

## CHAPTER IV.

## ON THE FORMATION OF THE STATE, AND THE RIGHT OF THE MAJORITY.

## 1. All men are equal in natural rights.

A right is a just claim to—

1st, Powers of performance, which include all human *liberty*.

2d, Possession, which includes all human *property*.

Powers of performance are—

1st, Power of thinking ; 2d, speaking ; 3d, writing and publishing ; 4th, acting.

Consequently all men are equal in their natural right to think, speak, write, and act. Consequently, no man and no body of men have a right to interfere with the thoughts, words, writings, or actions of others, *which right is not to the same extent possessed by those others, vice versa*.

2. All men have a right to defend their rights.

Consequently they may set apart certain persons armed with physical power for the purpose of that defence.

The government of a country is nothing more than the body of men so set apart to defend the rights of

each individual of the community, consequently the whole operations of government in its *primary* capacity are limited to the *prevention of unjust interference*.

No man has a right, in the first place, to interfere with his fellow in his thoughts, words, or actions.

And if no man did so interfere, there would be no use for government in its primary and most essential capacity. But when he does interfere with his fellow by force, fraud, or defamation, then he is amenable to society, *1st*, for the compensation of all the evil he may have done to another; and, *2d*, for all the expense society has been at in maintaining a criminal police and criminal judicature, for the purpose of preventing his malpractices.

But all legislation is interference, and as no man has a right of interference primarily, legislation must be limited to that secondary interference that takes place when the rights of an individual have been invaded.

Consequently legislation has for its primary end and object nothing more than the preservation to every man of all his natural rights.

Rulers, therefore, have no right whatever to legislate except such as they derive as public servants of the community; and if they legislate from their own *will*, such legislation is not competent and need not be obeyed, except in so far as men may be called upon by Scripture to obey even unjust laws.

3. The right of legislation resides primarily in every individual, and extends just so far as his own

rights are concerned, and no farther. Consequently no man has a right to legislate for another, unless that other shall have been guilty of an attack on the rights of his fellows.

Laws, therefore, to be just, can only affect the powers or property of those who make them, except in so far as these laws are mere enactments against *crime*. And if laws do affect the powers or property of those who do not make them, those laws are unjust, except as they affect criminals.

4. All men have a right to defend their rights against every kind of interference. Consequently, if their rights be interfered with by the legislature or government of a country, they have the same right to defend them against that government that they have to defend them against the interference of a private individual.

5. The object of property is **THE EARTH**, namely, the land, the ocean, and the air.

6. All living men are equal in their natural right to the earth, that is, the earth belongs equally to the living generation of men who inhabit the surface of the globe; consequently, no disposition of the earth made by men who are dead can by any possibility affect the right of the present inhabitants to their equitable share of the globe. Therefore, neither the land, the air, nor the ocean can by any possibility belong to any individual *allodialy*. Man is but the liferenