficult to encompass them in a somewhat generalized scheme without undue recourse to hypothetical argument. Two generations ago this was not the case. Known facts of primitive society were then few and far between. Moreover, the minds of social students were prejudiced by one of those theories which are so attractive because, by providing a framework into which many facts can be easily fitted and from which other facts, also numerous, can with equal ease be excluded, these theories become a substitute for critical thought. Imposing and orderly results are thus assured from the outset, for these traits are part of the hypothetical scheme itself.

Such a scheme was the theory of evolution. Born or rather reborn in modern times, in the domains of biology and geology, where such men as Lyell, von Baer, Darwin, Haeckel, established it on a relatively inductive foundation, the theory of evolution was promptly transferred to the domain of society. While Hegel's metaphysical visualization of history and Comte's psy-

[1] *Cf.* E. Durkheim, *Elementary Forms of the Religious Life*, pp. 214-219, and the writer's *Early Civilization*, pp. 157-164, and Chapter XVII (*Early Life and Thought*).

chological interpretation of developmental stages in society may be said to contain an evolutionary conception *in nuce*, the real foundation of evolutionary sociology was laid by Herbert Spencer in the socio-political and by Karl Marx in the socio-economic domains. The architectonic systems of these thinkers were, on the one hand, fed by the anthropological speculations of the time; on the other, they themselves stimulated further elaborations of anthropological theory.[1]

When Sir Henry S. Maine wrote his *Ancient Law*, the modern scheme of social evolution was as yet unborn. Having gathered his data from the early historic domain, this writer established the proposition that the patriarchal family was the earliest form of society. As this idea was supported by the authority of the Bible, it acquired for a time a not inconsiderable prestige. But its success was short-lived. From three independent sources an attack was being prepared, and presently Sir Henry's carefully reasoned scheme had to give way before a bolder and more sweeping conception.

The new theory was that of Bachofen, McLennan and Morgan. J. J. Bachofen, a German classical student, discovered evidence in early Greek history and mythology of a maternal organization of society, an organization in which children belonged to the social units of their mothers, in which, moreover, women played a conspicuous, in fact, dominant rôle in the body politic. Bachofen embodied his researches in *Das Mutterrecht*, a ponderous work, the thesis of which would scarcely have attained its great vogue if not for the vicarious method of popularization by means of which it was imparted to the uninitiated. Bachofen must be held mainly responsible for the so-called matriarchal theory which pictured a primal woman-made world preceding the man-made world of history. The subsequent erroneous identification of his theory with the tracing of descent along the maternal line also contributed to the vogue of this wholly fantastic notion.

The findings of the Scotch jurist, John Ferguson McLennan, were embodied in his *Primitive Marriage* and *Studies in Ancient History*. Without coming personally in touch with primitive civilization, McLennan carried his researches to many lands and succeeded in amassing from books of travel and mis-

[1] The brilliant and scholarly sketch by Myres on "The Influence of Anthropology on the Course of Political Science" (*Publications of the University of California*, History, Vol. IV), should be read in this connection.

sionary reports an imposing array of data on primitive social organization. He shares with Morgan the credit of having discovered the clan, a maternally organized, hereditary and unilateral social unit, unilateral because children under this system belonged to the clan of their mother, without regard to the clan of the father. The father, moreover, was found to belong almost uniformly to a clan different from that of his wife, owing to the operation of the custom of exogamy, the prohibition to marry inside of one's own clan. The substance of this widespread custom, which Spencer had wholly misunderstood, was formulated with fair precision by McLennan.

In the person of Lewis H. Morgan, finally, we face a student who was an anthropologist by profession and received the inspiration for his then startling theories from an intimate and prolonged contact with a primitive people, namely, the Seneca tribe of the New York Iroquois. It is here that Morgan discovered the clan, the maternal family, the matriarchate and the classificatory system of relationship, so designated by him.[1]

Greatly aroused by his findings, Morgan followed up his Iroquoian researches by prolonged and searching inquiries among many tribes of American Indians. Not satisfied even with this, he then prepared a questionnaire for the use of missionaries and other residents among primitive peoples in different parts of the world. The data thus brought together were then welded into a hypothetical scheme of sweeping proportions. The Iroquoian studies were brought to a head in Morgan's *League of the Iroquois.* The world wide material on systems of relationship appeared in the extremely unwieldy *Systems of Consanguinity and Affinity of the Human Family.* Morgan's formulation, finally, of the stages of social evolution is contained in his *Ancient Society,* a book which was destined to play an outstanding part not alone in social theory but in politics as well.[2]

[1] The fact that Morgan in his studies used a terminology different from that of later anthropologists, led to much subsequent confusion. In his work on the Iroquois, Morgan used the term "nation" for tribe and "tribe" for clan. In his *Ancient Society* he used the term "gens" indiscriminately for maternal and paternal kinship units, whereas the present usage among anthropologists is "clan" for maternal, "gens" for paternal units. Lowie has recently proposed the term "sib" for both kinds of units, that is, in the sense of Morgan's "gens."

[2] Karl Marx, driven by the constant heckling of his many opponents to seek a scientific foundation for his economic philosophy, followed the progress of Morgan's work with the keenest interest, and when he died, left copious notes on the subject, which were used by Engels for his book, *The Family.* It is mainly through this book that Morgan's *Ancient Society* became the

It is impossible here to follow Morgan's argument even in outline, but the essence of his procedure can be set down in a paragraph.

Among the Iroquois Morgan found maternal kinship units—clans—and a matriarchate, that is, a marked predominance of women in the socio-political and economic life of the people. This led him to associate the two institutions so that whenever in his later researches he encountered maternal descent, he was prone to suspect, at least, a former matriarchate,[1] however slight the concrete evidence might be.

In developing his thought further, Morgan used the method of survival as well as a sociological interpretation of kinship terminologies. In societies with maternal descent it is often found that the mother's brother occupies a prominent position, not infrequently above that of the father. It is easy to bring this into causal relation with maternal institutions, as was done by the evolutionists, including Morgan. But the prominence of the mother's brother is apt to occur also in association with paternal descent, that is, in a gentile system. In such instances, the presence of this feature was interpreted by Morgan as proof of the former existence of maternal descent, of which condition the feature was a survival.

As to the terminologies of relationship, their sociological interpretation consisted in the following: the term "mother," for example, may be used not toward the mother alone, but also toward the mother's sister, the mother's mother's sister's daughter and other persons. Now, Morgan assumes that such a terminological usage is explicable on the theory that the women thus subsumed under one relationship term once stood in the relation of mothers to the *ego*, that is, they were *ego's* father's wives or at least his potential wives. Thus a formula is provided for translating relationship terminologies into forms of social organization and marriage usages. Morgan used this method with the utmost ingenuity and regardless of the number of

Socialist's bible. This position it continues to occupy, although most of the conclusions reached therein have long since been demolished by anthropological criticism.

[1] The rôle of accident in the shaping of scientific theories is well illustrated by Morgan's case. Had he begun his studies among the Haida, one of the tribes of the Canadian Northwest, instead of the Iroquois, he would have found maternal descent coexisting with an inferior economic and a greatly inferior socio-political position of women. This without doubt would have correspondingly affected his speculative thought.

hypothetical assumptions required.[1] He thus succeeded in constructing a whole series of hypothetical stages of social organization and marriage.

When the work of Bachofen, McLennan and Morgan was done,[2] its net outcome was the following evolutionary scheme of successive stages of social organization.

The earliest condition was matrimonially unregulated and socially chaotic: an "undivided horde" permeated by sexual promiscuity.[3]

The next stages in matrimonial organization were formulated by Morgan as two types of group marriage, an earlier one in which a group of brothers, own and collateral, was actually or potentially wedded to a group of their sisters, own and collateral, and a later one in which a group of unrelated men were actually or potentially wedded to a group of unrelated women.

The next stage was that of individual marriage which arose out of the debris of group marriage. The demolition of the latter was induced by the emergence of clans (Morgan's "gentes") which restricted the intermarriage of relatives and thus put an end, first to the marriage of own brothers and sisters and later also to that of collateral ones.

The first form of social organization proper, then, was the clan system, in which children were born into the clans of their mothers. This also was the period of the matriarchate, the predominance of women. During the clan era individual marriage

[1] In this matter Morgan encountered bitter opposition from McLennan, who regarded relationship terms as merely forms of address but indirectly related to social organization. Among English students McLennan's argument was later taken up by Andrew Lang, who drove it home with his habitual brilliancy and dialectic skill. (*Cf.* for instance *Social Origins* and *The Secret of the Totem.*) See also N. W. Thomas' *Kinship Organization and Group Marriage in Australia.*

[2] See also E. B. Tylor, "The Matriarchal Family System," *Nineteenth Century,* Vol. XI, pp. 81-96.

Among the works influenced by the classical evolutionists may be mentioned L. von Dargun's *Mutterrecht und Vaterrecht,* J. Kohler's *Zur Urgeschichte der Ehe,* A. Post's *Die Geschlechtsgenossenschaft der Urzeit,* M. Kovalevsky's *Primitive Law,* C. Letourneau's *Evolution of Marriage and of the Family,* and others. Many theoretical socialists, as noted before, remain to this day enthralled in the evolutionistic ideology. This result is due not merely to the popularity of Morgan's work but also to the labors of Heinrich Cunow, a socialist as well as theoretical ethnologist of considerable erudition and acumen. His *Verwandtschafts-organisationen der Australneger* and *Die Geschichte der Ehe* represent the most complete modern endorsements of Morgan's position.

[3] This position was also represented by Herbert Spencer independently of the findings of Bachofen, McLennan and Morgan. To the evolutionistic mind of the philosopher it was obvious, without further proof, that marriage regulations and social systems must have been preceded by a condition in which marriage was still unregulated and society unorganized.

made its appearance, but the family remained greatly submerged during this as well as the succeeding era, that of the gentile system.

The second form of social organization was based on the gens, in which children were born into the gentes of their fathers.

The third and last form of social organization was that of the family and local group, in which the bilateral kinship group, monogamy, the patriarchate and territory, having triumphed over group marriage, the matriarchate and the unilateral principle, became the basis of social organization. In due time the state evolved as a result of the necessity of dealing with non-tribesmen who were brought into various localities by the rise of new industries and commerce. A classic example utilized to illustrate this was the reforms of Cleisthenes in ancient Greece. Territory, rather than consanguinity real or assumed, became the basis of group and political relations.

B. *Criticism of the Evolutionary Scheme of Morgan.*

The points of the evolutionary scheme which became the targets of destructive criticism were the following:

Promiscuity
Group Marriage
The Sociological Interpretation of Relationship Systems
The Universality of the Clan and Gens Stages
The Matriarchate, and
The Clan-Gens Succession

1. *Promiscuity.* The merit of having undermined the evolutionist's conception of primal promiscuity belongs to E. Westermarck.[1] An actual state of promiscuity has never been observed among the most primitive tribes, such as the African Bushmen or the Wood Veddas of Ceylon or the Andamanese or the pygmies in Africa or elsewhere. Customs such as those that precede marriage in Central Australia, where men of a certain group have access to the bride, were taken by the evolutionists to imply an antecedent condition of group marriage arising out of an original promiscuity. There is no more justification, however, for such an inference as to promiscuity than if a similar interpretation were placed upon the periods of sex

[1] See his *History of Human Marriage.* The one volume of the first edition (1896) has now grown into a three volume work (5th ed.—1922).

license which among European peasants are associated with certain nature festivities, or upon the sporadic outbreaks of sex promiscuity at the courts of European kings.

The evidence of the higher animals—and here once more Westermarck took the lead—also speaks against the assumption of promiscuity. Non-domesticated animals are not as a rule promiscuous. Among the higher apes, in particular, something like an enlarged individual family seems to be the rule. Another strong argument against promiscuity is based on the emotion of jealousy. The earlier investigators denied its existence among primitive man, offering as evidence such customs as the so-called prostitution of hospitality of the Eskimo, where a wife is lent for the night to a visiting stranger. It is obvious, however, that such customs do not by any means imply the absence of the sense of jealousy but merely a pattern of sex repression differing from our own. Outside of the recognized pattern, marital infidelity would be resented by the Eskimo no less than it is among ourselves. And if man was jealous, then even in the absence of all other factors he would tend to form at least temporarily stable unions. Thus the case for promiscuity seems unsupported either by fact or psychological probability.

2. *Group Marriage.* Contrary to the case of promiscuity, authentic instances of group marriage do exist. In Central Australia, for example, and in Northeastern Siberia, the group factor consists of rights of sexual access of husbands to certain other women besides their individual wives and of similar rights of wives with reference to certain other men outside their husbands. Now relationship systems apart—and with these we shall deal presently—such a state of affairs does not impress one as primal. The custom is always strictly circumscribed; the true husbands and wives are, moreover, invariably distinguished, both in status and terminologically, from the other mates. On the other hand, it is easy to see how an extension of sex rights beyond the limits of the individual family, arising under specific conditions, would result in such a state of group marriage. Group marriage, therefore, presupposes individual marriage.[1]

Thus group marriage appears not as original but as derived. As to its one time universality, evolutionary presuppositions

[1] A mere reference must suffice to Wundt's ingenious theory in which he attempts to represent group marriage as the result of polyandry superimposed upon polygyny (*Elements of Folk Psychology,* pp. 166-175).

apart, the burden of proof lies with those who should want to assume it.

3. *The Sociological Interpretation of Relationship Systems.* As noted before, among the classical anthropologists Morgan was the one to carry out this idea with the greatest rigor. When Howitt and Fisons' book on the Kamilaroi and Kurnai appeared, it contained an introduction from Morgan's hand in which he welcomed the Australian conditions as a support for his theory. This gave a theoretical slant to Australian ethnology which it took a generation to rectify. The Morgan-McLennan feud ended in a temporary victory for Morgan, and then the theoretical discussion of the problem remained for a time in a state of suspended animation. More recently, however, the problems involved were once more brought to the limelight by the speculations of W. H. R. Rivers in England and a number of students in America. Without wholly endorsing Morgan's position, Rivers brought to the defense of Morgan's conception a more impressive array of facts and arguments than Morgan himself had succeeded to produce. In his brief but pithy study, *Kinship and Social Organization,* Rivers briefly states the problems involved and in his book, *The History of Melanesian Society* (in two volumes), he makes a more extended hypothetical interpretation of relationship systems in terms of antecedent social organization and marriage forms than has been attempted by any other writer.

It is impossible here to examine the character of Rivers' evidence. Suffice it to say that the inconclusive and at times highly fantastic character of his arguments has been recognized by most critical ethnologists. As against Rivers' position, Kroeber [1] emphasized the psychological nature of the categories on which relationship systems are built and the essential independence of such categories from any special forms of social organization. He also dwelt on the linguistic aspect of relationship terminologies, which makes them subject to a variety of influences of a purely linguistic character, which are in no wise related to states of society or marriage. Lowie, without denying the occasional sociological determination of relationship terms, showed conclusively that more than one principle was required

[1] See his "Classificatory Systems of Relationship" (*Journal of the Anthropological Institute,* 1909).

to interpret any particular system; also, that relationship systems were subject to change or diffusion through purely historic factors, like objects or tales. In particular it was possible to show that relationship terms or even entire systems could travel across cultural and even linguistic boundaries.[1]

It follows from all this that whereas it is undeniable that social forms and marriage customs tend to express themselves in relationship terminologies, the latter are also subject to a number of other determinants, and that it is therefore exceedingly hazardous to use an analysis of a relationship system as the sole basis for reconstructing forms of social organization or marriage.

4. *The Universality of the Clan and Gens Stages.* In the task of uprooting the evolutionist's conception of clan and gentile stages, honors are divided evenly between C. N. Starcke,[2] E. Grosse [3] and Westermarck,[4] on the one hand, and the American ethnologists on the other. The former writers had for some time successfully defended the thesis that the family both antedated the clan and had claim to greater universality. When the American students entered the fight, utilizing especially North American material to support their standpoint, John R. Swanton [5] pointed out that no evidence whatsoever existed of clan or gentile conditions among such tribes as the Eskimo, Athabascan, Salish, etc.; also that in North America, at least, maternal descent and clan organization were associated with higher cultures, such as those of the Iroquois, the Hopi and Zuñi and the tribes of the Northwest Coast. He further insisted that the utilization of the method of survivals, after the fashion of Morgan, to prove the pre-existence of maternal descent, was at best a hazardous enterprise, feasible only if the evolutionary succession was already assumed as a postulate.

[1] See R. H. Lowie, *Culture and Ethnology,* Chapter V, "Exogamy and the Classificatory System of Relationship" (*American Anthropologist,* 1915, pp. 223-239), and "Historical and Psychological Interpretations of Kinship Terminologies" (*XIX International Congress of Americanists*).

For a further elaboration of the critical point of view consult also E. Sapir, "Terms of Relationship and the Levirate" (*American Anthropologist,* N. S. Vol. XVIII), A. L. Kroeber, "California Kinship Systems" (*University of California Publications in American Archaeology and Ethnology,* Vol. XII, pp. 339-396), and E. W. Gifford, "Californian Kinship Terminologies" (*ibid.,* Vol. XVIII, pp. 1-285).

[2] *The Primitive Family in its Origin and Development.*

[3] *The Family.*

[4] *The History of Human Marriage.*

[5] "The Social Organization of American Indians" (*American Anthropologist,* 1905).

These points were amplified and elaborated by Lowie[1] and Goldenweiser.[2] The American ethnologists also pointed out that the presence of the family among the most primitive tribes, its universality otherwise, and the greater simplicity of the family system when compared with clan or gentile systems, made it practically certain that the family not only preceded the clan, but that it constituted the primal form of human social organization.

Thus two more dogmas were disposed of: the one that the clan represented the earliest form of social organization, and the other that clans and gentes constituted universal stages in the development of society.[3]

5. *The Matriarchate.* In its assumption of an once universal matriarchate, the evolutionary doctrine so far transcended ascertained facts that although the theory was sponsored by Bachofen and Morgan, few even among evolutionists accepted it unreservedly. What, indeed, are the actual descriptive data that can serve as leverage for such a theory? The tribes of Assam, the Zuñi, Seri, Iroquois and perhaps two or three other tribes on the surface of the globe, and that is all!

It is significant enough that even among these tribes women chiefs are unknown—good *prima facie* evidence that the matriarchal conditions were preceded by others in which women occupied the usual inferior position in the socio-economic field and were, as always, headed with their male contemporaries by men

[1] "Social Organization" (*American Journal of Sociology*, 1914), *Family and Sib*" (*American Anthropologist*, 1919, pp. 28-40), and in his *Primitive Society*.

[2] "The Social Organization of the Indians of North America" (*Journal of American Folk-Lore*, 1914).

[3] It was indicated before that totemic beliefs and practices are among the most typical concomitants of clan and gentile systems. For this reason the idea of a clan-gens era became associated in the minds of many scholars with that of an universal totemic period. With many individual variants this notion pervades the works of F. B. Jevons (*Introduction to the History of Religions*), Laurence Gomme (*Folk-Lore as a Historical Science*), E. Durkheim (*The Elementary Forms of the Religious Life*) and Wundt (*Elements of Folk-Psychology*).

The rejection of the clan-gens era necessarily led to the abandonment of the theory of an universal totemic stage. So much remains true, however: clans and gentes first emerge at the end of the earliest period in social evolution during which only families and local groups prevailed, and they disappear before the dawn of history. Totemism, a most faithful albeit not invariable companion of clan and gentile systems, also belongs to that period. Among many tribes, however, clans and gentes never developed. In such cases totemism was also precluded.

For a descriptive survey of totemism consult J. G. Frazer's *Totemism and Exogamy*. Relevant theoretical discussions will be found in the writer's "Totemism, an Analytical Study" (*Journal of American Folk-Lore*, Vol. XXIII, 1910), in a series of articles by *varii autores in Anthropos* (beginning in 1914) and in A. van Gennep's *L'Etat Actuel du Problème Totémique*.

chiefs. When women rose to a higher socio-economic status, the tradition of male chiefs carried over. Of the tribes mentioned, the Iroquois have been described most minutely. It suffices, at this point, to mention the fact that among these people women, while not occupying the throne, certainly were the power behind the throne, as the nomination of chiefs was largely in their hands and the deposition of chiefs entirely so. What is even more striking here is the fact that in economic life, women were at least on a level of equality with men.

But where else do we find such conditions? Nowhere. In sections of Negro Africa, it is true, women queens are the rule, in association with the king who is the real head of the state. But apart from the fact that gentes, not clans, prevail here almost throughout, the institution of queenship must by no means be interpreted as a vindication of the socio-economic rights of women. Far from it. The disfranchisement of women, if I may so call it, is here, if anything, more pronounced than, say, in North America. Not that women, as such, are worse off here than there. That, as a rule, is not the case. But whereas men in Africa have greatly risen in attainable power and influence, women were left behind. Queenship, then, represents merely the extension of a family or class privilege to the female line, just as it did in Europe under Catherine the Great or Queen Elizabeth or Queen Victoria or Maria Theresa, when political rights were denied to women while their economic rights were greatly restricted.

Also: among many peoples with maternal descent, property, ceremonial position and other privileges, are inherited through males, and even where they are inherited through females, the actual use of the property or privileges as well as the right to pass these on, is more often than not vested in some male closely related to the mother, such as the mother's brother.

Still, if there were evidence of a former prevalence, even if not universality, of the matriarchate, it would of course have to be assumed as contemporaneous with clan systems. But there is no such evidence.[1]

[1] *Cf.* W. H. R. Rivers' article "Marriage" in *Hastings' Encyclopedia of Religion and Ethics*, Vol. VIII and R. H. Lowie's "The Matrilineal Complex" (*University of California Publications in American Archaeology and Ethnology*, Vol. XVI, pp. 29-45). For a forcible statement of the evolutionist position, see H. Cunow's "Les bases économiques du matriarchat" (*Le Devenir Social*, Vol. IV).

6. *The Clan-Gens Succession.* Few features of the evolutionary doctrine have aroused such acrimonious discussion as the assertion that the clan stage was universally followed by the gentile stage, and that, therefore, the tribes now in the gentile stage must be assumed to have passed through the clan stage, and the tribes now organized on the family-village basis must be assumed either to have passed through both the clan and the gentile stages or must be expected to pass through these stages in the future, provided their "normal" development remains unimpeded. Few if any social students today would accept either of these two alternatives as in the least probable.

The case is not so simple with the clan-gens succession. But here also the verdict must be against the evolutionist position. It is true enough that maternal descent, where it occurs, is sooner or later doomed to disappear. This follows from the existence of maternal descent in primitive society and its absence in historic society. Also: of the many historic tribes and nations now organized on the family-village basis, some at least must have had maternal descent in the remote past. But to say this is one thing, to assert the frequency or even the universality of the clan-gens succession, another. For when a maternal system breaks down to make room for the socio-economic structure of early historic tribes, the entire basis of social life undergoes a momentous change: the fictitious blood principle is abandoned for the territorial principle and the patriarchal family.

In the case of the clan-gens succession, on the other hand, the general type of social structure is supposed to remain the same, the change being restricted to the line of descent. It is hard to imagine why such a peculiar transformation should have occurred with any degree of regularity, although it is conceivable that here and there it did occur. It is conceivable—but where is the evidence? Here the evolutionist follows Morgan, making the most of the argument from survivals. Any signs of female pre-eminence or of the importance of maternal relatives in a gentile society are interpreted as left-overs from a preceding condition of maternal descent. These features, it is argued, "fit in" with a maternal organization, in a paternal one they are "anomalies"; hence, they must, in the latter case, be survivals. But do they "fit in" there? Are they "anomalies" here? The answer depends on the

acceptance or rejection of the evolutionary premise. If one sides with the evolutionist in his faith in universal stages, necessary successions and the causal linkage of the line of descent with the pre-eminence of one or the other sex, then indeed naught but excessive timidity would deter one from regarding, say, the importance of the mother's brother in a gentile society as anomalous and hence a survival. If the antecedence of a maternal system is taken for granted, then to look for survivals is to discover them. If, on the other hand, such antecedence is the question at issue, then the occurrence of these "anomalies" in a gentile society seems no longer anomalous. On the contrary, we begin to realize that features which are more readily explained in point of psychological plausibility, when they occur in a clan system, may also occur in a gentile system, where it is not so easy to account for them. Survivals, indeed, they may prove to be, if only we knew the historic background. But as a rule we do not know it. Thus the problem becomes one of extreme difficulty and no longer to be answered uniformly in all cases, but in each instance separately on the basis of whatever specific evidence might come to light.

That clans have made room for gentes in some cases seems certain; that this should have occurred often cannot be shown and is improbable; whereas the idea of the uniformity and universality of such succession can no longer be entertained.[1]

III. Primitive Political Organization

As intimated before, political organization must be regarded as no less ancient than social organization, in the narrower sense. Writers such as Wundt, Oppenheimer, Teggart and others are, of course, at liberty to emphasize those aspects of the modern historic state which differentiate it from its primitive prototypes. But this view mars one's insight into certain aspects of the social aggregate which are universal and as old

[1] In recent years E. S. Hartland has again come out strongly for the older position. First in his *Primitive Paternity* (*cf.* the writer's review in *The American Anthropologist*, 1911), then in "Matrilineal Kinship and the Question of Its Priority" (*Memoirs American Anthropological Association*, Vol. IV, pp. 1-90). Kroeber's incisive attack on Hartland's position (see Kroeber's review in *American Anthropologist*, Vol. XIX, pp. 578 *seq.*, Hartland's reply and Kroeber's counter-reply, *ibid.*, Vol. XX, pp. 224-227) left the latter apparently unmoved, and in his latest work, *Primitive Society*, the author, largely ignoring the American criticisms, continues to orient his course by the stars of the classical heavens. *Que faire!*

as society itself; aspects, moreover, which imply the sense of a larger oneness flowing from the integrating tendency of political organization, thus setting it off against the differentiating tendency of social organization proper. Every tribe or set of closely associated tribes possesses this sense. There is the bond of a common territory, of common cultural peculiarities, of a distinct language or dialect. Then there is the tribal name and, most important of all, a sense of oneness or "we"ness which ever sets apart the social aggregate as different from others that are "you" or "they."

If in times of intertribal peace, this sense slackens and the tribal boundaries—physical as well as psychological—may become somewhat obliterated, the least sign of friction between tribe and tribe promptly evokes a stiffening at the political periphery: the psychological frontier is now sharp and distinct and the physical one is jealously guarded. Thus, from the very beginning, the political sense reveals an orientation toward intertribal relations: as these become tense, the political sense becomes more sharply defined. It is a matter of circumstance and development.

The presence of a political sense in the social aggregate as a whole does not necessarily imply personal political leadership or control. Among the Eskimo,[1] for example, or the Salish[2] tribes of the interior of British Columbia, there are prominent individuals but there is no personal political control. A man may gain renown as an indomitable warrior or a resourceful hunter, as a successful magician or an expert craftsman. This gives him prestige and may result in occasional and temporary leadership in a task or enterprise in any of these domains. But this is where it ends. His power does not extend beyond the special field of his competence, or at least not markedly so, nor does the principle of the inheritance of office usually appear among tribes of this type to reinforce individual prestige: it is a purely personal matter unillumined by the halo of traditional sanction.

Among the tribes of the Northwest Coast, such as the Haida[3]

[1] F. Boas, "The Central Eskimo" (*Reports, Bureau of American Ethnology*, Vol. VI).
[2] J. Teit, "The Thompson Indians of British Columbia" (*Publications, Jesup North Pacific Expedition*, Vol. I).
[3] J. R. Swanton, "The Ethnology of the Haida" (*Publications, Jesup North Pacific Expedition*, Vol. V).

or Kwakiutl,[1] or the Siouan tribes of the Eastern Plains,[2] chieftainship is often hereditary. Here the prestige attaching to the chief's office reaches out across the generations and his power is greater. Still he is in no sense an administrator or law giver. In times of war, however, the political sense extends toward the body of chiefs and makes them its own. The individual chiefs may refer to families or clans or towns, thus constituting an element of the social rather than the political organization. But the chiefs as a group are the chiefs of the *tribe* and as such they are subject to call when political unity asserts itself.

Here it may be noted in passing that in the two Americas, barring only the higher organizations of Mexico and Peru, chieftainship is distinguished by the limitation of its powers. The chief is ever sensitive to the voice of public opinion. He is never a wilful dictator. The prestige of an old man or a magician may be equal or superior to that of a chief.

Even among the federated Iroquois the office of the chief carries more prestige than power. Here, however, conditions are much more complicated. But before discussing this highly interesting example of primitive political society, I want to throw a glance at other areas outside America where political organization remains loose while the power of controlling individuals is pronounced.

I mean, of course, Australia.[3]

At first sight, the tribes of Australia with their highly complicated social organization, consisting of families, local groups, clans or gentes, classes, phratries, relationship groups, appear in matters political to be as anarchic as the Eskimo or any of the American tribes of the so-called "loose" pattern. On closer inspection, however, a number of features emerge which materially change the picture. Then one observes that in the ceremonial life and in the magical customs of the people a number of individuals stand out as of commanding importance. They are the chiefs, medicine men and particularly the old men. The

[1] F. Boas, "The Social Organization and Secret Societies of the Kwakiutl Indians" (*Report, U. S. National Museum,* 1895).

[2] A. Fletcher and F. LaFlesche, "The Omaha Tribe" (*Reports, Bureau of American Ethnology,* Vol. XXVII).

[3] For descriptions of Australian political conditions see the works of Spencer and Gillen, Howitt, Roth and Malinowski, as well as G. C. Wheeler's *The Tribe and Intertribal Relations in Australia.*

training of initiates for the magical profession is in the hands of magicians who communicate to the boys their more or less esoteric knowledge, supervise the lengthy semi-ritualistic performances and control the "supernatural" experiences without which no boy can enter the sacred brotherhood. The graded initiation ceremonies through which every boy must pass before becoming a full-fledged member of the tribe, are in charge of the old men. They perform the operations of circumcision and subincision, reveal to the initiates the secret knowledge connected with the ceremonies—knowledge which forever remains inaccessible to women—teach the boys to perform the ceremonies and when the time arrives, decorate them for the performances themselves. The information about food taboos which become progressively weaker as the boys grow older, is also communicated by the old men who see to it that these taboos are observed. In the initiation ceremonies and the totemic rituals the old men and at times the chiefs play leading parts. They are the only ones who know where the sacred slabs, the so-called churinga, are hidden and only they can produce them and subject them to ceremonial manipulation. The two churingas which in Central Australia belong to each individual are "found" by an old man, and it is fairly certain that they are manufactured by him.

The same individuals, especially the magicians and old men, figure in matters which transcend the tribal boundary. Thus the famous avenging parties—and all deaths here are ascribed to hostile magic and must therefore be avenged—are always led by a magician or an old man. When an intertribal market is to be held, the date of the event is agreed upon at a council of old men and clan chiefs, and messengers are sent out by them to neighboring tribes, announcing the decision. On market days, when commodities are exchanged between different tribesmen, the old men utilize the opportunity of a large gathering in order to go among the younger folk whom they instruct in the customs and traditions of the tribe. On these occasions also the old men may learn a ceremony or hear a myth belonging to another tribe which they then impart to their own youths.

The old men are also the experts on class and sub-class systems as well as on the complexities of relationships. Thus, whenever a stranger appears in a tribe, his position in the class

and relationship systems—a matter of the utmost importance—is at once ascertained by consultation with the old men. Only then is his status defined, his safety assured.

Here and there an individual arises among the chiefs or old men whose personal qualities, such as military prowess, knowledge of human nature, oratorical capacity, raise him far above his peers in prestige and influence. In time he may come to occupy a commanding position not in his own tribe alone but also among neighboring tribes, without, however, acquiring any formal rights of leadership among the latter.

It is interesting to note that the principle of inheritance of office does not appear here: whatever prestige or authority an individual may acquire ends with his demise. It is equally notable that in this entire area women do not appear either as chiefs or as official magicians, although all mature women as well as men do, of course, believe in magic and in a minor way practice it. The instances where individual old women have enjoyed great prestige are recorded as highly exceptional.

We see, then, that here in Australia, notwithstanding the absence of a formal political organization, the fact of political integration is none the less in evidence and that the sense of political unity seizes upon those individuals whose functions are prominent in the religious, ceremonial and matrimonial matters within the tribe and utilizes them for whatever intertribal emergencies may arise. And among these individuals the hegemony belongs to the old men. Here then, more perhaps than anywhere else, is realized what Rivers has designated as a gerontocracy.

If after this glance at Australia we return to the Iroquois,[1] we are struck with the elaboration and formalization of the political organization proper, while the position of the chief remains within the limits set by the American pattern. Before the formation of the League, the separate tribes, Mohawk, Seneca, etc., enjoyed political sovereignty; they could declare war and make peace, as integral and autonomous units. At that

[1] See L. H. Morgan, *The League of the Iroquois,* Horatio Hale, *The Iroquois Book of Rites,* A. C. Parker, "The Constitution of the Five Nations" (*New York State Museum Bulletin,* No. 184); J. N. B. Hewitt's article on "Iroquois" in *The Handbook of American Indians,* Vol. I, and the present writer's "Summary Report on Iroquois Work" (*Geological Survey,* Canada, 1913), "Hanging Flower, the Iroquois" (in *"American Indian Life"* edited by E. C. Parsons), and *Early Civilization,* Ch. III: The Iroquois Matriarchate.

time they probably had local chieftains. When toward the middle of the sixteenth century the five tribes coalesced into a League, the sovereignty of the constituent tribes was merged in that of the confederated body. Whatever local leaders may have existed, disappeared. Instead, the political power was now vested in a body of fifty civil chiefs or lords, hereditary in certain maternal families, but elective in the limits of these families. The chiefs had names which, like the dynastic names of Europe, were not individual but traditional. So that the fifty names instituted over three centuries ago, are still in existence and continue to be publicly recited, unchanged, at the raising of a new chief.

The main function of the federated chiefs, as a body, is to declare war, make peace and conclude treaties. But they also sit as a judicial body to decide land disputes, pass on the nomination of a new candidate for chieftainship and, in case of the deposition of a chief, elect a new one. There the official functions of the federated body end. Whatever other powers the chiefs may possess are individual. A chief commands respect, but no more, in his own tribe as well as among the other tribes of the League. If his behavior is beyond reproach, he may rise to considerable personal eminence and renown. A chief, say the old Iroquois, does not lie, he is abstemious, he never jokes and is even tempered: "a chief's skin is seven thumbs thick." Going hither and thither among his people, the chief instructs the young warriors in the customs and traditions of the League, admonishes them to lead noble lives, opposes unnecessary bloodshed. Thus, the League chieftains are given credit for having substituted a fine—probably under white influence—for the ancient and devastating custom of blood revenge.

It must once more be noted here that the fifty civil chieftains are always men. In the long history of the Iroquois League no woman has ever occupied one of the fifty hereditary chieftaincies. In some exceedingly rare instances women have sat as chiefs in the federal councils, but these were so-called "Pine-Tree" chieftaincies, bestowed upon persons of either sex—in fact, however, almost always men—for distinguished services to the League. These "Pine-Tree" chiefs had a consultative not a voting privilege in the chiefs' council and their honorary office was individual, not hereditary.

It is in the election and particularly in the deposition of chiefs that the preeminence of women—the matriarchate—asserted itself. When a chief died and the news of the event had been communicated to the villages by messengers, the matron of the deceased chief's maternal family called a meeting of his clan. This gathering was attended by all the men and women of the clan who cared to come, but only the women of the deceased chief's maternal family enjoyed the right to vote for the new candidate. In fact, the latter was practically always nominated by the matron herself, who was most frequently either the mother of both chiefs, the one who had died and the one who was to be, or the sister of the former and mother of the latter. Her choice was with very few historically recorded exceptions, adopted by the women voters. Then the matron was constituted a walking delegate and in this capacity visited individually, first the chiefs of the deceased chief's own phratry, then those of the opposite phratry. Either group could veto or endorse the women's vote. In the former case—a very rare occurrence—the name of the candidate was returned to the women and another was nominated. As a rule, however, the women's nominee was endorsed by the chiefs of the tribe and his name was then presented by the matron to the federal chiefs for a final rejection or endorsement. Here the latter was practically a foregone conclusion, and a date for the ceremonial "raising" of the new chief was then and there set by the federal chiefs.

When the newly elected chief entered upon the duties of his office, his responsibility to his female electors was not at an end. He was closely watched, and if his behavior fell short of what was deemed worthy of his high office, the matron (read "his mother" in most cases) gave him warning that he might be deposed. If his objectionable behavior continued she gave him a second warning. If this also proved futile, she called on him for the third and last time accompanied by a warrior chief, and having recited an appropriate ceremonial formula, deposed him. Then the matron reported the proceedings to the League chiefs. It is in cases such as this that the federal council met, and the chiefs themselves elected a new chief.

The matrons of the maternal families exercised still another important political function. This they often did jointly or at

least in mutual agreement. The function consisted in inciting or more often checking the war propensities of the warrior chiefs.[1] It is recognized by the Iroquois that more than one impending conflict was thus averted.[2]

The curiously democratic character of the Iroquois commonwealth is illustrated by the fact that the fifty maternal families in which the federal chieftainships were hereditary did not come to constitute an aristocratic class, comparable to the noble families of the Northwest Coast. Among the Iroquois the members of these families enjoyed no privileges, ceremonial, economic or other, except that of replenishing the chieftaincies, unless one thinks under this heading of the more personal and private benefits which always accrue to the intimates of those in power.

After the League was formed and consolidated, the Iroquois became highly successful in their military enterprises. In time the League came to stand for a great, sacred, almost cosmic entity. Not only was it "The Great Long House," but also "The Great Peace" which was fated to absorb all Indian tribes. If the Iroquois turned to fire and sword in carrying out their historic mission, they do not in this stand alone in history. To this day, many an old Iroquois reflects mournfully over the half accomplished task of the League which, but for the intrusion of the white strangers, would long since have achieved its goal—the Great Peace, embracing all the Indian tribes.

Space does not allow even a superficial survey of African political organization. But it will suffice to note some of the features which render the African political scene of special interest in a study of state origins. For here we find great centralized states, with vast territories and impressive populations;

[1] The warrior chiefs of the Iroquois must be distinguished from the fifty civil chiefs or lords. The warrior chiefs were simply warriors who had acquired prestige and a following by their valor in combat. Their office was not hereditary and depended entirely on personal qualities. During the Revolutionary War many of these warrior chiefs acquired great renown among the American and British troops. In fact, they entirely overshadowed the civil chiefs. While the names of some warrior chiefs were thus writ large in American history, the civil chiefs, whose activities were more conspicuous in times of peace, were forgotten. It must, nevertheless, be kept in mind that the power of making war and peace was vested in the body of federal civil chiefs.

[2] This statement does not conflict with the one made before that war was declared by the federal chiefs. Indian wars consisted of series of minor raids headed by warrior chiefs. Such raids upon a hostile tribe would precipitate reprisals, whereupon a formal declaration of war was in order. If the matrons were successful in their pacificatory efforts, the initial inciting raids were prevented and the otherwise inevitable hostilities averted.

a king, hereditary and autocratic, legal owner of the state territory and master of his subjects even unto death; a capital in which the king resides with his wives, counted by the hundred, and his ministers, appointed by him. The ministers themselves are powerful individuals with territorial and administrative prerogatives. The capital is connected with outlying districts by roads kept in condition by enforced labor furnished by the different districts. Along these roads messengers make their hurried way carrying edicts from the capital; at other times long caravans move along the roads, consisting of cattle, goats, cowry shells, women—these are the tax contributed by the people of the domain for the support of the king, his court, ministers, body-guard and ceremonies. The body-guard, in some of the tribes, assumes the proportions of a small standing army. It is armies such as this which made possible the militaristic expansion of tribes like the Zulu.[1] In one instance at least, that of Dahomey,[2] the body-guard consists of women specially trained for military activity. Here also the death of a king is accompanied by the ceremonial burning of hundreds of slaves and wives.

In some tribes, such as the Baganda, the gentile organization upon which the later political structure was superimposed is made use of for the purposes of a centralized political life: the gentes have developed into industrial castes of a sort, each specializing in some industry and supplying the capital with its products.

Here and there, the fragmentary historical record permits a glimpse into the processes which brought the African state into being. We there discover that ambitious military leaders, kings, make up the core of this process. It is a history of conquest, imposition of tribute, territorial expansion through the annexation of conquered lands, the enslavement of war prisoners, and through it all, the rise of sovereign power and of centralized control.

A familiar picture this, only too often reproduced at a later period in the histories of Asia and Europe.[3]

[1] G. W. Stow, *The Native Races of South Africa.*

[2] F. Foa, *Le Dahomey.*

[3] See the writer's *Early Civilization,* Ch. IV: Uganda, an African State. This account may be supplemented by what Lowie has to say in *Primitive Society* about political conditions in Melanesia, Polynesia and Micronesia (pp. 361-369). See also the same writer's articles on "The Origin of the State" (*The Freeman,* 1922, Nos. 123-124).

To summarize: political organization and social organization, in the narrower sense, represent two polar aspects of social life. Both are omnipresent in human society. If a social aggregate is conceived as comprising a diversity within a unity, the social organization emphasizes the diversity, the political organization the unity. Social consciousness proper registers a differentiating tendency, political consciousness, an integrating one.[1]

In the course of social development, the differentiating tendency leads to the formation of social units within the social aggregate, social units based on similarity of kind with reference to locality, blood, age, generation, sex, birth, rank, occupation, possession. The functions of these social units are such as to render them homologous, that is, the functions while generically similar in all units, are specifically different for each unit. The generic similarity of the functions keeps ever alive the sense of an ultimate unity. This is the primal political fact.

The sense of political unity in its simplest form attaches itself to a single tribe. Under normal conditions of peaceful activity, it may become very inconspicuous, leading an almost surreptitious existence in the use of a common language, common customs, common territory, but also in an at least potential sense of readiness for defense against aggression by foreign tribes and of readiness for aggression against such tribes. It is along this line that further political development takes its course.

The main factors in this development, in addition to war, are: the strengthening of the local principle, in particular, territorial expansion, the differentiation of social classes, the rise of property and with it of economic distinctions, the emergence and solidification of the principle of inheritance of office and privilege, in particular of the privilege to rule, the growth of the prestige and power of leaders or of a leader and the emergence of administrative officials, that is, of a bureaucracy.

[1] In these days of constructive internationalism the validity of the above distinction between social and political organization may be called in question. It may, for example, be argued that a differentiating tendency is observable in political organization, as reflected in the ideologies of such writers as G. D. H. Cole, J. A. Hobson or Harold Laski; that units of social organization, on the other hand, such as church bodies, clubs and associations of various kinds, frequently expand beyond national boundaries, thus revealing an integrating tendency. While this cannot be denied, it must nevertheless be remembered that within each political unit, however constituted, the two contrasting tendencies of differentiation and integration continue to be present.

These factors enjoy a considerable degree of independence. They do not of necessity work together. In Africa, war, territorial expansion, powerful leadership and the principle of hereditary rank cooperate in the process of state building. In Australia, personal leadership reaches a high development while the other factors lag behind. In Polynesia, inheritance of office and the emergence of social classes are the main factors; among the Iroquois, territorial consolidation and the inheritance of office. The principle of hereditary rank or of birth is prominent in Polynesia and Africa, but not in Australia or among the Iroquois; and so on.

In no sense can it be said that political organization, in primitive society, emerges upon the ruins of kinship organization. On the contrary, everywhere they coexist, and political organization often makes use of the social system for its own purposes. Thus among the Baganda the gentes become industrial units within the political system, while among the Iroquois the clans of the constituent tribes of the League become the basic carriers of the political structure.

Also, it must not be forgotten that the legal, religious, economic and other cultural functions of the modern state are but rarely present in primitive society as state functions and never to the same extent. These functions are not inherently political and may thus be carried by other constituent units of the social aggregate. Witness the legal functions of secret societies in West Africa or Melanesia, the religious activities of clans and religious associations, the economic autonomy of local groups.

It is for this reason that the study of the problems presented by the historic state tends to develop into a special discipline. This is as it should be. If only it is remembered that political organization is of the essence of human society, that one or another form of political life is omnipresent, then the separation of the study of the modern historic state as a distinct branch of socio-historic inquiry becomes not only justifiable but imperative.

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CHAPTER XII

SOME REPRESENTATIVE CONTRIBUTIONS OF ANTHROPOGEOGRAPHY TO MODERN POLITICAL THEORY

Franklin Thomas

I. Introductory

The influence of physical factors upon political ideals and institutions has been generally acknowledged. No one now holds to the doctrines of writers like Montesquieu that liberty is directly correlated with high mountains and small political entities, and despotism with a warm climate, great plains, and large states; but the influence of the environment upon the forces creating and shaping the state and public policies is freely recognized. That the foreign policy of a state will be greatly affected by the character of its geographic boundaries and by its location is obvious, and the influence of the environment is not less marked upon its domestic activities. The state is but an organization for adjusting and controlling the conflicting interests of the citizens and classes of citizens. What these interests will be, their relative strength, and the intensity of the struggle between them will depend in large measure upon the nature of the geographical habitat.

The task of showing the various ways in which the environment influences political life has been undertaken chiefly by anthropogeographers; but political scientists themselves have not been slow to recognize the significance of physical factors for political processes. This has been brought into prominence in recent times by various analyses of the political history of the last century, which has been essentially a struggle of the new commercial and industrial interests against the old landed aristocracy. Toynbee's account of the conflict between agrarian and industrial interests in England;[1] Beard's analysis of the interplay of

[1] *The Industrial Revolution.*

economic interests in early United States national history;[1] Walter E. Weyl's discussion of the effect of economic pressure upon American political life at the present time;[2] Bentley's study of American political institutions;[3] and Solon Buck's treatment of the agrarian movement in recent American politics[4] are but a few familiar examples of this tendency to recognize the importance of the physical environment for political science.[5]

In his earlier volumes on the history of political theory Professor Dunning presented a clear exposition of the work of the early pioneers in the field which, in its modern developed form, is known as anthropogeography, or human geography. He discussed, for example, Aristotle's views upon the relation of Greek superiority to the latitude and climate of Greece.[6] Bodin's opinions regarding the influence of climate and topography upon political institutions,[7] and Montesquieu's effort to find the geographic basis for the differences in human institutions and customs which would afford a naturalistic explanation of the need of laws that are adapted to the character of a given people.[8] In the third volume of his work, he did not touch upon the systematic labors of the anthropogeographers who were contemporaries of Comte or Spencer (e.g. Ritter, Peschel, Ratzel and Reclus), but referred incidentally to the views of Fichte, Hegel, Humboldt, Ritter, and those who dealt with the geographic background of the national state.[9]

In this chapter an effort is made to set forth briefly the leading theories of representative contributors to anthropogeography in the last century. Limitations of space prevent the inclusion of all of the important writers of this period, but it is hoped that a sufficiently discriminating selection has been made to present the leading typical contributions from this field. Ritter was the man who built upon the scientific physical geography and descriptive geographical data of such specialists as Alexander von Humboldt, and founded anthropogeography as

[1] *Economic Interpretation of the Constitution of the United States and Some Economic Origins of Jeffersonian Democracy.*
[2] *The New Democracy.*
[3] *The Process of Government.*
[4] *The Granger Movement.*
[5] See Beard, "Political Science in the Crucible," *New Republic*, November 17, 1917.
[6] W. A. Dunning, *Political Theories, Ancient and Medieval*, pp. 82-84, 93.
[7] *Political Theories from Luther to Montesquieu*, pp. 88, 112-114.
[8] *Ibid.*, pp. 418-422.
[9] *Political Theories from Rousseau to Spencer*, 144, 169, 316 ff.

a definite natural and social science, thus removing it from the field of speculative philosophy as it had been viewed and dealt with by men like Aristotle, Cicero, Aquinas, and Bodin. Buckle is interesting and important as a writer who attempted to introduce into the study of history the exactness of the natural sciences. Owing to his wide reputation as a theoretical historian, his doctrines have probably gained a wider reading than those of any of the technical anthropogeographers. Ratzel was unquestionably the most productive and profound German student of anthropogeography during the last half of the nineteenth century, and is usually looked upon as the leading systematizer of the field during his generation. Miss Semple is here introduced as the writer to whom English speaking students are indebted for most of their knowledge of Ratzel's achievements, as well as for a substantial contribution of her own. Reclus was the great figure in French anthropogeography in the generation of Ratzel. He was less of a systematic theorizer and rather more of a descriptive geographer, however, and represents in method somewhat of a reversion to Ritter.

Mackinder makes an original and significant contribution to human geography by emphasizing the element of strategic position in its relation to the foreign policy and international relations of a state. Huntington represents the most original and the boldest advance in anthropogeographical theory that has been offered in our generation. Not only has he developed to an elaborate degree the theory of climatic influences, considered statically, but he has introduced also the dynamic conception of changing climates and shifting civilizations. He may almost be said to have constructed an historical and political philosophy on the basis of the climatic hypothesis. Dexter is introduced to show how the new science of meteorology has tended to develop applications which make it significant for political and social theory. Finally, Lowie is included to illustrate the way in which the critical anthropologists have tempered and qualified the extreme view of geographic determinism. If the writer has succeeded in setting forth adequately the more enduring thoughts of this selected group of writers his purpose will have been achieved, and the student of political theory can readily perceive the scientific and methodological gulf that separates Huntington from Montesquieu.

II. Karl Ritter
(1779-1859)

Karl Ritter was probably the greatest figure in the history of anthropogeography before 1850, and it is doubtful if he has ever been excelled as a compiler and organizer of geographical data. He conceived of the earth as an organism and as such he attempted to trace its structural and functional interrelationships. His great significance lies in the fact that he was the first writer to develop extensive generalizations on the subject of anthropogeography after a most careful and exhaustive study of the geography of the world from the vantage point of a highly trained student of history.[1]

Ritter's method of study is primarily objective and descriptive. Early in his work, he describes his procedure when he says that "the fundamental principle which can conduct us to the truth in the study of our subject as a whole, is to advance from observation to observation and not from opinion or hypothesis to observation."[2] And this observation is no easy matter, for the influences of nature are much deeper than they seem, "and the still power which nature exerts demands a like peaceful soul to watch its workings, and see that even to the very heart of its activity it always moves conformably to law." Nature is not only deep—she is elusive, and he must have infinite patience who would study her mysteries and know her ways. To one who is patient, however, and *en rapport* with nature, a rich reward is promised, for she will reveal "all the relations of that creation which we are wont to call the world of animate and inanimate nature, and give us clear convictions about all things which we investigate, and above all, about man."[3]

It is the geographical environment, says Ritter, that gives individuality to nations. It is not possible for every nation,

[1] Ritter's chief contributions to our subject are brought together and translated by Gage in his volume entitled *Ritter's Geographical Studies*. The important parts of this volume are the introduction to Ritter's *Erdkunde* and three lectures delivered by Ritter before the Royal Academy at Berlin on the relation existing between geography and history. The introduction to the *Erdkunde* is found on pages 55-130. Of the lectures, *The Historical Element in Geographical Science*, delivered in 1833, is found on pages 241-277. *Nature and History as Factors of Natural History*, delivered in 1836, occupies pages 281-308. *The External Features of the Earth in their Influence on the Course of History*, delivered in 1850, covers pages 311-356. The references here will be made to the volume as a whole, and the pages referred to will indicate from which part a particular selection is taken.

[2] Gage, *Ritter's Geographical Studies*, p. 86.

[3] *Ibid.*, pp. 58-59.

any more than for every individual to become preëminent, but each has its own peculiar gifts and it is in the development of these that true greatness lies. Nations can play no part in the creation of these gifts—they can only preserve and guide their development once their true nature is known. Many factors go to make up the individuality of a people, including its own nature, the nature of its surroundings, and its relation to other lands and other nations. Therefore, says Ritter, "the individuality of a people rises far above that of single beings." "Nor is it alone of the narrow vale or the mountain range, of one people or of one state, but it is everywhere, on plains and high lands, among all peoples and in all states, that external agencies condition history, from primitive eras up to the latest times. They all exist under the influence of nature; and although the fact may not always appear, yet it is just as certain that nations are formed under this influence, and that it has everywhere and at all times penetrated to the very heart of history, as it is that God, although unknown to the ancients, yet was always and everywhere present.[1]

Ritter insists that geography and history are necessarily dependent upon each other. "We have to keep constantly in mind that there is such a truth as the contemporaneous existence of things, as well as their chronological sequence. The science which embraces the affairs of place can just as little do without a measure of the order of events in point of time, as the science which embraces the affairs of time can dispense with a theatre of observation where those affairs can be brought before the eyes of men.[2] "History," he says, "needs a field where it may display its events," and geography is in like manner incomplete without the historical element.[3] "The historical course of every country is read in its natural conditions, and from the primitive endowment of a continent its capacity for historical development is legible at a glance."[4] He sees evidence of this mutual relationship all about him in the unequal distribution of land and water, in the varying temperatures and winds, and, as we shall see later, in the size, topography and configuration of islands and continents.[5]

Man is a part of nature, and as such he cannot avoid being

[1] *Ibid.*, pp. 56-60.
[2] *Ibid.*, p. 247.
[3] *Ibid.*, pp. 242-243.
[4] *Ibid.*, p. 307.
[5] *Ibid.*, pp. 349-350.

affected by geographic influences. "He belongs to the earth," says Ritter, "and to the three natural kingdoms, the mineral, the vegetable, and the animal, having, by virtue of his material form, characteristics found in all of these." This relation between man and nature is the most important part of geographical science:

> All the surroundings which condition life are in never ceasing flux and reflux; obeying the great promptings of the earth, they manifest a constant movement and advance; they are all obedient to great and harmonious laws of progress. But man, although following the laws of development which have their home in his soul, yet, so long as he is a creature moving upon the surface of the earth, is brought into conflict with the unceasing movement of his surroundings. And thus reflex influence of place upon the life of man, and the moulding of the human race, physically and spiritually, become the crowning task of geographical science.[1]

Ritter maintains that the geographic influences exerted in any particular locality themselves undergo changes from century to century. He refers not to any fundamental change in the general character or composition of the earth, but to changes, some of them quite radical, it is true, effected by man.[2] In fact, he says, "it is supposable that many districts of the globe have acquired their importance by the changes which man has been able to effect in their nature: that, in consequence of human efforts, all their characteristics have been materially changed."[3] Geographic influences also come to have different effects as the result of the shifting of peoples through migration and conquest, which changes the material upon which nature has to work.[4] This is a good answer to the objection raised by Hegel in his criticism of environmental theories, that the Turks now live where the Greeks formerly dwelt.

Great emphasis is laid by Ritter on the art of navigation as a factor in overcoming obstacles of nature. Large bodies of water which formerly increased the difficulties of travel, now, through improved methods of navigation, have become its chief aid. Fast moving vessels have in effect shortened rivers manyfold, and it is now almost as easy to go against the current as with it.[5] Thus is distance traversed and civilization spread in

[1] *Ritter's Geographical Studies*, pp. 247-248.
[2] *Ibid.*, pp. 249-250, 255.
[3] *Ibid.*, p. 257.
[4] *Ibid.*, pp. 249-250.
[5] *Ibid.*, p. 260-263.

ways that formerly were not possible. Great diffusions of culture have taken place between countries once almost completely separated from each other, and remote parts of the earth now enjoy the civilization of the formerly "select localities." Railroads and canals have likewise overcome obstacles and shortened distances and have played an important part in the spread of civilization.[1]

Geographic environment exerts the greatest influence upon man in the primitive stages of human development, and we may still see traces of the differences thus wrought in peoples whose early history is little known. As man develops in knowledge, he is able more and more to control nature, and geographic influences decline in importance.[2] In the primitive stages, when nations were relatively isolated, influences such as climate, soil and topography were much more important than now. Consequently, differences in culture and civilization were much more marked than at present when facilities for travel and communication are so highly developed.[3]

The general aspects of the environment also impress themselves upon a people to such a degree that they are restless when transferred to another locality, and Ritter includes here not only the products and developed resources of the earth, but also what Buckle calls "the aspects of nature." The appearance of the heavenly bodies has influenced human character everywhere and for all time.[4] He holds, in fact, that geographic surroundings influence every aspect of human life. "All the impressions derived from this source will be as various as the diversities in the causes are numerous. They will give tone, too, to all the occupations of life; will affect the mariner, the tiller of the soil, the hunter, and the peaceful dweller in the city; they will have their sway in times of peace or in times of war; they will be felt equally by men who live together and by men who live in solitude. Man's complexion, his customs, all his characteristics are modified, in whatever latitude he may live, by his surroundings."[5]

Ritter attaches great importance to the influence of the configuration of the different continents upon the history of their respective populations. He sees much of significance in the

[1] *Ritter's Geographical Studies*, pp. 334-336.
[2] *Ibid.*, pp. 257-258.
[3] *Ibid.*, p. 273.
[4] *Ibid.*, pp. 285-287.
[5] *Ibid.*, p. 288.

oval form of Africa, the rhomboidal form of Asia and the triangular shape of Europe. The more compact a continent is and the more uniform its geographic conditions, the more backward and homogeneous will be its culture. Africa, being both compact and uniform, is conspicuous for the backwardness and uniformity of its culture. Europe being neither compact nor uniform in its geographical conditions, "accessible by water even to the very heart," has been able to develop the highest of all civilizations. Being broken up by seas and bays and possessing an enormous coast line in comparison with its area, it has been best adapted to the reception and diffusion of culture. And finally Asia having both uniformity and compactness on the one hand and an irregular coast line on the other, illustrates both homogeneity and backwardness in culture and sharp individuality and high development of civilization. In the great isolated interior district, the culture is uniform and has remained unchanged for centuries. Along the peninsulas of the coast, however, have developed many of the famous civilizations of history. Europe's long coast line and its peninsulas, according to Ritter, have led to the development of nautical science in Europe, and consequent control of the seas. Large importance is assigned also to the islands lying off the coast of Europe which aided the transfer of civilization from Asia to Greece and Italy.[1] Islands are not an unmixed benefit, however, for if a continent is too much broken up, like Polynesia, the culture will be backward as well as varied.[2] Europe, being midway between the extreme compactness of Africa and the extreme diffusion and incoherence of Polynesia, has been able to develop a civilization both varied and advanced.[3] Thus as ancient writers like Bodin had attributed Europe's superiority to her location midway between the hot and cold zones, so Ritter found its superiority to result from its being midway in character between diffused Polynesia and compact Africa.

Of these various geographic contrasts, climate is the great reconciling power. By its variations in every part of the earth it tends to harmonize other differences—to smooth over the rough places and the abrupt changes of environment. "This reconciling power has been given to it that man might become the unconditioned master of the earth."[4]

[1] *Ritter's Geographical Studies*, pp. 338-345.
[2] *Ibid.*, p. 348.
[3] *Ibid.*, pp. 347-348.
[4] *Ibid.*, p. 355.

III. Henry Thomas Buckle (1821–1862)

Henry Thomas Buckle was the son of a wealthy London ship owner. During his young manhood he spent much of his time in travel, and from 1844 until the year of his death he worked untiringly upon his unfinished *magnum opus—The History of Civilization in England.*[1]

Commenting upon the work of the historians Buckle held that while each division of history had been examined in detail no one had ever attempted to combine them and explain their interconnection and interaction. This failure he attributed to the fact that all previous historians had lacked that broad general knowledge which is essential to the writing of history. Some had been ignorant of law, some ignorant of physical science, and so on. He proposed to correct this defect by looking at history in all its aspects, and attempting to raise it to the level of a science. In such an undertaking much would depend upon the answer to this question: "Are the actions of men, and therefore of societies, governed by fixed laws, or are they the result either of chance or of supernatural interference?" His answer is the keynote of his whole philosophy which binds his great work into an organic whole:

> Rejecting, then, the metaphysical dogma of free-will, and the theological dogma of predestined events, we are driven to the conclusion that the actions of men, being determined solely by their antecedents, must have a character of uniformity, that is to say, must, under precisely the same circumstances, always issue in precisely the same results. And as all antecedents are either in the mind or out of it, we clearly see that all the variations in these results—in other words, all the changes of which history is full, all the vicissitudes of the human race, their progress or their decay, their happiness or their misery,—must be the fruit of a double action; an action of external phenomena upon the mind, and another action of the mind upon the phenomena.[2]

[1] Only two volumes of this work were published. Volume I contains the general principles of his historical system. On Buckle one should consult Alfred Henry Huth's *Life and Writings of Buckle*, 1880; and J. M. Robertson's spirited book, *Buckle and His Critics*, 1895. Buckle's significance is also reviewed in Seligman's *Economic Interpretation of History*.

[2] Buckle, *History of Civilization in England*, N. Y., Appleton, 2nd ed., 1863, 2 Vols., Vol. I, pp. 14-15.

This point disposed of, he takes up the question of the effect of the physical environment upon the human race—his most important contribution to the subject of sociology.

At the outset Buckle agrees heartily with John Stuart Mill that "of all the vulgar means of escaping from the consideration of the effect of social and moral influences upon the human mind, the most vulgar is that of attributing the diversities of conduct and character to inherent natural differences." He then proceeds to classify under four heads the physical agents which exert the most powerful influence upon the human race—climate, food, soil, and the general aspect of nature. The first three of these influences are studied together, as each of them is in such a marked degree dependent upon the others. He does not go as far as certain present day ethnologists who insist that these agents account for racial differences, but he holds that a satisfactory explanation of the effect they do have will be a powerful aid to a proper understanding of history.[1]

Climate, soil, and food, says Buckle, influence mankind first of all because they make for the accumulation of wealth, and the accumulation of wealth must precede any high development of knowledge. This is because there can be no leisure without wealth, and no knowledge without leisure, for it is the surplus resulting from an excess production over consumption that makes existence possible for those who do not create the wealth upon which they live, namely the intellectual classes. Therefore, although knowledge, when it comes, aids in the production of wealth, the accumulated wealth, broadly speaking, must come first.[2]

In the early history of a people the accumulation of wealth depends upon two things—the energy and regularity with which labor is applied, and the returns made to that labor by the bounty of nature. The energy and regularity of the labor in turn depends upon the climate. In a temperate climate the laborer is invigorated; in a hot climate he is filled with lassitude and generally unfitted for labor; in an excessively cold climate the people are prone to desultory habits, for "the chain of their industry, as it were, is broken" by the long seasons of cold when labor must be suspended. The returns made to labor,

[1] *History of Civilization in England*, pp. 29-30.
[2] *Ibid.*, pp. 30-31.

on the other hand, depend upon the fertility of the soil, and "these," says Buckle, "are the great physical causes by which the creation of wealth is governed. There are no doubt other circumstances, which operate with considerable force, and which in a more advanced state of society possess equal and sometimes a superior influence. But this is at a later period; and looking at the history of wealth in its earlier stage, it will be found to depend entirely upon soil and climate.[1]

To show the marked influence of a bountiful habitat upon social processes Buckle calls attention to the wandering Tartars who came from the barren steppes of northern Asia to the fertile soils of China, India, and Persia, and developed large and prosperous empires and a great civilization. He points also to the Arabs who conquered the bountiful countries of Spain and Persia and developed the great Saracen civilizations at Cordova and Bagdad. He holds also that the relative influence of climate and soil differs in various countries and continents; in Asia it is apparently the fertility of the soil which has had the greatest influence, while in Europe it appears that the greatest importance should be assigned to climate. This accounts for the superiority of European civilizations over those of Asia as regards both achievements and permanence. He reaches this inference through the following line of reasoning. In Asia, where fertility was the chief influence, it was a case of the simple relation of the soil and its produce—the mere operation of one part of external nature upon another. In Europe, where the chief factor was the climate, the important relation was the reaction of external nature not upon itself but upon man. Since the reactions of nature and nature are less complicated and less subject to disturbances than the reactions of nature and man they come into play sooner—hence the priority of Asiatic to European civilization. On the other hand, this interaction of soil and its produce has no great effect upon man himself. The powers of nature are limited and relatively unchanging; consequently civilizations springing from the soil and beholden to the bounty of nature never reach the heights attained by those depending upon climate for their development. The only effective progress depends upon the energy of man, and the powers of man are not limited like those of nature. Climate

[1] *History of Civilization in England*, pp. 32-33.

reacts upon man, stimulating his energy and developing his powers. Therefore, that civilization conditioned by the development of human energy is bound to outstrip those which depend mainly upon nature alone and do not call forth the latent powers of man.[1]

After the accumulation of wealth the next logical question is the distribution of wealth. This, Buckle believes, can also be shown to depend upon physical causes in primitive times, and even in more recent times where the society is not far advanced. As soon as the accumulation of wealth has fairly begun, the population begins to divide into two classes, the employers and the employed. The price paid for labor, like anything else offered in the market, will depend upon the action of the law of supply and demand; if laborers are more plentiful than the demand for them wages are bound to be low and vice versa. The question of food is the most important influence affecting the growth of population. Consequently, where food is most abundant and least needed, the increase in population will be greater than where food is scarce and difficult to secure, and where a great amount is needed to preserve life. Next, it is obvious that in warm and fertile countries food is more abundant than in cold and barren countries, that less is needed, and finally, being mainly vegetable rather than animal food, it is more easily secured. It is, therefore, apparent that there is a greater tendency toward an increase of population in warm countries than in cold. This brings us to the final conclusion that "there is a strong and constant tendency in hot countries for wages to be low, and in cold countries for them to be high.[2]

After reaching this important conclusion regarding the influence of food upon the distribution of wealth, Buckle proceeds to test his theory by examining conditions in Ireland, India, Egypt, Central America and Peru. He assumes the burden of proving (1) that where a cheap national food is present the population tends to increase very rapidly; (2) that this increase of population decreases wages and the average wealth of the laborers; (3) that this poverty of the masses tends to make more apparent the division between rich and poor—for wealth gives power and poverty invokes contempt; (4) that the re-

[1] *History of Civilization in England*, pp. 33-37.
[2] *Ibid.*, pp. 38-47.

sult is absolute subjection of the lower classes, and the most abject misery among them.[1]

In Ireland, the potato, introduced in the sixteenth century, furnished a very cheap national food. Consequently, there was a rapid increase of population down to the time of the great famine caused by the blight, with low wages, and a great body of peasants.[2] In India, where rice was the chief food, the population grew rapidly, the caste system appeared, and the laboring classes were held in contempt.[3] In Egypt he found a similar situation. There the date is the chief food, and the population is very dense, the great peasant masses being the same, physically and socially, as they were at the dawn of history.[4] Finally, he turns to Mexico and Peru, the seats of the great early civilizations in America, and again finds the same conditions. Maize and potatoes furnished the food in Peru; maize and bananas in Mexico. The result was the same: dense populations, low wages, and oppression of the poorer classes.[5]

This completes his treatment of the influence of climate, soil, and food. Though some exceptions may be taken, very little effective criticism on the whole can be directed against his general conclusions. He does not show as fully as might be desired how climate tends to promote progress, for he fails to show that temperate climates, with alternating seasons of want and plenty, develop provident traits in human nature, the ability to forego present pleasure for future well-being, a quality essential to all progress. Still he hints at the converse when he says that the bountiful habitats of the warmer countries do not develop the energy of the individual. In the main, however, he seems to adhere to Montesquieu's notion of the direct effect of climate on bodily vigor, which, while doubtless true as far as it goes, is an incomplete explanation of the benefits of a temperate climate.

The last of Buckle's four great physical agents affecting human progress is the "general aspect of nature." This he describes as those appearances in the external world which have stimulated the imagination of mankind or otherwise influenced their "habits of thought." As climate, soil, and food affect the accumulation and distribution of wealth, so, he maintains, the

[1] *History of Civilization in England*, pp. 49-50.
[2] *Ibid.*, pp. 47-49.
[3] *Ibid.*, pp. 50-58.
[4] *Ibid.*, pp. 59-67.
[5] *Ibid.*, pp. 67-84.

various aspects of nature affect the accumulation and distribution of thought.[1]

In so far as they affect the accumulation and distribution of thought, Buckle divides the aspects of nature into two classes: (1) those most likely to stimulate the imagination, and (2) those which affect the understanding. Advancing civilization, he holds, tends constantly to develop the reasoning powers and to curb the imagination, which, although more under control now than in primitive times, still, in his opinion, has far too much power. Among the various phenomena included under the aspects of nature, he enumerates beautiful scenery, mountain ranges, earthquakes, volcanic eruptions, tempests, hurricanes, and even pestilences.

To illustrate his theory of the differential effects of sublime and ordinary environments, Buckle contrasts the civilization of India, where the works of nature are of "startling magnitude," with that of Greece, where they are smaller, feebler, and "less threatening to man." To the awful blood sacrifices and hideous orgies of the Indian religion, he opposes the beautiful anthropomorphic conception of the Greeks, where the gods were close to man. In their conception of man there is, likewise, a contrast. In India man is abased and the individual submerged; in Greece, everything tended toward the elevation of man and the growth of individualism. In their habits of thought the natives of India are extremely imaginative and poetical; the Greeks, on the other hand, were critical, and in Aristotle furnished one of the greatest thinkers of all time.[2] In general, he held that in Asiatic and other civilizations outside of Europe the aspects of nature tended to develop the imagination, and that in European civilizations the relative lack of sublimities in the environment tended on the whole to curb the imagination and develop that critical, scientific spirit upon which all progress must depend.[3]

Finally, Buckle held that environmental influences operate most effectively upon primitive peoples and lower civilizations.

[1] *History of Civilization in England*, p. 85. Exception may be taken to this, for, granting that the aspects of nature do furnish much of the substance of primitive poetic, animistic, and religious ideas, still the most important primitive traditions concerning economic, juristic, and political ideas grew out of the struggle to adjust property rights and would be ultimately determined by climate, soil, and food, the agents which condition the accumulation and distribution of wealth.

[2] *Ibid.*, pp. 95-106.

[3] *Ibid.*, pp. 93-94.

The history of western Europe is characterized by an increasing importance of psychological and cultural factors. The degree of this triumph of mind over external nature is the best measure of civilization, and, therefore, mental influences are more important for advanced civilizations than physical influences.[1] These last doctrines are not given the consideration they deserve by those who designate Buckle as a materialist.[2] He was, in reality, a psychical determinist.

There is little that is new in Buckle's physical interpretation of society. His theory that climate, soil, and food, and the general aspect of nature determine the development of lower civilizations, and that these influences are most effective in the early stages of social evolution is to be found in the works of earlier writers, and his work is largely an elaboration of those earlier doctrines. Buckle's contribution was his systematic examination of these influences. Having a wider knowledge of history, and with a greater amount of data at his command, he was able to treat the subject in a more comprehensive manner than many who preceded him.

It was Buckle's aim to introduce into the study of history the exactness and certainty of the natural sciences, and this aim reflects his strong reaction against the metaphysics and the narrow political history of his day. Whatever one may think of his achievement, few will deny the lofty object of his work, which was to discover the relative importance of the mental and physical laws governing social evolution and to trace the workings of these laws in the development of civilization. A few historians of the old school have not hesitated to speak lightly of Buckle, but there is little doubt that, almost alone among the writers of his time, he caught a glimpse of the "new" history of the future.

IV. Friedrich Ratzel
(1844-1904)

Friedrich Ratzel was preëminent as a systematizer of anthropogeography. He was hardly a rival of Ritter or Reclus as a geographer, but in the systematic study and organization of the relation between man and the physical environment he has

[1] *History of Civilization in England*, pp. 109-113.
[2] *Cf.* J. M. Robertson, *Buckle and His Critics.*

never been equalled.[1] He was influenced primarily by Ritter, Mendelssohn and Kohl.

The eminent French anthropogeographer, Jean Brunhes, has admirably summarized Ratzel's attitude as indicative of his advances over his predecessors in the field:

> He perceived the human facts on the earth no longer as a philosopher or historian, or as a simple ethnographer, or as an economist, but as a geographer. He distinguished their manifold, complex, and variable connections with the facts of the physical order—altitude, topography, climate, vegetation. He observed men peopling the globe, working its surface, seeking their livelihood, and making history on the earth; he observed them with the eyes of a true naturalist.
>
> He saw human groups and human societies developing, always within certain natural limits (*Rahmen*), occupying always a certain definite place (*Stelle*) on the globe, and needing always, in order to nourish themselves, to subsist, to grow, a certain space (*Raum*).

Ratzel views the relation between man and his environment, not as a struggle between two conflicting forces, but rather as a process in which man develops as himself a part of the earth's surface, though of course the most nimble and intelligent portion of the earth's crust. As he himself distinctly states it, "man belongs to earth as a portion of the earth."[2] The following citation well summarizes this important view of Ratzel concerning man as an integral portion of the earth and its development:

> Man appeared upon the earth as a child, capable of receiving education and of developing, and to whom education and development were necessities; the earth has brought him up, through a struggle with all her powers and beings, and into his special history is woven the general history of the world. Periods of heat and ages of ice have now extended, now limited his sphere of existence; he has seen species of plants and animals become extinct, and new ones arise. This being so, he himself could not possibly have remained unaltered. Thus man of today is not only the product of his own development.

[1] Ratzel's chief works are: *Die Vereinigten Staaten von Nordamerika* (1878-80), 2 vols.; *Völkerkunde* (1894), Eng. trans. by Butler; *The Races of Man*, 3 vols. (1896-98); *Die Erde und das Leben*, 2 vols. (1901-02); *Politische Geographie*, (1897); *Der Staat und sein Boden* (1897); *Anthropogeographie*, 2nd ed., Vol. I (1899), Vol. II ed. by Frederich, 1912. Far the best summary of Ratzel's views on anthropogeography in relation to society and political life is to be found in the chapter he contributed to Helmolt's *Weltgeschichte*. This was prepared later than any of his systematic works and embodies his most mature scholarship and judgment.

The History of the World, A Survey of Man's Record, ed. by H. F. Helmolt, London, 1901, 9 vols., Volume I, p. 61. This is an English translation of the German *Weltgeschichte*. The best concise statement of Ratzel's methodology and place in the literature of anthropogeography is contained in J. Brunhes, *Human Geography*, pp. 31-35.

but also a product of the development of the world. Both are inseparably linked together, and inseparable they will remain.[1]

The second distinctive feature of Ratzel's anthropogeographical system is his view that nations and human society are organisms reacting to nature like an animal organism to its physical environment. In this view of society he goes to a greater extreme than even that which characterized the organic school of sociologists, holding that anthropogeography is merely a branch of biogeography and that the state is a real organism rather than merely an analogy. While it is an actual organism, yet the state is the highest of all organic forms of life because individual members have a greater independence, and this independence increases in proportion to the development of the organism; because the moral and spiritual unity supply the lack of material or physical contiguity and continuity; and because the cells of the state do not decay, but mix with new ones formed by invading peoples, thus bringing it to pass that nations are never destroyed but are rather transformed.[2] In spite of the fact that the spiritual unity in the social organism is extremely important, there is a very vital material unity furnished by the soil—"the connection with the ground." This he sums up in the following manner:

> The ground furnishes the only material tie that binds individuals together in a state; and it is primarily for this reason that all history exhibits a strong and ever increasing tendency to associate the state with the soil—to root it to the ground, as it were. The earth is not only the connecting principle, but is also the single tangible and indestructible proof of the unity of the state.[3]

This organic nature of society tends to make historical development similar in similar climates and identical physical surroundings. "Lands, no matter how distant from one another they may be, whenever their climates are similar, are destined to be scenes of analogous historical developments. . . . Man, in spite of all racial and national differences, is fundamentally quite as much of a unity as the soil upon which he dwells."[4]

After these general statements Ratzel considers certain spe-

[1] Ratzel, in Helmolt, pp. 61-62; *cf.* *Anthropogeographie*, Vol. I, Part I, Chap. 3; Part II, Chap. 5; Part III, Chap. XIV.
[2] Helmolt, pp. 62-67; *Politische Geographie*, Part I, Chap. 1.
[3] Helmolt, p. 66; *Politische Geographie*, Part I, Chap. 2; *Der Staat und sein Boden.*
[4] Helmolt, p. 64; *Politische Geographie*, Part II, Chap. 7.

cific phases of the relationship between man and his environment. The first of these is what he calls "the historical movement of peoples," or, as viewed in another sense, the "struggle for area." This is, perhaps, the greatest factor in social evolution, and corresponds in a general way to the struggle for existence in biological evolution.[1] The movements of peoples are the resultant of "the internal motive forces which are peculiar to life, and of the influences of the ground to which the life is attached." To these must be added, in the case of human movements, the "spiritual impulses of the intellect and will of man." Normally, the movement of nations or the struggle for area is dependent upon and directly in proportion to the rate of internal growth and power. To grasp the full significance of the movement of peoples one must look beyond the great historic migrations and note the ceaseless moving of all peoples in all times. There is no basis in fact for the popular view that all the movements of peoples are from east to west as though directed by some mystical power. The only general law is that the movement is toward the weaker or richer neighbor, namely along the line of least resistance or greatest attraction. The movement of peoples has usually been motivated by the desire to acquire land and its advantages, and land has ever tended to become more valuable with the growth of population and the improvement of the industrial arts. The movement of peoples may take place by conquest or by colonization preceded by economic penetration. The latter is the more advanced type and the one which seems most likely to prevail in the future. In this process of movement, migration produces divergencies from the original national type and thus aids that process of differentiation which Ratzel regards as "the leading factor in organic growth." Nevertheless, this differentiation is moderated and kept in control by the fact that even migrating branches of nations "hold fast to their natural conditions of existence."[2]

Ratzel considers the importance of natural regions of habitation upon the course of history. Topography and configuration, he finds, demarcate areas for population and make possible cultural specialization in distinct regions. Isolation and protection are a great boon to the origins and early development of a state, but they are likely to prove fatal later by causing overcrowding

[1] Helmolt, p. 67; *Anthropogeographie*, Vol. I, Part II, Chap. 7.
[2] Helmolt, pp. 67-72; *Anthropogeographie*, Vol. II, Part II, Chaps. 6-9.

and stagnation of culture. Natural boundaries are valuable to a state, not merely as protection but in giving greater definiteness, distinctiveness, coherence and unity to its political development.[1]

Ratzel finds that climatic conditions have a very important influence on every aspect of human life. Climate affects man directly through its influence upon his body, mind and character, and indirectly through its effect upon the plants, the animals and the soil which is utilized by man. While adapted types of man can endure every variety of climate, and man is the most adaptable of all animals to different climatic conditions, yet climate has affected all races in ways that have greatly influenced the course of history. He contends that everywhere the peoples of the temperate zone have proved superior in a political and military sense, as well as more advanced in culture, than the inhabitants of the frigid and torrid zones. Even in the temperate zone those dwelling in the colder portions are superior to those in the warmer districts, an opinion which he believes to be verified by the alleged superiority of the inhabitants of northern France, Italy, Germany and the United States to those who dwell in the southern parts of these states. The most invigorating climate within the temperate zone is one where the isothermal lines group together, thus producing a region of varying and contrasting climates. Even winds are very significant as a phase of climate. The influence of the trade winds upon the development of commerce in the era of sailing vessels is well known.[2] Progress is stimulated in regions of strong winds and great storms which cause frequent loss of life and property, thus intensifying the struggle for existence. Also, the question of adaptability to new climates is of prime political significance, for it is one of the determining factors governing the expansion of nations and the development of modern imperialism. An extremely significant fact in this respect is the difference in national or racial adaptability to acclimatization. For example, the Chinese and Jews are much more easily adapted to climatic variations than the Germans. Unfavorable climates not only tend to bring physical disease to

[1] Helmolt, pp. 73-75; *Politische Geographie*, Parts VI, IX; *Anthropogeographie*, Vol. I, Part II, Chaps. 6, 8.

[2] Helmolt, pp. 75-79; *Anthropogeographie*, Vol. I, Part II, Chap. 11; *Politische Geographie*, Part IV, Chap. 10.

newcomers, but also a loss of will-power and other types of mental deterioration.[1]

Considering the importance of geographical situation Ratzel finds that it has exerted a primary influence upon historical development, an example being the relation of the development of Greece to its location "on the threshold of the Orient." The more necessary any area is for the welfare of a number of states, the more important is the possession of this district by any single state. A geographical situation which brings about independence or self-dependence is of great value to a state. On the other hand, it is particularly disastrous for a state to be situated where it is cut off from the sea and surrounded by other states. Finally, geographical situation bears an important relation to historical repetition, for nearly identical situations give rise to generally similar types of evolution and political organization.[2]

The area possessed by a state has always been regarded as an indication of political power. One of the most important causes of national expansion has been an appreciation on the part of rulers of the significance of a large area. "A disposition for expansion that advances boundaries to the farthest possible limits is a sign of the highest state of civilization." Ratzel regrets that Germany has not appreciated this fact sufficiently, and makes the following statement which seems strange in view of the events which have taken place since he wrote: "In Germany the theory of geography is well studied out, but the chapter on area is forgotten." The British, on the other hand, while relatively poor theoretical students of geography have shown themselves to be exceedingly good practical students, especially in their recognition of the importance of area and imperial expansion.[3] In its most fundamental sense the growth of states has meant an expansion and development of the social organism. Political expansion is normally preceded by economic exploitation. The modern mechanism of commerce and communication is the forerunner of empire building, in other words, "the flag follows trade." While small states became historically significant at an earlier date than large states they soon passed away and their places were taken by larger ones. The small states

[1] Helmolt, pp. 78-79; *Die Erde und das Leben*, Vol. II, pp. 401-548.
[2] Helmolt, pp. 80-82; *Politische Geographie*, Chaps. 2, 7, 9, 11, 17, 25.
[3] Helmolt, p. 85; *Politische Geographie*, Part V.

block their own progress by developing a provincialism that is fatal to the conception and the process of growth and expansion.

In connection with area must be considered the problem of the volume and distribution of the population. As Ratzel summarizes this matter, "Civilization and political superiority have always attended the thickly populated districts. Thus the whole of development has been a progression from small populations dwelling in extensive regions to large populations concentrated in more limited areas." But it is not the mere gross increase of population that is significant. Concentration of population normally leads to the development of the division of labor and social differentiation, the process which is one of the most accurate measures of social evolution. Without the development of this tendency the mere growth of population adds little to the strength of the group, a fact which can be substantiated by observing the political weakness of India and China in spite of their great populations.[1]

Ratzel next summarizes the influence of bodies of water upon political and social progress. In primitive life seas and other great bodies of water were obstacles to population movements and social progress, and a very important step in human progress came with the discovery of the art of navigation, which greatly hastened the development of cultural divergence, variegation and differentiation. In modern times, also, the conquest of the sea has not lost its political significance. England, having first conquered the ocean in modern times, has become the strongest nation on earth. The command of the sea is the natural agency for the command of more land and the control of commerce. Nevertheless, this can be carried to a dangerous extreme by reducing the dependence of a state upon land and greatly increasing its dependence upon maintaining control of water connections.[2]

The significance of harbors and coast contours for social evolution has been recognized by all students of anthropogeography since Ritter's time. Coast peoples are different from those of the same nation who dwell in the interior; having more contacts with other peoples they are richer in both commerce and knowl-

[1] Helmolt, pp. 87-89; *Anthropogeographie*, Vol. II, Parts II-III; *Die Erde und das Leben*, Vol. II, pp. 549-675.

[2] Helmolt, pp. 89-91; *Politische Geographie*, Part VIII, Chaps. 21-23; *Anthropogeographie*, I, Part II, Chaps. 9-10.

edge.[1] Nor are rivers without their significance for social processes. Navigable rivers are the logical continuation of the sea in opening up lands to voyagers and traders. They provide the point of entry first for commerce and then for political occupation. It has been generally supposed that the movement of peoples along the course of rivers has been in a direction agreeing with the current of the stream, but as a matter of fact many more have proceeded from the mouth towards the source. Rivers are not only a great aid in settling a country but also in the period of its development when they become the foundation of domestic or inland commerce. Neither have rivers been without their importance for the evolution of states. River deltas, with their combination of accessibility, fertility and protection, were the natural areas for the development of early civilizations and political groupings. At a later period rivers performed a valuable function in promoting national unity. The possession of a junction of rivers gives a key to the areas drained, yet sufficiently wide and deep rivers make good boundary lines.[2]

A uniform and accessible habitat naturally promotes political unity, while diversified conformation—"a variety of orographic features"—may divide a state and make political unity well-nigh impossible, as in the case of ancient Greece. But if the diversities lend themselves to common control they may promote unity, as in the United States, Austria Hungary and Italy. A mountainous habitat tends to produce a spirit of independence, a love of liberty and a degree of military power quite out of proportion to the relative number in the population. Mountains tend to produce isolation and cultural stability, while low lands promote racial and cultural mixture and the migrations and movements of peoples. Forests and jungles often act as barriers to the movements of peoples with an effect comparable to that exerted by mountains and gorges. All forms of configuration, as well as over exuberant flora, which promote isolation inevitably produce political and cultural stagnation.[3]

[1] Helmolt, pp. 92-93; *Politische Geographie*, Part VII, Chap. 20; *Die Erde und das Leben*, Vol. I, pp. 256-458.
[2] Helmolt, p. 95; *Politische Geographie*, Part VIII, Chap. 23; *Die Erde und das Leben*, Vol. II, pp. 86-153.
[3] Helmolt, pp. 96-106; *Politische Geographie*, Part I, Chap. 5.

V. Ellen Churchill Semple
(1862——)

Ratzel has become known to American and English readers mainly through the works of his versatile and industrious American pupil, Ellen Churchill Semple. Her *American History and Its Geographic Conditions,* which draws upon Ratzel's work on the United States, appeared in 1903. *Influences of Geographic Environment,* a critical revision and expansion of the first volume of Ratzel's *Anthropogeographie* was published in 1911. In particular she has freed Ratzel's system from the handicap of the biological sociology based on the conception of the analogy with an organism. English and American readers are thus under a heavy debt of gratitude to Miss Semple. It is not too much to say that her revision of the *Anthropogeographie* is one of the most complete and scientific treatises on the subject in the English language.

Geographic influences upon man, according to Miss Semple, may be divided into four great classes: (1) Direct physical effects of environment, (2) Psychical effects, (3) Economic and social effects, (4) Effects on the movements of peoples. Race is the result of adaptation to environment.[1] Even if racial distinctions are hereditary, environment has been the force which determines what that heredity shall be. Man is changed, but not by each separate influence. These changes come about only through the survival of useful variations and the elimination of those which have less value in the struggle for existence—or to put it in other words, it is only a matter of adaptation to environment. It is thus apparent that environment exercises a selective influence upon variations and determines which shall survive.

Besides these obvious physical effects of environment there are others less direct and less simple.[2] The question of acclimatization is of great importance. It affects both the character and the kind of work people can do, and it influences habitat, physical health, and social customs. The relation between pigmentation, climate and altitude, while not definitely formulated, is obvious, a high altitude like a high latitude, for example, being conducive to blond people.[3] An interesting explanation of the

[1] Semple, *Influences of Geographic Environment,* p. 33.
[2] *Ibid.,* p. 36. [3] *Ibid.,* pp. 36-40.

social custom of polyandry of the Himalayan tribes of Thibet lies in the fact that they dwell in a very high altitude and, although their habitat offers but a scanty existence, they die off when they attempt to seek a more bountiful environment in a lower altitude. They solve this problem by polyandry which keeps the population practically stationary.[1]

"More varied and important are the psychical effects of geographic environment," and these effects are reflected in man's religion, literature, modes of thought, and figures of speech. Occupations have a great influence upon vocabulary, which is sure to be a reflection of expressions needed to carry on the business of every-day life. For example, certain cattle breeding tribes of Africa have a wonderful choice of words describing their animals, in spite of an otherwise limited mode of expression.[2]

Not less significant are the economic, political and social aspects of the environment. The products of an environment, as well as the facilities for industry and commerce, have a profound effect upon the economic and social development of a people. Where these products are abundant and easily obtained, the country may acquire wealth and power, particularly if industry and commerce are possible. On the other hand, an environment in which the products are scanty and difficult to secure is likely to be condemned "to the dwarfing effects of national poverty."[3] Food wields a powerful control over the affairs of men. It affects their manner of life, the size of their groups, their place of residence, and the length of their stay in any one place. As man advanced from the hunting stage to the pastoral and thence to agriculture, radical changes took place in the methods of securing and storing food supplies, thereby decreasing the amount of land necessary for the support of the individual—a condition which goes hand in hand with civilization.[4] Progress may be retarded, on the other hand, by poor methods of cultivation and a lack of domestic animals, as well as by poor soil and an unfavorable climate.[5] Such an environment often forces artificial checks to population, like polyandry, infanticide and cannibalism, while the increasing population in the richer

[1] *Influences of Geographic Environment*, pp. 37-38.
[2] *Ibid.*, pp. 40-42.
[3] *Ibid.*, p. 43.
[4] *Ibid.*, pp. 61-62, 64-65.
[5] *Ibid.*, pp. 62-63.

and better cultivated region necessitates and brings about a more highly organized government.[1]

Movements of peoples are obstructed by such natural barriers as mountains, deserts and swamps, and are facilitated by river valleys and treeless plains. The power of rivers, lakes, bays and oceans to hinder or aid varies "according as navigation is in a primitive or advanced stage."[2] In cases where a people are isolated by environmental barriers their natural traits and customs tend to be preserved; where the region is so accessible that new ideas and customs pour in from all sides there follows a general levelling and blending of all peculiarities and customs "and the people as a whole approach to the composite type of civilized humanity." Isolation makes for homogeneity since it tends to keep out foreign ideas, or to make their entry gradual and difficult; accessibility has the opposite effect, facilitating the mingling of peoples and the free exchange of ideas and commodities.[3] Mountains do not discourage civilization because they impress the imagination, but because they produce isolation, Buckle's doctrine to the contrary, notwithstanding.[4]

There is a tendency among all peoples to wander. Archeology and ethnology bear witness to this fact. "The very names of Turkey, Bulgaria, England, Scotland and France are borrowed from intruding people." Primitive peoples wander readily, being in small bands and without any particular attachment to the soil, but their movements are rather aimless and guided largely by geographic conditions. Civilized man, on the other hand, although more deeply rooted to his habitat, is able to move with far greater facility because of his mastery over nature, and his movements are more definite in aim, *i.e.*, to gain some special advantage. These migrations are the chief means of transmitting, diffusing and absorbing culture and of producing the prevailing ethnic mixtures.[5]

Any or all of these four classes of environmental influences may have a modifying effect upon a people when it seeks a new habitat, according as the new habitat differs from the old. In the case of direct physical and psychical effects the process is necessarily slow, but radical economic and social changes may come about quite readily. These changes may result from a

[1] *Influences of Geographic Environment*, pp. 65-67.
[2] *Ibid.*, pp. 43-44.
[3] *Ibid.*, p. 45.
[4] *Ibid.*, pp. 18-19.
[5] *Ibid.*, pp. 74-86.

greater abundance or a greater scarcity of natural resources, from better or worse facilities for commerce and industry, or from changes in climate which affect the character and amount of labor that can be performed. Change of habitat, if it means a change in geographic conditions, will almost invariably change a people for better or worse.[1]

"Climate enters fundamentally into all consideration of geographic influences, either by implication or explicitly." It influences man directly through its effect on pigmentation, disease and energy; indirectly by determining the crops, animals, and general modes of life of a given locality. It may even determine or influence topography, as in glaciation, erosion, and changes in drainage systems. It determines the limits of human habitability, although man has a greater climatic adaptability than any other member of the organic world. It gives rise to commerce and other interactions between different areas and centers of civilization through its effect on the differentiation of peoples and modes of life. In general, it also determines the distribution of immigrants who seek a climate similar to the one they have left. Its effect upon the temperaments of races is marked, as evidenced by the energy, thrift, and seriousness of northern peoples, and the easy-going, emotional natures in the south. All in all, the influence of climate upon the affairs of men is most profound both in its local variations and in the broader differences between the tropical, temperate and frigid zones. These broader differences are fundamental and their effects so obvious and lasting as to "give a certain zonal stamp to human development."[2]

VI. Jean Jacques Elisée Reclus (1830-1905)

Elisée Reclus, the greatest of French geographers, was a pupil of Karl Ritter at Berlin. He was banished from France in 1872 for activity in the French Communard movement and wrote the greater part of his chief work, *La nouvelle géographie universelle*[3] while a resident in Switzerland. He was associated with Prince Kropotkin as an organizer of the international association of philosophical anarchists and was a professor of

[1] *Influences of Geographic Environment*, pp. 46-49.
[2] *Ibid*, pp. 608-617, 633.
[3] 19 vols., 1875-1894.

geography at Brussels from 1892 until his death. Anarchists, like Reclus, who are at the same time students of geography, have a strong motive in emphasizing the importance of environmental factors, for in doing so they are able to minimize the significance of the state and other artificial social institutions. Without attempting any comparison between his ability and that of Ritter and Ratzel, it is safe to say that his *Nouvelle géographie universelle* is the most extensive and valuable non-cooperative work on descriptive geography which has ever been written, and his work *L'Homme et la Terre*[1] is one of the most ambitious attempts ever made by a single man to present universal history in its geographical setting. Reclus possessed a very sensitive, elevated, and independent mind and his works are as remarkable for their lofty and brilliant tone as for their scientific accuracy.[2]

History, Reclus contends, is only geography in its time aspect, while geography is only history considered from the point of view of space. In the same way man can be regarded as nature become self-conscious.[3] He insists that it is not sufficient to describe the general relations between man and nature, but holds that each environmental influence must be studied in detail as a vital aspect of the total effect of geographical factors.[4] In this point of view he is in agreement with his great contemporary, Ratzel, one of whose greatest services to anthropogeography was to provide a scientific classification of the factors involved in the geographic environment. Nevertheless, while it is essential to study in detail these separate environmental influences, it would be a pure abstraction contrary to fact to consider each one as operating alone. The diverse environmental factors form a great complex of forces which operate together or in opposition to form the totality of external natural influences.[5]

Reclus points out the necessity of sharply distinguishing, not

[1] Paris, 6 Vols., 1905-08.

[2] There are good sketches of Reclus' life and characteristics by Kropotkin in the *Geographical Journal* for September, 1905, pp. 337-345; and by Patrick Geddes in the *Scottish Geographical Magazine* for 1905, pp. 490-496, 548-555 (pp. 553-555 of the latter contains a bibliography of Reclus' writings). *The Nouvelle géographie universelle* is translated in an English edition by Ravenstein and Keane as *The Earth and Its Inhabitants*, 19 vols., N. Y., Appletons, 1884-95. A summary of Reclus' physical geography is to be found in *A New Physical Geography by Elisée Reclus*, edited by Keane, 2 vols., N. Y., 1890.

[3] *L'Homme et la Terre*, Vol. I, p. 4.

[4] *Ibid.*, p. 40.

[5] *Ibid.*, pp. 114-116.

only between the natural or geographic environment on the one hand, and the artificial or social environment on the other, but also between the static aspects of the environment and its dynamic phases, as modified by the great historic changes of culture. A study of the static milieu should always be followed by an investigation of the dynamic milieu.[1] He divides his analytical treatment of environmental influences into a discussion of the factors of temperature, humidity, altitude, and the various topographical elements, such as forests, islands, swamps and lakes, river systems, and seas and oceans.

As the primordial environmental influence, Reclus first discusses the effect of temperature upon human society and behavior. The density of population is determined primarily by the temperature, and, in a rough way, varies directly with the latitude, reaching extinction in the polar regions. Even the highest race is not independent of environmental influences. The white man, for example, was never able to exist readily in the Arctic or Antarctic zones until he was artificially aided by the appliances of modern science, and even the native inhabitants of the polar regions, as a result of their intense struggle for existence, have every aspect of their life and almost their very physical appearance rigidly determined by the environment. The extremely hot zones, on the contrary, while exerting an extremely important and definite influence over their inhabitants do not, as is the case with the colder regions, exclude life of all sorts nor determine the mode of life with such extreme rigidity. In most cases those tropical regions, which come very near to excluding life, do so, not on account of the heat alone, but because of the excessive humidity of the jungle or the dryness of the air in the desert.[2]

As to the effect of humidity and the dryness of the air upon mankind, Reclus holds that there is an ideal degree of humidity, excessive variations from which are unfavorable to life and social progress. Extreme dryness of the air produces the great desert regions, which either exclude inhabitants entirely or determine their mode of life as absolutely as do the frigid areas. In contrast to the desert areas are to be noted the regions of extreme humidity which exert a comparable influence upon mankind. The general problem of the influence of humidity not only

[1] *L'Homme et la Terre*, Vol. I, pp. 41-42.
[2] *Ibid.*, pp. 42-55.

involves the moisture of the air, but also that of the soil. While the latter is not as effective an influence as the former, it seriously handicaps the development of a country. The dwellers in extremely wet habitats are compelled to adopt a very specialized mode of life which, if it persists long enough, is reflected even in their physique.[1]

Reclus next discusses the various topographical factors, such as mountains, forests, islands, and marshes which produce isolation and the various social traits which accompany isolation. No type of environment is more influential than a mountainous habitat in impressing upon its inhabitants unique and easily noted characteristics. Mountainous environments, being normally isolated, are usually the home of highly homogeneous populations, but, being shut off from the culture of the rest of the world, are likely to be inhabited by arrested and backward civilizations. The homogeneity of mountain dwellers, however, tends to be more a cultural than an ethnic homogeneity, for it would appear that these unattractive habitats were populated, not voluntarily, but by the descendants of vanquished peoples of every ethnic strain who have fled to the mountains for safety from the attacks of their stronger enemies in the plains. It would thus seem that the inhabitants of mountains are normally of an inferior biological or social type, having been descended from groups who failed in the original struggle for existence. Further, owing to their highly limited habitat, the precariousness and lack of variety of their food supply, and the homogeneity and inbreeding of the population, mountain environments are not favorable for permanent habitation. In addition to their normal obstacles, mountain regions are made practically polar by the snows in winter, which are often so severe as to force a temporary emigration. These characteristics of a mountain environment are reflected in the political institutions of mountaineers. Most frequently the inhabitants of mountainous regions are politically organized in a number of minute local republics. These are much better adapted for defense than for conquest. Therefore, mountaineers normally remain free, but petty in their political organizations. In general, mountainous environments, like those which are too cold, too hot, too dry, or too wet, having a vast number of obstacles to overcome, are not

[1] *L'Homme et la Terre*, Vol. I, pp. 55-68.

adapted to a progressive population, for an intermediate type of environment, which has enough obstacles to compel effort, but not to discourage or exhaust the people, is the best adapted to the promotion of social progress.[1]

Unfavorable as is a mountain environment to the progressive development of its inhabitants, a forest habitat imposes even greater obstacles to self-improvement. Dense, primitive forests, particularly those of the tropical zones, are the best adapted of all environments to imprison a people, to keep their civilization stagnant, and to prevent the growth of those large social groups which are so indispensable to progress and social evolution. Therefore, it is not surprising that the inhabitants of great and dense forest areas are usually the most primitive and backward of existing peoples. An island environment, also, normally harbors a non-progressive population and a highly localized culture, for islands are a cause of isolation, and whatever its cause, isolation invariably creates conservative and backward civilizations.[2]

Reclus next turns to a consideration of those environmental conditions which promote social movements, intermixture, and, hence, social progress. He finds that these conditions are furnished by the plains, and, especially by a habitat located in a great river basin. In particular, he regards river basins as the habitat best adapted to producing a progressive civilization, and he calls attention to the significant work of Léon Metchnikoff upon this subject:

> If stagnant or tranquil water isolates man, running water usually unites them. The valleys enclosed by mountains, the forests and the marshes, the islets and the lakes are conservative elements in the history of humanity; the rivers are, in comparison, the principal agents of life through navigation, through agricultural progress, the migrations from place to place and what is called by the comprehensive word "civilization" . . .
>
> The great civilizations, from which we have sprung, and without which there would be no humanity in the modern sense of the word, would not have lived, if there have been no Yellow river, Blue river, no Sindh or Ganges, no Euphrates or Nile, no Senegal or Niger. It is with filial piety that the thinking man pronounces such great names.

One should remember, however, that rivers have not always been a dynamic cultural force, but their effect has changed with

[1] *L'Homme et la Terre*, Vol. I, pp. 68-80.
[2] *Ibid.*, pp. 80-83.

the progress of civilization. In the earliest times they were barriers, isolating and separating different peoples; with the development of the arts of civilization they have become the chief medium of commerce and communication.[1]

Closely connected with river basins as a factor in social progress have been the seas and oceans. As with rivers their influence has varied with the progress of civilization. Once the great barriers to further advance and communication they are now the great avenues of commerce. "The sea which was one day to bear the proud ships from world to world, was at first for the landsman an insurmountable obstacle, the domain of terror."[2] Conquest of the ocean was the normal successor of the acquisition of the art of river navigation. The boatmen on the rivers gradually went farther and farther from its mouth into the sea, the ideal place for this transformation of fluvial into maritime navigation being where there were many islands in the wide mouth of a river.[3] The scope and significance of history has advanced in proportion as man has conquered the seas and established a universal range of communication.[4]

In his general conclusions regarding the totality of environmental influences upon social progress Reclus wisely makes a distinction between culture, environment and the dynamic process of their interrelation, known as history. In addition to these environmental influences, involved in one's surroundings, it is essential to remember that they are continually changing as time goes on and that man is constantly conquering the environment, adapting it to his use, and transforming it. All of these considerations of different environmental influences, their resultant effect, their relation to society and their alteration with time and social progress, show the futility of trying to interpret history in terms of any one or even all of the influences of the physical environment. At best one can only realize the vast number of influences at work and try to understand their mutual and respective importance. But this should not make one forget the very great significance of the environmental factors when enough time is allowed for their operation.[5] Reclus may thus be regarded as presenting a very sane, moderate, and well-balanced interpretation of environmental influences. Most note-

[1] *L'Homme et la Terre*, pp. 89-102.
[2] *Ibid.*, p. 103.
[3] *Ibid.*, p. 114.
[4] *Ibid.*, p. 104.
[5] *Ibid.*, pp. 114-120.

worthy, perhaps, is his attempt to be comprehensive and synthetic, and his emphasis on the effect of social and cultural isolation caused by various types of environmental influences.

VII. Halford John Mackinder (1861——)

One of the most enthusiastic of modern British exponents of anthropogeography is Halford J. Mackinder, formerly reader in geography in Oxford University and director of the London School of Economics. His theories deal with the influence of economic and geographical factors upon domestic and international politics, and with the importance of the Russian-Siberian-Caspian region in the development of world history. The essence of his doctrine was set forth nearly twenty years ago in an article on "The Geographical Pivot of History" published in the *Geographical Journal* for April, 1904.[1] Mackinder distinguishes three chief historic eras. These are the ancient and medieval era when European civilization was chiefly centered in central and southern Europe and was continually attacked in the rear by the inhabitants of the Steppe district; the Columbian era from 1500 to 1900 which was characterized chiefly by the expansion of European civilization over-seas with little effective native resistance; and the future which will be the era of permanently closed political systems intimately interconnected and interrelated—in other words, the era of the world organism. Man is now for the first time able to look upon world-history as a whole and to generalize about it.[2]

In a geographic sense, if not in the cultural, European history is and has been subordinate to Asiatic history and has been largely determined by it.[3] The pivotal point in the geographical basis of European history Mackinder holds to be the great Eurasiatic steppe region, uniform in topography, climate and fertility, and, since the territorial expansion of Russia, under a common political control.[4] This region is surrounded by barriers on two sides—ice to the north and deserts to the south. To the west are found great river systems running from the forest region in mid-Europe to the Black and Caspian Seas, thus

[1] *Loc. cit.*, pp. 421 ff.
[2] *Op. cit.*, pp. 421-422. [3] *Ibid.*, pp. 422-423. [4] *Ibid.*, p. 423.

affording an opening for the horse-riding steppe peoples to find their way into Europe.[1] From Greek times to the latest Turkish inroads these attacks of the steppe nomads upon European peoples have been a great factor in European history. "A large part of European history might be written as a commentary upon the changes directly or indirectly ensuing from these raids,"[2] Such raids have had significance for other regions than southern and mid-Europe. They have extended into China, India, Persia and the Near East generally, causing the fall of historic empires.[3] The progress of discovery and navigation in modern times has made possible the erection of counterpoises to this perennial expansion of the steppe-peoples. The discovery of the cape route to India and the East has put western Europe in command of an outer ring of communication not accessible to those in the pivotal area. This has enabled Europeans to get in the rear of the steppe populations and to distribute and utilize their forces with mobility and effectiveness. The building of the Suez canal also greatly aided in this process of a European encirclement of the pivotal area, but both this and the cape advantages are being offset by the growth of a greater mobility in the pivotal area through the building of railroads.[4] Mackinder is inclined to doubt the influence of the alleged desiccation of the Caspian region upon which Huntington lays so much stress as the cause of the movement of the steppe-peoples. He believes that these movements have rather been the outcome of a shifting of centres of social and political equilibrium in this pivotal region.[5]

From these theoretical generalizations Mackinder draws several practical suggestions. Russia is not now equal to the peripheral states, but there is great danger in any alliance of Russia with Germany which would give the former free and permanent access to the sea. Also there would be a real "Yellow Peril" if a Japan-dominated China should conquer the steppe area. England and Japan should act as forces on the margin to prevent the internal expansion of the pivotal power—Russia.[6] In this way the Anglo-Japanese alliance of 1902 is fortified by arguments from history and geography.

[1] Mackinder, *loc. cit.*, pp. 424 ff., 427, 431.
[2] *Ibid.*, pp. 426 ff.
[3] *Ibid.*, pp. 430 ff.
[4] *Ibid.*, pp. 432-434.
[5] *Ibid.*, p. 437.
Ibid., pp. 436-437, 443.

In an article on "Man-Power as a Measure of National and Imperial Strength" published in 1905 in the *National Review*, Mackinder sets forth another aspect of his general sociological doctrine. He condemns the "shop-keeper" viewpoint which contends that national strength and development can be measured by statistics of exports and imports of saleable commodities, and he proceeds to discover criteria of his own.[1] These he finds to be chiefly England's insularity and sea-power. The latter has been a great bulwark of Great Britain in diplomacy as well as in actual war. It has won for Great Britain many diplomatic victories without a single fight. But there can be no permanent hope for British supremacy and safety in mere insularity. This insularity led Great Britain to develop her sea-power earlier than other modern nations, but other states are now building navies with the avowed purpose of contesting British primacy on the water. Nor can there be any assurance of perpetual peace in the future. Britain must prepare for future struggles. She must increase her white man-power and attract a greater loyalty from her dark man-power. "The right policy has for its conscious object to attain the greatest sum of man-power in all of its complexity—physical, intellectual and moral." This means that Great Britain must make alliances with foreign nations, must increase the population of white colonies, must attract the black populations by more sympathetic treatment, and must foster native English man-power at home by passing social legislation necessary to eliminate the human wastage now evident in the modern unregulated capitalistic industry and in the unhealthy homes of the workers. Such a policy would not be undesirable should there never be another war for "there is such a thing as power to do good."[2]

Mackinder has combined and expanded these two articles in a little book entitled *Democratic Ideals and Reality, A Study in the Politics of Reconstruction*.[3] He argues with some justification that the World War has vindicated rather than disproved his doctrines.[4] His idea is that those who hope to make democracy the basis of the future social order must have a sure grip on the leading geographical and economic realities of history and

[1] Mackinder, *loc. cit.*, p. 136.
[2] *Ibid.*, pp. 136-143.
[3] London, 1919.
[4] *Op. cit.*, preface.

of social and political processes. It is his purpose to indicate these realities.[1]

Mackinder first deals with the geographical realities. He illustrates the importance of sea-power throughout history. In antiquity the seat of sea-power was in the Ægean. The great sea-races came from here. While sea-power played a most important part in ancient history one should not overlook the significant fact that in all cases the state which possessed the greatest resources ultimately controlled the sea. Land-power closed both the Nile and the Mediterranean.[2] In both the empire of Alexander and his successors and in the Roman empire the world-power rested not upon fleets but upon the power to control the coasts,[3] The next great era of historically important sea-power began with the era of colonization by Europeans. This has given a new and most important source of power to western European populations.[4] English sea-power has been especially important and interesting and was based upon the rare union of British industry and commerce with agriculture.[5] He calls attention to certain important contemporary conditions relating to sea-power, such as the recent development of the sea-power of the United States, the importance of sea-power in recent history and the Great War, and the possibility of developing and supporting great new centres of European populations in Africa and Asia.[6]

In dealing with the element of land position Mackinder expands the notions set forth in his discussion of the pivotal position of Eurasiatic history. He calls this pivotal area the "Heartland of the Continent."[7] He finds a second heartland in central Africa.[8] The remainder of the Eastern Hemisphere is confined to the coast lands of Europe and India. These are the seats of the great historic civilizations, and it is significant that here in one-fifth of the land area of the world there is located four-fifths of the population. These coast-land centres of civilization have certain general resemblances, namely, navigable rivers running into the ocean, high relative fertility, and adaptation to both agriculture and manufacturing and commerce. The heartlands, on the contrary, are adapted chiefly to pastoral industry and nomadic types of existence.[9] Mackinder

[1] *Democratic Ideals and Reality*, pp. 36-37.
[2] *Ibid.*, pp. 44 ff.
[3] *Ibid.*, pp. 49 ff., 54.
[4] *Ibid.*, pp. 63 ff.
[5] *Ibid.*, pp. 71 ff.
[6] *Ibid.*, pp. 77 ff.
[7] *Ibid.*, p. 96.
[8] *Ibid.*, p. 104.
[9] *Ibid.*, pp. 109 ff.

next briefly traces the history of Eurasia in its relation to the great heartland of the continent. He holds that the medieval monks were not far wrong in representing Jerusalem as the centre of the world, for it was natural that history should begin in this region which was a key position on the main road from the northern to the southern heartlands.[1] The greater part of ancient history is to be found within the conquest of these agricultural and commercial peoples of the fertile belt of the Nile, the Euphrates and Syria by the more mobile nomads of the heartlands. These invasions have been most significant also for later Eurasiatic history, as may be seen from a consideration of the significance of the invasions of the Huns, the Saracens and the Turks.[2]

The significance of these heartlands in history invites certain reflections. It shows the importance of the meeting-place of these two heartlands. Any power possessing the northern heartland and the Mesopotamian district could take the Suez and be in command of the Old World. This is the way in which land-power is challenging sea-power and was the chief danger in the German Drang-nach-Osten plan.[3] Owing to the development of modern fortifications and big guns the Black Sea and the Baltic may now be regarded as a part of the northern heartland.[4] The great rivalry of empires in modern times has turned on this pivotal region of the Balkans and Mesopotamia. It has been a struggle between eastern and western Europe with Germany the crucial strategic ground.[5] The Germans attempted to dominate the southern and central Slavs and thus control the heartland, and the Franco-Russian alliance was a counterpoise to this. The War broke out as a revolt of the Slavs against the Germans.[6] English sea-power and diplomacy has been attempting to get around in the rear of the heartland and check Russian expansion to the south and east.[7] His general reflection on the significance of this geographical reality is comprehended in the two following citations:

> We have come to the conclusion that the World-Island and the Heartland are the final geographical realities in regard to sea-power and land-power, and that East Europe is essentially a part of the Heartland.

[1] *Democratic Ideals and Reality*, pp. 114 ff.
[2] *Ibid.*, pp. 118 ff.
[3] *Ibid.*, pp. 134 ff.
[4] *Ibid.*, p. 139.
[5] *Ibid.*, pp. 147 ff.,
[6] *Ibid.*, pp. 161 ff., 178-9.
[7] *Ibid.*, pp. 170 ff.

Who rules East Europe commands the Heartland: Who rules the Heartland commands the World-Island: Who rules the World-Island commands the World.[1]

To make the future safe in the light of this geographical reality "it is of vital necessity that there should be a tier of independent states between Germany and Russia." Then there might be some hope of an effective league of nations.[2]

While chiefly concerned with geographical realities, Mackinder also discusses the great economic reality, namely modern capitalism. Modern industrial civilization is a "Going Concern" chiefly bent on production and profit. This going concern depends chiefly upon the effectiveness of its organization.[3] The Germans recognized both the economic and the geographical realities and acted accordingly, though in Germany the economic organization was consciously directed toward political ends. In Great Britain the economic organization has functioned nearly blindly as a political force.[4] The nation with a well-balanced economic development must be the basis of the future order. "The freedom of nations must rest on a reasonable approach to equality of resources among a certain number of the larger nations. Also, given the imperious reality of the Going Concern, it is necessary that the nations should be so controlled in their economic growth that they do not tend to get out of hand and clash."[5]

In this way Mackinder presents a very suggestive and original survey of certain geographic foundations of world-history and modern international problems. It is to a certain extent an explanation if not an apology for modern British imperialism. But, curiously enough for a writer with at least mildly imperialistic leanings, Mackinder does not favor the strongly centralized nation as the basis for the political organization of the future, but contends that "since nations are local societies, their organization *must*, if they are to last, be based dominantly on local communities within them, and not on nation-wide interests."[6]

[1] *Democratic Ideals and Reality*, pp. 179, 194.
[2] *Ibid.*, pp. 205 ff., 215 ff.
[3] *Ibid.*, pp. 179 ff.
[4] *Ibid.*, pp. 179-190.
[5] *Ibid.*, p. 236.
[6] *Ibid.*, p. 238.

VIII. Ellsworth Huntington (1876——)

Among American students of anthropogeography no one has been more energetic or more influential than Ellsworth Huntington. While he has become noted chiefly for his theoretical work on climatic influences and changes, his most important scientific contributions have been made as an explorer and observer. His theoretical opinions, however, have been highly influential, particularly in their effect upon English and American writers, and have done much to stimulate interest in the study of environmental influences by social scientists.[1]

While, as will be pointed out below, Huntington is a believer in the general influence of all the factors of the physical environment upon human society, he will be known in the history of anthropogeography as a most vigorous exponent of the influence of climatic conditions upon the development of civilization. The keynote of Huntington's theories may be found in the following passage from *The Pulse of Asia:* "Whatever the motive power of history may be, one of the chief factors in determining its course has been geography; and among geographic forces, changes of climate have been the most potent for both good and bad."[2] In addition to this general doctrine of the preëminent influence of climate among environmental factors the chief significance of Huntington's work has been his emphasis upon the theory of climatic changes and of the importance of solar phenomena in causing these changes.

The first systematic statement of Huntington's environmental theories was his *Pulse of Asia,* which was drawn chiefly from the facts gathered in his explorations in western Asia. In the first place, Huntington points out the evidences of historic changes in the climate of the Plateau of Iran. There are incredibly numerous ruins of once flourishing cities in localities now arid. The route followed by Alexander the Great is now barely able to

[1] Huntington's chief works are: *Explorations in Turkestan,* Publication 20 of the Carnegie Institution of Washington, 1905, pp. 157-317; *The Pulse of Asia,* 1907; *Palestine and Its Transformation,* 1911; *The Climatic Factor as Illustrated by Arid America,* Publication 192 of the Carnegie Institution, 1914; "The Solar Hypothesis of Climatic Changes," *Bulletin of Geographic Society of America,* 1914, pp. 475-590 (pages 526-543 of this are the best summary of his views on climate); "Changes of Climate and History," in *American Historical Review,* January, 1913, pp. 213-232; *Civilization and Climate,* 1915; *World Power and Evolution,* 1919; *Climatic Changes,* 1922; and *Earth and Sun,* 1923.

[2] *Op. cit.,* p. 15.

support a caravan of a few camels. It has often been claimed that the civilization of Persia decayed from war and misgovernment, but an examination of the facts proves, on the contrary, that those provinces have remained most prosperous in which there has been most war and misgovernment, while those that have declined are those that have suffered most from the definite historic decrease of their water supply.[1]

Interesting also is the discussion of the alleged fluctuation of the level of the Caspian Sea during historic times. Various ancient testimony of a reliable sort leads, he holds, to the hypothesis that "in the days of Herodotus and Alexander, over twenty-two hundred years ago, the Caspian Sea stood nearly a hundred and fifty feet higher than now, and almost coalesced with the Sea of Aral. Three or four centuries later, at the beginning of the Christian era, the water had apparently fallen to a level a hundred feet or less above that of to-day, the sea being still much larger than at present."[2] These changes of level, Huntington believes, can only be accounted for on the postulate of a change of climate. "Apparently," he says, "we must either disregard the ancient authorities entirely or else admit a change of climate.[3] Since the beginning of the Christian era there have been some very interesting transformations in the level of the Caspian Sea. About 500 A. D. it receded so that it was as low or lower than it is to-day. During the Middle Ages the Caspian Sea once more arose, but not to its former level. In 920 A. D. it is estimated to have been twenty-nine feet above the modern level and in 1306 it is computed that it was thirty-seven feet higher than at present. Since 1400 the level has greatly receded.[4] He concludes that while the changes in the course of the Oxus may have had some influence upon these changes of level, still it seems that the predominant cause was climatic oscillation.[5]

On the basis of his investigations of the changes of level in the Caspian Sea district Huntington makes the following generalizations: The graph of the changes of level of the Caspian Sea is practically identical with the graph of the changes of climate in that district. Moreover this climatic curve is applicable to the whole of western and central Asia; a vast area of sixteen hundred miles from north to south and three thousand

[1] *The Pulse of Asia*, pp. 315-328.
[2] *Ibid.*, p. 337.
[3] *Ibid.*, p. 339.
[4] *Ibid.*, pp. 341-344.
[5] *Ibid.*, pp. 350 ff.

miles from east to west has been subject to the same great waves of climatic change. To-day, he holds, this region is in a period of comparative equilibrium with no distinct trend toward climatic changes in either direction.[1]

Huntington finds that there are four chief types of climatic changes. The first is the type of vast duration such as the glacial period. Next comes the glacial epochs of ten thousand or more years. The third type is constituted by those historic changes of climate, such as were revealed to have taken place in central Asia. Finally, there are the climatic pulsations of some thirty-five or thirty-six years in length.[2] These climatic changes are of great historic significance and have been among the chief controlling causes of the rise and fall of the great world civilizations. He believes that the most significant aspect of the shifting of the centers of civilization has been their movement from the south toward the north rather than the traditional observation of their progress from east to west. Egypt and Babylonia reached the height of their civilization at about 30° north latitude. The latitude of Persia was not greatly different, but being at a higher altitude would naturally be somewhat colder. Syria, Greece and Carthage developed their civilizations at a latitude of 35 to 40° north. Rome was located at about 45° north latitude. France, Austria and Germany extend from 45 to 50° north latitude. In America the higher latitudes of the United States have produced the most advanced civilization.[3]

Huntington attacks the conventional notion that the earliest civilizations developed in warm climates while the later ones have issued from the temperate zone. He contends that, on the basis of his theory of climatic changes, each of the successive centers of civilization had about the same climate at the time of the height of its culture;—in other words, maintaining that the climate north of the equator is getting warmer. According to this view man has made the most rapid progress under essentially the same climatic conditions, which Huntington summarizes as follows:

> The conditions apparently are that the summers shall have a sufficient degree of warmth and rainfall to make agriculture easy and profitable, but not enough to be enervating; that the winters shall be cool enough to be bracing, but not deadening; and that the relation

[1] *The Pulse of Asia*, pp. 350-358.
[2] *Ibid.*, pp. 365-373.
[3] *Ibid.*, pp. 380 f.

of summer and winter shall be such that with forethought every man can support himself and his family in comfort the year round, while without forethought he and his will suffer seriously. Comparatively clear, dry air and high barometric pressure appear to be subsidiary conditions favorable to human progress.[1]

Huntington's systematic treatment of the relations between climate and cultural activity is contained in his *Civilization and Climate,* published in 1915. In the eight years which had passed since the publication of his *Pulse of Asia* he had gathered more material to support his climatic hypothesis, and had become more confident of its validity. His general postulates do not differ greatly from those set forth in the *Pulse of Asia.*

Analyzing the significance of climatic factors such as the seasons and the various weather influences, Huntington asserts that while the psychological effect of these changes has long been recognized, there has been a tendency to ignore what he believes to be a very real physiological effect. A study of the influence of seasonal changes upon five hundred and fifty piece-workers in a New England factory revealed an extremely low point in the wage curve in mid-winter and a less pronounced slump in mid-summer, while there was a high point in June and one still greater in October.[2] Studies of working men in Pittsburgh and the South, and of students at West Point and Annapolis confirmed the results of the New England study. Tuberculous patients in the Adirondacks gained most from April to December and their inverted death curve corresponded roughly to the New England wage curve. Light seems to have little effect upon human efficiency except insofar as disturbing conditions associated with darkness come into play. Neither does humidity seem to be especially influential, with the exception of the inside humidity of mid-winter, which is probably chiefly a matter of imperfect ventilation. As for temperature, the maximum of physical efficiency seems to be reached at a temperature of from 59° to 65°. In the Northern Hemisphere the temperature for greatest efficiency does not vary more than 10° for the whole race. Women seem to be affected more by changes of temperature than men. The best temperature for mental work seems to be about 40°, and the best average temperature for both physical and mental efficiency is approximately 50°.[3]

[1] *The Pulse of Asia,* p. 382.
[2] *Civilization and Climate,* pp. 53 ff., see graphic charts, p. 59.
[3] *Ibid.,* pp. 85 ff.

As to the effect of variations in weather conditions Huntington finds that changes of temperature are beneficial, provided they are not too great, a falling temperature being more beneficial than a rise. A fall in temperature of 4° to 7° is generally stimulating. Short gales and light winds are beneficial but long protracted calms or gales are depressing. People appear to work most rapidly at the end of a storm but show a lessened efficiency on the first clear day following.[1] On the basis of his findings he sets down what he regards as the ideal climate for maximum human efficiency. In general, it should be one with moderate seasonal changes, average humidity and abundant storms. The climate of England is probably nearest to this ideal.[2]

Huntington accordingly constructed a map of maximum climatic energy, and to test its validity he sent a questionnaire to two hundred and thirteen individuals scattered about over the world requesting their opinion upon the distribution and location of the centers of highest civilization. Replies were received from about one hundred and sixty, and the resulting composite map of highest civilizations agreed quite closely with his map of climatic energy.[3] He also compared his map of climatic energy with the vitality map of the United States, based upon insurance computations, and found that the two agreed substantially.[4] The same coincidence was observed between the map of climatic energy and maps relating to education and the distribution of genius in this country.[5]

In his discussion of the shifting of climatic zones Huntington's ideas are similar to those given above from his *Pulse of Asia*. Only two new elements are introduced. The first is his doctrine of the influence of sun-spots as a factor in periodic climatic changes, taken largely from the researches of Dr. Charles J. Kullmer. When there are more sun-spots the sun sends out more heat, but the earth is cooler for there are more storms. Changes in sun-spots also mean a shifting of the storm belt. The cycles of sun-spots are of about one hundred years maximum and eleven years minimum duration. During the eleven year

[1] *Civilization and Climate*, pp. 111-124.
[2] *Ibid.*, pp. 133 ff.
[3] *Ibid.*, pp. 142-182. For criticism of this attempted correlation see the article by A. A. Goldenweiser, "Meteorological Magic," in the *New Review*, May, 1916, pp. 164-165.
[4] *Ibid.*, pp. 184-185.
[5] *Ibid.*, pp. 199-210.

solar cycle when sun-spots are most numerous storms are most frequent.[1] The second new element is his attempt to prove the world-wide nature of pulsatory changes of climate. To do so, he prepared charts of changes of rain-fall and temperature from the geology of western Asia and from the growth of the California big trees and found them to be in substantial agreement from 1500 B. C. to the present time.[2]

In a more recent work, *World Power and Evolution*,[3] Professor Huntington goes even further in his interpretation of social causation in terms of environment, emphasizing particularly the climatic factor. Maintaining that the trend of modern civilization has lessened the adaptation of civilized man to his environment and so diminished the vitality and will-power of the race, he sees three main lines of reform which will remedy the situation; namely, better training and education, improved inheritance and improved national health.[4] Considering the relation of health to business cycles, he concludes that the "prosperity curve follows the health curve with no apparent regard for the crops."[5] This opinion is upheld by the graphs for the United States and Germany, though not by those of France and England whose divergence he attributes to other factors.[6]

Having established the dominating influence of health, Huntington introduces "climate" as the main factor determining health conditions. From graphs of climate and health in Finland, the United States, Germany, Italy, France and Japan, he concludes that "the human race seems to have the best health when the average temperature for day and night together is 64° F.," that is, when it varies through the twenty-four hours from 55° to 70°.[7] Not only average temperature, but variability, is important, the most healthful climate having frosty but not cold winters, warm but not hot summers and a constant succession of storms.[8] England, the United States, New Zealand and Germany come nearest to satisfying these highly desirable conditions.

Huntington applies his theory of the correlation of progress with climatic variability to mutations in the organic world

[1] *Civilization and Climate*, pp. 245 ff., 271 ff.
[2] *Ibid.*, pp. 227 ff. See also his *Palestine and its Transformation;* and *The Climatic Factor in Arid America.*
[3] Yale University Press, 1919.
[4] *World Power and Evolution*, pp. 15 ff.
[5] *Ibid.*, pp. 29-42.
[6] *Ibid.*, pp. 51-57.
[7] *Ibid.*, p. 71.
[8] *Ibid.*, p. 98.

which have produced new species;[1] to the modification of races,[2] and to the mental evolution of the race and the salient periods of intellectual vitality such as the Renaissance.[3] The periods of Roman expansion he correlates with eras of stimulating climate, while the periods of Roman decline were accompanied by depressing climatic conditions. Turkish decline he attributes to unfavorable weather conditions aggravated by economic distress and intensified by racial intermixtures.[4] And finally, Germany's remarkable power in the Great War is due to the fact that "no other nation in the world has so many people who live under highly stimulating climate."[5] He fails to explain why the Germans remained politically and economically backward through nearly two thousand years of somewhat similar climate.[6]

To one who is not convinced of the primary importance of climate in social evolution the book seems a rather extravagant exaggeration, for although Huntington appears comprehensive and well-balanced in that he enumerates the other factors involved in cultural problems, he fails to evaluate them and always proceeds to formulate his generalizations as if climate were the only important factor present.

IX. Edwin Grant Dexter (1868-——)

One of the most novel and interesting of the recent attempts to discover the effect of environmental influences upon human behavior is Edwin Grant Dexter's study of the effect of weather conditions upon conduct.[7] Dexter makes it clear that he is merely concerned with the effect of those temporary atmospheric changes known as weather conditions, and he contends that a study of weather influences is valuable because the weather is universal in its operation upon the inhabitants of any given community.[8] He does not claim, however, that weather influences

[1] *World Power and Evolution*, p. 162; Ch. IX.
[2] *Ibid.*, pp. 183-184; Ch. X.
[3] *Ibid.*, p. 147; Ch. VIII.
[4] *Ibid.*, p. 223.
[5] *Ibid.*, p. 238.
[6] His main conclusions are summarized on pages 239 to 244. See reviews of this book by F. H. Hankins in the *Journal of Race Development* for 1919, and by A. A. Goldenweiser in the *Political Science Quarterly* for 1920.
[7] E. G. Dexter, *Weather Influences, An Empirical Study of the Mental and Physiological Effects of Definite Meteorological Conditions*, New York, 1904.
[8] *Ibid.*, pp. 56-57.

are direct determiners of conduct, but holds that they are important contributory factors affecting behavior.[1]

Dexter maintains at the outset that his method of procedure is purely inductive and aims merely to discover if there is any definite correlation between meteorological conditions and certain characteristic types of normal and abnormal behavior. He accordingly studies in their relation to the data of conduct, six fundamental meteorological conditions: temperature, barometric pressure, humidity, wind, character of the day, precipitation.[2]

> The method followed is purely an inductive one and consists of a comparison of the average daily occurrence of certain recorded abnormalities of conduct with their occurrences under definite meteorological conditions. The data of conduct considered were mostly taken from the records of the New York City Coroner, Chief of Police, and Superintendent of Schools, and consisted of the daily record of suicides, both successful and attempted, of arrests for assault and battery and drunkenness, and of deportment in the City Penitentiary and certain of the public schools; in all, over 600,000 separate occurrences, covering a period of ten years. The meteorological data for comparison were taken from the records of the New York, and Denver, Colorado, stations of the United States Weather Bureau.[3]

An examination of the deportment of children in the public schools of New York and Denver led to the conclusion that deportment is best during the winter months and at the beginning and end of the school year, and in general, when the temperature is either extremely low or extremely high, the barometer high, humidity great and the days calm, cloudy or wet.[4] Attendance proved to be best during the spring and autumn months, during days of mild temperature, when the barometrical pressure is moderate, during moderate humidity and wind conditions, and while the days are fair and dry.[5]

[1] *Weather Influences*, pp. 91-92.
[2] *Ibid.*, pp. 75-86.
[3] *Ibid.*, p. 58.
[4] *Ibid.*, pp. 112-140. As a normal thing a period of high barometrical pressure is accompanied by low humidity, clear days, and no precipitation, while low barometrical pressure is normally associated with high humidity and cloudy, wet days. Therefore, when Dexter finds that the deportment of pupils is best during periods of high barometrical pressure, great humidity and cloudy, wet days; that assault and battery is more frequent at a time of low barometer, low humidity, and on clear, dry days; that drunkenness is most excessive under high barometrical pressure and high humidity; and that Columbia students showed the quickest discrimination in a period of high barometer, high humidity and cloudy, wet days, his findings call for more extended explanation than he offers.
[5] *Ibid.*, pp. 102 ff., 140.

Dexter's analysis of the relation between criminal behavior and weather conditions revealed equally interesting correlations. Cases of assault and battery in New York City were most numerous in the warmest months, the periods of low barometer, at a time of low humidity, during calms, on clear days, and during periods of least precipitation.[1] Murders in Denver were found to be most frequent under warm temperature, low barometer, low humidity, during winds, upon cloudy days, and during periods of some precipitation.[2] The deportment of the inmates of the New York City Penitentiary showed an excess of disorder during the coldest periods and under temperature conditions of seventy-five degrees and above, under conditions of low barometer, and in a period of low humidity and clear, dry days.[3]

Arrests for insanity in New York City were most frequent in very warm periods, especially in a time of great heat, in periods of low barometer, low humidity, during winds, on fair days, and especially on dry days.[4] Sickness and death were most prevalent in winter and early spring, during the hot waves of summer and during extremely low temperatures, during periods of low barometer, in times of high humidity, in calms and extremely high winds, on cloudy days, and in periods of considerable precipitation.[5] Suicide was most frequent in the late spring and the late summer, in a temperature of from forty-five to seventy degrees, during periods of low barometer, at a time of high humidity, during winds, and on clear, dry days.[6] Drunkenness appeared most excessive during the cold months and low temperatures, during high barometrical pressure, in a period of high humidity, during high winds, and upon almost any kind of a day not seriously involving any of the above disturbing influences, though it seemed to be slightly more frequent on clear, dry days.[7]

In attempting to establish a correlation between the degree of concentration of attention and weather conditions, Dexter found that the errors of bank clerks seemed to be most numer-

[1] *Weather Influences*, pp. 143-154.
[2] *Ibid.*, pp. 155-158.
[3] *Ibid.*, pp. 160-165. It appears that the unusual amount of disorder during the winter months is due in part, at least, to a lack of facilities for exercising the inmates.
[4] *Ibid.*, pp. 171-176.
[5] *Ibid.*, pp. 180-197.
[6] *Ibid.*, pp. 201-218.
[7] *Ibid.*, pp. 230-232.

ous in warm months, during periods of very high temperature, during a period of moderate barometrical pressure, under conditions of high humidity, during calms, and on cloudy, wet days; while the Columbia students showed a quicker discrimination during high temperatures, high barometrical pressure, high humidity and winds, and upon cloudy, wet days.[1]

In summarizing the effect of all the weather conditions studied upon the various types of behavior under investigation Dexter makes the following generalizations. Behavior which denotes a stimulation of activity is most quiescent during the colder months, most prevalent in the hottest period of the year, and generally declines from summer to winter. Sickness and drunkenness vary inversely with an increase of temperature, and crime and insanity directly. As to barometric pressure not only the active but the passive types of behavior seem to be stimulated during periods of low barometer. Humidity represses all forms of abnormal activity including suicide and stimulates intoxication and mental carelessness and inattention. Winds stimulate vitality and calms seem to produce an excessive amount of those types of abnormal conduct caused by depleted vitality. Finally, every type of conduct studied, except clerical errors, sickness and death, seem to be more frequent on fair days than on cloudy ones.[2]

Dexter thus summarizes the significance of his study. Weather conditions have a direct, if varied, effect upon the metabolism of life. Especially important is the influence of meteorological changes upon that reserve energy which is utilized for intellectual processes and activities other than those of the vital organs. The effect of weather conditions upon this reserve energy is even more important than its direct influence upon the emotional states. Those weather conditions which produce misconduct are also those which are most stimulating to health and mental alertness, misconduct being primarily the product of an excess of reserve energy which is not utilized in some truly social manner.[3]

[1] *Weather Influences*, pp. 245-246.
[2] *Ibid.*, pp. 247-263.
[3] *Ibid.*, pp. 266-275.

X. Robert H. Lowie
(1883——)

Dr. Robert H. Lowie, in his *Culture and Ethnology*, calls attention to the popular notion of geographic influences, which regards such influences as a matter of fact, directly observable, and not requiring any defense or analysis. These popular views are reflected in the notion that culture reaches its highest stage in temperate regions, that the dismal northern forests give rise to a crude and somber mythology, that liberty is directly correlated with altitude, and that those who inhabit islands are eminently accomplished in the arts of a seafaring life. In other words, this interpretation looks upon the human mind and culture as a plastic product shaped by the direct influence of external factors.[1] Lowie demonstrates that the matter is not so simple as this popular attitude seems to indicate.

Under the same geographical conditions, says Lowie, radically different cultures have prevailed, all of which seem to the superficial observer to be equally the outcome of a close adjustment to environment. An excellent illustration of this is afforded by comparing the Indian cultures of North America with the present-day civilization which has grown up under identical geographical surroundings. This shows that when we look upon cultural changes over long historic periods, often involving racial transformation, either race, cultural technique, or both, are apparently much more influential than the geographical habitat.[2]

Lowie goes farther and proceeds to prove that identity of physical environment does not produce complete cultural similarity even among peoples in the same stage of development and often of the same or related racial stocks. For example, the Hopi and Navajo Indians have both occupied for a long time a distinctive and highly similar environment in the southwestern part of the United States. In spite of this their cultures differ in marked degree. Even the few superficial resemblances have been shown to be due to social contact and cultural imitation rather than to a direct and similar response to environment. Almost as great differences may be discovered between the Bush-

[1] *Lowie, op. cit.*, pp. 47-48.
[2] *Ibid.*, pp. 48-49.

men and the Hottentots of South Africa, occupying practically the same geographical habitat, while cultural traits found among the Hottentots or the Bushmen are found also among the Bantus whose environment, though adjoining, is of a distinctly different character.[1]

Lowie further illustrates the weakness of the extreme geographical position by pointing out differences in the domestication of animals in various parts of the world. The natives of the New World are distinctly inferior in this regard. In the old world many animals are domesticated, while in the new only the llama and the alpaca had been utilized by man. The American Indian did not domesticate the buffalo as the Asiatics did various types of cattle, nor have the Eskimos domesticated the reindeer as have the Chuckchee of Northeastern Siberia. No satisfactory geographical explanation of these differences can be offered.[2] Again, while peoples in similar environments may have domesticated the same type of animals, the uses to which these animals have been put when domesticated often vary in a marked degree. For example, some tribes that have domesticated the reindeer use them both as food and for transportation, while others use them only for transportation, some of the latter riding them while others harness them to sledges. It is a singular fact, also, that although the ancient Chinese raised both sheep and goats in large numbers, they never used their wool for clothing until they were taught to do so in recent times by their neighbors. Even more interesting are the wide differences in the ways of utilizing cattle. The average European or American takes it for granted that cattle are everywhere maintained for both meat and dairy products. Strange as it may seem, however, many South African tribes, while utilizing the dairy products of their cattle, never slaughter them except for ceremonial purposes, while the people of eastern Asia maintain large herds for meat and leather but rarely make use of milk or milk products. These facts show that similar fauna do not produce identical cultures.[3]

Many illustrations are offered by Lowie to show the importance of cultural forces as compared to geographic influences. For example, among many of the Indians of the Northwest

[1] *Culture and Ethnology*, pp. 49-53.
[2] *Ibid.*, pp. 53-55.
[3] *Ibid.*, pp. 53-58.

coast are found subterranean huts that are extremely warm even in winter. In a cold habitat these huts might be regarded as an adjustment to climatic conditions. It has been shown however that they have been adopted by tribes who live in an environment so warm that the huts are grotesquely out of keeping with surrounding conditions, while many Northern neighbors, through the force of tradition and custom, have adhered to the much less satisfactory tent.[1] Further, it is true that an environment is unable to perpetuate cultural features which would seem essential to the mastery of the habitat. W. H. R. Rivers has pointed out the fact that natives of the Torres Straits, who once thoroughly understood the art of making and using canoes, have since lost the art and now rely upon utterly inadequate bamboo rafts, although no people in the world would have a better geographical reason than the South Sea Islanders for retaining, and even perfecting, the use of boats. Lowie thus sums up his conclusions:

> Environment cannot explain culture because the identical environment is consistent with distinct cultures; because cultural traits persist from inertia in an unfavorable environment; because they do not develop where they would be of distinct advantage to a people; and because they may even disappear where one would least expect it on geographical principles.[2]

Lowie, however, does not contend that geographic factors have no effect upon cultural characteristics. He holds that certain gross environmental factors absolutely determine the limits within which definite cultural forms can exist and constitute the factors which exclude certain cultural traits from certain definite areas, as, for instance, the impossibility of the Eskimo developing a cocoanut culture or of the inhabitants of the East Indies dwelling in snow houses.[3] One can, moreover, assign something beyond a mere negative influence to environmental forces. In general, the environment furnishes the materials out of which the human mind molds an existing culture, but it cannot be said to determine absolutely what this culture will be. In every adaptation to environment the mind, as the active factor, is certainly as effective as the inert element of the environment.

[1] *Culture and Ethnology*, pp. 58-59.
[2] *Ibid.*, p. 62.
[3] *Ibid.*, pp. 62-63.

The whole subject of the relation of culture to environment is summarized by Lowie as follows:

> Altogether we may illustrate the relations of culture to environment by an analogy used by Dr. Wissler in another connection, which also brings us back to my initial analogy of the environmental theory with the associationist system in psychology. The environment furnishes the builders of cultural structures with brick and mortar but it does not furnish the architect's plan. As the illustrations cited clearly prove, there is a variety of ways in which the same materials can be put together, nay, there is always a range of choice as regards the materials themselves. The development of a particular architectural style and the selection of a special material from among an indefinite number of possible styles and materials are what characterize a given culture. Since geography permits more than a single adjustment to the same conditions, it cannot give the interpretation sought by the student of culture. Culture can no more be built up of environmental blocks than can consciousness out of isolated ideas; and as the assso-ciation of ideas already implies the synthetizing faculty of consciousness, so the assemblage and use of environmental factors after a definite plan already implies the selective and synthetic agency of pre-existing or nascent culture.[1]

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[1] *Culture and Ethnology*, pp. 64-65.

CHAPTER XIII

RACE AS A FACTOR IN POLITICAL THEORY

Frank H. Hankins

I. Introduction

The outstanding political development of the nineteenth century was the development of the nation as the primary unit of political organization and the spirit of nationalism as the most powerful driving force in the arena of international relations. In consequence, an enormous volume of political discussion centered around the meaning of nation and nationality. It is not our purpose here to discuss the various concepts which have been developed regarding these central ideas, but rather to point out that there has been a very widespread, if not nearly universal, confusion between the concepts of nation or nationality on the one hand, and race on the other. It is obvious of course that all of the great nations have been far from homogeneous in racial composition, and yet most of the political discussions of recent decades have tended to assimilate to a central racial concept or type the citizens of the same state. Frenchmen have thus been thought of as racially identifiable one with another and as set off more or less sharply in racial characteristics from Germans, Belgians or Englishmen.

The same tendency to confuse political aspiration, cultural similarity and racial identity has permeated all discussions of nationality. As the spirit of nationalism arose in the larger and unified states such as Germany and Italy it was accompanied by the growth of a more intense spirit of common consciousness and self-assertion on the part of numerous aspiring but subject nationalities. The Great War was in part fought ostensibly in order to relieve these ambitious groups from an assumed repression and give them an opportunity to work out their destinies as they pleased, to make the full impress of their special apti-

tudes upon the development of western culture. In all the discussions centering about the concept of nationality it was tacitly assumed that the Poles, for example, were homogeneous in racial composition, a sufficient evidence therefor being similarity in culture and participation in common nationalistic ambition. Similarly with respect to Albanians, Serbians, Bulgarians, Lithuanians, Rumanians and what not. Now it may be clearly evident that any one of these groups taken as a whole and considered in contrast with any other will show certain differences of racial type. But on the other hand it is clearly important to note, in the first place, that their cultural differences are not in themselves secure evidences of racial differences; and in the second place, that any of these groups presents a striking heterogeneity of anthropological traits. This latter fact has impressed itself more and more upon the minds of students of the anthropological background of political movements. So much indeed have some of them been impressed with the utter impossibility of generalizations aiming to explain political institutions as an expression of the peculiar genius of particular races that they have abandoned all assumptions of racial differences as factors in political and cultural evolution and seek an explanation in quite other factors.

One of the most universal characteristics of a people organized as a political unit is the development among them of a sentiment of racial unity. It seems to matter little how diverse were the historical origins of such a group; it seems to matter little how obviously diverse are the anthropological traits existing among them. In the evolution of political unity they develop a consciousness of a common origin along with a consciousness of a common destiny. One of the most interesting generalizations therefore in the field of historical sociology is that made by that hard-headed Austrian sociologist, Ludwig Gumplowicz, who pointed out that unity of race is a consequence of the development of political and social unity. Popular tradition reverses the true relationship by making an assumed racial element the source of national power and the creator of a national culture. But observation reveals that all those groups which have become historical nations have been in the beginning racially diverse and culturally heterogeneous. Conquest and migration have been, as a rule, important phases of their be-

ginnings and only after many generations have they developed a sense of complete unity and solidarity. But when this later stage is reached they have acquired a sense of racial homogeneity and a deep-set consciousness of inherent racial superiority over their neighbors, whether friend or enemy.

Professor Dunning has illustrated this tendency of a people to idealize and rationalize its racial background:[1]

> All through the history of political theory we have seen distinctions of race presented as the causes and sufficient explanations of distinctions in institutions and power. The Greeks, the Romans, the Teutons all left copious records of their conviction that their respective achievements were due to the qualities inherent in a peculiarly gifted blood. After the passing of Rome the partition of the civilized world between Christian and Mohammedan found a similar explanation in the genealogies of the patriarchs that figured in the sacred writings of both creeds. When the mediæval monarchies began to appear on the soil of the Carolingian empire their virtues were laboriously imputed by myth and legend to the heroic stock from which rulers or people or both had sprung. Thus among the French there flourished the legend that the Gauls who founded France were direct descendants of the ancient Trojans. From feudal times this racial explanation of political phenomena was transmitted to the modern era. A nation was thought of as a population of substantially a common blood.

It is clear that ideas of racial purity and racial superiority have played an immense rôle both in internal politics and in international relations during the last century. In nearly all Western nations the appeal to racial differences, race pride, and race prejudice have figured prominently in internal politics in all Central European countries; and they have clearly been a prominent feature in international political problems of the European continent, not to mention the relations of Europeans to the colored races. Though the Great War was intended largely to remove this element by setting up numerous small but independent nationalities, recent political history raises serious doubts as to whether political controversy along racial lines may not have actually increased. In Western Europe the determination of political preferment on the basis of racial affiliation and the injection of racial ambitions into political issues has been less marked than in Eastern Europe, and yet even in Germany, France, Belgium, England, and Ire-

[1] *A History of Political Theory from Rousseau to Spencer*, pp. 311-312.

land abundant evidence of the extraordinary explosive power of racial traditions may be found. While our neighbor Canada is a striking illustration of the importance of racial differences for political issues, the United States, except for the negro problem, has assumed itself to be a sort of melting pot of the races and freed from manifestations of racial clanishness and prejudice. Nevertheless if one must admit that the political importance of racial differences is equal to all other political factors in the Southern States, he must also admit that during the last half century scarcely any section of the United States has been free from the influence of particular racial elements upon its political life. The facts would indeed seem to warrant the generalization that racial factors in American political life have steadily increased.

But while the rôle of race in the internal politics of various countries constitutes an important and interesting chapter in both political history and political theory, there are certain definite doctrines of racial purity, racial superiority, and racial capacity for political organization and cultural achievement which have figured largely in the writings, speeches and calculations of statesmen, publicists and scholars during the last half-century. By all odds the most important of all such doctrines in recent times is that known as Aryanism. This set of theories has been somewhat *passé* in informed circles for the last quarter century or more, but it was the ancestor of a variety of descendant doctrines which still exert a powerful influence over popular emotions and on the thought of scholars and litterateurs. For it is an historical fact that Aryanism differentiated into Teutonism, Celtism, Anglo-Saxonism and Nordicism—depending on the particular form of race prejudice and pride which the particular circumstances of Germany, France, England and America seemed to require. These doctrines have been important factors in the larger policies of west European states in recent decades. They have been appealed to as a justification of imperialism; they have furnished the necessary ethical argument for the forceful imposition of western ideas and institutions upon peoples of an alien culture. They have likewise often been utilized to stir the patriotic emotions of various nationals to that exuberant confidence demanded by the exigencies of war.

II. Aryanism

The doctrine of the inherent supremacy of an imaginary Aryan race may be said to have had its beginning in the discovery during the later years of the eighteenth century of a certain similarity among the Sanscrit, Greek, Latin, German, English, and Celtic languages. This was noted by Sir William Jones about 1786. Two decades later Friedrich Schlegel expressed the opinion, later proved erroneous, that Sanscrit was the mother of the other of these languages. Shortly afterwards the term "Indo-European" came into use to designate this entire group of languages. By 1835 Professor Bopp of Berlin University had laid a firm basis for comparative philology. Thereafter there was a rapid development of philological data which were summarized in their general aspects by Professor Friedrich Max Müller, a German, at Oxford, in a series of lectures on the "Science of Languages," delivered at the Royal Institution in 1861 and 1863. Here he set forth the doctrine that there was an original Aryan language which must have been spoken by an Aryan race. He later repudiated all racial implications of the similarity among the Aryan tongues, but his earlier statement had been delivered with such literary finish and poetical elaboration that it constitutes an important step in the growth and dissemination of the Aryan doctrine.

Meanwhile the idea of the fundamental superiority of a certain branch of the white peoples had been set forth in a classical form in the writings of Count Joseph Arthur de Gobineau (1816-1882). His four volume *Essai sur l'inégalité des races humaines,* published in 1853-5, became a great landmark in the history of the Aryan tradition.[1] Although Gobineau was a Frenchman by birth and claimed to be descended from a superb (but fictitious) Norwegian pirate of the name of Otto Jarl, he became, as Jean Finot says, "German by adoption" and thus "had the incomparable honor and glory of inspiring many writers and savants, and thus of influencing in a vivid way the life of a whole people.[2]

In the "Dedication" of the *Essai* to George V of Hanover, he declared that he had become convinced "that everything

[1] This work has been translated by A. Collins as *The Inequality of Human Races,* N. Y., 1914.

[2] *Race Prejudice,* London, 1906, p. 9.

great, noble and fruitful in the works of man on this earth, in science, art, and civilization—belongs to one family alone, the different branches of which have reigned in all the civilized countries of the universe." This family, he then proceeds to demonstrate, was none other than that noble Aryan strain of which he made the Teutons the purest modern representatives.

The main outlines of Gobineau's theory may be briefly set forth. In the first place he accepted, though with qualms of uncertainty, the doctrine of the multiple origin of man. A primary reason for this was that he did not perceive how, in the short seven thousand years which he believed had elapsed between the creation and the beginning of the Christian Era, all the varieties of existing man could have been derived from a single ancestral pair. The theory of multiple origin, moreover, lent itself more readily to the dogmatic statement of assumed basic and permanent differences between the races. Deriving the black races, which were lowest in his scale of excellence, from Africa, the yellow from America, and the white from the Hindu Kush mountains of the western Himalayan plateau, he declared that their inequalities were inherent, were independent of habitat and social institution, and expressed themselves in different levels of cultural achievement. "I may thus lay it down, as a universal axiom, that the hierarchy of languages is in strict correspondence with the hierarchy of races."[1]

We need not here give his detailed characterization of the races. For him the whites excelled physically, mentally, and morally. As to the social institutions, he found that the blacks prefer an anarchistic individualism which finds its inevitable counterpoise in despotism; the yellows prefer democracy of a humanitarian and communistic sort; but the whites, gifted with a special political genius, prefer liberalism, feudalism, parliamentarism, and benevolent imperialism. Gobineau thus showed himself a master (or victim) of that perennial delusion which lurks in the deceit of language, especially of nouns of broad, generic connotation.

Among his primary principles was the doctrine that all civilizations originate in racial amalgamation, in the fusion of a forceful, dominating, conquering element with a subordinate, conquered one. Strange as it may seem, an equally important

[1] P. 204, Eng. Trans.

principle and one that has been much more extensively reiterated by the Gobineau school of writers was the doctrine that all civilizations decline because of race degeneracy due to the continued dilution of the blood of the conquering element through race hybridism. "Peoples degenerate only in consequence of the various admixtures of blood which they undergo"; "their degeneration corresponds exactly to the quantity and quality of the new blood" (p. 209). But on this point he involves himself in a maze of contradictory propositions. He repeatedly extolled the advantage of race purity, but was compelled on the other hand to admit that race fusion seemed to be essential to the development of the highest civilization, or at least to its origin. He also attributed all artistic capacities, wherever found, to an original source in the black races. Thus, the extraordinary artistic achievement of classical Greece was due to its possession of the very best proportion of black race infusion. He cited other examples of advantages derived from race crossing. On the other hand, he contended that a continued crossing of races resulted in universal mongrelization with the result that all capacities for superior achievement were bred out of the stock.

Elaborate criticism of these generalizations is not possible here. Suffice it to say that his characterization of the various races was in general merely an expression of the naïve and popular prejudice of an age preceding the discoveries of modern anthropology and ethnology. His confusion as to the value of race crossing is, on the other hand, decidedly pardonable in view of the fact that there is as yet no unanimity of opinion regarding it among scholars.

The race purists still thrive among us. Even when they admit that the crossing of closely related strains is advantageous they see only demerit in the crossing of widely different strains. They may admit that close in-breeding produces a decline in vigor and a development of recessive defects, but they will hold also that only in purity of race can be found the means of perfecting and preserving superior qualities. On the other hand, the race amalgamationists emphasize the advantages of variation and diversity, the value, even necessity, of great plasticity of type; the increased opportunities for the creation of genius and super-individuals when germ-plasms are diverse. To the

emotionally indifferent mind, it may appear that both sets of claims have some basis in fact. For, if diversity of hereditary resources is essential for that diversity of genius which national greatness seems to require, there is also necessity of preserving good stock from lowering its potentialities by infusing with inferior. It should be emphasized, however, that such deleterious fusion may occur as well within a given racial stock as between them.

The theory that political and social evolution are greatly stimulated by conquest which is followed by race amalgamation has received more or less extensive elaboration in the writings of Ludwig Gumplowicz (*Der Rassenkampf,* 1883; and *Grundriss der Sociologie,* translated by Moore, *Annals Amer. Acad. Pol. and Soc. Sc.,* 1899) Friedrich Ratzel (*Politische Geographie: oder Die Geographie der Staaten, des Verkehres, und des Krieges,* 2d ed., Munich, 1903: see also Ellen Semple's *Influences of Geographical Environment, on the Basis of Ratzel's System of Anthropo-geography,* New York, 1911); Gustav Ratzenhofer (*Wesen und Zweck der Politik,* Leipzig, 1893); Franklin H. Giddings (*Principles of Sociology,* New York, 1896); Lester F. Ward (*Pure Sociology,* New York, 1903); Franz Oppenheimer (*The State: Its History and Development Viewed Sociologically,* Indianapolis, 1914), and Edward Jenks (*The State and the Nation,* New York, 1919). There would thus today be universal agreement as to the fact that in racial composition every historical nation has been more or less heterogeneous. The last named author, in addition to accepting and expounding the view that the foundations of the great states of history—except those of the New World—have been laid by migrating patronymic tribes of nomadic economic life who have imposed themselves on primitive peasant populations, adds thereto that such conquest is followed by a League of Clans,[1] in which the conquering warrior element constitutes, at first, the controlling and directing agency. In his view the primitive patriarchal institutions are transformed into that political stage of development which follows the birth of the state by means of the transition stage called the League of Clans. This appears to be exactly that form of organization which Professor Giddings had earlier designated the Patronymic Folk. Now,

[1] *Op. cit.,* p. 123.

the important point for our purposes is that Professor Jenks finds these patronymic leagues highly composite. Thus the Franks, the Saxons and the Alemanns were all composed of several tribes which had been welded into an efficient fighting organization. Even their names thus acquire a special significance, for "Frank" meant wanderer or warrior, "Saxon," a swordsman, and "Alemann," a stranger, i.e. an invader. Since the days of Gobineau, therefore, the steady progress of anthropological knowledge has shown that those migrating, conquering tribes who figured so prominently in the political origins of the nations of western Europe were not the racially homogeneous bodies myth and tradition had made them.

Moreover, migration and conquest added to the confusion of blood. If the confederacy of conquerors thought of themselves as of one stock, it was an age-old illustration of that subtle psychological alchemy which makes every soldier under the Stars and Stripes feel in the depths of his soul that he is an "American." If the conquered thought of themselves as distinct in race, and if around this difference centered many features of class stratification, political organization and policy, time effected a mollification of attitudes. The males of the conquering elements took the females of the conquered to wife, hybrids of all degrees of mixture filled the gap between the original factions, hard and fast caste lines became blurred, laws were modified, rights extended and gradually the concept of a "people" with a common destiny—and indeed a common origin—gave rise to a new amalgam, a nation suffused with a warm sentiment of patriotic devotion to the ancestral gods and heroes. Thus Englishmen, Germans and Frenchmen come to think of themselves as set over against each other; each exaggerates his own qualities and belittles those of the other; and they end by thinking of themselves and of all other rivals as separate races whose inherent qualities find expression in the political and cultural institutions peculiar to each.

On the basis of his primary principles Gobineau proceeded to point out those particular strains of the white stock which he believed constituted the main creators of civilization. He found altogether that ten civilizations had been developed. Of these all the seven which arose in the Old World were due to the Aryans, with the possible exception of certain periods in

that civilization which long persisted in the valleys of the Tigris and Euphrates. Along with a host of other writers he attributed the Indian civilization to a special branch of the Aryan stock; the Egyptian civilization was an off-shoot from the Indian. Likewise the Chinese civilization was due in part to Indian-Aryans and in part to non-Hindu Aryans coming into China from the northwest. Among the Greeks he found a mixture of Aryans and Semites, and among the Romans a mixture of Aryans, Celts, Iberians and Semites. The Semites were in his view hybrids due to the crossing of white and black races, just as the Celts were hybrids of white-yellow combinations. But although both Greek and Roman peoples were thus much mixed, it was the Aryan element which constituted the creating, originating and dominating factor among both. The Iranian renaissance in Assyrian history was likewise due to the Aryans. As to the modern world, it is a monument to the special genius of the Germanic races who had uniquely preserved in relative purity the celestial gifts of the original Aryans. "Where the Germanic element has never penetrated our special kind of civilization does not exist." (P. 93.)

III. Teutonism

It is impossible here to follow in detail the expansion of Gobineau's ideas in Germany. He made the acquaintance of Wagner who was greatly impressed both with Gobineau's idealization of the blond Aryan and with his pessimism regarding the future of western civilization. Through the *Bayreuther Blaetter* the Wagnerian group disseminated the Gobineau philosophy along with a good deal of Wagnerian mysticism, which looked hopefully forward to the saving of civilization through some sort of miraculous redemption. Among those infected with Wagnerism were Professor L. Schiemann and a young Englishman by the name of Houston Stewart Chamberlain. The former became the active promoter and the first president of the *Gobineau Vereinigung*. This made itself a propagandist organization and the idealizer of Gobinism. The views of Chamberlain are taken up below.

Meanwhile the doctrine of Aryanism had taken on various new developments in consequence of the impress of Darwin-

ism with its theory of natural selection and the survival of the fittest. The belief in Aryan supremacy seemed thus to receive the final seal of verity due to scientific authority. The Aryans, it was devoutly believed, of whom the Teutons were the only pure modern example, had proven themselves throughout history to be superior among all the races of men. Anthropological and ethnological investigation had taken the place of philological study as the particular means of determining the origin and characteristics of the chosen race. It thus came about that European scholars became very much divided over the question who were the original Aryans. In Germany there was naturally and inevitably a ready acceptance of the doctrine that originally the true Aryans were tall dolichocephalic blonds. Among the French, however, such a doctrine was less palatable. With them increasing favor was found for the idealization of the Celts who were identified with that round-headed stock of medium stature and medium complexion, which as early as 2,000 B.C., had introduced a bronze culture to the crude, barbaric neolithic populations of northern and western Europe.

Among the general promoters of the blond Aryan myth in Germany were Theodor Poesche, who, in *Die Arier* (Jena, 1878), found the true Aryans to be tall, fair-skinned, blue-eyed and heavily bearded. He thought their original center of differentiation was on the border line between Germany and Russia. He considered the Lithuanians a remnant of the original stock, although brachycephalic. The tall, fair Germans, however, were in his opinion the sole possessors of both Aryan blood and Aryan culture, and he poured out his scorn upon the French Aryanists who were advancing a heterodox opinion.

Similarly, Professor Carl Penka in two books [1] found Scandinavia the original center of differentiation and dispersion of the pure Aryans. He contended that from this origin they spread to the uttermost parts of the Eur-Asian continent, carrying their language and political leadership everywhere. Like Madison Grant [2] long afterwards when most scholars had ceased to take the tradition seriously, he attributed the leadership of India, Persia, Greece and Rome to the tall, stalwart, long-headed blonds of typical Swedish characteristics. With

[1] Vienna, 1883 and 1886.
[2] *Passing of the Great Race*, New York, 1916.

Poesche he was responsible for the fantastic doctrine that the tall blonds were by instinctive character Protestants, while the shorter and darker round-heads were submissive and conservative in nature and thus instinctively Catholic. Following these writers, a prodigious search began for every jot of evidence from archæology, paleontology, philology, anthropology, and ethnology designed to show that the gods, goddesses, and heroes of various ancient peoples were the tall blonds who typified the exalted qualities of the mythical Aryan.

The approach to the culmination of Aryanism in Germany is found in the writings of Houston Stewart Chamberlain, an Englishman of aristocratic parentage, educated in France and Germany, head of the *Gobineau Vereinigung* and follower of Wagner whose daughter he ultimately married, and a frequent contributor to scientific and popular journals. His principal work, *Grundlagen des Neunzehnten Jahrhunderts*,[1] constitutes an imposing collection of historical and philosophical matter along with much poetical effusion and imaginative idealization. It was so pleasing to Kaiser Wilhelm that he made a special appropriation to encourage its distribution. In a word, Chamberlain finds that the "foundations" of the modern world are constituted by five factors: the heritage of art, literature and philosophy from Greece; the heritage of law, statecraft and ideals of citizenship from Rome; the world-redeeming "revelation of Christ"; the antagonistic and disintegrating influence of Judaism; and the regenerating and reorganizing genius of the Teutonic people.

In the first place, it must be said that Chamberlain is less a champion of Aryanism pure and simple than of Teutonism. In fact he condemns the use of the word "Aryan"; finds it "purely conventional"; argues that the supposed Aryans were very much mixed even in the most ancient times; and that in fact it may be seriously questioned whether they ever existed.[2] With characteristic scorn of consistency, however, he immediately turns face about and argues that there is a special and uniform character among all Indo-Europeans, whether in Europe or in India; this proves beyond doubt "the existence of

[1] Berlin, 1899, Eng. trans. by John Lees, with "Introduction" by Lord Redesdale, *Foundations of the Nineteenth Century*, 2 vols., London and New York, 1910.

[2] I, 263, 265.

a moral Aryanism"; hence the terms "Aryan" and "Aryanism" "are now more essential than ever."

He is, indeed, little, if any, more consistent with reference to his chosen heroes and their culture, the Teutons and Teutonism. Among these he includes not merely the Teutons commonly so-called, but also the Celts and the "genuine" Slavs. The adjective "genuine" is here used to designate those Slavs believed to have descended from ancient Teutons. "That Celts, Slavs and Teutons are descended from a single pure stock may today be regarded as certain in the light of anthropology and ancient history."[1] The experienced reader will here discover that Chamberlain is using the term "Teuton" with a breadth of meaning which is convenient to his own purposes. Not only does he include the Teutons themselves but also Slavs of his own selection and the mysterious Celts. At the present day there can be little doubt that the Teutons themselves were long before the Renaissance a considerably mixed population and thus more nearly a people than a race. The term "Slav" is no longer recognized as a legitimate term of racial designation, but when so used it does not apply to a race of Teutonic physical type.[2] Finally, at the same moment that Chamberlain merged all three of these highly uncertain terms into the designation of one homogeneous race, Ripley[3] was declaring that the term "Celt" should be preserved to designate a group of languages. If, however, the term is to be applied to a race, it seems best to use it to designate those round-headed Alpines who came into Europe from the east bringing the bronze culture with them.

Chamberlain's volumes, nevertheless, constitute a glowing story of the rejuvenation, the reorganization and possible ultimate salvation of the western world through the extraordinary potentialities of this "pure Teutonic" race. These Teutons created a new world which must be viewed fundamentally as a new order of society adapted to the needs and gifts of a new species of men. In all the great achievements of the last thousand years in western Europe it was Teutonic blood, and that alone, which constituted the impelling force.[4]

[1] I, 67, 499 *et passim.*
[2] But see R. B. Dixon, *The Racial History of Man,* N. Y., 1923, especially pp. 118-126.
[3] *Races of Europe,* New York, 1899.
[4] II, 187-188.

In addition to this amazing race mysticism there is an inordinate conglomeration of philosophical and religious mysticism. Thus Chamberlain finds that the two outstanding achievements of the Teutons were the preservation and rejuvenation of Christianity and the renewal of civilization in the Renaissance. The Teuton is pictured as having a soul deeply athirst for religious experience; as having a special affinity for the message of Jesus; as exhibiting a pronounced and instinctive revulsion from Judaism and Romanism; and as being divinely ordained to spread the true gospel of a Teutonized Christianity throughout the world.

From his lofty pinnacle of poetical idealization and emotional imaginativeness, Chamberlain pictures the great achievements of the modern world in Discovery, Science, Industry, Political Economy, Politics, The Church, Philosophy, Religion and Art as due to creative Teutonic minds. He here rivals Woltmann who came after him. From Marco Polo through Luther to Goethe all are Germans. In the absence of authentic historical data, Chamberlain draws upon plausible deductions. Thus the apostle Paul was too great to have been a pure Jew by race; so Chamberlain finds his father to have been a Jew and his mother a Hellene. From this it follows that Paul derived his superior intellect from his Hellenic mother, for it is well-known that many great men have inherited their general character traits from their father but their intellect from their mother!

How then does Chamberlain describe his hero? We must first note that he distinguishes *der Germane,* the Teuton, from *der Deutsche,* the modern German, though this is a distinction of only formal and no practical significance. The Teutons in their ideal development are thus described: "The great, radiant, heavenly eyes, the golden hair, the gigantic stature, the symmetrical muscular development, the lengthened skull (which an ever-active brain, tortured by longing, had changed from the round lines of animal contentedness and extended towards the front), the lofty countenance acquired by an elevated spiritual life as the seat of its expression." (I, 535.)

But now it must not be supposed that all Teutons were of this single type. Since the aristocracy of all western European countries represents Teutonic blood it should be evident that their physical traits ranged from this angelic type to even ex-

treme brunettes. So he finds "a prevalence of dark color among the members of the most genuine old Germanic nobility. In England this is quite striking. Tall, spare-built figures, long skulls, long countenances, genealogies which go back to the Norman period, in short, genuine Teutons in physique and history—but black-haired." (I, 523.) "The most genuine sons of this (Teuton) race may be black-haired." (I, 526.)

It thus becomes necessary for Chamberlain to find some means of producing racial identity among directly opposite physical types. This he does in sections entitled "Rational Anthropology," "Science of Physiognomy" and "Freedom and Loyalty." (I, 534-550.) These pages amount to a complete rejection of all the approved methods of modern physical anthropology and their replacement by a method of intuitive discernment of spiritual affinity. Space forbids more than a suggestive illustration. Dante with his long head and long face is at the opposite extreme from Luther with his round head and round face; but in the face of each there is reflected the soul power of the Germanic spirit. Hence, "Dante and Luther are at the extremes of the rich physiognomical scale of great Germanic men." With such premises it is possible for Chamberlain to find the superior characteristics of the Teuton in his spirit of independence and his loyalty to his chosen leaders. Even this, however, is not applied by this imaginative author with consistency. Thus on one page we are told that loyalty is rooted in imagination; that all Teutons are the very embodiment of that noble quality; but on the next page we are told that the Hellenes, Aryans like the Teutons, and gifted with almost super-human powers of imagination, exhibited a disloyalty which was proverbial from time immemorial. (I, 547–8). Only the seasoned reader of Aryan idolization can realize how omnipresent are such contradictions in the literature of race characterization.

So we find that Chamberlain begins by extolling in extravagant terms the physical basis of racial power and the unique anthropological characteristics of the Teutons. Finding it impossible, however, to reconcile and unify the conflicting and stubborn historical and anthropological facts by the methods of science, he rejects all established criteria of racial discrimination in favor of spiritual clairvoyance and spiritistic divination. And yet he ends in the exalted and emotional rhapsodies

of the race worshipper. Although there already existed in Germany a vast amount of scholarly work exposing by line and verse the errors and absurdities of such self-contradictory superstitions, the *Zeitgeist* neglected them all in favor of the panegyrics of Chamberlainian Teutonolatry. What was pleasing was culled out, repeated, magnified. Such resounding laudation in cooperation with the imperialism, pan-Germanism and Prussianism of historians, poets, publicists and politicians, resulted in imbuing the German people with a race mysticism as profound as it was illusory.

That the fervor of race pride steadily rose in Germany between the days of Chamberlain and the opening of the Great War is evidenced in the extensive writings of his most ardent successor, Ludwig Woltmann. It is not without interest to note that, like Gobineau and Chamberlain, he was a man of enthusiastic, poetical, and mystical temperament. He founded the *Politische Anthropologische Revue,* in 1902. Though he met an untimely death by drowning, in 1907, at the age of thirty-seven, he wrote some sixty articles besides his books: *Politische Anthropologie,* Eisenach, 1903; *Die Germanen und die Renaissance in Italien,* Leipzig, 1905; and *Die Germanen in Frankreich,* Jena, 1907. Though a devoted Rousseauist and Marxist in his earlier years, he became a devotee of Teutonism, largely through the influence of Nietzsche, and thereafter devoted himself with unflagging zeal and inexhaustible credulity to the advancement of that noble cause.

His principal contribution was a careful study of the art galleries of Italy and France with a view to determining the racial affinity of the men whose portraits were there exhibited. Operating on principles slightly. if any, more scientific than Chamberlain's doctrine of spiritual affinity, he classified as Teutonic all individuals in whom could be detected any indication of Nordic physical traits. Thus Cherubini, an Italian with black hair and coal-black eyes, undoubtedly owed his greatness to some Teutonic ancestor who had contributed to him a clear complexion. In consequence of such a procedure Woltmann was able to demonstrate to the satisfaction of himself and his co-religionists that nearly all the great men of western European history in all fields of human achievement, Leonardo, Galileo, Voltaire, Dante, Raphael, Michael Angelo, Shakespeare,

Julius Cæsar, Alexander the Great, Napoleon and a vast host of others were of Teutonic blood. One can readily surmise that even Madame Sevigny, with one eye blue and the other black, would also have been classed as Teutonic, and her superiority attributed to her one blue eye. As Ernest Sellière, the most thorough student of the literature of Teutonism and pan-Germanism, remarks: "Sometime the Chinese, having become conquerors, may also claim the genius of old Europe through their round-headed Alpine cousins."[1]

It is not without interest in this connection to examine the theory of Heinrich von Treitschke to determine whether he was infected with the doctrines of the mythical potency of the Teuton for political and cultural ascendancy. In his *Politics*[2] (1907), not only is there no systematic argument designed to show the superiority of the Germans as political organizers and civilizers, but there is not even the assumption that the people of Germany are all German by blood. There is, to be sure, sufficient implication of the general superiority of the Germans in various desirable traits but there goes along with it more or less lamentation over their lack of others. The author goes so far on rare occasions as to use the term Aryan, but he never makes the slightest hint that would warrant one in assuming that he gave credence to the Aryan myth. On the other hand he repeatedly recurs to the racial heterogeneity of the population of Germany. One finds in this volume examples of race pride of the sort expressed by writers of all races and nations. But one must be struck by his rather complete neglect of the wonderful possibilities of the Aryan doctrine for his main purposes. Imbued as he was with a sublime faith in the divine mission of the state and of the German state in particular; filled with a worshipful piety toward the grandeur and world mission of Prussia as the embodiment of a more than human power; and convinced of the moral splendor, the just arbitrament and the medicinal efficacy of war, it seems strange that he should not have followed in the way which the Gobineau school had made so plain and easy.

The naïveté with which even an experienced student of history and institutions will regard the qualities of the people and culture among which he has been reared has so often been

[1] *Revue des Deux Mondes*, 1909.
[2] Trans. by Blanche Dugdale and Torben de Bille, London, 1916.

noted as to be trite; all the more wonder to meet with it constantly among writers who undoubtedly greatly excel the general average of mankind in shrewdness of observation. Thus Treitschke observes that the Germans greatly excel the Latins in artistic appreciation of nature as is shown by the fact that when a Latin reposes in a wood he lies on his stomach while the German lies on his back!!! (I, 206.) However true otherwise this statement may be, it illustrates that devastating lack of humor which sometimes accompanies an excess of self-appreciation.

But one finds no trace of Teutonic race mysticism in the usual form. "Nationality is no permanent thing." (I, 273.) The various German tribes, Lombards, Ostrogoths, Visigoths, Burgundians who settled within the confines of the Roman Empire were Romanized. (I, 274.) "It is unmistakable that the modern Dutch are Germans no longer," their nationality having been transformed through their adoption of a trading and commercial life. (I, 279-280.) He points out that large parts of Germany were brought within the empire within comparatively recent times but the whole is now pervaded with the German spirit, so that nationality is affected by historical movements and cannot be explained in terms of "ethnographical fluctuations." (I, 280.) "Almost all great nations, like the Athenians, call themselves autochthonous, and boast, nearly always without cause, of the purity of their blood. Yet it is just the State-constructing nations, like the Romans and the English, who are of the most strongly mixed race." (I, 281.) Contrary to the elaborate structure of Teutonic grandeur built up by Chamberlain and Woltmann we find Treitschke saying: "No one would try to maintain that the creative political strength of Germany resided in these unmixed German stocks. The real champions and pioneers of civilization in Germany in the Middle Ages were the South Germans, who have a Celtic strain, and in modern times, the North Germans, who are partly Slav." (I, 281.) One is thus prepared, without having seen even a photograph of his illustrious head, to wager that it was round after the manner of the civilizing Celts and Slavs! But where then are the tall long-heads of yesteryear? No, we slander, for if we read on our author finds that where these Alpine Celts are found in great purity, as in Brittany, they reveal no constructive

political gift. In other words, Treitschke consistently contends that state-building is not a special racial attribute but arises among peoples that are much mixed.

This seems an acceptable conclusion. One may add that not only state-building but other features of an advanced and complex culture are invariably associated with racial heterogeneity.

IV. Anthropo-Sociology

In order to give a relatively complete exposition of the theories which rather directly contributed to the current doctrines of blond superiority, it is necessary to take account briefly of the contributions of a school of thought which may be designated as Anthropo-Sociology or Social Selectionism. This arose during the latter quarter of the nineteenth century, finding its fundamental inspiration in the selectionist aspects of Darwinism, but also finding a certain normative influence in the rather widespread acceptance of Gobinism. Thus H. Muffang declares that "Gobineau is for the anthropo-sociologists the man of genius of the new science."[1] This school was not primarily interested in establishing the inherent superiority of a particular race, but rather in making a thorough study of the operation of social institutions and standards as selective factors analogous to the operation of natural selection in the animal world. Broca may be considered the first promoter of this idea among French scholars, just as Francis Galton may be considered the pioneer in similar studies among English speaking peoples. The students of social differentiation and stratification were led to a more or less confident assurance of the superiority of the blond dolichocephal because of a considerable accumulation of statistical evidence showing the greater frequency of this physical type among the upper social classes. We shall here indicate the character of their work as represented in France by Vacher de Lapouge and in Germany by Otto Ammon, but only in so far as it relates specifically to the doctrine of blond superiority. Among other contributors were Collignon, Durand de Gros and Muffang in France, Houzé in Belgium, Livi in Italy, and Ripley and Closson in the United States.

Ammon's first contribution was an outgrowth of his study of

[1] *L'Année sociologique* I, 1896-7, 521; see also, V. de Lapouge, *Race et milieu social*, p. 172.

the army recruits of Baden, undertaken in 1886.[1] The most striking discovery was that the cephalic index of the urban population in each of the four cities was about eighty, whereas it was above eighty-five in each of the surrounding rural districts. This greater long-headedness of urban populations of western Europe came to be known as Ammon's Law. Ammon's explanation was that the dolichocephalic type was more restless and adventuresome and was to a greater extent than the brachycephalic type attracted to the cities.

These early observations were later confirmed by very extensive anthropological measurements carried out by Ammon in Germany, and by a number of scientific confrères in France. Ammon published his *Die natürliche Auslese beim Menschen* in 1893, and subsequently developed a fairly well-rounded theory of social organization and processes based on social selection and differential birth-rates in his *Die Gesellschaftsordnung und ihre natürlichen Grundlagen,* published in 1895.[2] In fundamentals he differed scarcely at all from Francis Galton, asserting that human hereditary capacities are distributed in a social group after the manner of the law of chances. He contended that in consequence of competition, the division of labor and various forms of societal selection, the more capable individuals tend to rise to the top, and that social stratification tends therefore more or less accurately to represent the distribution of natural abilities in the population. Observation showed that the tall, blond dolichocephals were more frequent in urban centers and in the upper social classes; they must, therefore, be possessed of superior migratoriness, restlessness, initiative and taste for the cultural activities represented in city life, whereas the brachycephals must be possessed of the opposite qualities and thus exhibit a special racial affinity for the simplicity and unprogressiveness of rural isolation.

Though the observations of Ammon and his co-selectionists in France, Lapouge, Collignon, Muffang and others, bearing upon many thousands of individuals ran true to the above postulates, similar investigations elsewhere in Europe unfortunately re-

[1] Results published in *Anthropologische Untersuchungen der Wehrpflichtigen in Baden,* Hamburg, 1890.

[2] Trans. into French by Muffang as *L'Ordre social et ses bases naturelles, Esquisse d'une anthroposociologie,* Paris, 1900; see "Journal of Political Economy," Vol. 7, March, 1899, for translation of a part of this work by C. C. Closson.

vealed a reverse situation. Oloriz in Spain and Beddoe in England found that in these predominantly dolichocephalic countries the urban population was less dolichocephalic than the surrounding rural areas. Livi found that while Ammon's Law was confirmed in northern Italy, the opposite relation held in the south. These contradictory discoveries proved fatal to the mythical power of the original doctrines. It became obvious that head form was not the primary basis for the alleged superiority of the dolichocephal. Similarly it could be asserted that no other physical trait was the infallible criterion of peculiar racial aptitudes. Criticism also showed that there was a frequent neglect of migratory movements of the past; that differences between urban and city indexes were frequently slight, thus warranting the conclusion that there was a vast amount of overlapping. It thus became clear that long-heads were not the only ones who migrated, but that there was also a very considerable migration of round-heads. In fact it became clearly established that all of central Europe, southern and eastern Germany and eastern France were undergoing a steady brachycephalization, indicating a steady encroachment of the round-headed stock. It was often a question, also, whether the differences between urban and rural or class and class were large enough to be of causal significance or were merely due to the fluctuations of statistical sampling.

Moreover, Ammon's work was deprived of any particular racial significance through his belief in the supreme and irrevocable benevolence of selection which was gradually replacing the blond dolicephal in western Europe by the shorter brachycephal. The same is not true of his co-worker in France, Vacher de Lapouge. The latter's classification of the European races, afterwards adopted with slight modification by Professor Ripley, made *Homo Europaeus,* the tall dolichocephalic blond, synonymous with the mythical Aryans. He pictured it as especially fecund in the production of domineering, self-reliant, enterprising and courageous individuals filled with a spirit of adventure, possessed of remarkable energy and gifted with superior foresight. He contrasted them with the round-headed Alpines very sharply, in terms which have since been widely imitated, notably by Madison Grant and his followers in this country. Lapouge reiterated many of the ideas

of Gobineau, accepted his hierarchical arrangement of the races and made the *Homo Europaeus* the creator of the civilizations of the ancient world and of western Europe.

He was not a believer in pure races, vigorously denying the existence of a German, a Slavic or a Latin race. He held that long before the Christian era the population of every section of Europe was already very much mixed. Among its elements, however, was the Aryan, so that the Aryan question resolved itself into a determination of which race or type, in the complex of races, was predominant. He found for answer, *Homo Europaeus,* the tall blond of dolichocephalous head-form, since then called Teutonic by Ripley, Baltic by Giddings and Nordic by Grant. It was not his belief that this race achieved its superior social status by conquest but rather in consequence of its superior energy and intelligence in the struggle of life. He viewed social life as a vast competition and the population as a kaleidoscopic mosaic of racial elements in which the proportions were constantly shifting. In this welter of struggling humanity the better elements rose to the top. Among these the tall blonds with long heads were to be found in unexampled frequency.

As to his so-called "laws" which set forth the correlation of low cephalic indexes with upper-class conditions, the same criticisms apply to them as stated above in connection with Ammon's law, which is included among them. There can be little doubt as to the fact that in much of western Europe the long-headed types were somewhat more numerous among the upper classes and in the city populations of France and Germany. One may also agree with Lapouge that such a phenomenon is not to be explained as a present-day result of the conquests and migrations of a thousand and more years ago. One may in the end be willing to concede that the *Homo Europaeus* has been historically somewhat more aggressive and adventurous than *Homo Alpinus* or *Homo Mediterranaeus.* But one is not therefore warranted in erecting this particular *Homo* into a specifically different and superior type by the genius of which may be explained the course of human history for a thousand years.

For, it should be noted first and above all that the statistical inquiries upon which Lapouge rested his conclusions reveal differences often painfully small, with occasional instances of groups showing results actually contrary to the general case. We

do not know frequently whether the differences are greater than those due to mere chance fluctuations. Moreover, the data refer almost exclusively to the head-form. These alone vary through a considerable range and the dividing line is a purely arbitrary one. Alone they are no basis for racial identification. We do not know whether and to what extent the long heads who were slightly more frequent in the city and in upper classes were associated with distinctly blond traits or with mixed traits, nor whether tallness of stature was also a trait. As Professor L. Manouvrier pointed out in numerous articles the whole school of anthroposociologists rendered their work well-nigh worthless by a fatal fascination for the cephalic index to the exclusion of many others equally important. It is safe to say not merely that there has been an increasing proportion of round heads among the upper classes, but that the long heads were associated with such a variety of other physical traits as to indicate a mixed ancestry.

By way of summary, then, of the contributions of the school of social selectionists to the doctrine of blond superiority, and leaving aside their undoubtedly great contributions to human heredity and social selection, one may say that they proved unsubstantial. They neglected the wide range of variation within every racial type which, in the absence of specific differences of kind, result in great overlapping in the statistical distribution of types. They worshipped the average and emphasized small differences between averages to the neglect of the significant features of the range of distribution. They idealized their types, overlooking the fact that in western Europe, where the various types have been commingling for thousands of years, a pure clear-cut type seldom can be found in any number of persons in the same area. Ripley lays much stress on the necessity of idealizing the type in order to arrive at the fundamental races because relatively few individuals combine all the traits of what may once have been a distinct isolated type. Tallness, pure blondness and long-headedness are found together in only a fraction of a population that would without careful measurement pass for tall blonds. Many tall long-heads have mixed blond and brunet hair-, eye-, and skin-color. Moreover, some pure blonds are not tall, and many, though tall, are round-headed, while tall brunettes with long heads and short blonds

with equally long heads are too numerous to warrant any exclusive association of traits. The conception of race of the anthropo-sociologists was too simplistic. Had they taken account of the wide variation of any such trait as head-form, complexion or stature and of the varied combinations of these, they would doubtless have been forced to the conclusion that the upper and successful classes are not only quite variable in physical traits, but that pure types in western Europe are much rarer than crosses. They might still have been able to conclude that long-headedness and blondness represented an excellent blend of human physical and psychic traits. But to claim for such a blend a universal excellence is as if a fancier of fighting cocks should assert that his breed was not only unrivaled in combativeness but also unsurpassed in egg production and in plumpness and juicyness.

V. Anglo-Saxonism and Teutonism in America

It would be of interest, did space permit, to trace the development of Gallicism and Celtism in France. Under the double stimulus of race pride and national egotism the French also developed their own form of the Aryan doctrine. But we must turn to American developments of the same ideas. We can do no better than to begin with Professor John W. Burgess, one of the outstanding political philosophers of the last generation.

In his *Political Science and Comparative Constitutional Law*[1] Professor Burgess reproduced for American readers many of the ideas and points of view which were widely accepted among the German scholars of the day. This famous work was dedicated to Professor Droysen under whom Burgess had studied. We shall deal here with the opening chapters of the first volume only, those in which the differential political capacities of various races is made the basis of important dogmas.

In his opening pages Professor Burgess discusses the meaning of nation and the significance of race in the development of political institutions and political psychology. He defines a nation as "a people of an ethnic unity inhabiting a territory of

[1] Vol. I, "Sovereignty and Liberty"; Vol. II, "Government," Boston, 1890. Professor Burgess was, of course, not alone. Herbert Baxter Adams developed at Johns Hopkins quite as extreme a form of Teutonism.

a geographical unity"; and adds, "The nation as thus defined is the nation in perfect and completed existence, and this is hardly yet anywhere to be found." (P. 1.) Now it so happens that the word "ethnic" is a very diversely used term. It is sometimes used to indicate blood or racial connection, but it is also used to indicate similarity in language, religion, morals, law, or other elements of culture. But Professor Burgess is careful to define his use of the term as follows: "By ethnic unity I mean a population having a common language and literature, a common tradition and history, a common custom and a common consciousness of rights and wrongs. . . . It will be observed that I do not include common descent and sameness of race as qualities essential to national existence." (P. 2.) He does find, however, that sameness of race advances the development of a population into a nation, while nationality differences retard it. But, in spite of the logical distinctions at the start of his inquiry, Burgess soon lapses into the popular view of considering similarity of language a mark of racial unity.

In the pages which follow he seeks by resort to figures of territory and population to determine to what extent the existing nations approximate his ideal. This warrants him in concluding that Germany, for example, is not a completed nation because there are many "Germans" outside the existing confines of the German Empire, while there are many Slavs, Walloons, French and Lithuanians inside. He estimates that 88 per cent of the 50,000,000 inhabitants are "Germans." The implication here very clearly is that these 44,000,000 "Germans" are Germanic or Teutonic in race, for he uses the term "race" repeatedly throughout these pages and frequently speaks of the Teutonic race as inhabiting Germany.

Now, at the time Professor Burgess wrote, although many anthropologists had pointed out that identification of race with culture was unsound, such a view as his represented widely accepted opinion. It was nearly a decade after Burgess wrote that Professor Ripley expressed the view already long established among professional anthropologists that, "All attempts to correlate the linguistic data with that derived from physical characteristics are not only illogical and unscientific; they are at the same time impossible and absurd."[1] Not only had eth-

[1] *Races of Europe*, N. Y., 1899, p. 454.

nological investigations revealed the utter impossibility of any general identification of race with culture, whether one view the problem from the standpoint of linguistics or from the standpoint of religion, art, science, literature or mechanical invention; but anthropological investigations had shown a great diversity of physical characteristics among peoples previously and still popularly assumed to be ethnically, that is, racially, homogeneous. From the time in the early forties when Anders Retzius began the use of the cephalic index there had been numerous measurements of the head form of populations in many parts of Europe. In Germany the famous investigation by Virchow regarding the distribution of complexion among the 6,000,000 school children of Germany, the results of which were published in 1886, revealed not only an astonishing diversity, not only an unexpected frequency of unusual combinations such as light hair and dark eyes or dark hair and light eyes, but also an amazing proportion of brunetness in a population accustomed to think of itself in terms of the idolized blond Teuton. It may be noted in passing as one of the most striking illustrations of the firm hold which the mystical racial doctrines had upon German thought and policy from that day down to the Great War, that no subsequent extensive anthropological investigation was ever made upon the German people. It was about that time that the theories of Gobineau were appearing in practical politics, and it seems highly probable that one of the reasons why the German government did not encourage anthropological studies of its own people was the desire to preserve intact in popular superstition the tremendously moving and inspiring doctrine of the descent of the German people from the heroic dolichocephalous blond Teutons. This is all the more amazing in view of the fact that numerous industrious German anthropologists were carrying on extensive and meticulous investigations among remote and little known peoples in all parts of the earth.

In thus assuming an ethnic or racial unity among 88 per cent of the German people, Professor Burgess, while acting in harmony with that type of pseudo-science which was considered good political policy in certain German university circles, committed a serious error from which an intimate knowledge of existing anthropological information would have saved him. He

aided in perpetuating a point of view which was one of the psychological factors leading to the Great War and which a much vaster accumulation of scientific fact and extensive publicity on the part of scholars and propagandists of various schools have not yet dislodged from the popular consciousness.

But this initial error on his part involved Burgess in further pitfalls and difficulties. Having assumed the essential racial homogeneity of different European peoples he was inevitably led to assume that their political institutions, like their other cultural developments, were the manifestations of the special genius of the race to which they belonged. But here he met with a most puzzling situation. For he found that "some nations manifest apparently contradictory traits at different periods of their development." (P. 30.) This difficulty is avoided by the adoption of a principle which he derived from Waitz's *Anthropologie der Naturvölker* that the characteristic traits of a nation are those which "perdure through all the periods of a nation's life." This seems like a sound enough principle. But who can we trust to apply it? How can one distinguish that which is permanent from that which is only relatively so? How can one distinguish that which is due to race from that which is due to persistent elements of physiographic environment, or from that which is due to the general course of development of the cultural milieu? Is it plausible to assume that the same group of people will not manifest quite diverse traits under stimuli that differ greatly? And how can one take account of the constant changes in racial composition in a complex modern nation?

Unmindful of difficulties, Burgess classifies the great races as "the Greek, the Latin, the Celt, the Teuton and the Slav." He then proceeds to state the political genius of these "races." On an earlier page he had laid down as a fundamental generalization that "The highest talent for political organization has been exhibited by the Aryan nations, and by these unequally"; and he agrees with Bluntschli that the Aryans of Asia had revealed only inferior political capacities. On the other hand, while the European Aryans excelled the Asiatic, they differed much among themselves. Thus the Celts had revealed almost no political talent, the Greeks but little, "while the Teuton really dominates the world by his superior political genius." (P. 4.)

In harmony with these generalizations he finds[1] that the Celt never advanced politically beyond the personal clan; they have continued to organize in small bodies attached to personally chosen chieftains; "nor can they create political institutions of a superior order"; for always and everywhere they make government "a personal affair"; while "violence and corruption have always marked the politics of Celtic nations."

In sharp contrast are the Teutons who constitute the political race *par excellence*. This view is supported on the authority of one François Laurent[2] who was one of those numerous Teutonists of a now vanished era, who combined, as do so many others, the race mysticism of Gobineau with the even more mystical philosophy of state as developed by Fichte and Hegel. Thus one learns[3] that "M. Laurent conceives the philosophy of history as a theodicy"; "he represents the science of history as a department of natural theology." From this basis Burgess argues, in a manner strikingly like Gobineau before him and Chamberlain afterwards, that most of the European states owe their organization to the Teutons—"the Visigoths in Spain, the Suevi in Portugal, the Lombards in Italy, the Franks in France and Belgium, the Anglo-Saxons and Normans in England, the Scandinavian Teutons in Denmark, Norway and Sweden, and the Germans in Germany, Holland, Switzerland and Austria have been the dominant elements in the creation of the modern national states; and today Teutonic houses are organizing Greece, Rumania and the principalities along the Danube, and even Russia. The United States also must be regarded as a Teutonic national state." "Only the Teutonic nations have produced national states"; and because this form of political organization solves the great problems of government, such as the reconciliation of liberty with authority, and the relation of local to central power, the Teutonic nations are authorized "in the economy of the world, to assume the leadership in the establishment and administration of states."

All this will now be recognized both as gross exaggeration and as evidencing in our author an overweening confidence in that particular brand of race mysticism which was extant in Germany during his student days and afterwards. It is quite

[1] Pp. 33 *et seq.*
[2] *Etudes sur l'histoire de l'humanité*, Tome X.
[3] Robert Flint, *History of the Philosophy of History.*

interesting in view of his classification of the races to find that even such an avowed racial determinist as Madison Grant declares vigorously that there is no such thing as a "Latin," a "Celtic," a "German," or a "Slavic" race, to say nothing of the long cherished tradition of a "Caucasian" an "Indo-European" or an "Aryan" race.[1]

Thus the Celts to whom Burgess attributed no political capacity have had no racial existence. For nearly a quarter of a century advanced scholarship has generally agreed with Ripley that the term "Celtic" is best reserved to describe certain phases of culture which were introduced into western Europe many centuries ago and certain languages which are now spoken by quite diverse anthropological types. Moreover it is clear that in describing the "Celts" Burgess was thinking primarily of the Irish. Today we know that the Irish are far from racial homogeneity; they reveal at least two sharply contrasted physical types, the tall blond and the short brunette. At the same time it is possible to say that the tall, blond Irish, who were in the minds of many the true Celts of Ireland, are clearly assimilated in physical type to those dolicho-blonds of Teutonic descent in whom Burgess found the embodiment of a superb and varied political genius. Thus Arthur Keith, the well-known British anthropologist, declares that "of all the inhabitants of the British Isles the Irish may be regarded as the purest representatives of the North Sea or Nordic stock."[2] Moreover, since Burgess wrote, these clannish Irish have exerted their negligible political genius in blithely organizing the internal politics of large populations in these United States, which Burgess made one of the monuments of Teutonic political genius.

With such a basis, and such a background it was natural for Burgess to draw conclusions which harmonized perfectly with those of the German school of "Realpolitik," as also with those of the British Imperialists and the American Expansionists. In the first place, we may note in his "Conclusions of Practical Politics" an appeal to that higher morality which the philosophical mysticism of Fichte and Hegel had made basic assumptions in the thought of their followers. Thus the enforcement of political unity upon all states occupying a unified geographical area

[1] *Passing of a Great Race*, N. Y., 1916, pp. 52-62.
[2] *Race and Nationality from an Anthropologist's Point of View*, Oxford Univ. Press, 1919, p. 36.

is supported by sound political morality. Likewise, a state which enforces unity of language and institutions upon the varied nationalities which may happen to be included within its boundaries acts according to policies which are "not only commendable but morally obligatory." (P. 42.) Similarly any hostile ethnic elements found within a state may be "righteously deported." He says, "If the history of the world is to be taken as the manifestation of Providence in regard to this matter, we are forced to conclude that national states are intended by it as the prime organs of human development." (P. 44.) The state is pictured as the "highest entity" existing, and "the highest interpreter" of its own duty to the world. (P. 43.)

Still other conclusions inevitably follow. Since the Teutons are entrusted by Divine Providence with "the mission of conducting the political civilization of the world," they must always see to it that the balance of power is preserved in their hands. In case of danger of losing such power they are authorized in the purposes of divinity to deprive other elements of their political rights. This the Teutons will do "with justice and moderation—it is these very qualities of the Teutonic character which make it *par excellence* political." (Pp. 44-5.) The Teutonic nations also *must* have a colonial policy as one of their primary duties to the world. And in carrying out this duty there are no supposed rights of barbaric peoples which need be respected. "There is no human right to the status of barbarism." (P. 46.) If the barbaric populations resist, they may be cleared out of the territory by force. Such a policy should not trouble the conscience of a civilized state, for the barbaric races have no title to the lands over which they roam or on which they camp; genuine title is established only when the territory comes under the domain of a civilized state. Woe betide the nation which is moved by "weak sentimentality" to consider any supposed rights of tribal peoples; even the formality of a purchase contract is unnecessary, for God has ordained that the wilderness should become the abode of civilized man.

Not only may the Teutonic nations because of their "manifest mission" seize the lands of barbarians, but they may and should interfere in the affairs of states that fail to reach Teutonic stability. They "may *righteously* assume sovereignty over such a politically incompetent people." (P. 47.) But the

policies under such suzerainty should be limited to the objects for which such seizure may be "righteously made, viz., for the civilization of the subject population." (P. 47.)

All of this and much more evidence Burgess's complete devotion to the metaphysical or idealistic conception of the state; the subordination of all his thought to an ego-centric and ethnocentric theological interpretation of historical processes. From a strictly scientific point of view one must object more to that pious sentimentality which led him to so frequent a use of the term "righteous" in description of those policies which the existing state of economic and political forces led him to justify, than to the implied assertion that might makes right in the political sphere. It is one thing to find the pattern of action of powerful nations throughout history to follow a certain similarity; it is quite another thing to pronounce the pattern morally good. If nations be looked at from the standpoint of natural history then one is warranted in declaring that force in some form or another, and often in the form of a *force majeure,* determines the relations of races and nations. It is even possible for certain theologico-political minds to see in these manifestations of natural force the providence of God, though they must admit a certain mystery attaching to His ways in dealing with the world. On the other hand, the view has steadily grown that in the political sphere, as in other spheres of the manifestation of natural forces, an artificial manipulation through scientific understanding achieves results of a superior order. Everywhere where the knowledge which science gives has been applied to nature, it is possible to say that the artificial is superior to the natural. The automobile beats walking for ease and speed of transportation. Such a judgment to be sure is expressed in terms of human needs and interests, but if one seek the best of political morality, as for morality of any sort, it seems safer to find it in terms of human purposes than in terms of some assumed transcendental entity mysteriously guiding the political genius of certain races toward an assumed millenial organization of the world. Thus a League of Nations and a World Court are superior to war, however natural the latter and however artificial the former. Though the judgments of war have in all ages been looked upon as manifestations of divine purpose and therefore "righteous" in the highest degree, human needs and

purposes seem to require some less destructive method of determining the supernatural will.

Moreover, how shallow and partisan now appear the glowing words of Burgess' conclusion of Book I in view of the political advance of certain "politically incompetent" and semi-barbarous peoples during the short third of a century since he wrote them. "Indifference on the part of Teutonic states to the political civilization of the rest of the world is, then, not only mistaken policy but disregard of duty. In the study of general political science we must be able to find a standpoint from which the harmony of duty and policy may appear. History and ethnology offer us this elevated ground, and they teach us that the Teutonic nations are the political nations of the modern era; that, in the economy of history, the duty has fallen to them of organizing the world politically; and that if true to their mission, they must follow the line of this duty as one of their chief practical policies." (P. 48.) Since these words were written Japan has become a great power and Germany, which may well claim to be the most Teutonic of all the Teutonic nations, has arrived at a state of temporary disorganization and impotence, while Austria, also Teutonic in high degree, has been rescued from the slough of bankruptcy only by the unprecedented action of other nations. Unless all signs fail a new era in the settlement of world affairs has begun in the organization of the League of Nations, and already the heathen Chinee and the little yellow Japs have ranged themselves among those who prefer the human judgments of investigation and discussion to the divinely righteous arbitraments of war, but the great burly American republic, the shining representative of Anglo-Saxondom, that is, purest of the pure Teutonic nations, sulks in gloomy isolation. Burgess would have the Teutonic nations organize the world by their superior force. But the next generation may see the yellow races playing a leading rôle in organization.

VI. American Nordicism.

Space does not permit an exposition of the numerous writers and publicists who, imbued with views similar to those of Burgess, have looked upon the Anglo-Saxon as the creator of American institutions and civilization. Suffice it to say that the American people have been nearly as completely committed to

the doctrine of Anglo-Saxon superiority, not only as regards political institutions but also as regards all the other features of an advancing civilization, as were the German people similarly committed to doctrines of Teutonic superiority. The validity of such a point of view can be tested through an examination of the present form of Anglo-Saxonism, namely, the current theories of the special and unexampled endowment of the so-called Nordics or tall, blond, long-heads.

The most systematic exposition of these doctrines in America is contained in Madison Grant's *The Passing of the Great Race, or the Racial Basis of European History*.[1] This work has proved to be a veritable fountain-head from which has poured an avalanche of Nordic mythologizing, race mysticism, and sociological dogmatizing of a sort remarkably similar to the writings of Gobineau and Chamberlain. This similarity extends not merely to the tone and manner of exposition, to the infusion of the whole with poetical imagination and literary power, to the assembling of an impressive array of historical, anthropological and archæological fact and rumor mixed with striking hypotheses and emotionally-charged dogmas, but also to the fundamental biological assumptions as well.

The fundamental races of Europe are described in terms with which the reader of Lapouge is familiar. Certain concessions, however, are made to the inferior races. Thus: "The earlier Alpines made a very large contribution to the civilization of the world." (Pp. 131-132.) Similarly the Mediterraneans were responsible for the civilizations of Egypt, Crete, Venetia, Etruria and Mycenean Greece; and after being invigorated by the Nordic infusion it produced the civilizations of Greece and Rome. (P. 139.) Most astonishingly it is even asserted that the Mediterranean race excels others in intellectual achievements, while its superiority in the field of art is declared to be unquestioned. (P. 198.) We are not however left in any doubt that the Nordics are the true gods and heroes of the Grantian cosmogony. While the Alpines are "always and everywhere a race of peasants," the Nordics are "all over the world a race of soldiers, sailors, adventurers and explorers; and above all of rulers, organizers and aristocrats."

As we read on we behold Gobineau, Lapouge and Woltmann

[1] New York, 1916, rev. ed., 1918.

pass before us in review. The geniuses of the western world are claimed for the chosen race. The ascendancy of a nation is measured in terms of its proportion of Nordic blood; the decline of nations is due to the absorption of this competent racial stock by the mongrel blood which it was created to rule. The United States seems destined to follow a downward course similar to that of Spain, France and England before it, for, while its white population was, until the Civil War, "purely Nordic," indeed, "not only purely Nordic but also purely Teutonic, a very large majority being Anglo-Saxon in the most limited meaning of that term" (pp. 72-4), nevertheless it is in obvious danger of ruin through the submergence of this Anglo-Saxon super-caste among the Nordic peoples in the less well-endowed Alpine and Mediterranean elements that have flocked to our shores. All of this may strike one as a bit curious if he notes that the Nordic, "the big fighting man" (P. 166) is also characterized as "rather stupid but honest." (P. 199.) One is, therefore, a bit puzzled to understand why a race that is given to reckless fighting and at the same time is simple-minded even to stupidity should be the sole possessor of the open sesame to the grandeurs of a high and complex civilization when the Alpines are admitted to be mainly responsible for raising western Europe out of the savagery of the Paleolithic age to the culture of the Bronze age, while the Mediterraneans are admitted to be the intellectual superiors of all other races of men and to excel also in artistic appreciation and creative power.

But with this work as with its predecessors, contradictions and inconsistencies are overlooked, while preference is given to those doctrines which strike a deeply responsive chord in popular tradition and race egotism. It may therefore be worth while to examine some of its assumptions more critically. In the first place, the informed reader will be much impressed with his easy and dogmatic solution of all the primary questions regarding the racial history of Europe. Not only does he adopt the views of Penka, Lapouge and others which places the origin of the original blond Aryans near the Baltic, but in a paragraph or a page he settles the vexed, and as yet unsolved, questions of the origins of the Prussians and the Finns, while his adoption of an antiquated view regarding the Celts and the Celtic invasions evidences the spirit of the propagandist rather than that of the

scientist. (Pp. 153: 57-9: 120, 131, 141, 156-158; *et passim.*) Inevitably he involves himself in contradictions and finds facts too stubborn for his hypotheses. Contending that all pure Nordics are blonds and all pure blonds are Nordics, he fails to mention the fact that among the Finns, the Esths, and the Lithuanians are thousands of round heads with hair as blond and eyes as blue as those we are accustomed to expect in the idealized Nordic strain. Moreover, after contending that mixed traits such as dark hair and light eyes or vice versa represent "inharmonious combinations," he finds himself impelled to pay his respects not only to the beauty of such combinations (P. 183) but also to the genius of some of their possessors.

The fundamental historical error of Grant and his numerous imitators is that they have credited to the Nordic stock all those advances in civilization which have occurred among populations possessing a Nordic element. But civilizations have arisen only in areas of heterogeneous population. In all such areas race mixture has gone on for many centuries before civilization has reached a high level of advancement. Even the populations which have moved into the areas where civilizations develop were doubtless heterogeneous during the periods of their migration. It is now no longer a matter of doubt that the various types of man rendered more or less distinct through long periods of geographical isolation have been infusing their blood one with another throughout the European continent for thousands of years.

The fundamental anthropological error of this school has been its neglect of the fact of variation or individual differences. Even when it be admitted that the Nordic type may excel other types in the spirit of adventure and migratoriness it must be admitted that this is not a specific difference but represents a difference of greater or less degree only. Many individuals, in fact, the vast majority, of the purest Nordics, would consequently possess a spirit of adventure in very moderate degree.

A similar fundamental error is the assumption that superiorities of many and varied kinds may be found in the same racial element. As above indicated this is a source of hopeless confusion to the reader of Madison Grant. The Nietzschean "blond beast," however invincible in war and conquest, can only by a violent stretch of the imagination be assumed to excel also in

the arts of peace, the development of cooperation, the creation of art and poetry and those sustained intellectual activities necessary for the progress of science.

Similar criticisms apply to Grant's nearly numberless imitators among the recent American writers. It seems probable that the Great War with its emotional excitement was in part responsible for the great vogue of Grantian hypotheses. Eight years earlier Mr. Alfred P. Schultz had published similar doctrines in his *Race or Mongrel* (Boston, 1908). This work was avowedly based upon the works of Gobineau, Chamberlain and Woltmann. Its sub-title ran as follows: "A brief history of the rise and fall of the ancient races of the world; a theory that the fall of nations is due to intermarriage with alien stocks; a demonstration that a nation's strength is due to racial purity; a prophecy that America will sink to early decay unless immigration is rigorously restricted." How fortunate for Madison Grant that this work was published before popular fancy was aroused to a profound interest in doctrines of race!

To Grant, however, must be given the distinction of placing vividly before the American public the almost forgotten doctrines of the race dogmatists. No doubt he will not wish to accept responsibility for all his disciples, for example, William S. Sadler. This author in his *Long Heads and Round Heads, or What's the Matter with Germany?* (Chicago, 1918) has given about the most puerile, unscholarly, and offensive presentation of the combined effects of race mania and war phobia which has thus far been palmed off on the American public. Not much better are some of the effusions of that honored and distinguished historian, William Roscoe Thayer in *Out of Their Own Mouths,* Introduction (New York, 1917). While his authority in other fields might lead him to be taken seriously in the field of racial interpretations of history also, the reader soon becomes aware that he here has drawn heavily on violent emotions and excited fancy.

Much more typical of the traditional note is Charles W. Gould's *America, A Family Matter* (New York, 1922). Nothing could be more untrue of the character or contents of this book than the publisher's advertisement to this effect: "A remarkable study of the present racial problems in the United States. It is based on a careful study of biological principles."

This advertisement is itself most remarkable in view of the contents of the book, for one finds in the volume no examination of biological principles, and nothing in the way of a careful study of present racial problems in this country. The chief contents of the work constitute an astonishingly cheap reiteration of Gobineau-Chamberlainian historical fact, myth, and interpretation. One illustration of historical naïveté and racial mysticism must suffice. In the opening pages he gives an imaginative picture of the simultaneous outburst of civilization in India, Persia, Greece, and Rome, in the years 530-510 B. C. How is this remarkable phenomenon explained? It is traced to the fact that these four great civilizations were all due to the genius of a great "White Race" which had moved out from a mythical homeland into these four areas at about the same time and in consequence of "the varying but rhythmical pulsation of race life whose throb was that of the life of the united people before they knew parting and division" had carried forward their inherent need of creating culture in all four areas at once. When after this the author tells us that in this interpretation of history in terms of the "throbs" of "race life" "there is nothing mystical," one does not hesitate to place him beyond the pale of serious students of historical phenomena.

But wonders never cease. The amazement of the student who knows something of the history of the doctrines we are tracing and of the work of critical anthropology is almost beyond expression when he finds this book of Gould's the inspiration of another, Carl C. Brigham's *A Study of American Intelligence* (Princeton, 1923). Not the least amazing thing about this work is the "Foreword" by Robert M. Yerkes. He says: "It appears that Mr. Charles W. Gould, a clear, vigorous, fearless thinker on problems of race characteristics, amalgamation of peoples and immigration, raised perplexing questions which drove Mr. Brigham to this careful and critical re-examination, analysis, and discussion of army data concerning the relations of intelligence to nativity and length of residence in the United States. In a recently published book, *America, A Family Matter,* to which this little book is a companion volume, Mr. Gould has pointed the lesson of history for our nation and has argued strongly for pure-bred races."

This quotation indicates the problem set in this book. This

question of the reason why there had been a decline in the intelligence of immigrants during the last twenty years as shown by the Army mental examinations was raised by the Army examiners themselves. Numerous other tests leave little, if any, room for doubt as to the fact.[1] There are two possible answers: either the nations from which these immigrants have come in increasing numbers are of lower natural intelligence than those from which earlier immigrants were mostly derived; or, we have been receiving immigrants from lower levels of intelligence and capacity than was formerly the case. In one case we would say that the lower intelligence of recent immigrants is due to the fact that they are Italians and Greeks rather than Germans and Swedes; in the other case we would say that it is due to the fact that the cheapening of the cost of transportation and similar factors have resulted in bringing us larger proportions from those who were unsuccessful in their own countries. Brigham is intent on proving the former hypothesis. Needless to say he does not succeed in spite of an elaborate make-believe of classifying the nations of Europe on the basis of the proportions of "Nordic" blood which they contain. But all this and some pages of consequent statistics add nothing to the facts already known, namely, that we recently were receiving a smaller proportion of immigrants from northwest Europe than we formerly did, and that the intelligence of immigrants as revealed in the Army scores has declined. Nor do the numerous quotations from Grant, Lapouge and McDougall add to the explanation, though they do reveal the author's predilections for the Nordic mythology, his slight esteem for the Jews and his conviction that the Irish are a degenerate mob. When the scientific spirit meets the warm blasts of race prejudice it withers like the green corn before the hot winds of a western Kansas summer. In view of the elaborate character of the scientific gesture which Professor Brigham makes it is quite humorous to find that he is not a little mystified to find that by his method the round-headed Alpines prove somewhat higher in intelligence than the Mediterraneans. All the great authorities on race characterization had placed them lower, while as we have seen, Madison Grant, the great Nestor of race sophists, had made the Mediterraneans even su-

[1] See especially Kimball Young, *Mental Differences in Certain Immigrant Groups*, University of Oregon Publications, 1922.

perior to the Nordics. The "apparent contradiction" he easily explains as due to the degeneration of the Italians in recent times. Suffice it to say that if Professor Brigham had contented himself with making clear to the American public that recent immigration was of lower quality, so far as could now be determined by methods known to mental testing, he would have rendered a real service to the advancement of what is doubtless one of the very greatest problems before the American people. But to muddle up the whole issue with the long since out-worn and thread-bare doctrines of a mythical Aryan, once Teutonic, now Nordic, race, endowed with semi-divine powers for the creation of culture, is to cause all informed readers to close his book with a wry face.

Space does not permit more than mention of several other much discussed books of recent date dealing with similar matters. Clinton Stoddard Burr in *America's Race Heritage* (New York, 1922) makes an effort to substantiate the thesis of the racial purists that we are still about 86 per cent Nordic in this country, but he succeeds in this only by mixing all earlier stocks together, from Welsh to Swedes, as Nordics. He tops this with another doctrine dear to the heart of the race purists, namely, that many of the warped brains now menacing our domestic political life and the politics of the world are a result of the mixing of racial types. He seems never to have read any of those numerous studies from "The Jukes," "The Kallikak Family," "The Hill Folk," "The Ishmaelites," "The Nam Family" to the host of eugenic investigations from Oneida County to Topeka which have revealed every sort of degeneracy known to the combined calenders of crime and mental deficiency in the pure native American stock.

There are the immensely stirring works of Professor William McDougall (*Is America Safe for Democracy?* New York, 1922) and Theodore Lathrop Stoddard (*The Revolt Against Civilization,* New York, 1922). Both of these repeat more or less of the dogmatisms of the racialists, but mix them indiscriminatingly with the facts of individual differences. At opposite poles are certain of the American anthropologists who would deny all distinctions in racial capacities and who have fallen into the equally dreadful and deluding modification of eighteenth century egalitarianism, that the races are all equal. This is just as

contrary to facts and just as dogmatic, and just as mystical in last analysis as the doctrine of a definite hierarchy of races. The fact would seem to be that there is some truth in both viewpoints but that an extreme view held in a partisan manner leads to a distortion of the true situation. The European races, so-called, are all very much mixed. Indeed, we are as yet only in an early stage of anthropological determination of the racial history of that continent. The three races of Lapouge and Ripley are only first approximations. One need not accept either the method or the conclusions of Professor Dixon in his very valuable study of *The Racial History of Man* (New York, 1923) to realize that he has demonstrated that the racial history of our ancestors from whatever country was much more complex than we had yet dreamed it to be. Pure races at any time during the historical epoch become matters of fiction rather than fact when one glimpses the long period of time man has dwelt in Europe and the constant mingling of racial types.

There is thus today no convincing demonstration of the innate superiority of one European nation over another. As between white and negro in this country or North European and South European in this country there can, on the other hand, be no longer doubt of differences in average mental capacity. But the average differences are slight in contrast with the wide variation of abilities in each group. Even the group with the lowest average shows a greater or less proportion of its members above the average of the highest group. Moreover, while some groups reach higher levels than attained by any members of other groups, the lower limits in all cases reach down through imbecility to idiocy. Thus throughout most of the range of variation there is overlapping. In consequence, the fundamental questions become less those of race than of the relative rates at which the different levels in each race or nationality group are adding to the next generation. The proof of the low average level of recent immigration need not, indeed, be taken as a final argument against the restriction of immigration to smaller numbers, but as a convincing proof of the necessity of a more rigorous selection of higher types of individuals regardless of race for our immigrant quotas. Even reproduction of the population from the proud native Nordics will not save the country provided the lower levels of Nordic intelligences multiply at a

rate faster than the more gifted. Moreover, the country might be saved from being swamped by its degenerate Nordics provided it could import enough of highly endowed Europeans of whatever nationality and either induce them to breed faster than their Nordic inferiors, or sterilize the latter.

We are thus inclined to make this slight concession to the race dogmatists, that there is doubtless some difference between races in special powers and aptitudes in different directions. Just what and how extensive these differences are is largely a matter of future determination. As regards the European races these differences, for the races as wholes, are small in terms of averages and if they exist at all are less than the differences between certain nationality groups in this country. But vastly more important than any possible differences between the average capacities of the European races are the individual differences among members of the same race. An ounce of eugenics is worth a pound of race dogmatism so far as the future political security of the country is concerned.

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INDEX

Roman numerals indicate volumes; arabic numerals indicate pages. Volume I refers to *Political Theories, Ancient and Mediæval* (New York, 1902); volume II refers to *Political Theories, from Luther to Montesquieu* (New York, 1905); volume III refers to *Political Theories, from Rousseau to Spencer* (New York, 1920); volume IV refers to *Political Theories, Recent Times* (New York, 1924). This index was prepared by Rodney L. Mott, Ph.D., of the University of Chicago.

Abel: symbol of priesthood, I, 171.

Absolutism: not part of theories of sovereignty, IV, 86-89.

Achæan League: I, 100; Polybius a hostage of, I, 114.

Adams, John: on American system, III, 99; in France, III, 85; on Massachusetts Constitution, III, 91.

Adler, F.: state to develop personality, IV, 344-45.

Administration: analyses of, IV, 38-39; collectivists advocate efficient, IV, 183.

Administrative areas: Wells on, IV, 189.

Administrative law: development in America, IV, 38.

Ægidius Romanus (Colonna): preferred monarchy, I, 210; his classification of law and rights, I, 210; holds the kingdom to be higher than the city-state, I, 209; his treatise on politics, I, 208; on universal property rights of Pope, I, 217.

Æneas Sylvius: his work on the Roman Empire, I, 283.

Ætolian League: I, 100.

African tribes: political organization of, IV, 452-54.

Agobard: Bishop of Lyons, I, 162.

Agrarian revolution: since World War, IV, 243-45.

Agreement of the People: bill of rights in, II, 239; formulation of, II, 238.

Ailly: Peter of, I, 266.

Alexander: relation of morality to life, IV, 344; natural selection of moral ideals, IV, 328.

Alexander VI (Pope): policy of, I, 288.

Alexander the Great: conquests of, promoted cosmopolitism, I, 104-5; effect of his conquests and partition of his dominion on Greek philosophy and politics, I, 99.

Alsace-Lorraine: German socialists cease to protest against annexation, IV, 297.

Althusius: on contract in society and government, II, 62; chief features of his work, II, 61; on forms of government, II, 67; compared with Locke as to single form of state, II, 356; on functions of government, II, 66; indebtedness to Bodin, II, 93; influence on modern political theory, IV, 127; on magistrates, II, 64; on sovereignty, II, 63; compared with Grotius on sovereignty, II, 183; on tyranny, II, 65.

Ambrose, Bishop of Milan: acts of, cited in mediæval argument, I, 175; asserts theory of sacerdotal authority over emperors, I, 155; denies imperial right over churches, I, 156; on greater dignity of bishops as compared with princes, I, 170; relations with the emperors, I, 133.

America: influence of, on French thought, III, 50; laboratory of democracy, IV, 48; Maistre on in-

stitutions of, III, 194; see also United States.
American Indians: political organization among, IV, 446-47, 449-52.
Americanization and democracy: movement toward, IV, 50.
American Revolution: see Revolution.
Americans: opinion on the national state in the sixties, III, 330.
Ammon: theory of race restlessness, IV, 527.
Ammon's Law: criticism of, IV, 527-28.
Anabaptists: II, 4.
Anarchism: beginnings of, III, 362 *et seq.;* challenged authority, IV, 22; communistic theory of, IV, 201-14; compared with socialism, III, 404; function of the state, IV, 35; individualistic theory of, IV, 197-201; Kropotkin's theory of, IV, 113; opposition to democracy, IV, 77; product of individualism, III, 422; Proudhon's doctrine of, III, 368; relation to pluralism, IV, 35; sociology and, IV, 361; sources of, IV, 214; see also Syndicalism, Anti-stateism, Direct action.
Angell, R. N.: attack on war, IV, 36.
Anglo-Saxon: eulogies of, IV, 540-47.
Anti-socialist Bill: features of German, IV, 286-87.
Anti-stateism: development, IV, 24.
Anthropology: influence on politics, IV, 19; and political theory, IV, 430-35.
Anthropogeography: contribution to political theory, IV, 457-507; relation to political science, IV, 457-59.
Aquinas: see Thomas.
Argenson: Marquise d', II, 373-92.
Aragon; a fief of the Pope, I, 149; power of nobles in, I, 250.
Areopagus: constitution and functions of, I, 12; under democratic constitution, I, 16; as reformed by Solon, I, 13; suggestions of, in Plato's *Laws,* I, 45.
Aristocracy: aimed at by *League and Covenant,* II, 227; based on virtue, I, 75; Burke on, III, 182; Bodin on, II, 107; Calvin's preference for, II, 28; causes and preventions of revolution in, I, 88; Cicero's conception of, I, 120; criticized by Santayana, IV, 353; in early Greek states, I, 2, 3; favored by Ludovici, IV, 55; Harrington's theory of a natural, II, 251; Machiavelli on, I, 308-9; Melanchthon's preference for, II, 23; in Polybius' theory, I, 115; principle of (Montesquieu), II, 400; a pure form of government in Aristotle, I, 72; relative excellence of, in Plato's *Statesman,* I, 36; Rousseau on, III, 31; Sydney's preference for, II, 343; Vico on, II, 386; Wycliffe's view of, I, 262; see also Nobility, Forms of government.
Aristotle: accepted by church in Middle Ages, IV, 11; on Ægidius Romanus, I, 208; distinguishes politics from ethics, I, 51; compared with Comte, III, 390; compared with Montesquieu, II, 428-29; compared with Plato, I, 49; compared with Polybius, I, 118; on the conciliation of liberty and authority, I, 94; Dante on, I, 230; decline of his school after Alexander, I, 101; doctrines as to justice, rights and equality, I, 54; doctrine of slavery, IV, 373; followed by Harrington, II, 248; followed by Montesquieu, II, 402; on fourteenth century adversaries of Papacy, I, 221; general Greek postulates of his theory, I, 93; general relation of Bodin, II, 121-23; influence of in modern times, IV, 15; influence in scholasticism, I, 191; interested in practical rather than ideal politics, I, 53; introduction of his works into western Europe, I, 190; influence on Marsiglio of Padua, I, 239; Melanchthon's admiration of, II, 15; his method and his ideal, I, 51; model for Bodin on revolutions, II, 108; on need of labor, IV, 178; on Ockam, I, 246; on the political influence of economic conditions, I, 96; relation to J. S. Mill, III, 240-

41; relation of, to Machiavelli, I, 291, 294, 298, 305, 306, 309, 316, *et seq.;* relation to Rousseau, III, 40; relation to Tocqueville, III, 270; on the sovereignty of the people, I, 95; on the supremacy of public opinion and law, I, 95; study of existing constitutions, I, 50; in St. Thomas' theory, I, 192, 196, 199, 202, 203, 205; on the three necessary organs of government, I, 96; views on sovereignty, IV, 82; see also *Politics.*

Army mental tests: see Mental Tests.

Arndt: on German language unity, III, 319; on nationalism, III, 298.

Articles of Confederation: a failure, III, 117; on position of people, III, 97; see also Constitution.

Aryan civilization: Gobineau's theory of, IV, 516-17.

Aryans: doctrine of supremacy of, IV, 512-17; Gobineau's theory of superiority, IV, 513; similarity of language, IV, 512; see also Race.

Assembly, constituent: Condorcet on theory of, III, 107; relation to popular sovereignty, III, 104; Siéyès' doctrine of, III, 103.

Assembly, freedom of: a natural right, III, 119.

Assembly, legislative: has subordinate function in law-making, III, 257; theory of relation of, to monarch and constitution, III, 254-55.

Assembly, National in 1789: III, 88.

Associations: see Groups.

Athens: Aristotle's work on the constitution of, I, 50; carried liberty to ruinous excess (Plato), I, 40; classes of people in, I, 11; constitutional system in fifth century B.C., I, 14; democratic policy of Kleisthenes and Pericles, I, 14; early aristocratic government of, I, 12; hegemony of, in Persian wars, I, 5; influence of its constitution on Greek political theory, I, 6; influence of, on Plato's *Laws,* I, 45; reforms of Solon in, I, 12; slightly esteemed by Machiavelli, I, 296; tyranny of Pisistratus in, I, 13.

Auer, Ignatz: emphasized need of preparedness, IV, 298.

Augustine, Bishop of Hippo: his *Civitas Dei,* I, 156; exaltation of future life as compared with earthly, I, 157; influence of, I, 134; influence of, on mediæval reasoning, I, 163; influence of, on scholasticism, I, 191; justification of slavery, I, 157; on justice in the state, I, 158; St. Thomas' theory of law and, I, 192; his theory of slavery, I, 199.

Augustinus Triumphus: theory of papal power, I, 218.

Augustus Cæsar: his modification of the Roman constitution, I, 112.

Austin, John: compared with German idealists, III, 244; J. S. Mill compared with, III, 240; effort to define terms, III, 320; fate of his doctrine of sovereignty, III, 246; international law and, IV, 129; sovereignty subject to principles, IV, 88; theory of law, IV, 88, 146; theory adapted by Holland, IV, 146-47; works and doctrines of, III, 224 *et seq.*

Australia: primitive tribal organization, IV, 447-48.

Authority: Dewey's theory of, IV, 351; review of theories as to justification of, III, 416 *et seq.;* syndicalism and, IV, 22; see also Sovereignty.

Avignon: seat of Papacy removed to, I, 150.

Babœuf: insurrection of, III, 340.

Backward peoples: and imperialism, IV, 3.

Bagehot, Walter: forms of government, IV, 379; stages of political development, IV, 369.

Bakunine, Michael: career of, IV, 201; not a communist, IV, 203; his theory of local autonomy, IV, 202.

Balkan States: problem of nationality in, III, 337.

Balance of Power: should remain with Teutons, IV, 537.

Bancroft, George: faults in democracy, IV, 49.

Banking: Proudhon's theory of free, IV, 199.
Barclay, William: his works against monarchomachs and Bellarmin, II, 131.
Barker, Ernest: groups not dependent on state, IV, 92-93; on internationalism, IV, 99.
Basel, Council of: I, 259; is defeated by Pope, I, 276; follows theory of Cusanus, I, 271; more radical than Constance, I, 270.
Bebel, August: elected to Reichstag, IV, 280; on foreign policy, IV, 296; hatred of Prussia, IV, 279; opposed direct action, IV, 300-1; supported the government after 1907, IV, 305.
Beccaria, Cesare: doctrines of, III, 71; practical work of, III, 47.
Behavioristic psychology: application to politics, IV, 422-24.
Belgium: independence of, III, 249; and nationalism of 1830, III, 296.
Bellarmin, Robert: on forms of government, II, 128; on powers of Pope in temporals, II, 129; refuted by Hobbes, II, 299.
Belloc, Hilaire: criticism of collectivism, IV, 196; distributist philosophy, IV, 245.
Bentham, Jeremy: Austin's relation to, III, 225 *et seq.;* compared with German idealists, III, 244; his doctrines, III, 212 *et seq.;* effort at definition of terms, III, 320; and the English Radicals, III, 209; growth and decline of his group, III, 211; growth and decline of his system, III, 210.
Bentley, A. F.: theory of government, IV, 377.
Bergson, Henri: did not develop social implications, IV, 325; emphasizes creative activity, IV, 325; philosophy of, IV, 14; scientific interest in philosophy, IV, 324.
Bernard, St. (of Clairvaux): criticism of papal administration, I, 183; doctrine of "the two swords," I, 184; general character of, I, 181; his work *De Consideratione,* I, 182; writings of, I, 162.
Bernstein, Eduard: advocated revisionism, IV, 299; criticism of doctrine of concentrated industry, IV, 187.
Beza, Theodore: refutes theory of toleration, II, 36.
Bible: see New Testament, Old Testament.
Bill of Rights: see Declaration of Rights.
Binding: theory of legal norms, IV, 146.
Bingham, C. C.: Nordic superiority, IV, 58; theory of racial intelligence, IV, 544.
Biological jurisprudence: importance of, IV, 162-63; phases of, IV, 163.
Biology: aid in social studies, IV, 372; and democracy, IV, 59-60; relation to sociology in Comte, III, 394.
Bishops: see Episcopacy.
Bismark, Otto: fall of, IV, 291; and nationalism, III, 298; persecutions of socialists by, IV, 284-91.
Blackstone, Sir William: Bentham's criticism of, III, 214; confused with Austin on sovereignty, III, 228-29; and J. S. Mill on sovereignty, III, 240; political theories of, III, 73-76; relation to Locke and Montesquieu, III, 73-74.
Blanc, Louis: and the right to labor, III, 371; socialism of, III, 344.
Bluntschli, J. C.: doctrines of, III, 307 *et seq.;* on relation of state to nationality, III, 328, 331; his theory of nationality, III, 325.
Boas: criticisms of racial superiority, IV, 58.
Bodin, Jean: on censorship, II, 119; on citizenship, II, 93 *et seq.;* on civil associations, II, 89, 91; compared with Comte, III, 390; comparison of Hobbes with, II, 264; definition of state, II, 86; on economic questions, II, 117; essence of state, II, 90; on forms of state and government, II, 103 *et seq.;* on freedom of religion, II, 112; general character of his politics, II, 81; on influence of climate, II,

113; on influence of geography, III, 316; influences Grotius on sovereignty, II, 181-83; juristic ideas, II, 84; on law and customs, II, 102; on law of nations and war, II, 173; on the law of nature, II, 85; on organs of government, II, 115; on origin of state, II, 87; paralleled by Hobbes on corporations and law, II, 292; his philosophy of history, II, 83; on practical questions of policy, II, 111; relation to Machiavelli and Aristotle, II, 120-22; relation to Montesquieu, II, 123, 418, 428; on relation of state to nationality, III, 327; resemblance of Grotius to, II, 160; resemblance of Vico to, II, 389; on revolutions, II, 108 *et seq.*; on slavery, II, 91; on sovereignty, II, 96 *et seq.*; III, 21, IV, 81-83, 87; and Tocqueville, III, 270; on treaty making and keeping, II, 118; see also Sovereignty.

Bohemia: nationalism of 1848 in, III, 297.

Boisguilbert: II, 333.

Bolingbroke, Lord: on the English constitution, II, 379; on the original contract, II, 381; his practical politics, II, 378; a Tory leader, II, 372.

Bolshevism: development in control, IV, 259-63; methods of, IV, 255-60; relation to syndicalism, IV, 254; would retain state, IV, 259; see Socialism.

Boncour, Paul: state to adjust group relationships, IV, 94-95; theory of groups, IV, 90-91.

Boniface VIII: conflict with Philip the Fair, I, 150, 213, 215, 224.

Bosanquet, Bernard: moral purpose of the state, IV, 86; a neo-Hegelian, IV, 16; theory of the group mind, IV, 319.

Bossuet: on Gallican independence, II, 330; his general principles and method, II, 326; on royalty, II, 328; on passive obedience, II, 329; tutor of Dauphin, II, 325.

Boundaries, natural: see Geography.

Bourgeoisie: at strife with proletariat, III, 372.

Bourses au Travail: IV, 216.

Bracton, Henry de: II, 186.

Bradley, F. H.: on the moral purpose of state, IV, 86; on the theory of community realizations, IV, 318.

British constitution: Blackstone on, III, 74; Burke on, III, 182; De Lolme on, III, 76; Maistre on, III, 194; Paine on, III, 114; see also Constitution.

Brownism: II, 230.

Brutus, a Stoic: I, 106.

Bryce, James: expounded middle class theories, IV, 9; nature of comparative jurisprudence, IV, 158-59; pessimism of, IV, vii; used history and observations, IV, 17-18; views of democracy, IV, 61-64; view of public opinion, IV, 64.

Buchanan, James: on contract between king and people, II, 39; distinguishes king from tyrant, II, 56; on function of king, II, 57-58; on origin of society and government, II, 57; teaching repudiated by James, II, 1, 215; theory adopted in Scotland, II, 224; on tyrannicide, II, 60; on the tyrant, II, 58.

Buckle, H. T.: emphasizes influence of environment, IV, 327; influence of environment on politics, IV, 466-71.

Bundesstaat: see Federalism, Union-state.

Bureaucracy: danger of under collectivism, IV, 196; results from democracy, IV, 56; see also Oligarchy.

Burgess, J. W.: criticism of racial theories of, IV, 533-34; definition of nation, IV, 531; nationalism, IV, 535; place of race in state development, IV, 537; represented prevailing view, IV, 532; theories disproved by recent events, IV, 538-39.

Burke, Edmund: criticized by Paine, III, 114; on geography and country, III, 317; his influence, III, 171; works and doctrines of, III, 176 *et seq.*

Burr, C. S.: racial theories of, IV, 540.

Cæsar Borgia: judgment of Machiavelli on, I, 301, 311.
Cahiers: doctrines embodied in, III, 100.
Calhoun, J. C.: on sovereignty, III, 284, 287; on state sovereignty, III, 333-34.
Calvin, John: attitude toward Anabaptists, II, 4; on the ends of civil government, II, 28; on limited monarchy, II, 30; method and influence of his writings, II, 26; on passive obedience, II, 29; on relation of church and state, II, 27; his system at Geneva, II, 31, 33.
Campanella, Thomas: his *City of Sol*, II, 150; relation to Plato and More, II, 152; his unique philosophy, II, 149.
Canon Law: content and importance of, in fourteenth century, I, 222; ignored by Machiavelli, I, 291; influence on Dante, I, 230.
Capitalists: accepted forms of democracy, IV, 7; beginnings as social class, III, 341; and imperialism, IV, 7; develop social responsibility, IV, 8; in Fourier's system, III, 353; have no right to product, III, 365; Marx on despotism of, III, 373; Stein on conflict of, with wage-earners, III, 382; Utopian socialists on, III, 349.
Caspian Sea: changes in, due to climate, IV, 495.
Castalion, Sebastian: theory of toleration, II, 36.
Caste: means triumph of society over state, III, 379.
Castile: power of nobles in, I, 256.
Catherine II: enlightened despot, III, 47; and la Rivière, III, 47.
Catherine de Medici: II, 39; and the massacre of St. Bartholomew's, II, 42.
Cato the Censor: and the Greek philosophers, I, 114.
Cato the Younger: Roman Stoic, I, 106.
Cavour, Camillo: and nationalism, III, 298.
Celts: Burgess says inferior, IV, 535; have no separate race, IV, 536.
Censor: in the Roman constitution, I, 108, 112.
Centralization: sociologists and, IV, 378, 384, 385; see also Bureaucracy, Federalism.
Chamberlain, H. S.: criticism of race theories of, IV, 520; confused meaning of the term "Teuton," IV, 520; doctrine of spiritual affinity of races, IV, 520, 522; historical theories, IV, 519; race not based on physical characteristics, IV, 522; championed Teutonism, IV, 519-21.
Charlemagne: coronation of as construed by mediæval debators, I, 175; crowned Emperor, I, 139, 142.
Charles I (of England): conflict with Parliament, II, 219.
Charles II (of England): policy as to dissenters and Catholics, II, 337-38; relations with Louis XIV, II, 335; relations with Hobbes, II, 264, 268.
Charles V: effect of Spanish expansion under, II, 133; as Emperor, II, 5; Luther on submission to, II, 14; policy in Netherlands, II, 44.
Charles VIII (of France): I, 286, 289.
Charles IX (of France): II, 40.
Charles X: deposition of, III, 248; increased ordinance power, III, 253.
Charles Martel: I, 139, 141.
Charte Constitutionelle: glorified by doctrinaires, III, 265; grant of, III, 173; theory of position of monarch, III, 253.
Chartists: relation to Bentham, III, 210.
Check and balance: in American constitutions, III, 92, 96, 109; in British Constitution, III, 76, 183; Guizot on, III, 267; function of American judiciary in, III, 275; new elements of in the United States, III, 273; principle set forth by Polybius, I, 117; in

Rome, I, 119; see also Separation of powers.
Chrematistics: relation to economics in Aristotle, I, 60.
Christian church: condition of in eastern empire, I, 135; divided into Greek and Roman, I, 138; early organization of, I, 132; increase of power in declining western empire, I, 133; influence of Teutons on, I, 134.
Christianity: preserved by Teutons, IV, 521; source of authority, III, 419 *et seq.*
Christian socialism: spread of, IV, 11; see also Socialism.
Church and state: Calvin on relation of, II, 27; Hobbes on the relation of, II, 296 *et seq.*; Locke on, II, 365-66; relation of in Geneva, II, 31, 35; modern relation between, IV, 405; Zwingli on relation of, II, 24-25.
Cicero: compared with Polybius, I, 121; criticism of doctrine of natural law, I, 124; doctrine of natural law and rights, I, 123; on forms of government, I, 120; influence of on Augustus, I, 157-58; influence of on Thomas Aquinas' theory of law, I, 192; on origin and nature of the state, I, 120; purpose of his *De Republica* and *De Legibus*, I, 119; Stoic influence on, I, 106.
Citizens: Aristotle on qualifications of, I, 64; constitute the state, in Plato, I, 46; defined by Bodin, II, 94; limited to 5040 in the *Laws*, I, 46; not to engage in commerce and trades, I, 46; under Republican constitution of Rome, I, 107, 111; in Rome after Caracalla, I, 113; working classes not qualified as, in Aristotle, I, 82.
City of the Sun: see Campanella.
City-state: assumed as typical organizations by Plato and Aristotle, I, 93; ideal of Plato's philosophy, I, 47; in Italy, I, 287; less perfect than the province and kingdom, I, 197, 209; in Machiavelli's philosophy, I, 319; supplanted by military empire, I, 99.
Civil Law: blended with *ius gentium*, I, 127; characteristics of, I, 126; content and importance of, in fourteenth century, I, 222; influence on Dante, I, 230; ignored by Machiavelli, I, 291.
Civilization: Aryan influence on Chinese, IV, 517; Burgess thought was based on race, IV, 534; Gobineau considered based on racial amalgamation, III, 513.
Clan: discovered by McLennan and Morgan, IV, 435.
Clan-gens succession: criticism of theory of, IV, 444.
Classes: Gumplowicz on, III, 407; Marx theory of struggle of, IV, 180; perpetual war of, III, 372; Stein on, III, 377, 379.
Classes, Social: in Fourier's system, III, 353; Saint Simon on, III, 355-56; in project of Saint Simonians, III, 360-61.
Classification: as a social principle, IV, 430.
Clement V: I, 218.
Clifford, W. K.: science the basis of morality, IV, 328.
Climate: importance of to political science, IV, 464; influence of on history, IV, 494, 500; influence of on the state, IV, 374-75; Ratzel on influence of, IV, 475; Reclus on influence of, IV, 484; Semple on influence of, IV, 482; types of changes in, IV, 496; see also Environment, Geography, Weather.
Clovis: established Frankish monarchy, I, 141.
Codification: Bentham on, III, 213, 223; see also Civil Law, Law, Legislation.
Coke, Sir Edward: his conception of law attacked by Hobbes, II, 295; prerogative courts opposed by, II, 214.
Cole, G. D. H.: advocated local coordination, IV, 231; criticized collectivism, IV, 11; emphasized group autonomy, IV, 342; favored occupational representation, IV, 425; philosophy of guild socialism, IV, 227; theory of dual sovereignty, IV, 230.

Collectivism: actual spread of, IV, 185; belief in democracy and, IV, 183; capitalists advocate, IV, 195; conflict of consumers and producers under, IV, 195; critics of, IV, 192-97; English theory of, IV, 183; German theory of, IV, 182; nature of theory of, IV, 182-92; proponents allied with other parties, IV, 185; see also Government ownership, Socialism.
Comita: democratic element in constitution (Polybius), I, 116; functions of, in Roman constitution, I, 107, 109, 112.
Commerce: Fichte's theory of, III, 143; Montesquieu on, II, 424.
Commerce, Law of: Bentham on, III, 212.
Common Law (English): beginnings of, II, 191; Coke's theory of, II, 214; Fortescue's eulogy of, II, 213; influence of, in Puritan Revolution, II, 223; made basis of Parliament's case against King, II, 220; relation to Roman Law, II, 198; tempered by equity, II, 199; see also Law.
Commonwealth: English established by the army, II, 235; Harrington on, as form of government, II, 251.
Common will: see General will.
Commune: power of, according to Cole, III, 232-33; see also Paris Commune.
Communication and travel: importance of in political development, IV, 462-63.
Communism: Aristotle's criticism of Plato's ideas of, I, 63; in Plato's *Republic*, I, 30; relation to unionism, IV, 6; see also Bolshevism, Socialism.
Communist Manifesto: origin of, III, 345.
Communist Party: controls Russia, IV, 256.
Comparative method: see Jurisprudence, Method, Politics.
Competition: James Mill on, III, 342; Utopian socialists on, III, 349; Austin on, III, 312.
Composite state: see Union-state.
Comte, Auguste: form of government, IV, 379; gave name and sphere to sociology, III, 346; influence on J. S. Mill, III, 236-37; works and doctrines of, III, 387 *et seq.*
Condorcet, Marquis de: on American system, III, 99; in French Assemblies, III, 116; with the Girondists, III, 121; influence on Comte, III, 390; works and doctrines of, III, 106 *et seq.*
Conduct: influence of weather upon, IV, 501.
Confédération Générale du Travail: IV, 217.
Confiscation of property: in the United States, IV, 190.
Congress of Vienna: influence of, III, 169; nationality in, III, 294; principles sustained by, III, 172.
Conklin, E. G.: democracy is not biological equality, IV, 60.
Conquest: effect of on government and race, IV, 515.
Consent of the governed: as basis of government, Cusanus on, I, 271, 273; Marsiglio on, I, 251; Plato on, I, 40.
Conservation: public ownership an aid to, IV, 186.
Constance, Council of: adopts Gerson's theories, I, 270; causes of, I, 258; hostility to Wycliffe and Huss, I, 265.
Constant, Benjamin: doctrines of, III, 259 *et seq.*
Constantine: adopts Christianity, I, 132; reforms Roman administration, I, 113.
Constituent Assembly: see Assembly, Constituent.
Constitution: Cicero on, I, 121; Condorcet on the making of, III, 106 *et seq.*; Declaration of Rights in, III, 117 *et seq.*; defined by Aristotle, I, 65; Fichte on, III, 146; granted to France by Louis XVIII, III, 173; Kant on, III, 132; limits political power, IV, 405; made by nation, III, 103; made by people in Union-state, III, 286-87; never can be entirely written, III, 192; never created by men, III,

160; not product of human purpose, III, 66; not to be shaped by government, III, 147; presumes a nation, III, 195; pure and corrupt forms of, according to Aristotle, I, 71; reform of, a serious task (Machiavelli), I, 312; relation of, to custom and law (Machiavelli), I, 318; relation to idea of nation, III, 288; relation of Rousseau's conception of law to, III, 41-42; required for German States, III, 173; should embody principle of check and balance (Polybius), I, 116; species of, in Europe after 1815, III, 174; subsidiary to society, III, 152; see also *Agreement of the People*, British Constitutions, *Carte Constitutionelle*, Declaration of Rights, Roman Constitution.

Constitution, French: under *ancien régime*, III, 90.

Constitution, written: Burke on, III, 179; Comte on, III, 388; prevalence of, in nineteenth century, III, 251; Tocqueville's views of American, III, 276, 278.

Constitutionalism: importance in nineteenth century, III, 250.

Consuls: functions of, in Roman constitution, I, 108-9, 112; monarchic element in constitution (Polybius), I, 116.

Consumers' cooperation: development of, IV, 234-36; differences from Marxian, IV, 237; limitation of, 239-42; problems of, IV, 238-41; success of, IV, 236-37; see also Cooperative societies.

Continental Congress: III, 84.

Continents: influence of shape of, on politics, IV, 464; see also Geography.

Contract, governmental: Burke on, III, 178; Ferguson on, III, 69; Holbach on, III, 55.

Contract, social: assailed by Hall, III, 196; Althusius on, II, 62; Austin on, III, 234; Bentham on, III, 215; Bolingbroke's ideas on, II, 380-81; Burke on, III, 178; Comte on, III, 388; Fichte's analysis of, III, 139-41; Filmer's attack on, II, 256; general idea of monarchomachs on, II, 76-79; German idealists on, III, 167; Grotius on, II, 180; Hobbes' development of, II, 276 *et seq.*; Holbach on, III, 54; Hooker on, II, 211; Hume's refutation of, II, 381-84; ideas of Americans on, III, 93; involving God, king and people, II, 49 *et seq.*; involving king and people only, II, 51-54; Kant on, III, 132; limited to one generation, III, 110; Locke's doctrine, II, 394 *et seq.*; in New England, II, 231; Pufendorf's version of, II, 322-23; Ritchie's criticism of, IV, 21; Rousseau's formula of, III, 18; solves problems of sovereignty, III, 22; Spencer on, III, 399; Spinoza's attitude toward, II, 312; Suarez on, II, 146; Tucker's theory of voluntary, IV, 198; see also Hobbes, Hume, Locke, Rousseau.

Convention, constitutional: American Revolutionists on, III, 98; see also Assembly, constituent; Assembly, National.

Convention, National (French): III, 89, 121.

Conley, C. H.: theory of transition in democracy, IV, 66-67.

Cooperation: preached and practised by Owen, III, 350; Saint Simonians on, III, 361; see also Consumers' Cooperation.

Cooperative marketing: development of, IV, 245-46.

Cooperative societies: advantages of, IV, 237; employees in, IV, 237, 240; origin of, IV, 235; principles of operation, IV, 235; relation to unionism, IV, 238; wholesale, IV, 236; see also Consumers' cooperation.

Corporation: Cusanus' conception of, I, 274; conception of, worked against monarchy, I, 279; furnished model for organization and action of general council, I, 278; legal theory of, influential in conciliar era, I, 277.

Corsica: Rousseau's suggestions for, III, 7.

Cosmopolitism: brought into prominence by Stoics, I, 104; growth and influence of, I, 105.
Covenant, Scottish National: II, 224.
Council: see General Council; Basel, Council of; Constance, Council of; Trent, Council of.
Cram, R. A.: criticism of democracy, IV, 53-54.
Crime: influence of weather on, IV, 502.
Crimean War: III, 250.
Croce, Benedetto: attempts to reconcile idealism and naturalism, IV, 322.
Croly, Herbert: on theory of flexible democracy, IV, 76.
Cromwell, Oliver: as land protector, II, 241; opposes Levellers, II, 237; sides with army, II, 235; supported by Milton, II, 246.
Crowds: psychology of, IV, 415.
Cusanus: see Nicholas of Cues.
Customs: importance of, in politics, IV, 403-10.

Dahlman, F. C.: and nationalism, III, 298; on people and state, III, 305.
Dante, Alighieri: argument for universal monarchy, I, 231; on the Holy Roman Empire, I, 233; interpretation of Roman history, I, 232; his political point of view, I, 230; refutation of pro-papal arguments, I, 234; theory of universal empire, IV, 99.
David, Eduard: German-Russian antagonism, IV, 307.
Darwin, Charles: influence on jurisprudence, IV, 159; influence on political theory, III, 335; influence on sociology, III, 347; relation to Marxian doctrine, III, 376.
Decentralization: in America, III, 274; in industrial type of society, III, 401; movement for home rule, IV, 4; see also Centralization, Federalism, Regionalism.
Declaration of Independence: doctrines of, III, 92; nationalistic influence of, III, 292; and people, III, 97.
Declaration of Rights: in the *Agreement of the People*, II, 239; Bentham on, III, 219; Bonald on, III, 188; Burke on, III, 178; first French, III, 89; in French constitution of 1791, III, 118-20; of 1793, III, 122; of 1795, III, 123; Virginia, III, 92.
Decretalists: Dante on, I, 233.
Defensor Pacis: see Marsiglio.
De Greef, Guillaume: theory of changing frontiers, IV, 393.
De Lolme, J. L.: on British constitution, III, 76; on individual liberty, III, 77.
Demagogue: produces revolution in democracies, I, 87.
Democracy: anarchism and, IV, 77; anti-imperialistic, nature of, IV, 73; basic problems of, IV, 77-79; based on liberty and equality, I, 75; based on the principle of liberty, I, 39; the best and worst government, I, 36; blind faith in, IV, 49; Bodin on, II, 107; Bryce on, IV, 61-64; causes of revolutions in, I, 87; Cicero's conception of, I, 120; collectivists believe in, IV, 183; Cooley on, IV, 66; a corrupt form of government in Aristotle, I, 72; critics of, IV, 50-61; criticized by Cram, IV, 53-54; criticized by Faguet, IV, 52-53; criticized by Le Bon, IV, 54-55; criticized by Lecky, IV, 52; criticized by Ludovici, IV, 55; criticized by Maine, IV, 50-51; criticized by Mallock, IV, 55; criticized by Michels, IV, 56; criticized by Nietzsche, IV, 354; criticized by Santayana, IV, 353; danger of too narrow a view, IV, 50; defended by Dewey, IV, 349; Dicey on, IV, 61; difficulties of discussing, IV, 46-47; dislike of experts, IV, 53; difficulties of definition, IV, 46-48; disliked by Plato, I, 32; discussion of, IV, 24; elements of, in Brownism, II, 230; and equality, I, 40; equality of opportunity and, IV, 62; evils of (Bryce), IV, 63; fallacy of in large areas, IV, 73; form and functions of governmental organs

in, I, 76; a form of social control, IV, 70; Giddings theory of, IV, 74-75; Godkin and, IV, 66; government by ignorance, IV, 52; all government originates in, III, 33; guarded against by *League and Covenant*, II, 227; Hobhouse on, IV, 71-72; instability of, IV, 50; Lassalle believed in, IV, 275; leads to oligarchy, IV, 55-57; Martin on, IV, 75; Machiavelli's ideas of government in, I, 307, 317 *et seq.;* Mecklin on, IV, 67; mental tests and, IV, 424; merits of, IV, 62-63; necessity for checks in, IV, 51; necessity for leaders in, IV, 54; need of social program, IV, 76-77; no biological basis of, IV, 372; no systematic treatment of, IV, 46; party government and, IV, 57; its place in the succession of government forms, I, 33; in Polybius' theory, I, 115; preventatives of revolution in, I, 88; principle of (Montesquieu), II, 400; is really the rule of the poor over the rich, I, 74; recognizes personality, IV, 71; rests on equality, IV, 54; Rousseau on, III, 31; social concept of, IV, 62; sociological theories of, IV, 377-79; socialism and, IV, 77; Spinoza on, II, 317; Sydney's dislike of, II, 340; Tocqueville on success of, III, 276; trend toward, IV, 48; where the poor are much more numerous than the rich, the best state, I, 79; as will to liberate individuals, IV, 351; see also Equality, Forms of Government, People.

emocracy, social: distinguished from socialism and defined by Stein, III, 384; theory of, IV, 47.

Demography: analyzes social populations, IV, 371.

Denmark: example in democratic government, IV, 66.

Deposition of monarch: right of, asserted after Gregory VII, I, 174; texts and precedents in support of right, I, 175; theory of Augustinus Triumphus on, I, 218; theory of Thomas Aquinas on, I, 207; see also Monarchy.

Despotism: Montesquieu's conception, II, 399, 401; see also Monarchy, Tyranny.

Dewey, John: applied pragmatism to political philosophy, IV, 335; attacks instinctive theory of group life, IV, 411-12; on democracy, IV, 71, 349; importance of habits, IV, 411; on persistence of social forms, IV, 412; pluralistic nature of the state, IV, 336; problems of political thought, definite problems, not general, IV, 334.

Dexter, E. G.: influence of weather, IV, 300-3; method followed, IV, 501.

Dicey, A. V.: legislation and public opinion, IV, 69; view of democracy, IV, 61.

Dickinson, G. L.: on dignity of work, IV, 187.

Dictatorship: Machiavelli on, I, 319; proletarian, IV, 256; in Roman constitution, I, 108.

Diderot: Rousseau's relations with, III, 4.

Direct action: German socialism and, IV, 300; sabotage advocated by syndicalists, IV, 221; syndicalist advocate of, IV, 220; see also Anarchism, Socialism, Syndicalism, Violence.

Discourses on Livy (Machiavelli): chiefly a study of the Roman, I, 292; on the maintenance of republican government, I, 317; on the methods of extending dominion, I, 313; a study of strong republic, I, 294, 307; unmoral doctrines of, I, 298-99; unreligious doctrines of, I, 300; a view of human nature in, I, 305.

Disraeli, Benjamin: *Sybil* circulated as a socialist book, IV, 279.

Distribution: Bolshevist methods of, IV, 260; Kropotkin's theory of, IV, 207.

Divine right of kings: Barclay on, II, 131; claimed for French monarchs, I, 225; in England at Restoration, II, 254, 340; Filmer's version of, II, 258 *et seq.;* maintained by Horn, II, 332; James I on, II, 215 *et seq.;* theory of, in

Middle Ages, I, 177; see also Monarchy.
Dixon, R. B.: complexity of racial history, IV, 547.
Doctrinaires, glorified *Charte*, III, 265.
Donation of Constantine: I, 175; Dante on, I, 234; discredited by Cusanus and Valla, I, 259; ignored by Machiavelli, I, 291; Peter Dubois on, I, 228; his doctrine as to French monarchy and Papacy, I, 228.
Duel: Dante's theory of, I, 232.
Duguit, Leon: criticisms of theory of law, IV, 108-9; law independent of the state, IV, 100-1; law made by many organs, IV, 105-6; social solidarity in law, IV, 108; on the theory of objective law, IV, 169; on the theory of social obligation, IV, 23.
Dunning, W. A.: death of, IV, v, vii; editor of *Political Science Quarterly*, IV, vi; education of, IV, v; formulated no independent system, IV, vi; personal characteristics, IV, vii; racial bases of states, IV, 510; recognized importance of geography in politics, IV, 458; study of political theory, IV, vi; teaching success of, IV, v; writings of, IV, vi.
Durkheim, Emile: emphasized cultural bases of society, IV, 415; interdependence of society, IV, 329; necessity for general control, IV, 95; *"representations collectives,"* IV, 414; theory of groups, IV, 92.
Duty: Bentham on, III, 220 *et seq.*; in French constitution of 1795, III, 124; above will, III, 180.
Dynamics, social: in Comte, III, 391.

Economic conditions: divided the Roman people and ruined the Republic, I, 119; Machiavelli on influence of, I, 307; political influence of, recognized by Aristotle, I, 74, 86, 96.
Economic exploitation: motive of the state, IV, 375; state as a means of, IV, 363.
Economic factors: basis of revolution, IV, 272; influence on society, IV, 466-67.
Economics: distinguished by Aristotle from chrematistics, I, 60.
Education: Aristotle's system of, I, 83-84; Bolsheviki ideal of, IV, 258; chief function of state, III, 146; fostered by democracy, IV, 63; importance in class conflict, III, 382; importance and system of, in Plato's *Republic*, I, 31; indispensable function of state in Plato and Aristotle, I, 93; in Plato's *Laws*, I, 38, 43; a preventive of revolution, I, 90; no purpose of state, III, 151; right to, in French constitution of 1793, III, 122.
Ekklesia: under the democratic constitution, I, 14; under Solonian constitution at Athens, I, 13.
Election: of Iroquois chiefs, IV, 451; Harrington on secrecy of, II, 252; Montesquieu on, II, 402; see also Suffrage.
Electoral devices: reform of, IV, 68.
Elizabeth (of England): II, 39; autocracy of, II, 40; excommunication of, II, 131.
Ellwood, C. A.: democracy as social control, IV, 204.
Emotion: basis of group unity, IV, 410; see also Instincts.
Emotional prophylactics: Ross on, IV, 75.
Empire, Holy Roman: Dante's plea for rights of, I, 233; disintegration of, in thirteenth century, I, 148; jurists' theory as to, I, 180; origin and character of, I, 143; relations of Germany and Italy under, I, 144; relative insignificance of, in fourteenth century, I, 224; rulers of, determined by Popes, I, 149; slighted by Marsiglio, I, 241; Thomist theory of, I, 201.
Encroaching control: guild socialist theory of, IV, 235.
Enfantine: III, 355.
Engels, Friedrich: and the Communist Manifesto, III, 345, 372.
England: see Great Britain.

England, constitution of: see British Constitution.
Enlightened despotism: under Napoleon, III, 90; representatives and practice of, III, 47; see also Despotism, Monarchy.
Environment: Buckle on influence of, IV, 466; influence on history, IV, 488-92; influence on political science, IV, 457; influence on political theory, IV, 398; not a complete explanation of cultural development, IV, 506; Ratzel's view of, IV, 474-76; Reclus distinguished social and physical, IV, 483, 487; Reclus emphasized influence of, IV, 484-87; Ritter on influence of, IV, 462-64; Semple's views on influence of, IV, 479-82; as social causation, IV, 421; see also Climate, Geography.
Ephors: in Althusius' classification, II, 64; Calvin on, II, 30; Fichte's doctrine of, III, 146; Melanchthon on, II, 21.
Episcopacy: attitude after the Restoration, II, 336; James I defended, II, 217; overthrown in England, II, 225-26; overthrown in Scotland, II, 224.
Epicureans: doctrines of, as to society, law, and justice, I, 103; emphasized ethics and neglected politics, I, 102; ideas as to source of authority, III, 417; prominence after Alexander, I, 102.
Equality: absolute and proportionate, I, 40; Bonald on, III, 188; demand for, IV, 27; democracy based on, IV, 54; Leveller's doctrine of, II, 236; not essential among citizens (Bodin), II, 94; Filmer's rejection of theory of, II, 256; the foundation of democracy, I, 40; Hobbes' theory of, II, 269; ideas of the Americans on, III, 94; incompatible with property, III, 364; Malby on, III, 52; of men under natural law, I, 128, 273; method of filling offices determined by, I, 41; not in nature, III, 197; Proudhon on, III, 365; in Rousseau's pact, III, 18; Stein on, III, 383; various ideas of, the general cause of revolution, I, 86; see also Democracy.
Equality of opportunity: essential in a democracy, IV, 62.
Equality of states: theory of, IV, 136-37.
Equity: defined by Aristotle, I, 54; John of Salisbury's idea of, I, 186.
Erfurt program: based on ideas of Marx, IV, 289.
Esprit des Lois: see Montesquieu.
Estate, Third: identified with bourgeoisie, III, 372; in 1789, III, 88.
Estates: Althusius on, II, 64; Mariana on, II, 72; possess right to resist tyranny (*Vindiciæ*), II, 51, 64; relation to people (monarchomachs), II, 79.
Estates General: influence of Siéyès on, III, 101; in 1789, III, 88.
Ethics: Aristotle's treatment of its relation to politics, I, 51 *et seq.;* separated from politics by Machiavelli, I, 298.
Eugenics: based on individual differences, IV, 59.
Evolution: criticism of specific stages of social, IV, 441; doctrine of and religion, IV, 11; influence on sociology, IV, 433; theories of social, IV, 433-38; Spencer's development of, III, 393-94.
Evolutionary Socialists: Collectivists become, IV, 184.
Evolutionism: compared with idealism, IV, 321-22.
Exactness: tendency toward in political science, IV, 20.
Excommunication: early theory and practice of, I, 144-45; held analogous with death penalty in Mosaic law, I, 174; Peter Dubois on papal employment of, I, 229; subject to control of secular sovereign (Marsiglio), I, 243; Wycliffe's theory of, I, 263.
Executive: by Cusanus, I, 274; distinguished from legislator by Marsiglio, I, 240; see also Monarchy, Separation of Powers.
Exogamy: psychological basis of, IV, 418.
Expansion: Machiavelli's idea of and its influence, I, 323.

Expression: see Freedom of expression, Freedom of the press, Liberty.

Fabian Socialism: belief in state ownership, IV, 183; endorses democracy, IV, 77; see also Socialism.
Faguet, Emile: democracy as incompetent, IV, 52-54.
Family: as primal social unit, IV, 442.
Farmers: collectivism and, IV, 188.
Federalism: economic, IV, 29; in Greece after Alexander, I, 100; see also Decentralization, Regionalism.
Federalist, The: III, 99; nationalistic influence of, III, 292.
Feminism: influence of, IV, 5-6.
Fenelon: his liberalizing spirit, II, 332, 373, 392.
Ferdinand of Spain: I, 286-87.
Ferguson, Adam: inconsistencies of, III, 69-70; on origin of society and government, III, 68; social historical method of, III, 66; on state of nature, III, 67.
Feudal aristocracy: decline of, in fifteenth century, I, 256.
Figgis, J. N.: and church independence, IV, 10; function of state to regulate groups, IV, 95; theory of groups, IV, 92.
Fichte, J. G.: compared with Savigny, III, 315-16; compared with utilitarians, III, 244; criticized by Hegel, III, 155; on geography and nation, III, 318; on the nation, III, 312-15; relation to Rousseau, III, 40; works and doctrines of, III, 137 *et seq.*
Filangieri, Gaetano: on America, III, 80; doctrines of, III, 78-80; practical work of, III, 48; relation to others before Montesquieu, III, 79; relation to Montesquieu, III, 78.
Filmer, Robert: against popular sovereignty, II, 257; against social contract idea, II, 256; compared with Bossuet, II, 326; influence in time of Charles II, II, 337; refuted by Locke, II, 345; his nationalism, II, 261; on patriarchal authority, II, 258-60; refuted by Sydney, II, 343; on sovereignty, II, 256; his work and method, II, 255.
Fiske, John: reinterpreted Spencer, IV, 327.
Florence: center of Renaissance, I, 290; workings of government in, I, 301.
Folkways: clash of in the state, IV, 406; relation to political control, IV, 404-6.
Follett, M. P.: group theory of democracy, IV, 65; state as unifying force, IV, 341; theory of social pluralism, IV, 341.
Ford, H. J.: on relation of sociology to political science, IV, 357.
Foreign policy: attitude of Social Democratic Party in Germany toward, IV, 295.
Forms of government: Althusius on, II, 67; Aristotle's classification of, I, 72; Aristotle's test of excellence in, I, 79; Bellarmin on, II, 128; Bodin on, II, 103 *et seq.;* Cicero on, I, 120; all despotic, III, 53; Ferguson on, III, 68; Fichte on, III, 146; Fortescue on, II, 202; Harrington's theory of, II, 250; Hobbes' doctrine of, II, 290; Holbach on, III, 55-56; Kant on, III, 133; Locke on, II, 355; Machiavelli on, I, 506 *et seq.;* J. S. Mill on, III, 239 *et seq.;* Montesquieu on, II, 399; Paine on, III, 113; Physiocrats on, III, 61; in Plato's *Republic,* I, 33; in Plato's *Statesman,* I, 36; Polybius on, I, 115; principles underlying, I, 75; Proudhon on, III, 367; review of theories concerning, III, 411; Rousseau on, III, 31; Schleiermacher on, III, 303; Spinoza on, II, 316; see also Aristocracy, Democracy, Federalism, Government, Mixed form of government, Monarchy, Ochlocracy, Oligarchy, Plutocracy, Polity, Tyranny.
Forms of state: Haller on, III, 199; Kant on, III, 133; review of theories concerning, III, 411; Rousseau on, III, 18, 22.

Fortescue, Sir John: classification of the kinds of government, II, 202; on the law of England, II, 203; on the rights of Englishmen, II, 204; his works and their spirit, II, 201.

Fortschrittpartei: was allied with Social Democrats, IV, 306; did not represent workers, IV, 273; organization of, IV, 273; opposed by Lassalle, IV, 276.

Fourier, Charles: rise of his doctrines, III, 343; social system, III, 352-54.

France: an absolute monarchy (Bodin), II, 105; and the American Revolution, III, 84; Chauvinism of, IV, 295; civil and religious wars in, II, 42-43; constitution of, compared with American, III, 109; controversial literature in, II, 46; early socialism in, III, 343; Fortescue on conditions in, II, 204; has mixed form of government (Gerson), I, 269; Montesquieu's desire for reform in, II, 432; nobles crushed in, I, 256; policy under Napoleon, III, 128; practice of plebiscite in, III, 336; refused to accept decrees of Council of Trent, II, 125; revolution of 1830 in, III, 248; revolution of 1848 in, III, 249; effect of Seven Years' War on, III, 45; social conditions in eighteenth century, III, 3; spread of reformed faith in, II, 6; strength of royal power in, during thirteenth century, I, 150; after Thirty Years' War, II, 306.

France, Anatole: satires theory of equality of the law, IV, 194.

Franciscans: their theory of evangelical poverty, I, 236.

Frankfort Assembly: constitution framed by, III, 280; nationalism in, III, 297.

Frankish monarchy: early history of, I, 141; mediæval theory as to origin of, I, 225; saved popes from Lombards, I, 139.

Franklin, Benjamin: and American constitutions, III, 99; in France, III, 85.

Frederick Barbarossa: encouragement of lawyers by, I, 179.

Frederick the Great: accession and influence, II, 373-75; consolidates Prussian monarchy, III, 45; an enlightened despot, III, 47; on Machiavelli, I, 323; his political theories, II, 376; relations with Voltaire, III, 48.

Freedom: see Liberty.

Freedom of assembling: a natural right, III, 119.

Freedom of expression: Bodin on, II, 112; in French constitution, III, 119; denied by Hobbes, II, 283; J. S. Mill on, III, 238; Milton's theory of, II, 245; a natural right according to the Levellers, II, 236; Spinoza's plea for, II, 374.

Freedom of movement: in French constitution, III, 119; in Pennsylvania, III, 95.

Freedom of the press: demanded by Holbach, III, 57; ideas of the Americans on, III, 94.

Freedom of religion: demanded by Holbach, III, 57; in French constitution, III, 119; ideas of Americans on, III, 94; see also Religion.

French monarchy: control over the popes at Avignon, I, 236; Dubois on hegemony of, I, 229; influence on political theory in fourteenth century, I, 223; theory of its independence of Pope and Emperor, I, 225.

Freud, Sigmund: egoistic nature of man, IV, 416.

Friendship: considered by Plato an important principle in politics, I, 40.

Frontiers: De Greef's theory of, IV, 393; demand for strategic, IV, 374; see also Geography.

Galton, Francis: on social stratification, IV, 527.

Geist: importance in continental philosophy, IV, 315.

Gelasius: dictum as to the two powers, I, 166-68.

General council: fourteenth century imperialists' theory of, I, 238; French lawyers' theory of, I, 227; introduced into constitution of the church, I, 258; Marsiglio's doctrine of representation in, I, 251; Marsiglio's theory as to organization and functions of, I, 241; Ockam's scheme of representation in, I, 252; theory of the corporation applied to, I, 277-78.
General strike: see Syndicalism.
General will: Bergson's theory implies a, IV, 326; Bosanquet's theory of, IV, 319; Bradley's theory of, IV, 318; Durkheim on formation of, IV, 414; Gierke's theory of, IV, 94; Hobhouse's view of, IV, 72; Krabbe's theory of, IV, 104; denied by Mallock, IV, 55; Rousseau's doctrine of, III, 39-40, IV, 87; sociologists attack theory of, IV, 381; see also Unity, Will.
Geneva: Calvin's system in, II, 31-33; Rousseau's pride in, III, 6.
Gentilis: on the law of war, II, 173.
Geography: as basis of nation, III, 316 *et seq.;* German idealists on, III, 169; importance of in politics, IV, 374-75; influence on states, IV, 476; Reclus on influence of rivers, IV, 486; relation to history, IV, 461, 488-92, 479-80, 483; relation to state, III, 144; Schleimacher on influence of, III, 318; see also Climate, Continents, Environment, Frontiers, Water.
George, Henry: influence of, IV, 251; rent theory of, IV, 248-50; theory of natural right to land, IV, 246; see also Single Tax.
George III: and the Americans, III, 84; opposes Parliament and Americans, III, 49-50.
German Confederation (Bund): provision for constitution, III, 173.
Germany: Bismarckian wars in, III, 250; at Congress of Vienna, III, 293; constitutional aspect of movement for unity in, III, 281; discouraged intensive anthropological study, IV, 533; establishment of Protestantism in, II, 6; foreign policy changed by William II, IV, 295; influence of philosophy on politics in, IV, 316; insurrections of 1848 in, III, 249; nationalism of 1848, III, 297; passage of anti-socialist law, IV, 284-85; power of nobility in, I, 256; relations with Italy under Holy Roman Empire, I, 144; results of Thirty Years War in, II, 306.
Gerson, John: conciliar theory of, I, 266; doctrines paralleled by monarchomachs, II, 77; moderate views of, I, 270; on plenary power, I, 267; preference for mixed form of government, I, 269; theory of necessity as basis of council, I, 266.
Ghandi: Pacifism of, IV, 12.
Giddings, F. H.: on coordination of social and political classes, IV, 373; forms of government, IV, 380; idea of democracy, IV, 50; influence of war on social changes, IV, 423; society and the individual, IV, 421; on sociological approach, IV, 360; stages of social development, IV, 370; theory of expansion, IV, 74; theory of natural rights, IV, 387-88.
Gierke, Otto: groups and sovereignty, IV, 90; influence on jurisprudence theory of group jurisprudence, IV, 164-65; state should recognize the group, IV, 73-74.
Gilchrist, R. N.: sovereignty, voluntary limits on, IV, 127.
Girondists: III, 121.
Glanvil, R. de: II, 97.
Gobineau, J. A.: on Aryan superiority, IV, 512; influence of, IV, 517-18; racial theory of, IV, 513.
Godkin, E. L.: democracy conditioned by environment, IV, 66; view of democracy, IV, 61.
Godwin, William: doctrines of, III, 362-64; English radical, III, 208,
Goebel, Julius, Jr.: fiction of state equality, IV, 136.
Golden age: Bodin on, II, 84.
Gotha: socialists coalescent, IV, 283.
Gould, C. W.: criticism of racial doctrines of, IV, 543.

Gourney: physiocratic doctrine of, III, 62.
Government: always democratic in origin, III, 33; based on force, III, 392; Bentham and Austin on sovereignty in federal, III, 230 *et seq.;* Bentley on function of government, IV, 377; Burke on, III, 178; cannot make law, III, 33; Comte's method in science of, III, 389; criticisms of democracy as a form of, IV, 50-61; democracy as a form of, IV, 61; distribution of functions by syndicalists, IV, 219; distinct from state, III, 146; distinction between free and despotic, III, 219; distinguished from state (Bodin), II, 104; distinguished from state (Locke), II, 354-55; distinguished from state by Marsiglio, I, 250; distinguished from state or sovereign (Rousseau), III, 29; Duguit's theory of, IV, 105-6; doomed to disappear, III, 363, 400-1; encroaches on sovereign, III, 36; excluded from constitution making, III, 107; Fichte's ideas on, III, 147-47; forms of, IV, 24-27, 378-79; Guizot on representative, III, 265 *et seq.;* Haller on authority in, III, 198; ideas of Americans on, III, 95-96; implied in society, III, 392; influences character of people, III, 53; institution and extinction of, III, 32; legal immunity of, IV, 123; Mariana on origin of, II, 69; J. S. Mill on, III, 236; Milton on origin of, II, 242; Monistic theory of, IV, 88; national and provincial distinguished (Harrington), II, 249; nature of syndicalist, IV, 218; origin of, according to Polybius, I, 115; property chief cause of, III, 367; relative importance in recent theory, III, 402; Saint-Simon's project for, III, 357; Santayana's theory of, IV, 353; secondary form of social control, IV, 413; shaped by economic conditions, III, 372; sociological view of process of, IV, 380-81; Spencer's conception of, III, 397; sphere of not fixed, IV, 391-92; when most "natural" (Montesquieu), II, 398; see also Forms of Government, State.
Government employees: collectivists demand protection of, IV, 190; right to organize, IV, 190.
Government ownership: basis of proletarian political theory, IV, 179; danger of competition, IV, 192; destructive of incentives, IV, 193; neglect of capital investments under, IV, 194; reasons for growth of, IV, 185; syndicalists advocate for key industries, IV, 225; would curtail liberty, IV, 194.
Grant, Madison: eulogy of Anglo-Saxon, IV, 540-42; eulogized Scandinavian race, IV, 518; recognized contributions of inferior races, IV, 540.
Gratian: the *Decretum,* I, 162; dictum of, as to subordination of princes to church, I, 180; on the two powers, I, 166.
Gray, John: on rent and profits, III, 343.
Great Britain: an absolute monarchy (Bodin), II, 105; under Charles I, II, 219 *et seq.;* under Charles II, II, 335 *et seq.;* under the Commonwealth, II, 234 *et seq.;* constitutional growth of, II, 193 *et seq.;* early socialism in, III, 342; establishment of Protestantism in, II, 6; Fortescue on law of, II, 203; a fief of the Pope, I, 149; growth of the common law in, II, 197 *et seq.;* industrial revolution in, III, 341; influence of, on Montesquieu, II, 393; under James II, II, 337 *et seq.;* legally and politically analagous with Rome, II, 192; Montesquieu on constitutional liberty in, II, 414; nobles crushed in, I, 250; her opposition to the French Revolution, III, 171; policy of George III, III, 49; her quarrel with the Americans, III, 82; politics under James I, II, 212 *et seq.;* Protestantism adopted in, II, 208; radical reform movement in, III, 207 *et seq.;* after the Revolution, II, 371; effect of Seven Years'

War on, III, 45; troubled by nationalism, III, 296; Tudor absolutism, III, 206; see also British Constitution.
Greece: Aristotle on constitutional transformation in, I, 85; characteristic political life of, extinguished by Alexander, I, 99; conflict of oligarchy and democracy in, I, 4; early political institutions of, I, 2 *et seq.;* influences making for national unity in, I, 5; effect of Persian and Peloponnesian wars in, III, 19; persistence of forms of city-state in, I, 100; assumed by Plato and Aristotle to be superior to other races, I, 93; race nationalism in, III, 295; revolt of, III, 248.
Green, T. H.: philosophy of self-realization, IV, 317.
Gregariousness: basis of group consciousness, IV, 409; as a social principle, IV, 430.
Gregory I (the Great): character of, I, 158; influence of, in development of Papacy, I, 138; influence of, on political literature, I, 160; influence of, on mediæval reasoning, I, 163; view of, as to chief end of imperial authority, I, 159; conflict with Henry IV, I, 147; on the dogma of the two powers, I, 166; on greater dignity of priests as compared with princes, I, 170; on jurisdiction of priests over princes, I, 173; reforming decrees of, I, 146; writings of, 1, 162.
Grotius, Hugo: antithesis to Hobbes, II, 301; compared with Rousseau on state of nature, III, 15; to contract theory, II, 190; criticized by Filmer, II, 256; disliked by Rousseau, III, 5; factors making him influential, II, 157 *et seq.;* international law based on law of nature, IV, 120; on the law of nature, II, 164 *et seq.;* on the law of nations, II, 171 *et seq.;* on liberty, II, 186; Locke's relation to, II, 363; on origin of society and state, II, 179; Vico on philosophy, II, 389; purpose of his work, II, 161; relation to absolute monarchy, II, 187, 189; relation to precursors, II, 153; relation of Pufendorf to, II, 318; on slavery, II, 178; on sovereignty, II, 181 *et seq.;* state not absolute, IV, 87.
Groups: Althusius' theory of, II, 62; basis of differentiation, IV, 431; Bodin's theory of, II, 88-89, 91; causes for, IV, 396-97; conflict of interests cause law, IV, 109-10; decisions control the state, IV, 406; demand for restoration of vocational, IV, 92; economic regulation through, IV, 91-92; emphasized by pluralists, IV, 342; emotional basis of, IV, 410; extent of loyalty of individuals, IV, 114; functions in early society, IV, 432; Kropotkin's theory of free, IV, 205; necessity for autonomy, IV, 93; as origin of state, IV, 168; pragmatic philosophy and, IV, 336-37; require state regulation, IV, 94-97; state composed of, IV, 362-63; and state sovereignty, IV, 89-98; tend to become sovereign, IV, 90-91; theory not a new one, IV, 380; theory of real democracy, IV, 90; Tucker's theory of voluntary, IV, 198.
Group consciousness: based on gregariousness, IV, 409.
Group marriage: not primal, IV, 439.
Group minds: necessity of according to Bosenquet, IV, 319.
Guilds: failure of building, IV, 234; Hobson would put under state, IV, 229; organization of, IV, 228.
Guild .socialism: methods of, IV, 234; midway between syndicalism and collectivism, IV, 227; nature of state under, IV, 365; opposition to nationalism, IV, 4; pluralism and, IV, 342; psychology of, IV, 425; and regionalism, IV, 384; and sovereignty, IV, 97; theory of, IV, 227-33; see also Socialism.
Guizot, F. P.: compared with Mill on sovereignty, III, 240; doctrines

of, III, 263 *et seq.*; opposition to democracy, III, 271.
Gumplowicz, Ludwig: sociology of, III, 407; state as product of social forces, IV, 168; theory of progress, IV, 390; unity of results from political unity, IV, 509.
Gunpowder plot: II, 132.

Haeckel, E. H.: applied scientific ideas to politics, IV, 12.
Haller, Ludwig von: Stein's suggestion of, III, 377; works and doctrines of, III, 195 *et seq.*
Hall, A. B.: public opinion in government, IV, 70.
Happiness: end of government, III, 233; end of legislation, III, 71; test of excellence in government, III, 53; see Utilitarianism.
Harrington, James: and the American revolution, III, 91; compared with Milton, II, 253; his doctrine of Agrarian and Rotation, II, 252; his fundamental political principles, II, 249; influence on America, II, 254 note; method of, II, 248; on the organs of commonwealth government, II, 251; on the relation between government and property, II, 250.
Heartlands: MacKinder's theory of, IV, 491-93.
Hegel, G. W. F.: compared with utilitarians, III, 244; on geography and nation, III, 318-19; influence on idea of state, III, 300; influence on Lassalle, IV, 275; magnified the state, IV, 84; objective idealist, IV, 315; relation to Rousseau, III, 40; viewed reality as a development, IV, 322; the works and doctrines of, III, 154 *et seq.*
Heine, Wolfgang: attitude on military credits, IV, 298.
Hellas: see Greece.
Hellenistic: literature lacking in original political thought, I, 101; moral and intellectual type, I, 99; spirit transformed Roman government in East, I, 131.
Helots: position of, in Spartan state, I, 7.
Helvetius: social and political ideas of, III, 53.
Henry of Navarre: II, 42; assassination of, II, 132; excommunication of, II, 131.
Henry IV: conflict with Gregory VII, I, 147; writings of, I, 162.
Henry VII: Emperor, I, 218; of England, I, 256, 286.
Henry VIII of England: II, 3, 206-7.
Hereditary offices: not in primitive society, IV, 449.
Heresy: Calvin burns Servetus for, II, 33; Luther on extirpation of, II, 12-13; Melanchthon on suppression of, II, 19; suppression of, taught by Protestant Reformers in general, II, 36; Zwingli's doctrine on, II 25.
Hesiod: political point of view of, I, 19.
Hincmer: Archbishop of Rheims, I, 162; on the dogma of the two powers, I, 166; on the jurisdiction of priests over princes, I, 172.
Historical method: Comte on, III, 393; influence on utilitarianism, III, 243; in political psychology, IV, 428.
Historical School of Jurisprudence: IV, 148-50.
Historical Sociology: on origin of the state, IV, 366.
History: Buckli's view of unity of, IV, 465; economic theory of, IV, 180; relation of geography to, IV, 461; relations of geography to, IV, 479-80, 483, 488-92.
Hobbes: his antithesis to Grotius, II, 301; and Bentham, III, 217; combatted by Ferguson, III, 70; compared with Locke on state of nature, II, 347-48, compared with Rousseau on state of nature, III, 8, 11, 12, 15; criticized by Filmer, II, 256; denounced by U. of Oxford, II, 337; disliked by Rousseau, III, 5; on the dissolution of society, II, 289; on forms of states, II, 290; his formula of social contract, II, 278; Harrington's view of, II, 249; his individualistic basis of the state, II, 302; influence on Rousseau's social

pact, III, 18, 20; and interpretation, II, 294; his later influence in political philosophy, II, 303; on law, II, 293; on liberty, II, 285 *et seq.;* his life and general philosophy, II, 263 *et seq.;* on natural rights and law, II, 272 *et seq.;* on origin of the state, II, 272 *et seq.;* relation of Pufendorf to, II, 318 *et seq.;* on relation of state to nationality, III, 327; resemblance of Machiavelli to, I, 303; on slavery, II, 281; on sovereignty, II, 281 *et seq.;* on sovereignty, III, 21; sovereignty limited, IV, 87; Spinoza's resemblance, II, 310 *et seq.;* on state and church, II, 296 *et seq.;* on the state of nature, II, 268 *et seq.;* state of nature, IV, 122; uncontrollable authority, IV, 122; see also Contract Theory, Sovereignty.

Hobhouse, L. T.: on causes of moral progress, IV, 328; classified liberty, IV, 386; on democracy, IV, 72; on nature of sociology, IV, 359.

Hobson, S. G.: admits state sovereignty, IV, 229; would put guilds under state, IV, 229.

Hodgskin, Thomas: on rent and profits, III, 343.

Hohenzollerns: after insurrection of 1848, III, 250; effect of, on Hegelians, III, 160; ideas of monarchy under, III, 134; influence on Humboldt, III, 154; see also William II.

Holbach: social and political ideas of, III, 54 *et seq.*

Holland, T. E.: Adaptation of Austinianism, IV, 146-47.

Holmes, D. W.: anticipated modern jurisprudence, IV, 173; break with historical jurisprudence, IV, 174.

Holy Alliance: Comte on, III, 388; origin and principles of, III. 174.

Holy Roman Empire: see Empire.

Home-rule: see Decentralization, Federalism, Regionalism.

Homer: depicts patriarchal régime, I, 18.

Hooker, Richard: on natural law, II, 210; on origin of government, II, 211.

Horace: an Epicurean in view of life, I, 104.

Horn, I. E.: his theory of divine right, II, 332.

Hotman, Francis: his *Franco Gallia,* II, 47.

Household: distinguished from state by Aristotle, I, 57 *et seq.*

Howe, F. C.: problems of democracy, IV, 65.

Huguenots: persecution of, II, 41.

Humboldt, William von: compared with J. S. Mill, III, 238; doctrines of, III, 348 *et seq.*

Hume, David: on the English constitution, II, 379; Ferguson's relation to, III, 65; on the original contract, II, 381 *et seq.;* his party politics, II, 378.

Hundred Years War: I, 255.

Hungary: insurrection of 1848 in, III, 249; nationalism of 1848 in, III, 297.

Huntington, Ellsworth: emphasized influence of climate, IV, 494-500.

Huss, John: condemned by council of Constance, I, 265; promotes ideas of Marsiglio and Wycliffe, 264-65.

Huxley, Thomas: applied scientific ideas to politics, IV, 12; relation of evolution and ethics, IV, 329.

Idealism: compared with evolutionism, IV, 321-22; English, IV, 86; as a philosophical method, IV, 314; relation to utilitarianism, IV, 343; views the world as a unity, IV, 321.

Idealists, German: compared with utilitarians, III, 244; general character and influence of, III, 166 *et seq.*

Ideals: Santayana attempts to give a natural basis of, IV, 352.

Ihering: adapted law to society, IV, 152; law as protection of social interests, IV, 146; theory of punishment for crime, IV, 153.

Imperialism: accompanied by greed, IV, 3; according to Aristotle, I,

81; incompatible with democracy, IV, 72; the necessary aim of a state according to Machiavelli, I, 295, 315, 323; no proper aim for individual or state, according to Plato, I, 46; rapid development of, IV, 3; relations to capitalism, IV, 7; relations of geography to, IV, 493; relation to naturalism, IV, 508; sociologists' view of, IV, 393; sought in vain by Athens and Sparta, I, 6; tolerated by Social Democrats, IV, 304.
Immigrants: decline in intelligence of, IV, 345.
Immigration: influence on nationality, IV, 393; racial superiority and, IV, 58.
Independents: attitude toward Long Parliament, II, 228; distinguished from Presbyterians, II, 213; early history of, II, 230; indebtedness of Locke to, II, 364; in New England, II, 231; out of politics after 1660, II, 341; see also Levellers.
Indians: illustrated state of nature (Hobbes), II, 271 (Locke), II, 351; theories as to rights of, II, 134; see also Iroquois.
Individual: relation to society, IV, 421.
Individual differences: basis for eugenics, IV, 59.
Individualism: developed into anarchism, III, 362; in doctrines of English Levellers, II, 237; elements of in the *League and Covenant*, II, 227; importance of Bentham, III, 209-10; in Humboldt, III, 153; in Kant, III, 136; in law, IV, 149; in J. S. Mill, III. 238; Milton's argument for, II, 244; Saint-Simonians on, III, 361; on source of authority, III, 421-22; of Spencer, III, 398.
Industrial Democracy: development of, IV, 26.
Industrial Government: Bolshevism and, IV, 261.
Industrial Revolution: in England, III, 208, 341; equaled by urban revolution, IV, 5; influence on jurisprudence, IV, 160.
Industrialism: Kropotkin's theory of, IV, 206; relation to imperialism, IV, 3; relation to urbanism, IV, 5.
Industrial Workers of the World, IV, 221.
Initiative and Referendum: spread of, IV, 25; see also Plebiscite.
Innocent III: extensive influence of, I, 149; on the greater dignity of priests as compared with princes, I, 171; on jurisdiction of priests over princes, I, 173; on the two powers, I, 167; on the universal church, I, 180; the writings of, I, 163.
Imperium Continuum: I, 180; ignored by Machiavelli, I, 291.
Insanity: influence of weather on, IV, 502.
Instincts: origin of state, IV, 409; MacDougall's theory of, IV, 410; reality of denied by Kuo, IV, 412; see also Emotions.
Insurrection: a natural right, III, 122.
International, The: relation of Marx to, III, 376.
International character of socialism: IV, 289.
International law: basis in convenience, IV, 131, basis as law, IV, 127, 131; Hobbes identifies law of nations with, II, 296 note; grows principally by custom, IV, 130; ideas of in Suarey, II, 141; influence of Grotius on, II, 188-89; as a limitation on sovereignty, IV, 98; inadequacy of older theories, IV, 121; recognition of by states, IV, 128-29; tendency of *ius gentium* toward, II, 172 *et seq.;* as world constitutional law, IV, 135; see also Law of Nations.
International organizations: sociological view of, IV, 394.
International relations: sociological views of, IV, 392-94.
Internationalism: advocated by collectivism, IV, 189; growth, IV, 28; recognizes security of the State, IV, 99; relation to imperialism, IV, 3; see also League of Nations, World State.
Investitures: conflict over, I, 146.

Ireland: declared democracy incompatible with biology, IV, 59-60.
Ireton: sides with army, II, 235; opposes Levellers, II, 237.
Irish: see Celts.
Iroquois: election of chiefs among, IV, 451; political organization highly developed, IV, 449-52.
Isidore of Seville: on law of nations and war, II, 172.
Israelitish state: considered a mixed government by Gerson, I, 270; theocratic character of, I, 164.
Italy: at Congress of Vienna, III, 298; insurrections in, III, 248-49; nationalism of 1848 in, III, 297; political condition of, in Machiavelli's time, I, 287-89; relations with Germany under Holy Roman Empire, I, 144; war of 1859 in, III, 250.
Ius Civile: see Civil Law.
Ius Gentium: see Law of Nations.
Ius Natural: see Law of Nature.

Jacobins: III, 121.
James I of England (VI Scotland): II, 43; Buchanan dedicates work to, II, 56; conflict with Parliament and judges, II, 214; controversies of his reign, II, 212; his theory of divine right, II, 215.
James II of England: policy as to dissenters and Catholics, II, 335, 338.
Japan: bulwark of monarchy, IV, 8; rise in power, IV, 3.
Jefferson, Thomas: and Declaration of Independence, III, 91; on duration of social pact, III, 110; in France, III, 85.
Jellinek, Georg: classification of government, IV, 24; theory of international law, IV, 132-35.
Jenks, Edward: theory of racial influence, IV, 515.
Jeremiah: God's commission to, I, 175.
Jerome: influence of, I, 134.
Jesuits: agree with Calvinists as to despotism, II, 79; influence against Protestants, II, 127; opposed by Barclay, II, 131; repudiate Mariana's *De Rege*, II, 132.
Jesus: held to have distinguished spiritual from secular power, I, 167; pastoral power given to Peter by, I, 173; unpolitical character of his teaching, I, 152, 177; power to bind and loose conferred by, I, 173.
John XXII: conflict of with Lewis of Bavaria, I, 213, 218, 235; controversy with Franciscans, I, 236.
John of Jandun: attacks John XXII, I, 237; collaborates on *Defensor Pacis*, I, 238.
John of Paris: his work in behalf of Philip the Fair, I, 226.
John of Salisbury: II, 196; general character of, I, 181; political ideas of, I, 186; his *Polycraticus*, I, 185; on "the two swords," I, 185; on tyrants and tyrannicide, I, 187.
Jordan, D. S.: on Imperialism, IV, 73.
Joseph II, Emperor: enlightened despot, III, 47.
Journalism: importance in democracy, IV, 69.
Judge-made law: Krabbe's theory of, IV, 107.
Judiciary: part of executive, III, 115; power of, over constitution in America, III, 275.
Julius Cæsar: his modification of the Roman constitution, I, 111.
Jurisprudence: analytical method, IV, 147; Bryce on comparative, IV, 158-59; defined by Austin, III, 225-26; Historical school, IV, 148-51; meaning of, IV, 141-42; mechanical, IV, 161-62; methods used, IV, 143-44; necessity of unification, IV, 167; neo-Hegelian theory of, 155-58; neo-Kantian theory of, IV, 154-55; philosophical school of, IV, 151; psychological school of, IV, 164; relation to other sciences, IV, 142-43; sociological theory of, IV, 161-76; social utilitarian theory of, IV, 152-54; teleological theory of, IV, 152; weakness of metaphysical, IV, 151; see also Law.
Juristic theory in relation to social and economic needs: IV, 16.

Jurists: work of, in fourteenth century, I, 222; work of, in Roman Empire, I, 127.
Justice: Augustine on, I, 158; Cicero's conception of, I, 122; Dante on, I, 231; definition and relation to law in Aristotle, I, 54; distinguishes pure from corrupt forms of government (Polybius), I, 115; Epicurean view of, I, 103; Hobbes' conception of, II, 270-71; 273; immutable, according to Plato, I, 27; real subject of Plato's *Republic*, I, 28; Stoic view of, I, 104; supercedes law, IV, 108; Thomas Aquinas on, I, 196.
Justinian's Digest: bases of the Civil law, I, 231; study of, at Bologna, I, 179.

Kallen, H. M.: political science and psychology, IV, 428.
Kant, Immanual: criticized by Hegel, III, 155; relation to Rousseau, III, 40; works and doctrines of, III, 130 *et seq.*
Kapital, Das: see Marx.
Kautsky, Karl: advocates expropriation, IV, 188; socialist opponent of Bolshevism, IV, 257.
Kidd, Benjamin: opposition to natural selection, IV, 327.
Kingdom: Ockam's definition of, I, 246; a self-sufficient political organization in Thomas Aquinas, I, 198; theory of, in John of Paris, I, 266; see also Monarchy.
Kleisthenes: democratic reformer disliked by Plato, I, 45; legislation of, at Athens, I, 14.
Knox, John: II, 6, 39, 56.
Kohler, J.: legal studies, IV, 18; on primitive law, IV, 156.
Kossuth: and nationalism, III, 298.
Krabbe, H.: criticism of theory of law, IV, 108-9; on international law, IV, 130-31; theory of law, IV, 103-5, 170; psychology of relationship, IV, 440.
Kropotkin, Peter: biological anarchism, IV, 22; classification of laws, IV, 204; criticisms of theory, IV, 209; inutility of law, IV, 204; theory of anarchy, IV, 113; theory of mutual aid, IV, 208.
Kuo, Z. Y.: denies reality of instincts, IV, 412.

Labor legislation: relation to unions, IV, 6.
Labor theory of value: Marx and the, IV, 180.
Labor-unionists: not radical socialists in Germany, IV, 290; proselyted by socialists, IV, 289; rise in power, IV, 6.
Laissez-faire: appropriated by capitalism, IV, 7; Spencer's theory of, IV, 390.
Lamartine: and nationalism, III, 298.
Lamennais: Catholic democracy and socialism of, III, 269.
Land distributions: since war, IV, 243-44.
Language: as basis of nation, III, 312 *et seq.*
Languet: see *Vindiciæ contra Tyrannos.*
Lapouge, Vacher de: on Teutonic myth, IV, 528.
Lapouge's laws: criticism of, IV, 529.
Lassalle, Ferdinand: career of, IV, 278-81; founder of German Social Democracy, IV, 274; founder of German Socialism, IV, 182; had few followers, IV, 274; opposed *Fortschrittpartei*, IV, 276; political theories of, IV, 274-77; triumph of tactics of, IV, 311.
Laski, H. J.: on autonomy of groups, IV, 93; legal implications of pluralism, IV, 342; state controls groups, IV, 96.
Laud, Archbishop: II, 225.
Law: adaptation to social needs, IV, 16; attempts to distinguish from legislation, IV, 33; not based on sovereignty, IV, 100-5; as a basis of classification of government by Plato, I, 36; the basis of government (Marsiglio), I, 239; Bentham on English, III, 212; binding on the state, IV, 102; Bonald on, III, 188; Cusanus' theory of consent as basis of, I,

273; Cicero on divine origin of, I, 123; classified by Ægidius Romanus, I, 210; classified by Kropotkin, IV, 204; as command of the state, IV, 88; compared by Plato with discretion of all-wise philosopher, I, 35; defined, III, 118; defined by Bentham, III, 218; defined and classified by Austin, III, 225; defined and classified by Thomas Aquinas, I, 192; Duguit's theory, 100-2, 105; as the evaluation of interest, IV, 109-10; group theory of, IV, 170; Haller on, III, 204; Hegel's doctrine of, III, 156; held by Aristotle to be better than man as sovereign, I, 71; held to be source of rights (*ius*) I, 123; indispensable in actual states, I, 37; Kant on, III, 132; not made but discovered by men, III, 59; may be made by community, IV, 107-9; objective theory of, IV, 105; Paine's ideas on, III, 116; Pound's theory of, IV, 171-73; Proudhon on, III, 369; psychological guaranty of, 101-4; rational and volitional elements in, I, 193; relation to constitution, III, 41; relation of king and legislature to making of, III, 257; relation to state, IV, 101-7; Rousseau on, III, 27; as social obedience, IV, 34; subjective theory of, IV, 104; theories of, IV, 33-34; supreme over all personality in Plato and Aristotle, I, 93; will of prince has force of (Roman jurists), I, 129; written, cannot do away with unwritten, I, 42; written and unwritten distinguished by Socrates, I, 23; see also Canon Law, Civil Law, Common Law, International Law, Jurisprudence, Legislation, Sovereignty.

Law of Nations: blended with *ius civile*, I, 127; character of, I, 126; content, source, and end of (Grotius), II, 174; developed by Spanish jurists, II, 133; history of, as *ius gentium*, II, 171 *et seq.*; Hobbes on, II, 296; limits human legislation (Ockam), I, 248; Montesquieu on, II, 398; relation to *ius naturale*, I, 128; same distinction by Grotius, II, 170; Suarez's theory of, II, 140; tendency to blend with law of nature, II, 176; Winkler distinguishes from law of nature, II, 156; see also International Law.

Law of Nature: Bodin on, II, 85; as conceived by Protestant precursors of Grotius, II, 154; contrast of Vico to ideal of, II, 388; defined by Grotius, II, 165; developed by Spanish jurists, II, 133; dissociated from Revelation, II, 166; distinguished from law of nations, II, 140, 170; distinguished from right of nature (Hobbes), II, 272; Fortescue on, II, 201; Hobbes on interpretation of, II, 294; identified with law of nations (Pufendorf), II, 321; an identity with law of nations, II, 296; a limitation of sovereignty, II, 98; limits legislature (Locke), II, 360; limits supreme lawmaker, II, 146; Locke on, II, 345; Melanchthon on, II, 16; Montesquieu's idea of, II, 396; precepts of (Hobbes), II, 273 *et seq.*; Pufendorf's theory of, II, 320; relations to the laws of war, II, 168; Rousseau on source of, III, 12; Suarez's theory of, II, 137 *et seq.*; tendency to blend with law of nations, II, 176; see Natural Laws.

Laws (*The*) of Plato: amount of private property limited, I, 39; Athenian institutions incorporated in, I, 45; combines liberty and authority, I, 40; communism of the *Republic* abandoned, I, 38; embodied a practicable code for an actual state, I, 37; governmental organization a mean between monarchy and democracy, I, 39; magistrates and assemblies, I, 41; miscellaneous subjects treated, I, 43; the nocturnal council, I, 42; his only strictly political work, I, 27; suggests an Atticized Sparta, I, 97; the theory of the *exposé de motif*, I, 42.

Lawgiver: Filangieri on, III, 80; Mably on, III, 52; Maistre on, III, 193; Rousseau's conception of, III, 28.
Lawyers: influence on political theory, IV, 400.
Leadership: importance in government, IV, 397.
League: the Catholic, II, 42.
League and Covenant: the Solemn, II, 226.
League of Nations: equality of states and, IV, 138-39; see Internationalism, World State.
League of Tribes: among Iroquois, 449-50.
LeBon, G.: analysis of crowd behavior, IV, 55; democracy as equality, IV, 54.
Lecky, W. E. H.: criticism of democracy, IV, 52.
Legal norms: Binding's theory of, IV, 146.
Legalistic philosophy: IV, 16.
Leges imperii: Bodin's doctrine of, II, 101.
Legislation: comparative study of, IV, 33; Dicey on relation to public opinion, IV, 69; distinguished by Marsiglio from executive function, I, 240; lack of theories of, IV, 32; no place in ideal state, I, 35; studies in basis of, IV, 33; less useful than education in maintaining social order, I, 35; see also Law.
Legislature: composition, IV, 106-7; function of according to Krabbe, IV, 104; power of, IV, 105-7; see also Assembly, Legislative, Congress, Estates General, Parliament.
Lenin, N.: viewed state as capitalistic, IV, 254-55.
Leo I: Bishop of Rome; saved Rome from Attila, I, 134.
Leo III: crowns Charlemagne, I, 39.
Lèse-majesté: Bebel and Liebknecht (W.) arrested for, IV, 282.
Levellers: and the American Revolution, III, 91; and the French Revolution, III, 177; in Puritan army, II, 234; after the Restoration, II, 340; theories as to natural rights, II, 236-37; see also Independents.
Leviathan: see Hobbes.
Levites: judicial authority of, as type of sacerdotal jurisdiction, I, 173; regarded as prefiguring Christian priesthood, I, 164.
Lewis of Bavaria: conflict of, with John XXII, I, 213, 218, 235.
Lewis, G. C.: effort to define terms, III, 320.
Liberalism: opposed anti-socialist bill in Germany, IV, 285; origin of German, IV, 273.
Liberty: Austin on, III, 232; based on social equality, IV, 386; Bodin's attitude toward, II, 87; curtailed by democracy, IV, 52; Dante on, I, 231; defined, III, 118; destroyed by imperialism, IV, 73; Guizot on, III, 266; one end of government according to Calvin, II, 28; endangered by collectivism, 194-97; not equality, III, 55; failure to define, IV, 35; Grotius on, II, 186; Hobbes on, II, 285 *et seq.;* Humboldt on individual, III, 149; Humboldt's ideal of, III, 152; ideas of Americans on, III, 94; not incompatible with subjection to law (Aristotle), I, 94; not insured by universal suffrage, III, 77; "Life, liberty and property," origin of the formula, II, 222; Locke's definition of, II, 346; Locke's treatment of, II, 346; Machiavelli's conception of, I, 317; Melanchthon on, II, 17; J. S. Mill on, III, 238; Milton on, II, 244-45; Montesquieu's theory of, II, 409 *et seq.;* a natural right according to Levellers, II, 236; only in non-social man, III, 40; Physiocrats on, III, 59; politics the science of, III, 370; preserved by check and balance in government (Bolingbroke and Hume), II, 379; not primarily a political matter, IV, 386; the principle of democracy, I, 39; relation of capital to, III, 385; in relation to climate (Montesquieu), II, 420; in Rousseau's pact, III, 19; Spinoza on, II, 313;

Stein on, III, 383; varies under varying conditions, IV, 386; see also Freedom.
Liebknecht, Karl: Krupp revelations of, IV, 309.
Liebknecht, William: martyrdom of in 1895, IV, 293-94; on evolutionary socialism, IV, 184; relation to German Socialism, IV, 279; splits German socialism, IV, 280.
Lilburne: see Levellers.
Lincoln, Abraham: and nationalism, III, 298.
Lindsay, S. M.: state to control groups, IV, 96; theory of groups, IV, 93.
Lippmann, Walter: criticism of mental tests, IV, 61; on importance of getting facts, 426; on public opinion, 68-69.
Livi: criticized Ammon's Law, IV, 528.
Local Autonomy: see Decentralization, Federalism, Regionalism.
Locke, John: and the American Revolution, III, 91; appropriated natural law, IV, 123; compared with Montesquieu on separation of powers; compared with Rousseau on state of nature, III, 11, 15; followed by Constant, III, 260; followed by 18th century philosophers, II, 380; followed by Ferguson, III, 70; on forms of government, II, 355; on the functions of government, II, 354; his influence on the Continent, II, 374; influence in Rousseau's social pact, III, 18, 20; influenced Paine, III, 112; his life and works, II, 344; liked by Rousseau, III, 5; on natural rights, II, 346-64 *et seq.;* on necessity of defining terms, IV, 46; his philosophic moderation, II, 366; provides for toleration in South Carolina, II, 341; relation to Humboldt, III, 153; his relation to predecessors and contemporaries, II, 363; on the right of revolution, II, 362; on separation of powers, II, 356; on the social contract, II, 349 *et seq.;* on sovereignty, II, 353, 359; on sovereignty, III, 21; on the state of nature and law of nature, II, 345 *et seq.;* on supremacy of legislature, II, 360; on toleration, II, 365 *et seq.*
Log-rolling: necessary in the political process, IV, 381.
Lombards: career of in Italy, I, 137 *et seq.*
Lothario: King of Lorraine, controversy over divorce of, I, 145.
Lotze: *Microcosmus,* IV, 13.
Louis XI: of France, I, 256, 286.
Louis XIII of France: patron of Grotius, II, 159-87.
Louis XIV: policy of, revived, III, 128; characteristics of his time, II, 306 *et seq.;* conditions in later years, II, 332, 369; conflict with Papacy, II, 330; makes Bossuet tutor Dauphin, II, 325.
Louis XV: II, 392, III, 3; suppresses *parlements,* III, 49.
Louis XVI: character of, III, 86; political agitation in reign of, III, 87.
Louis XVIII: grants constitution, III, 173.
Louis Philippe: accession of, III, 249.
Lowell, A. L.: public opinion in government, IV, 70.
Lowie, R. H.: criticism of Morgan's theory of social evolution, IV, 440-42; on the development of the state, IV, 367; stresses influence of civilization, 504-6.
Ludovici, A. M.: criticism of democracy, IV, 55.
Lycurgus: influence of his institutions on Plato's theory, I, 44; institutions ascribed to, in Sparta, I, 8; praised by Polybius, I, 116.

Mably: on American system, III, 99; social and political ideas of, III, 51.
Macedonia: Aristotle's connection with the court of, I, 51; theory on which Greece was absorbed by, I, 6.
Machiavelli, Niccolo: admiration for the strong man, I, 301; on the art of tyranny, I, 316; compared with Aristotle, I, 294; compared with

Comte, III, 390; on forms of government, I, 307; European politics in time of, I, 285 *et seq.;* on extension of power by republics, I, 313; expansion of princely power, I, 311; takes Hobbesian view of human nature, I, 303; on the importance of military force, I, 314; influence of absolute monarchs on, I, 286; influence of national state on, I, 287; influence of, in political theory, I, 322; influence of Renaissance on, I, 290; materialistic individualism of, I, 306; his method, I, 291; official life, in Florence, I, 289; on party controversies, I, 320; his point of view, I, 293; preference for Rome over Greece, I, 296; on the principle of republican government, I, 317; separation of politics from ethics, I, 298; studies real, not ideal, politics, I, 302; suggested by Peter Dubois, I, 228; and Tocqueville, III, 270; see also *Discourses on Livy, The Prince.*

McDougall, William: theory of racial differences, IV, 58; theory of social instincts as set forth in *Social Psychology,* IV, 410.

Mackinder, H. J.: environment and history, IV, 488-92.

McLennan, J. F.: theory of social evolution, IV, 434-35.

Magicians: importance in primitive society, IV, 448.

Magnates: see Magistrates.

Maine, H. S.: attacks on his theory, IV, 434, criticisms of democracy, IV, 50-51; theory of legal development, IV, 149.

Maistre, Joseph de: works and doctrines, III, 190 *et seq.*

Maitland, F. W.: groups and sovereignty, IV, 90; "real personality" of groups, IV, 90; moral limitations on state, IV, 94; theory of law, IV, 149.

Majority: Burke on, III, 181; Guizot on rule of, III, 271; Marsiglio on rule of, I, 250; J. S. Mill on rule of, III, 241; Rousseau on, III, 34; Tocqueville on tyranny of, III, 277.

Mallock, W. H.: impossibility of general will, IV, 55.

Malthus, T. R.: on fate of masses, III, 342.

Manegold of Lutterbach: I, 162.

Marcus Aurelius: Stoic doctrines of, I, 106.

Marsiglio of Padua: attack on John XXII, I, 237; on the corruption of the times, I, 239; on distinction between ecclesiastical and secular function, 1, 242; influence of on Wycliffe, I, 260; on the limits of priestly authority, I, 243; on the Petrine dogma, I, 244; relation of, to Gerson, I, 266; on representative system, I, 251; on popular sovereignty of church, I, 241; on popular sovereignty in state, I, 240-50; on sovereignty, IV, 83; on sovereignty (plenary power), I, 249; see also *Defensor Pacis.*

Martin, E. D.: distinguishes between crowd and masses in relation to democracy, IV, 75.

Marx, Karl: and the *Communist Manifesto,* III, 345; compared with Stein, III, 378; doctrines of, III, 372 *et seq.;* economic theory of history, IV, 180; inconsistencies of, IV, 181; influence of fatalistic notions on Germany, IV, 288; labor theory of value, IV, 180; relation to origin of German socialism, IV, 270, 274; Stein's suggestion of, III, 377; theory of class struggle, IV, 180; not a theory of reconstruction, IV, 181; theory of social evolution, IV, 433; weakness in theory of, IV, 181-82.

Mason, George: and Virginia Declaration of Rights, III, 91.

Massachusetts: on the constitutional convention, III, 98; constitution of 1780, III, 92; right of reunion in, III, 95.

Matriarchal Society: discovery of, IV, 434; Morgan's theory of, IV, 436.

Matriarchal theory: criticisms of, IV, 442-43; nature of, IV, 437-38.

Maximilian of Germany: I, 286.

Mazzini: on the national state, III,

330; and nationalism, III, 298; on nationality, III, 322.
Mechanical jurisprudence: sterility of, IV, 162.
Mecklin, J. M.: on democracy, IV, 67.
Mediævalism: Penty's theory of, IV, 227.
Mental tests: and equality theory, IV, 60; problems of, 424; races and, IV, 544; results of in army, IV, 60.
Method: analytical in jurisprudence, IV, 144; comparative in jurisprudence, IV, 144; historical in jurisprudence, IV, 144; philosophical in jurisprudence, IV, 144; sociological in jurisprudence, IV, 145.
Michael of Cesena: attacks John XXII for action taken toward Franciscans, I, 237.
Michels, Robert: analysis of political power, IV, 383; democracy leads to bureaucracy, IV, 56.
Middle class: controlled revolution of 1848, IV, 8; decline of, IV, 6; strengthened by land ownership, IV, 9; weakening of, IV, 9.
Migrations: influence of, IV, 474.
Militarism: social democracy and, IV, 308-9.
Military function of state: IV, 36.
Mill, James: Benthamite doctrine of, III, 235; on competition, III, 342.
Mill, J. S.: modifications of single tax theory, IV, 250; works and doctrines of, III, 236 *et seq.*
Milton, John: compared with Harrington, II, 248, 253; compared with Locke on toleration, II, 366; compared with J. S. Mill, III, 238; contrast of Hobbes with, as to liberty, II, 285; criticized by Filmer, II, 257; effect of his writings, II, 241; on forms of government, II, 246-47; on freedom of expression, II, 245; on liberty, II, 244; on origin of government and kingship, II, 242; relation to Humboldt, III, 153; resemblance of Spinoza, II, 316; on the right to depose kings, II, 243.
Ministry: Bonald's doctrine of, III, 187; Constant's theory of, III, 260-61.
Minority: rights of, IV, 9; syndicalist praise of, IV, 220.
Mixed form of government: Althusius on, II, 67; approved by Machiavelli, I, 306; Bellarmin on, II, 129; Bodin on, II, 104; Hobbes on, II, 290; Hume and Boingbroke on, II, 279; preferred by Cicero, I, 121; preferred by Gerson, I, 269; Vico on, II, 287.
Mohammedanism: consolidated state and church in Eastern Empire, I, 136; diverted Eastern emperor from care of Italy, I, 138; spread of, stopped in West by Charles Martel, I, 141.
Monarchomachs: relation of reformation to, II, 39-46; *Franco-Gallia*, II, 46-47; *Vindiciæ contra Tyrannos*, II, 47-56; Buchanan, II, 46-61; Althusius, II, 61-67; Mariana, II, 67-75; influence of doctrines of, II, 76-80; IV, 10.
Monarchy: absolute, in England under the Tudors, II, 205; Althusius on nature of, II, 65; based on contract between king and people, II, 50 *et seq.*; based on principle of authority, I, 39; basis of commerce in (Montesquieu), II, 424; Bellarmin on, II, 128; Bodin's three species of, II, 106; Bonald on, III, 186; Bossuet on, II, 327 *et seq.*; Calvin on limited, II, 30; character in time of Louis XIV, II, 307; considered practically impossible by Aristotle, I, 73; Constant's theory of function of, III, 261; Dante's conception of, I, 230; not earliest form of government, IV, 446; Fortesque's classification of, II, 202; function of in lawmaking, III, 257; German theory as to relation to people, III, 279; Grotius' attitude toward, II, 189; Haller on, III, 199; Haller on species of, III, 203; Harrington's classification of, II, 250; Hegel on, III, 162; Hobbes' preference for, II, 291; importance of nobility in (Montesquieu), II, 403; influence on Fichte, III,

148; James I, on, II, 215 *et seq.;* Kant on, III, 134; Machiavelli's judgment on, I, 308; mainstay of modern liberty, III, 386; Maistre on, III, 191; Mariana's preference for, II, 70; modern theory of, IV, 25; Ockam on, I, 246; Parliament's theory of, in England, II, 220; Polybius' theory of, I, 115; preference of Bodin for, II, 108; and personality of state, III, 301; psychological basis of, IV, 418; principle of, according to Montesquieu, II, 401; relation to idea of nation, III, 288 *et seq.;* relation of, to representative assembly, III, 252-53, 255; Rousseau on, III, 31; ruler of, a mere agent of people (Marsiglio), I, 240; Spinoza asserts impossibility of, II, 316; Suarez on, II, 144; Sydney's view on, II, 343; theory of Mariana of, II, 72; Thomas Aquinas on, I, 200; Vico on, II, 386; Wycliffe's view of, I, 262; see also Deposition of monarch, Despotism, Divine right of kings, Enlightened despotism, Forms of government, French monarchy, Kingdom, Royalty, William II.

Monism: attitude toward the state, IV, 118; emphasized organization of state, IV, 240; theory of political obligation, IV, 338-39.

Monopoly: collectivists' demand of public ownership, IV, 185.

Montesquieu: aimed to reform French monarchy, II, 432; Burke on, III, 183; compared with Rousseau on state of nature, III, 8; conception of *Spirit of the Laws,* II, 378; on criminal law, III, 71; on criminal law and procedure, II, 415; disregards natural rights, II, 431; on economic institutions, II, 424; on the English constitution, II, 414; followed by Constant, III, 260; on forms of government, II, 399 *et seq.;* general conditions of his work, II, 391 *et seq.;* general relation to his predecessors, II, 428 *et seq.;* indebtedness to Locke and Vico, II, 389; influence on Comte, III, 390; on influence of geography, III, 316; influence on Rousseau, III, 43; influence on social and economic reforms, III, 49; Kant influenced by, III, 133; his later influence, II, 433; on laws in general, II, 395; on laws of nature, II, 396; on laws in relation to forms, II, 402; on laws in relation to principles, II, 404; liked by Rousseau, III, 5; method of, II, 394; on principles of government, II, 400; reforming influence of, III, 4; relation of Ferguson to, III, 65; on relation of laws to general spirit of the people, II, 423; on relation of size of state to permanence, II, 408; on religion and the laws, II, 426; on the separation of powers, II, 412; his resort to barbarous peoples, II, 430; on slavery, II, 416; sociological influence of, III, 346; on sovereignty, III, 21; on state of nature, II, 397; suggestions from, III, 29; his theory of climates, II, 418 *et seq.;* his theory of liberty, II, 408; and Tocqueville, III, 270; on transformation of governments, II, 406 *et seq.*

Moralism: basis of idealism, IV, 343; revolt against, IV, 346; spread of revolt against, IV, 347.

Morality, positive: Austin on, III, 225.

Morals: no sphere for state actions, III, 151.

More, Sir Thomas: Bodin rejects communism of, II, 117; resemblance to Campanella, II, 152; his *Utopia,* II, 207.

Morgan, L. H.: criticism of evolutionary scheme of, IV, 438-45; criticism of method of, IV, 436-37; on origin of the state, IV, 366; relation to Marxianism, IV, 435; studies of American Indians, IV, 435.

Mountains: importance of to political science, IV, 485; influence of, IV, 481; see also Geography.

Mulford, Elisha: on the national state, III, 333.

Multiple origin of man: accepted by Gobineau, IV, 513.

Mutual aid: Kropotkin's theory of, IV, 208.
Myths: Sorel's theory of, IV, 226.

Napoleon Bonaparte: British idea of, III, 172; French government under, III, 125; imperial policy of, III, 128.
Napoleon, Louis: and nationalism, III, 298; on nationality, III, 322.
Nation: confused with people and state, III, 320; confused with race, IV, 508; above constitution, III, 103; definition of, IV, 28; distinguished from people, III, 292; exclusive holder of sovereignty, III, 119; as a geographic unity, III, 316 *et seq.;* implied in constitution theory, III, 291; as a mode of The Absolute, III, 314; and nationality, III, 320 *et seq.;* not racially homogeneous, IV, 509; relation to constitution, III, 195; Renan's definition of, III, 338; right of, to change constitution, III, 120; Siéyès on, III, 102; as source of authority, III, 422; above the state, III, 315; as unit of race and language, III, 311 *et seq.;* vagueness of conception of, III, 127; see also People, Race.
National Assembly: in 1789, III, 88.
National defense: Social Democratic Party and, IV, 297.
National Guilds: see Guilds.
National monarchy: Machiavelli's conception of, I, 310; realized in Europe, I, 286; tendency to development of, I, 255.
National state: influence of Rousseau's doctrine of sovereignty on, III, 39; opposed by pluralists, IV, 4, theories of, III, 326 *et seq.*
National strength: Mackinder's view of, IV, 490.
Nationalism: based on Teutonism, IV, 535; challenged by socialism, IV, 4; decline of, in political theory, III, 335; dominating position of, IV, 4; importance of, in nineteenth century, III, 250; Lassalle accepted, IV, 277; peak of, IV, 28; relation to imperialism, IV, 508; spread of, IV, 28.
Nationality: aggressive aspect of, III, 299; in Congress of Vienna, III, 294; distinction between natural and political, III, 324; evolutionary doctrine of, III, 323; German idealists on, III, 168; origin of term as concrete, III, 322; principle of state, III, 378; relation to nation, III, 322 *et seq.;* tendency to develop, IV, 509; Treitschke minimizes importance of, IV, 525.
Nationalization: see Government Ownership.
Natural Law: basis of international law, IV, 126; Ægidius Romanus on, I, 211; basis of jurisprudence, IV, 151; Cicero's conception of, I, 123-24; ignored by Machiavelli, I, 297; limits all human legislation (Ockam), I, 248; relation of Pope to property under, I, 219; Stoic doctrine of, I, 104; Thomas Aquinas on, I, 192, 194.
Natural man: See Nature, State of.
Natural rights (*ius naturale*): appealed to by Americans, III, 83; Aristotle on, I, 54; Austin on, III, 234; Bentham on, III, 217, 220, 222; Blackstone on, III, 74-75; Cicero on, I, 124; of communities, IV, 388; Comte on, III, 388; a cosmopolitical dogma, III, 127; distinguished from natural law (Hobbes), II, 272; Leveller's theory of, II, 236; Ferguson on, III, 70; Fichte on, III, 139; in French constitution, III, 188 *et seq.;* idea of, fifteenth century, I, 281; ideas of Americans on, III, 93; Kant on, III, 132; Locke's theory of, II, 346-64; Melanchthon on, II, 16; all men equal in (Roman jurists), I, 128; neglected by Montesquieu, II, 431; persist in civil society, II, 349; Physiocrats on, III, 59, 62; relation of Independents to theory of, II, 228; theory revised by sociologists, IV, 387; Spencer on, III, 398-400; Spinoza on, II, 311; Thomas Aquinas on, I, 196; Winkler on, II, 155.
Naturalism: see Evolutionism.
Nature: antithetic to man, III, 378;

Bentham on, III, 216-17; by Cicero, I, 124; not distinct from civil state, III, 198; Ferguson on, III, 67; Fichte on, III, 139; Grotius and Pufendorf on, III, 15; Hobbes and Locke on, III, 11, 15; Holbach on, III, 54; ideas of Americans on, III, 92; inequality the rule of, III, 197; influence of on politics, IV, 470; Physiocrats on, III, 60; Rousseau on, III, 13; Spencer on, III, 298-99; supercedes God as source of authority, III, 421; used by Aristotle, I, 61.
Nature, Law of: see Law of Nature.
Nature, State of: Grotius on, II, 180; Hobbes' theory of, II, 268 *et seq.*; idea of, in fifteenth century, I, 282; Locke on, II, 345; Mariana on, II, 68; Montesquieu on, II, 297; Pufendorf's theory of, II, 319; Rousseau on, III, 7 *et seq.*
Navigation: importance of art of, IV, 462.
Necker: minister of finance, III, 86.
Nelson, Leonard: criticized Jellinek, IV, 132-35.
Neo-Hegelian: theory of jurisprudence, IV, 155-58.
Neo-Kantian: theory of jurisprudence, IV, 154-55.
Netherlands: influence of Althusius on, II, 61; influence of Spinoza on, II, 310; policy of Philip II in, II, 44; revolt and independence of, II, 45; spread of Reformation in, II, 6; in time of Louis XIV, II, 308.
New Economic Policy: in Russia, IV, 262.
New England: democratic tendencies in, II, 231; settled by Separatists, II, 230.
Newspapers: influence on public opinion, IV, 69.
New Testament: influence of, in mediæval reasoning, I, 163.
Nicholas I: conflict with Lothaire of Lorraine, I, 145; writings of, I, 162; policy of, I, 288.
Nicholas of Cues: consent the basis of authority, I, 273; *De Concordantia Catholica*, I, 271; discredits Donation of Constantine, I, 259; followed by monarchomachs, II, 76-77; general council as source of power in both state and church, I, 272; on popular sovereignty, I, 274; on representation in government, I, 275; became supporter of Pope, I, 276.
Nicomachean Ethics: of Aristotle, I, 54.
Niebuhr: on race principle, III, 294-95.
Nietzsche, Friedrich: contempt of English psychology, IV, 315; gospel of force, IV, 22; pessimism of, IV, 14; *Will to Power*, IV, 346.
Noah: symbol of priesthood, I, 171.
Nobility: Bonald on, III, 187; considered as necessary by Bodin, II, 94; essential institution in monarchy (Montesquieu), II, 403; relation to commerce (Montesquieu), II, 425, see also Aristocracy, Oligarchy.
Nominalism: of Bentham and Austin, III, 246; of Guizot, III, 264.
North German Confederation: liberalism in constitution of, IV, 286.
Novicow, Jacques: theory of *laissez-faire*, IV, 390.

Obedience: based on fundamental impulses, IV, 23.
Objective law: theory of Duguit, IV, 169; see also Law.
Occupational representation: demand for, IV, 25; Durkheim on, IV, 92; Follett on, IV, 65; opposed by Wallas, IV, 382; psychology of, IV, 425; in Russia, IV, 263-65; weakness of, IV, 265; see also Representation.
Ochlocracy: in Polybius' theory, I, 115.
Ockam, William of: I, 221, II, 196; attacks John XXII, I, 237; doctrines of, promoted by Wycliffe and Huss, I, 265; on the functions of the state and government, I, 247; obscurity of his method, I, 244; political works and general conceptions of, I, 245-46; on the representative system, I, 252; on sovereignty, I, 249.

Offices: appropriate methods of filling, in democracy, oligarchy, and polity, I, 76-77; lot compared with election as method of filling, I, 41; not to be monopolized by any one class, I, 89; rotation in, I, 66, 88; should not be means of pecuniary gain, I, 89; see also Representation.
Old Testament: arguments from, as to royalty, I, 165, 179; influence of in mediæval reasoning, I, 163.
Oligarchy: based on wealth, I, 75; causes of revolution in, I, 87; conflict with democracy in Greece, I, 4; a corrupt form of government (Aristotle), I, 72; form and functions of governmental organs in, I, 77; Plato's conception of, I, 33; Polybius on, I, 115; prevention of revolution in, I, 87 *et seq.;* really rule of rich over poor, I, 74; relative excellence of, I, 36; results from democracy, IV, 55-57; in the Spartan system, I, 11; unsalaried officers the best rule in, I, 89; where the rich are greatly superior, the best form, I, 79; see also Bureaucracy, Forms of Government, Nobility.
Order: Comte's doctrine of, III, 391.
Ordinance power: in French *Carte*, III, 253, 258; in Prussian constitution, III, 255.
Organic theory: Bradley and, IV, 318; Ratzel on, IV, 473; sociologists and, IV, 361; Hegel's application to the state, III, 161; as a state theory, III, 301.
Origin of the state: see State.
Ostrogorski, M.: criticism of party system, IV, 64.
Otto the Great: I, 143.
Owen, Robert: early work and influence of, III, 342; social system of, III, 350-51.
Oxenstierna: patron of Grotius, II, 159.

Pacifism: German Social Democratic Party opposed to, IV, 297; relation to unionism, IV, 6.
Paine, Thomas: in English reform movement, III, 208; in French assemblies, III, 116; with the Girondists, III, 121; nationalistic influence of, III, 292; works and doctrines of, III, 110 *et seq.*
Papacy: alliance of, with the Franks, I, 139; attitude toward German Emperor, I, 144; claims of, as against Lewis of Bavaria, I, 235; claims of, under Boniface VIII, I, 215; claims of, as to investitures, I, 146; corporation law determines relation to general council, I, 278; Dante on, I, 234; early recognized as pre-eminent, I, 136; effect of the Great Schism on, I, 258; exaltation of by Augustus Triumphus, I, 218; exalted position of, in thirteenth century, I, 149; fourteenth century assaults on, I, 220; under French influence at Avignon, I, 219; Gerson's theory of relation to council, I, 267; lawyers' theory of subordination to general council, I, 227; led in defense of Italy against Lombards, I, 138; decline of prestige in fourteenth century, I, 150; Machiavelli's opinion of, I, 288; Maistre's conception of, III, 191; Marsiglio's theory of, I, 244; Peter Dubois on, I, 228; power of excommunication assumed by, I, 145; prestige of, enhanced by Crusades, I, 148; relation of, with Charlemagne, I, 142; relation of, with people of Rome, I, 140; seat of, transferred to Avignon, I, 150; secular policy of, in time of Machiavelli, I, 288; subject to law (Gerson), I, 269; sustained orthodoxy against Arianism, I, 137; triumph over Council of Basel, I, 259; Stoic influence on, I, 106.
Paris Commune: effect on Kropotkin, IV, 206; Marx and, IV, 182.
Parliament: attitude toward Henry VIII, II, 206; Bolingbroke on, II, 381; carried through the Puritan Revolution, II, 224 *et seq.;* contest with crown after Restoration, II, 335 *et seq.;* toward Charles I, II, 219 *et seq.;* in the early English constitution, II, 193; employed by Cromwell to effect the Revolution,

II, 240; Locke on, II, 358; proposed subordination of, to people, II, 239; refuses toleration, II, 234; relations with James I, II, 214; see also Legislature.
Particularism: relation to nationalism, III, 332.
Parties: see Political Parties.
Passive obedience: Calvin on, II, 29-30; Bossuet on, II, 329; in England after the Restoration, II, 254, 336; in England under the Tudors, II, 206; limits defined by later reformers, II, 37; Luther's teaching, II, 11, 14; Melanchthon's doctrine, II, 22; theory of, in Middle Ages, I, 177; Zwingli on, II, 25; Paul's injunction of, I, 153, 176.
Pataud and Pouget: proposal for syndicalist revolution, IV, 218.
Patriarchal Society: relatively late development of, IV, 438; depicted by Homer, I, 18.
Patricians: political rights of, in early Rome, I, 107.
Patronymic leagues: theory of, IV, 515.
Paul, the Apostle: his injunction of passive obedience, I, 153, 176.
Paul, the Roman jurist: Stoic influence on, I, 106.
Peace: see War.
Peasants: have gained control in some countries, IV, 243; individualistic philosophy of, IV, 244-45; see Farmers.
Peloponnesian War: effect of on Greece, I, 6.
Penka, Karl: eulogized Scandinavian races, IV, 518.
Penn, William: II, 329.
Pennsylvania: "the fatherland of heroes," III, 80; right of emigration to, III, 95.
Penty, A. J.: belief in mediævalism, IV, 227.
People: Althusius' definition of, II, 63; Althusius on sovereignty of, II, 64; Burke on sovereignty of, III, 180; conception of by English Parliamentary Party, II, 220; conceptions of, in recent theory, III, 403; confused with nation and state, III, 320; consciousness an attribute of, III, 302, 308; defined by Bluntschli, III, 325; distinguished from nation, III, 292; Filmer's criticism of sovereignty of, II, 256; German theory of relation to monarch, III, 279; Grotius on sovereignty of, II, 184; a group of groups, III, 98; ideas of American Revolutionists on, III, 97; implied in constitutional theory, III, 291; implied in idea of union-state, III, 284; means magnates, not masses, II, 51; Milton on sovereignty of, II, 242; not necessary basis of state, III, 326; political consciousness of, makes constitution, III, 160; possess right to set up and depose kings, II, 49 *et seq.*; relation to population, III, 327; relation to state, III, 327 *et seq.*; rights of, according to Mariana, II, 70, 72; rights of, in theories of English Puritan radicals, II, 236; Savigny's conception of, III, 304; the source of law, II, 57; as sovereign in union-state, III, 286-87; Stahl's idea of, III, 306; Suarez on sovereignty of, II, 144; supremacy of, held by eighteenth century philosophers, II, 380; supreme as against government (Locke), II, 361; the supreme authority in the *Agreement of the People*, II, 238; as understood by anti-monarchic writers, II, 77, 79; vagueness in conception of, III, 127; see also Democracy, Nation.
Pericles: his democratic reforms disliked by Plato, I, 45; influence of in Athens, I, 14.
Perioikoi: rights and position of, in Spartan state, I, 7.
Persia: carried principle of authority to ruinous excess, I, 40.
Personality: attribute of people, III, 303; attribute of state, III, 300; Bluntschli's doctrine of, III, 307 *et seq.*; monarchic theory of, III, 301; republican theory of, III, 302; Stahl's doctrine of, III, 306.
Peter of Ailly: I, 266.
Peter, the Apostle: his injunction of passive obedience, I, 153, 178.

Peter, the Great: II, 307.
Petition of Right: II, 222.
Petrine dogma: attacks of Marsiglio on, I, 244; effect of, I, 169.
Phalanx: Fourier's project of, III, 352.
Philip II, of Spain: II, 39; autocracy of, II, 40; policy, in the Netherlands, II, 44; project of, in France, II, 43.
Philip the Fair: anti-papal work of jurists under, I, 222; conflict with Boniface VIII, I, 150, 213, 215, 224.
Philosophy: development of, IV, 13-15; importance of personal factor in, IV, 331.
Philosophical School: of jurisprudence, IV, 151.
Physical environment: Bodin on influence of, II, 112 *et seq.;* Montesquieu on influence of, II, 418 *et seq.;* see also Environment, Geography.
Physics, social: Comte's use of, III, 391.
Physiocrats: III, 44; economic doctrine and policy, III, 57 *et seq.;* political ideas of, III, 59 *et seq.;* relation to Humboldt, III, 153; sociological influence of, III, 346.
Pippin the Short: I, 139, 142.
Pisa, Council of: I, 258.
Pisistratus: tyrant of Athens, I, 13.
Plato: Athenian influence more noticeable in the *Laws,* I, 45; Bodin rejects communism of, II, 117; compared with Aristotle, I, 49; compared with Hobbes on justice, II, 270; compared with Montesquieu, II, 428; compared with Polybius, I, 117; connection of his theories with Greek practical politics, I, 43; decline of his school after Alexander, I, 101; definition of justice, I, 26; Fichte's resemblance to, III, 146; general postulates of his political theory, I, 93; ideas on communism criticized by Aristotle, I, 62; influence of, on Augustine, I, 157; influence of, on Cicero's theory of law, I, 122; influence of, on jurisprudence, IV, 146; influence in modern times, IV, 15; influence of Spartan institutions dominant in the Republic, I, 44; Kant's relation to, III, 135; method and form of philosophy of, adopted by Cicero, I, 120; method in treatment of political topics, I, 24; his philosophy determined by the city-state idea, I, 46; his political dialogues, I, 27; psychology of, I, 26; relation of Grotius to, II, 166; relation of Hegel to, III, 155; relation of More to, II, 208; relation of Suarez to ethics of, II, 139; relation to work of Socrates, I, 24; resemblance of Campanella to, II, 152; theory of knowledge and the general notion, I, 24; theory of virtue, I, 25; see also *Laws, Republic, Statesman.*
Plebeians: in early Roman state, I, 107; special governmental organs of, I, 108.
Plebiscite: in the Napoleonic system, III, 125; theory and practice of, III, 336.
Plenary power (*plenitudo potestatis*): Augustus Triumphus on, I, 218; defined by Marsiglio and Ockam, I, 249; Gerson's theory of, I, 267.
Pluralism: attacks monistic state, IV, 30; attacks on sovereignty, IV, 89-110; criticism of ideas of sovereignty of, IV, 111-19; definition of, IV, 80; and federalism, IV, 29; and group organization, IV, 31; law as social obedience, IV, 34; recognizes necessity of sovereignty, IV, 97; recognizes state authority, IV, 94-97; tends toward individualism, IV, 341; value of doctrine, IV, 116.
Plural voting: socialist opposition to, IV, 183.
Plutocracy: see Forms of Government, Lobbying, Public Opinion.
Poesche: eulogized Teutonic race, IV, 518.
Poland: at Congress of Vienna, III, 293; insurrection in, III, 249; nationalism of 1831, III, 296; partition of, III, 169; Rousseau's suggestions for, III, 7.

Political Parties: benefits from conflicts of (Machiavelli), I, 320; collectivists utilize, IV, 183; criticism of by Ostrogorski, IV, 64; critics of, IV, 382; methods of, IV, 383; Rousseau on, III, 25; sociological views of, IV, 382-83; studies of, IV, 40; see also *Fortschrittpartie,* Social Democratic Party.
Political psychology: Kallen on, IV, 428.
Political sense: antiquity of, IV, 445-46.
Political science: relation to sociology, IV, 404.
Political theory: basis of proletarian, IV, 179; common purpose of proletarian, IV, 178; Dunning's contributions to history of, IV, vi.
Politicians: tend to become conservative in office, IV, 196.
Politics: incidental nature to proletariat philosophy, IV, 179; Royce lost faith in, IV, 320; studies in comparative, IV, 17.
Politics, The (Aristotle): ambiguous use of "nature," I, 61; analysis of concepts of wealth and exchange, I, 60; art of tyranny, I, 91; best state, I, 78; citizenship defined and described, I, 64; classification of constitutions, I, 72; criticism of Plato's communism, I, 62; defective condition of text, I, 54; distinction between state and household, I, 57; education the ultimate function of the state, I, 83; external conditions of an ideal city, I, 81 *et seq.;* functions of each organ in the various forms, I, 77; general and special causes of revolution, I, 86 *et seq.;* importance of election and censure of officers, I, 70; laws, not men, should govern, I, 71; liberty, wealth, and virtue as principles in organization of government, I, 75; monarchy as an impossible form, I, 73; nature and content of a constitution and of sovereignty, I, 65; oligarchy and democracy mean rule of rich and of poor respectively, I, 74; the one overwhelmingly superior man would be the true sovereign, I, 70; origin and character of the state, I, 55; participation of all citizens in offices, I, 66; political life essential to man, I, 56; preventives of revolutions, I, 88 *et seq.;* rational justification of slavery, I, 58; revolutions in Hellas, I, 85; sovereignty primarily in the mass of the people, I, 68; suggests a Spartanized Athens, I, 97; three organs essential in every government, I, 76; virtue, not power or wealth, the true end of the state, I, 81; see also Aristotle.
Polity: on the average, and where the middle class is the strongest, the best form of government, I, 79; based on blending of two principles, liberty and wealth, I, 75; form and functions of governmental organs, I, 77; causes and preventives of revolution, I, 88; a pure form of government according to Aristotle, I, 72.
Pollock, Sir Frederick: theory of law, IV, 150.
Polybius: his acquaintance with Roman politics, I, 114; his cycle of governmental forms, I, 115; the cycle applied to the Roman constitution, I, 116 *et seq.;* ideas of, taken up by Machiavelli, I, 305-6; theory of check and balance, I, 116; and Tocqueville, III, 270.
Polycraticus: of John of Salisbury, I, 185.
Polygamy: Montesquieu on, II, 421; Pufendorf on, II, 320.
Poor, care of: a function of government (Thomas Aquinas), I, 203.
Pope: Barclay's opposition to temporal power of, II, 131; Bellarmin's doctrine as to power in temporals, II, 129; diminished prestige of, by 1600, II, 131; see also Papacy.
Population: Aristotle on necessary elements, I, 82; classes of, in Plato's *Laws,* I, 39; classes of, in Plato's *Republic,* I, 28; as an element of a state, IV, 370-73; geo-

graphical conditions and, IV, 477; see also People.
Portugal: insurrection in, III, 248.
Positivism: Comte's system of, III, 388.
Pound, Roscoe: nature of law, IV, 171-72; problems of jurisprudence, IV, 143; theory of international law, IV, 121; theory of jurisprudence, IV, 161-62; value of analytical method of jurisprudence, IV, 147.
Poverty: Utopian socialists on, III. 349.
Powers of government: Constant's classification, III, 260; in constitution of 1795, III, 124; in French constitution of 1793, III, 123; Hegel on, III, 161; ideas of Americans on, III, 96; Kant on, III, 132; Paine's classification of, III, 115; separation of, guaranteed by constitution, III, 120; see also Separation of Powers.
Prætor: functions of, in Roman constitution, I, 108; juristic work of, I, 127.
Pragmatism: basis of pluralism, IV, 14-15; origin of, IV, 333.
Preparedness movement of 1913: in Europe, IV, 308.
Presbyterianism: in England, II, 212; established in England, II, 226; established in Scotland, II, 224; in Scotland under James VI, II, 43; distinguished from Separatism, II, 213.
Preus, Hugo: attacks theory of sovereignty, IV, 30.
Prices in government industries: theory of, IV, 191.
Primitive society: influenced greatly by environment, IV, 470-71.
Prince, The (Machiavelli): the art of tyranny in, I, 316; criticized by Frederick the Great, I, 323; unmoral doctrines of, I, 298-99; influence of contemporary politics on, I, 293; principles of, as an extension of power, I, 311; a study of the strong monarch, I, 294, 307; unreligious doctrines of, I, 300; view of human nature in, I, 304; see also Machiavelli.
Principate (Roman): administrative work of, I, 125; juristic work of, I, 127.
Privileges: in France, III, 87; Siéyès on, III, 101.
Proconsul: in the Roman constitution, I, 111-12.
Progress: biological view of, IV, 389; Comte's doctrine as to, III, 391; Comte's three states of, III, 393; Condorcet on, III, 108; nature of, IV, 388; opposition to theory of automatic, IV, 389-90; skepticism in regard to political, IV, 348; sociological views of, IV, 388-90.
Proletariat: dictatorship of, III, 385; at strife with bourgeoisie, III, 372.
Promiscuity: Westermark attacks theory of, III, 438.
Property: in American Revolution, III, 82; communistic theories of in Plato's *Republic*, I, 30; controversy over theory of, between John XXII and the Franciscans, I, 236-37; distinction between ownership and jurisdiction over, I, 227; exists only through state, III, 141; falls under law of nations (Suarez), II, 140; Fichte's conception of, III, 140; fifteenth century idea of, I, 281; in French constitution, III, 119; in French revolution, III, 340; Godwin on, III, 364; Harrington on relation to government, II, 250; Hegel on, III, 167; ideas of Americans on, III, 94; ideas as to equality of, II, 237; John of Paris on relation of Pope to, I, 226; limitations on amount of in Plato's *Laws*, I, 39; Locke's theory of, II, 347; Mably preaches equality in, III, 52; Machiavelli on men's devotion to, I, 305; More's attack on, II, 208; a natural right according to Levellers, II, 236; a natural right according to Melanchthon, II, 17; made royalty necessary, II, 52-53; Physiocrats on, III, 59; position strengthened under Bolshevism, IV, 263; principle of, assumed by Aristotle, I, 59; to be protected

by government (Calvin), II, 28; Pufendorf on, II, 320; relation to origin of government, IV, 375; Saint-Simonians on, III, 360; secure against sovereign (Bodin), II, 100; not secure against sovereign (Hobbes), II, 283; Tucker's theory of, IV, 199; in what sense robbery, III, 365; Stein on influence of, in class conflict, III, 381; ultimate ownership held to be in Pope, I, 217, 219; Utopian socialists on, III, 349; Wycliffe's views on, I, 261 *et seq.*

Prophets: regarded as prefiguring Christian priesthood, I, 164.

Proportional representation: demand for, IV, 25; superior to occupational representation, IV, 266.

Prosperity: relation to Public Health, IV, 499.

Proudhon, P. J.: anarchism of, III, 344; doctrines of, III, 365-70; theory of free banking, IV, 199.

Prussia: under constitution of 1850, III, 255; crushed by Napoleon, III, 145; effect of Seven Years' War on, III, 45.

Psychic theory: of social causation, IV, 418-20.

Psychological basis of law: Duguit and Krabbe on, IV, 101-4.

Psychological jurisprudence: importance of, IV, 164.

Psychology: aid in study of politics, IV, 19; antiquity of application to politics, IV, 403; application to sociology, IV, 440; political theory and differential, IV, 60-61; link between science and philosophy, IV, 13; and mental differences, IV, 372; and theory of the state, IV, 362.

Psychology, social: contributions of political theory, IV, 395-96.

Public health: relation to prosperity, IV, 499.

Public mess: in Plato's *Laws*, I, 38; in Plato's *Republic*, I, 29; in Sparta, I, 8.

Public opinion: Cooley's theory of, IV, 67; Dicey and, IV, 69; importance of in a democracy, IV, 64, 67-70; indicated by Aristotle as controlling force in state, I, 95; Lowell and Hall on, IV, 70; not majority opinion, IV, 70; necessity of accuracy in, IV, 69-70; relation to legislation, IV, 69; sociological views of, IV, 397-98; studies in, IV, 39.

Public ownership: see Government Ownership.

Public welfare: test of government according to Bryce, IV, 63.

Pufendorf, S. L.: compared with Montesquieu, II, 428; compared with Rousseau on state of nature, III, 15; criticized by Leibnitz, II, 331; on the law of nature, II, 320; liked by Rousseau, III, 5; Locke's indebtedness to, II, 363; on origin of state, II, 322-23; rationalism of, II, 325; relation to Hobbes and Grotius, II, 318; on sovereignty, II, 323-24; on state of nature, II, 319.

Quesnay: physiocratic doctrine of, III, 59.

Race: as basis of nation, III, 311-12; as basis of social causation, IV, 420; Burgess' classification of, IV, 534; confused with nation, IV, 508; importance of in politics, IV, 508-10; Penka viewed as basis of religion, IV, 519; theory of race purists, IV, 514; Treitschke thought of small importance in the state, IV, 526.

Racial amalgamation: as a basis of civilization, IV, 513.

Racial differences: based on biology, IV, 57-58; based on culture, IV, 59.

Racial groups: influence of, IV, 10.

Racial idealism: Ripley's theory of, IV, 530.

Racial mixture: Gobineau's theory of, 513-14.

Racial myths: based on assumed superiority, IV, 542; based on accurate historical data, IV, 541-42; disregard individual differences, IV, 542.

Racial superiority: exponents of,

IV, 58; criticized by Boas, IV, 58; sociologists and, IV, 371.
Radicals, English: III, 208-9.
Ranke: III, 301.
Rationalization: tendency to in politics, IV, 423.
Ratzel, Friedrich: on influence of environment, IV, 474-76; on social development, IV, 471-74; views social development as a process, IV, 472.
Ratzenhofer, Gustav: forms of government, IV, 379; state as a mediator between groups, IV, 362.
Reclus, Elisée: distinguished social and political environment, IV, 483, 487; importance of environment, IV, 484-87; place of in study of geography, IV, 483.
Reform: of English Parliament, III, 207, 209; and J. S. Mill, III, 242; must be based on customs, IV, 422.
Reformation, Catholic: II, 7.
Reformation, Protestant: general character, II, 124 *et seq.;* completed in England under Elizabeth, II, 208; geographic limits of, II, 6; philosophical character of, II, 1-2; political questions involved, II, 3; promoted national idea, II, 35; promoted political absolutism, II, 36; strengthened absolute monarchy, II, 5; transition from Lutheran to Calvinistic stage, II, 5.
Reformers, Protestant: against Anabaptists, II, 4; allied with governments, II, 5; relation in philosophy to schoolmen, II, 34; taught respect for rulers, II, 35; taught suppression of heresy by government, II, 35; tendency to limit passive obedience, II, 37.
Regionalism: Bakunine's theory of, IV, 202; sociologists advocate, IV, 385; see also Decentralization, Federalism.
Religion: conflict with science, IV, 11; Penka's theory of racial basis of, IV, 519; state not to influence, III, 151; see also Freedom of Religion.
Religious groups: influence of, IV, 10.
Renaissance: influence of on Machiavelli, I, 289; influence in political theory, I, 259; rationalism of, I, 302.
Renan, Ernest: on nationality, III, 337-38.
Rent: Tucker's theory of free, IV, 200; single tax would confiscate, IV, 248-50.
Representation: in American Revolution, III, 82; to be based on classes not individuals, III, 163; Guizot on origin of, III, 263; Kant on, III, 133; Marsiglio's theory as to, I, 251; J. S. Mill on, III, 240 *et seq.;* Ockam's scheme of, I, 252; recent ideas of, III, 404; Paine on, III, 113; rejected by Rousseau, III, 34, 37; review of theories concerning, III, 413-14; Siéyès on, III, 102; sociologists on, 381-82; see also Occupational Representation, Proportional Representation.
Representative Government: scheme of in *Agreement of the People,* II, 239.
Repression: Freud's theory of, IV, 416.
Republic: defined by Paine, III, 113; exclusively for small states, III, 99; Haller on, III, 199, 204; review of theories concerning, III, 413-14; Rosseau's definition of, III, 28; see also Democracy.
Republic, The (Plato): an aristocracy of intellect, I, 32; classes of population in, I, 28; communistic doctrine of, I, 30; educational system in, I, 31; general character of, I, 24; the guardians and their functions, I, 29; idealism in, I, 25; predominantly ethical, I, 27; relation to actual states, I, 33; see also Plato.
Republica, De: see Bodin.
Resistance to oppression: a natural right, III, 118; advocated by Englishmen, II, 209; Althusius on, II, 65, II, 180, 186; right denied by Hobbes, II, 283; Locke on, II, 362; Bolingbroke on, II, 381; Mariana on, II, 70; preached in France by both Catholics and

Protestants, II, 46; right of provided for in *Agreement of the People*, II, 239; right of in *Vindiciæ Contra Tyrannos*, II, 49 *et seq.*

Revisionism: Bernstein and, IV, 187; movement toward in Germany, IV, 298-300; victorious in Germany in 1912, IV, 306.

Revolution: advocated by Marx, IV, 182; Aristotle's theory as to causes of, I, 86; based on economic discontent, IV, 272; collectivists advocate peaceful, IV, 184; frequency in Greece, I, 85; Lassalle opposed violent, IV, 275; as to preventives of, I, 88 *et seq.*; not successful in Germany before the war, IV, 271; syndicalist doctrine of, IV, 219.

Revolution, agrarian: since the war, IV, 243-45.

Revolution, American: causes and progress of, III, 82 *et seq.*; principles of, III, 91; tested eighteenth century philosophy, III, 126.

Revolution, French: causes and origin of, III, 86 *et seq.*; tested eighteenth century philosophy, III, 126.

Revolution, industrial: see Industrial Revolution.

Revolution, social: Marx on, III, 373; Stein on, III, 380.

Revolution of 1688: practical politics of, II, 335 *et seq.*

Revolution of 1848: controlled by middle class, IV, 271.

Rhode Island: and the American nation, III, 392.

Ricardo, David: and Bentham, III, 211; on rights of land and capital, in products of industry, III, 342; theory of rent, IV, 247.

Richelieu, Cardinal: policy of, II, 306; relations with Grotius, II, 159.

Right (or rights): Ægidius Romanus on, I, 211; ambiguous meaning of, I, 122; Bentham on, III, 220; Imperial jurists' treatment of, I, 128; natural distinguished from legal by Aristotle, I, 54; natural distinguished from positive (Thomas Aquinas), I, 196; source of, to be found in law (Cicero), I, 123; Wycliffe's view of, I, 261.

Right to labor: Fichte on, III, 145; in French constitution of 1793, III, 122; Louis Blanc and, III, 371.

Right of resistance: Bentham on, III, 222; Kant on, III, 134; see also Resistance to oppression.

Right to vote: J. S. Mill on, III, 242.

Rights, natural: see Natural rights.

Ripley, W. Z.: on Teutonic myth, IV, 528; theory of racial idealism, IV, 530.

Ritter, Karl: geography and history interdependent, IV, 461; influence on political theory, IV, 460-65.

Rivers: see Geography, Waters.

Rivers, W. H. R.: psychology in politics, IV, 426; support of Morgan's social theory, IV, 440.

Rivière, Mercier de la: physiocratic doctrine of, III, 59; relations with Catherine II, III, 48.

Roads, care of: a function of government (Thomas Aquinas), I, 203.

Rochdale Pioneers: see Cooperative Societies.

Roman Constitution: as analyzed by Polybius, I, 116; government of dependencies under, I, 110; the idea of Machiavelli, I, 296; as reformed by Diocletian and Constantine, I, 113; in royal period, I, 147; in time of conflict between patricians and plebeians, I, 108; as transformed by Julius and Augustus, I, 112; as viewed by Cicero, I, 121, 125; working of check and balance system, I, 119; see also Constitution.

Roman Law: Bodin's family law based on, II, 87; compared with English law (Fortescue), II, 203-4; development of law of nations from, II, 171 *et seq.*; general influence on Bodin, II, 122; on Suarez, II, 144; theory of civil associations, based on, II, 91; traced to divine source, II, 155;

use made of in *Vindiciæ*, II, 50-53.
Romans (ancient): ideas as to source of authority, III, 418 *et seq.*; sovereignty among, IV, 82.
Romanus: see Ægidius.
Rosellinus (Antonius de Rosellis): I, 281, 282, 291.
Ross, E. A.: forms of government, IV, 279; social struggles as basis of the state, IV, 413; studies group behavior, IV, 412; views on social psychology, IV, 412-13.
Rousseau, J. J.: Burke on, III, 183; on a civil religion, III, 43; compared with utilitarians, III, 244; criticized by Hegel, III, 133; distinguished government from sovereign, III, 29; environment of, III, 3; followed by Mably, opposed to *les philosophes*, III, 52; followed by Siéyès, III, 103; on forms of government, III, 31; influence of, IV, 15; influence of doctrine of general will, III, 39-40; on institution of government, III, 33; Kant influenced by, III, 133; on law, III, 27; on majority rule, III, 34-35; on the natural man, III, 12-15; on periodical assemblies of the sovereign, III, 37; personality of, III, 1-2; on representative government, III, 34; resemblance of Proudhon to, III, 367; resemblance of Suarez to, II, 144; social pact analyzed, III, 16 *et seq.*; source and nature of works, III, 5-7; on sovereign, III, 22-26; of sovereign as law-maker, III, 41-42; natural state as conceived in *Discourse on Inequality*, III, 8 *et seq.*; see also Social Contract.
Royal power: distinguished from priestly, I, 166 *et seq.*
Royalty: Aristotle's idea of, I, 92; Cicero's conception of, I, 120; ideally the best form where one man is pre-eminent, I, 78; practically an extinct form for enlightened people, I, 90; relative excellence of, in Plato, I, 36; see also Monarchy.
Royce, Josiah: lost hope in politics, IV, 320.
Russell, Bertrand: collectivism destroys freedom, IV, 197; influence of mathematics on, IV, 16; on liberation of creative impulses, IV, 320; opposes state as too restrictive, IV, 331.
Russo-Turkish war: II, 250.

Sabotage: see Direct Action.
Sacerdotal power: argument for pre-eminence of, I, 169 *et seq.*; distinguished from royal, I, 166 *et seq.*
Sadler: perpetuates the racial myth, IV, 543.
St. Pierre, abbe de: II, 373, 392.
Saint-Simon: Comte a follower of, III, 387; rise of his system, III, 343; sociological influence of, III, 346; works and doctrines of, III, 355-58.
Saint-Simonians: distinguished from Saint-Simon, III, 355; doctrines of, III, 359-62.
Salmasius: on divine right, II, 255; millions reply to, II, 241.
Santayana, George: social philosophy of, IV, 352.
Savigny, F. C.: compared with Fichte, III, 315-16; idea of law, IV, 148; on people and state, III, 304; on relation of state to nationality, III, 328.
Sceptics: neglect of politics by, I, 102.
Schism, the Great: I, 257 *et seq.*
Schleiermacher, Friedrich: doctrine of, III, 303; on geography and state, III, 318; general character of, I, 189 *et seq.*
Science: rapid development, IV, 12; Teutonic advancement of, IV, 521; use of work by social studies, IV, 13.
Scientific methods: influence on social studies, IV, 12.
Scientific socialism: relation to unionism, IV, 6.
Schippel, Max: on national defense, IV, 297.
Schopenhauer, Arthur: on developing individuality, IV, 346; divorced idea from will, IV, 315.

Schultz, A. P.: racial theory of, IV, 543.
Schweitzer, J. B.: career of, IV, 277-80; relations with Lassalle, IV, 278-89.
Scotland: conflict between Presbyterianism and prelacy in, II, 43; establishment of Protestantism in, II, 6; overthrow of episcopacy in, II, 224.
Second chambers: Socialists hostile to, IV, 183; see also Senate.
Security: chief end of state, III, 150; a natural right, III, 118.
Segregation in kind: as a social principle, IV, 430.
Self-determination: developed out of nationalism, IV, 27; revival of idea, IV, 4; theory recognized in treaty of Versailles, IV, 4.
Self-realization: Green's theory of, IV, 317.
Semple: on influence of environment, IV, 479-82.
Senate: organization and functions of, in Roman constitution, I, 107, 109, 112; Polybius on, I, 116.
Seneca: a Stoic, I, 106.
Separation of powers: conflict of liberals and conservatives over, III, 258-59; in American constitutions, III, 96; Comte on, III, 388; Constant on, III, 260; essential to constitution, III, 120; Locke on, II, 356; Montesquieu on, II, 412; see also Check and Balance, Executive, Judiciary, Legislature, Powers of Government.
Serfdom: abolition of, IV, 242-43; Saint-Simonians on, III, 360.
Servetus: executed for heresy, II, 33.
Seven Years' War: effects of, III, 45.
Sextus IV: policy of, I, 288.
Shaw, G. B.: advocate of municipal trading, IV, 186.
Shifts of ideas: IV, 41-42.
Siéyès, Emanuel: doctrines of, III, 100 *et seq.*; French Assemblies, III, 116.
Single tax: criticisms of, IV, 251-54; little influence on workers, IV, 251; origin of idea, IV, 246; see also George, Henry.
Slavery: assumed by Plato and Aristotle as necessary, I, 93; Bodin's repudiation of, II, 91; contrary to natural rights (Roman jurists), I, 128; effect of cosmopolitism on, I, 105; falls under law of nations (Suarez), II, 140; Hegel on, III, 157; Hobbes on, II, 281; justified by St. Augustine, I, 157; justified by Grotius, II, 178; justified on rational grounds by Aristotle, I, 58; Locke's view of, II, 346; Melanchthon on, II, 18; Montesquieu on, II, 416; Pufendorf on, II, 320; in Comte's three states, III, 393; review of theories of, III, 410; Saint-Simonians on, III, 360; by Thomas Aquinas, I, 199; Wycliffe's view of, I, 262.
Small, A. W.: forms of government, IV, 379.
Smith, Adam: doctrines of, III, 64; sociological influence of, III, 346.
Social basis of rent: according to George, IV, 248.
Social causations: environment as theory of, IV, 421; psychic theory of, IV, 418-20; racial theory of, IV, 420.
Social contract: see Contract, Social.
Social control: not always political, IV, 404.
Social Democratic Party: accepted Alsace-Lorraine, IV, 297; allied with the progressives, IV, 306; approved the war budgets, IV, 310; break with Bismarck's policy, IV, 282; causes of growth of, IV, 295; debates of, in Reichstag, IV, 302; defeat in elections of 1907, IV, 303; and direct action, IV, 300; growth of, IV, 294; foreign policy of, IV, 302; and military budget, IV, 308; secures middle class votes, IV, 290; supported war of 1870 at first, IV, 281.
Social environment: influence of, IV, 504-5.
Social ethics (*Sittlichkeit*): Hegel on, III, 157.
Social evolution: factors causing, IV, 454; Ratzel's view of, IV, 472; theories of, IV, 433-38.

Social forms: persistence of, IV, 412.
Social psychology: behavioristic nature of, IV, 412; includes psychological sociologists, IV, 404.
Social selectionism: theories of, IV, 526-31.
Social stratification: Galton's theory of, IV, 527.
Social struggle: syndicalism fails to abolish, IV, 225.
Social Theory: see Cole.
Socialism: aims to put labor over capital, III, 383-84; based on democracy, IV, 77; Bismarck's persecutions of, supported by the people, IV, 287; colored World War revolutions, IV, 8; compared with anarchism, III, 404; doctrinal ancestry of, III, 405-6; doctrines of Utopian, III, 348 *et seq.;* importance of, in nineteenth century, III, 250; influence of German persecution of, IV, 289; international character of, IV, 289; and internationalism, IV, 4; and internationalism in Germany, IV, 292; martyrs of, under Bismarck, IV, 287; Marx on aims of, III, 374; peaceful nature of German, IV, 293; persecution of, by Bismarck, IV, 284-91; reasons for early growth of, in Germany, IV, 283-84; rise of, III, 340 *et seq.;* Stein's distinction from communism, III, 383; Stein's history of, III, 377; transition from Utopian to revolutionary, III, 371; used by Bismarck to terrorize German people, IV, 285-86; Utopian and revolutionary distinguished, III, 348; see also Bolshevism, Christian Socialism, Collectivism, Communism, Fabian Socialism, Government Ownership, Guild Socialism, Lassalle, Marx, Social Democratic Party, State Socialism, Syndicalism.
Socialist Working Man's Party of Germany: origin of, IV, 283.
Society: analogy of, with physical beings, III, 397; based on feelings, not reason, III, 352, 361; based on sympathy and benevolence, III, 349; Burke on, III, 178; Comte's method in science of, III, 389; conflict with state, III, 378; defined by Bonald, III, 186; distinguished from government, III, 397; distinguished from state, III, 112, 345; dominates constitution, III, 152; force the basis of, III, 392; forms of, according to Santayana, IV, 352; Fourier on classes in, III, 353; Guizot's individualistic conception, III, 264; Haller's conception of, III, 198; Hegel's peculiar conception of, III, 158; implied in government, III, 392; importance of distinction from state, III, 314-15; militant and industrial types of, III, 398, 400; J. S. Mill's use of term, III, 236; product of instinct, not reason, III, 68; Proudhon on basis of, III, 366; relation to individual, IV, 421; relative importance in recent theory, III, 402; Saint-Simon on classes in, III, 355-57; Saint-Simonians on classes in, III, 360; Saint-Simonians on historical phases of, III, 359; shaped by class struggles, III, 372; self-interest principle of, III, 378; as source of authority, III, 422; Stein's view as to classes in, III, 377; theory of evolution of, IV, 433-38.
Society, natural: see Nature, State of.
Society, political: see Government and State.
Sociological jurisprudence: basis of, IV, 174; theory of, IV, 161-76.
Sociology: Comte's use of term, III, 387; doctrinal ancestry of, IV, 406; essence of Spencer's, III, 399; importance to political science long recognized, IV, 399-400; leaning of Stein to, III, 386; movement to unify, IV, 166-67; nature of, IV, 358-59; progress essential to jurisprudence; relation to biology, III, 394; relation of Political Science to, IV, 357-61; rise of, III, 340 *et seq.*
Socrates: on laws, written and unwritten, I, 23; his method and eth-

ical doctrine, I, 22; relation of Plato to work of, I, 24; relation of, to Sophists, I, 21.
Solon: influence of his constitution on Plato's theory, I, 45; reforms of, at Athens, I, 12.
Sophists: nature of work of, I, 20-21; renewed by Epicureans, I, 103.
Sorel, George: theory of "myths," IV, 226.
Soul: Plato's analysis of, I, 26.
South Carolina: freedom of worship in constitution of, II, 341.
Sovereignty: Althusius on, II, 63-64; American Revolutionists on, III, 95-96; argument for basis of numbers, of wealth and of intelligence, I, 67; ascribed to State, III, 304; attack on, IV, 30; Austin on, III, 226 *et seq.;* not basis of law, IV, 100-5; Bentham on, III, 218; Blackstone on, III, 74; Bonald on, III, 188; Burke on, III, 180; claims of the one perfect man, I, 70; Cole attacks state, IV, 230; conceived as chief lawmaking power (Suarez), II, 145; Constant on, III, 259; in constitution of 1793, III, 122; contrasting views of monarchists and liberals on, III, 21; decline of interest in, IV, 31; defined by Aristotle, I, 65; defined by Bodin, II, 96; destructive to international law, IV, 122; distinguished into legal and political, III, 246; Duguit's idea on, IV, 169; essentially monarchic, III, 162; exercise limited, IV, 133-34; Fichte on, III, 146; French constitution on, III, 119; Grotius' theory of, II, 181; group units as basis of, IV, 89-98; Guizot on, III, 263; Hegel's theory of, IV, 84; held by Cusanus to be in people, I, 273; Hobbes' theory of, II, 281; impersonal law, better than any person as bearer of, I, 71; internal and external, IV, 135; international limits on theory, IV, 98-100; international limitation on, IV, 98, 125-26; Jellinek's view of, IV, 132-33; Kant on, III, 133; legal and political distinguished, IV, 123-24; Locke defines as will of community, II, 353; Marsiglio and Ockam on, I, 248 *et seq.;* a matter of fact, not right, III, 202; J. S. Mill on, III, 239-40; and the monarchic principle, III, 285; Montesquieu's attitude toward, II, 411; and the national state, III, 332-33; origin of doctrine, IV, 81-82; naturally in whole community (Suarez), II, 143; in people as legislator (Marsiglio), I, 239; of people subject to that of law (Aristotle), I, 95; of people sustained by Milton, II, 243; pluralist view of, IV, 342; progress in theory of popular, III, 104; Pufendorf on, II, 323; reason for concept, IV, 32; in reason only, III, 265; relation to idea of nation, III, 288 *et seq.;* relation to law, II, 97-98; relation to revolution (Bodin), II, 109; review of theories concerning, III, 414; Rousseau distinguished political and legal, IV, 123; Rousseau's doctrine and national state, III, 39; Rousseau illogical on, III, 19; Rousseau's theory of, III, 22 *et seq.;* should be in mass of people, according to Aristotle, I, 68; not source of law, III, 60; Spinoza on, II, 313; theories of, IV, 30-33; theory of spheres of, in U. S., III, 272-73; Tocqueville's conception of, III, 272; traditional theory of, IV, 80-89; Treitschke's view of, IV, 85; not unlimited, III, 69; usually defended, IV, 31; various ideas of, in Greece, I, 69; Waitz on, III, 284; Webster and Calhoun on, III, 284; see also, Authority, Law.
Soviet government: criticism of representation under, IV, 25; nature of, IV, 264.
Spain: an absolute monarchy (Bodin), II, 105; after Thirty Years' War, II, 306; insurrection in, III, 248; jurisprudence of in sixteenth century, II, 133.
Sparta: classes of people in, I, 7; constitutional organization of, I, 9; no early aristocracy in, I, 2;

Ephors in, III, 147; hegemony of, in Persian Wars, I, 5; influence of, on Greek political theory, I, 6; leader of conservatives in Greece, I, 5; Lycurgean institutions in, I, 8; many institutions of, in Plato's *Republic*, I, 44; oligarchic character of government in, I, 10; in Plato's opinion a properly limited monarchy, I, 40; Polybius' view of institutions of, I, 116; Rousseau's use of, III, 6; slightly esteemed by Machiavelli, I, 296; timocracy according to Plato, I, 33.

Spencer, Herbert: applied scientific ideas to politics, IV, 12; forms of government, IV, 379; and sociology, III, 347; stages of social development, IV, 369; synthetic interpretation of knowledge, IV, 13; theory of *laissez-faire*, IV, 12, 390; theory of social evolution, IV, 433; theory of state ownership of land, IV, 249; works and doctrines of, III, 395 *et seq.*

Sphere of state: theories of, IV, 34-35.

Spinoza, Benedict: compared with Locke on toleration, II, 366; compared with Rousseau, III, 43; on forms of government, II, 316; on freedom of expression, II, 315; influence producing his philosophy, II, 308-10; likeness to Hobbes, II, 310; Locke's indebtedness to, II, 363; on natural right, II, 377; on origin of state, II, 312; on sovereignty and liberty, II, 313-14.

Spirit of Laws: see Montesquieu.

Spiritual affinity of races: doctrine of, IV, 520-22.

Stahl, F. J.: doctrines of, III, 305-6; followed by Mulford, III, 333; on relation of state to nationality, III, 328.

Stammler, Rudolph: principles of legal administration, IV, 154.

Stamp Act: III, 82.

State: above nation, III, 316; antiquity of, IV, 445; Aristotle on best form of, I, 78 *et seq.*; Aristotle on origin and character of, I, 55; basic elements of, IV, 370-74; Bolshevik theory of, IV, 254-55; Burgess on nationalism and, IV, 532; has coercive authority, IV, 88; conflict with society, III, 378; confused with nation and people, III, 320; consists of king and people, III, 279; defined by Bluntschli, III, 310; not distinct from other associations, III, 201; not distinct from sum of individuals, III, 247; distinguished from government by Marsiglio, I, 250; distinguished from household, I, 57; distinguished from society, III, 345; doctrine of exclusive agency, IV, 83; economic origin, IV, 21; on the true end of, I, 81; boundaries of its power becoming sharper, IV, 405; functions of, IV, 34-37; function of, according to Adler, IV, 345; function of, according to Nietzsche, IV, 346-47; German idealists on, III, 168; Haller's conception of, III, 199; Hegel's idea of, III, 159; historical theory of, III, 301, 304-5; historical theory of origin, IV, 367-68; identity changes, according to Aristotle, with change of constitution, I, 65; importance of distinction from society, III, 414-15; Krabbe's theory of, IV, 103; limits of power of, IV, 83; lack of moral authority, IV, 84; Lassalle glorified the, IV, 276; lauded by Ward, IV, 363-64; means, not end, III, 149; military function of, IV, 37; mystery in, III, 191; nature of, according to Krabbe, IV, 170; necessary to human existence, I, 56; necessary to internationalism, IV, 99; necessity of, IV, 215-16; Ockam on functions of, I, 247; origin of, IV, 430-55; origin of, in primitive groups, IV, 168; origin of, in social groups, IV, 168; organic theory of, IV, 473; as person, III, 299 *et seq.*; pluralists think sphere is narrowing, IV, 115; relative importance in recent theory, III, 402; relation to law, IV, 101-7; relation to people, III, 327 *et seq.*; Russell's opposition to, IV, 331;

sociological theory of sphere of activity, IV, 390-92; sociologists on development of, IV, 369-70; sociological view of nature, IV, 361-65; sociologists' view of origin, IV, 366-69; Spencer's conception of, III, 397, 400 note; stages of development of, IV, 369; Stahl on, III, 305-6; term not used by J. S. Mill, III, 236; no unilateral development of, IV, 367; weakness of, IV, 214; see also Government.
State of Nature: see Nature, State of.
Statesman, The (Plato): classification of government in, I, 36; deals primarily with dialectic, I, 27; depreciates practical statesmanship, I, 34; develops "idea" of ruler, I, 34; idealism of, I, 25; and legislation, I, 35; see also Plato.
State sovereignty: see Sovereignty.
Statistics, social: in Comte, III, 391; Spencer's use of, III, 396 note.
Statistical method: applied to political psychology, IV, 427; difficulties of, IV, 529; progress of, IV, 18.
Statistics: need of judicial, IV, 174.
Stein, Lorenz von: works and doctrines of, III, 377 *et seq.*
Stengel, K.: international law, IV, 135.
Stephen (Pope): crowns Pippin, I, 139.
Stereotypes: Lippmann's theory of, IV, 69.
Stoics: development of cosmopolitism by, I, 105; emphasized ethics and neglected politics, I, 102; idea as to source of authority, III, 417; influence of, on Cicero's theory of natural law, I, 122; influence of, on Roman jurisprudence, I, 127; influence of, on St. Thomas' theory of law, I, 192; principles of, in relation to Christianity, I, 154; prominence after Alexander, I, 102; in the Roman state, I, 106; theory of justice and law, I, 104.
Suarez, Franciscus: compared with Montesquieu, II, 428; definition of law, II, 136; developed ideas of international law, II, 141; distinguished law of nature from law of nations, II, 140; on governmental contract, II, 146; influenced Grotius on sovereignty, II, 181; on law of nature, II, 137; on papal powers in secular affairs, II, 145; relation to Aquinas, II, 135; resemblance to Rousseau, II, 144; on taxation, II, 147; his theory of human government, II, 143-44.
Suffrage: Lassalle believed in universal, IV, 276; a natural right according to English Levellers, II, 236; see also Elections.
Sumner, W. G.: *Folkways*, IV, 415; on imperialism, IV, 73; theory of *laissez-faire*, IV, 391.
Sun and moon: symbol of spiritual and secular power, I, 167, 171.
Sun-spots: influence on climatic changes, IV, 498.
Swift, Dean: a Tory leader, II, 372.
Switzerland: establishment of Protestantism, II, 6.
Swords, the two: text referring to, I, 168, 184.
Sydney, Algernon: III, 20; and the American Revolution, III, 91; compared with Machiavelli, II, 344; on origin and end of government, II, 343; opposes Charles II, II, 342.
Sylvius: see Æneas Sylvius.
Sympathy: basis of society, III, 361, 366.
Syndicalism: advocated decentralization, IV, 384; and authority, IV, 22; criticisms of, IV, 222-27; and general strike, IV, 6; in Germany, IV, 300; nature of the state, IV, 364; opposition to nationalism, IV, 8; recognizes competing groups, IV, 113; relation to anarchism, IV, 34; theory of, IV, 217-22; see also Anarchism, Direct Action, Socialism.

Tagore: pacifism, IV, 12.
Tarde, Gabriel de: forms of government, IV, 379; psychic element in society, IV, 165.

Tenney, A. A.: theory of biology and democracy, IV, 59.
Tennis court: oath of the, III, 88.
Territory: as an element of the state, IV, 373-75; importance in a state, IV, 476; relation of extent of, to form of government (Montesquieu), II, 408.
Tests: see Mental Tests.
Teutonic nations: influence of, on Christian church, I, 134; transformed Roman government in the West, I, 131.
Teutonism: doctrine of, IV, 517-26.
Teutons: described by Chamberlain, IV, 521; must retain balance of power, IV, 537; varieties of meanings of, IV, 520.
Thayer, W. R.: *Out of Their Own Mouths*, IV, 543.
Theodoric of Verdun: I, 162.
Theodosius: excommunicated by Ambrose, I, 134; recognizes sacerdotal sway over morals, I, 155.
Third Estate: becomes National Assembly, III, 105; Siéyès on, III, 101 *et seq.*; becomes tyrannic bourgeoisie, III, 372-73.
Thirty Years' War: influence on Grotius, II, 160 *et seq.*; results of, II, 305.
Thomas Aquinas: on certain novel functions of government, I, 203; general character of his philosophy, I, 190 *et seq.*; compared with Montesquieu, II, 428; on the deposition of princes by the Church, I, 207; followed by Fortescue, II, 201; followed by Spanish jurists, II, 134; on the Holy Roman Empire, I, 201; his influence on Ægidius Romanus, I, 209; on justice and rights, I, 196; on law of war, II, 173; leading authority of Suarez, II, 135; political works of, I, 190; on politics proper, I, 197; on the pre-eminence of priest over king, I, 205; prefers monarchy to democracy, I, 199; on the province or kingdom as more perfect than city-state, I, 198; on slavery, I, 198; his system in relation to political facts, I, 213; on the treatment of infidels by Christian rulers, I, 206; his theory of law, I, 192; on tyranny, I, 200.
Thomasius, Christian: II, 331, 373.
Thompson, William: on rents and profits, III, 343.
Thorndike, E. L.: view of original nature of man, IV, 411.
Timocracy; Plato's conception of, I, 33: Gerson's idea of, I, 269.
Tocqueville, A. de: on American democracy, III, 270 *et seq.*
Toleration: Castalion's theory of, II, 36; leaning of Hobbes to, II, 299; Locke's theory of, II, 365; Montesquieu on, II, 426; More on, II, 208; in Pennsylvania and South Carolina, II, 341; at Revolution of 1688, II, 348; Roger William's plea for, II, 233; Spinoza on, II, 316; tendency to, in Peace of Westphalia, II, 306; see also Religion.
Tolstoi, Leo: anarchism of, IV, 12; condemned violence, IV, 213; religious basis of doctrine of, IV, 210; theory of non-resistance, IV, 22; theory, a way of life, IV, 211-12.
Topography: influence of, according to Reclus, IV, 485-86; see also Geography, Mountains, Waters.
Tories: early ideas of, II, 336; principles after Revolution of 1688, II, 371-73.
Towns: political significance of, in fifteenth century, I, 256.
Trade-unionists: see Labor Unionists.
Tradition: importance in law, IV, 165-66.
Translatio imperii: I, 180; Dante on, I, 234.
Treaties: place in international law, IV, 134.
Treatises on Government: see Locke.
Treitschke, H. G.: did not stress racial superiority, IV, 524; states not necessarily nationalities, IV, 525; theory of state as power, IV, 85.
Trent, Council of: II, 6; its decrees, II, 126; questions attending its meeting, II, 124.

Tribe: as basic political organization, IV, 432.
Tribune: powers of, at Rome, I, 108.
Trotter, W.: characteristics of gregariousness, IV, 408.
Tucker, Benjamin: theory of voluntary associations, IV, 198.
Turgot: on American system, III, 99; practical work of, III, 48, 62; doctrines of, III, 63; minister of finance, III, 86.
Twelve Tables: code of the, I, 126.
Tyrannicide: action of Jesuits concerning, II, 132; Buchanan's theory of, II, 58-60; in constitution of 1793, III, 122; Mariana's theory of, II, 70; Melanchthon on, II, 22; Milton on, II, 243; no right of individuals, II, 55.
Tyranny: distinguished from royalty in Middle Ages, I, 178; held by Aristotle to be a corrupt form of state, I, 72; John of Salisbury on, I, 187; the least permanent form of government, I, 91; Machiavelli on the art of, I, 316; may be maintained by uniform severity and harshness, I, 91; Plato's conception of, I, 33, 36; in Polybius's theory, I, 115; Thomas Aquinas on, I, 200; may be maintained by uniform mildness and craft, I, 92; see also Monarchy.
Tyrant: Althusius on, II, 65; Bodin's conception of, II, 100-6; Buchanan on, II, 58; defined as ruler who denies religious liberty, II, 45; Mariana's definition, II, 70; right to depose belongs to magnates, not masses, II, 54-55; as one who violates contract with people, II, 54.

Uhland: and nationalism, III, 298.
Ullmann, E.: theory of international law, IV, 133.
Ulpian: Stoic influence on, I, 106.
Unam Sanctam: the Bull of, I, 216.
Union-state: basic features of, III, 283; defined by Waitz, III, 284; effort to realize in Germany, III, 282; and the monarchic principles in Germany, III, 285; Mulford on, III, 333; and popular sovereignty, III, 286-87; relation to idea of nation, III, 288 *et seq.;* republican type and monarchic type, III, 283; a unitary state, III, 287.
United States: army tests in, IV, 60; Austin on sovereignty in, III, 231; conception of union-state in, III, 287; confused ideas of sovereignty in, III, 272; influence of its constitution in Frankfort Convention, III, 282; interest of Europe in, revived by Tocqueville, III, 271; use of plebiscite in, III, 336; see also America.
Unity: Cusanus on, I, 271; Dante's exaltation of, I, 231; essential in government of church, but not of state, I, 226; influence of theory of corporation on mediæval idea of, I, 279; see also General Will.
Universal monarchy: argument against, by John of Paris, I, 226; Dante's plea for, I, 230 *et seq.;* discussed by Ockam, I, 246; as normal political organization, I, 180; theory of, slighted by Marsiglio, I, 240; see also World State.
Urbanism: readjustments required in, IV, 5; relation to industrialism, IV, 5.
Utilitarianism: Bentham's doctrine of, III, 213; compared with German idealism, III, 244-45; on relation of state to nationality, III, 327; theory of jurisprudence, IV, 152; value of juristic theory, IV, 153; see also Happiness.
Utopia: see More.
Utrecht: peace of, continental conditions following, II, 370.

Valentinian III: decrees appellate supremacy of Roman Bishop, I, 137; defied by Ambrose, I, 133.
Valla: discredits Donation of Constantine, I, 259.
Vendee, La: and the French nation, III, 293.
Vico, Giambattista: contrasted with school of natural law, II, 388; on forms and sequences of government, II, 386; originality of, II, 374; relation to predecessors and

to Montesquieu, II, 387; scope of his philosophy, II, 385; sociological influence of, III, 346.
Vindiciæ contra Tyrannos: on contract as basis of government, II, 49-53; on deposition of tyrants, II, 54-55; on right of disobedience, II, 48; on right of resistance, II, 49 *et seq.;* theory adopted in Scotland, II, 224.
Vinogradoff, Paul: theory of jurisprudence, IV, 160.
Violence: advocated by Bakunine, IV, 203; defended by Bolsheviki, V, 256; German Socialists opposed, IV, 288; Social Democratic Party and, IV, 307; Tolstoi condemned, IV, 213; see also Anarchism, Direct Action.
Virginia: Declaration of Rights of, III, 92.
Vollmar, Georg: on German foreign policy, IV, 295.
Voltaire, F. M. A.: III, 4; on the age of Louis XIV, II, 306; criticism of censorship, II, 292-93; liberalizing influence of, II, 373; opposed to absolutism, II, 304; relations with Frederick the Great, III, 48; relations with Humboldt, III, 153.
Vorwärts: attitude toward World War, IV, 309-10.
Voting: see Elections, Suffrage.

Wage-earners: see Workers.
Waitz, George: defines state, III, 284.
Waitz: and nationalism, III, 298; on people and state, III, 305; on relation of state to nationality, III, 328; on union-state and sovereignty, III, 284.
Wallace, A. R.: champion of democracy, IV, 13.
Wallas, Graham: emphasizes suggestibility, IV, 328; importance of emotions in politics, IV, 423; on necessity of curbing war, IV, 394; opposes occupational representation, IV, 382; represents psychological influence, IV, 19; socialized theory of liberty, IV, 386; theory of group control, IV, 410; unionism in public opinion, IV, 68.
Waltram of Naumberg: I, 162.
War: Fichte on extinction of, III, 145; Godwin on, III, 363; inevitable and beneficial, III, 164; necessary to progress, III, 67; place of in origin of states, IV, 368-69; political theory and, IV, 36; Saint-Simonians on, III, 360; salutary influence of, III, 151; Spencer on, III, 401.
War of the Roses: I, 256.
Ward, L. F.: defends social legislation, IV, 391; on nature of sociology, IV, 358; psychological jurisprudence, IV, 164-65.
Water: influence of bodies of on social development, 486-87; influence of bodies of on the state, IV, 478; see also Geography.
Wealth: influence of on politics, IV, 466-69; see also Property.
Weather: Dexter's views of influence of, IV, 500-3; social influence of, IV, 497-98; see also Climate, Geography.
Webster, Daniel: on sovereignty, III, 284.
Wells, H. G.: on administrative areas, IV, 189; attacks electoral system, IV, 55.
Westphalia: peace of, II, 305.
Weyl, Walter: program for democracy, IV, 77.
Whigs: early ideal of, II, 336, 342; and the French Revolution, III, 176; policy of, III, 207, 209; principles after Revolution, II, 371-72; relation to Locke's philosophy, II, 367.
Will: basis of Hegel's system, III, 155; as basis of nationality, III, 320; no basis of political obligation, III, 264; basis of sovereignty, III, 22; no basis for sovereignty or law, III, 368-69; conflicts of, in state, III, 30; essence of law, III, 218; in Fichte's system, III, 139 *et seq.;* futility of in politics, III, 192; general not total, III, 25; German idealists on, III, 167; in Kant's conception of law, III, 136; of a

people, III, 306, 308; relation to nationalism, III, 334; subordinate to duty, III, 180; see also General Will.
William II: attitude toward socialism, IV, 291; changed Germany's foreign policy, IV, 295.
William of Orange: II, 307; accession to English throne, II, 339; ruler of Netherlands, II, 309.
Williams, Roger: his plea for freedom of conscience, II, 232.
Winkler: on law of nature, II, 155; on law of nations, II, 156.
Wolf, J. C.: IV, 373; his political theories, II, 375-77.
Woltmann, Ludwig: method of study, IV, 523; writings of, IV, 523.
Woman's suffrage: opposition based on custom, IV, 6.
Women: influence of, among Iroquois, IV, 451-52.
Workers: beginnings as social class, III, 341; have right to product, III, 365; Marx on rule of, III, 375; Saint-Simonians on exploitation of, III, 360; Stein on conflict with capitalists, III, 382; see also Proletariat.
Working Man's Association: organized by Lassalle, IV, 274.
World-history: Bonald's interpretation, III, 186; Hegel on, III, 164.
World State: Dante's theory of, IV, 99; inconsistent with international law, IV, 135; relation to national state, III, 332; see also Internationalism, League of Nations, Universal Monarchy.
Wundt, W. M.: theory of group marriage, IV, 439.
Wycliffe, John: condemned by Council of Constance, I, 265; general position as to politics, I, 260; influence of feudalism on, I, 264; on monarchy and aristocracy, I, 262; on relation of church to property, I, 263; on slavery, I, 262; his theory of lordship, I, 261; views of, adopted by Huss, I, 264.

Xenophon: record of Socrates' doctrines as to justice and law, I, 23.

Yellow peril: Mackinder's view of, IV, 489.

Zabern affair: effect of, IV, 309.
Zacharias (Pope): cited by mediæval debaters, I, 175; sanctioned usurpation by Pippin, I, 139.
Zeno the Stoic: I, 102.
Zurich: Zwingli's work in, II, 24-25.
Zwingli, Huldreich: attitude toward Anabaptists, II, 4, 25; work in Zurich, II, 23-24.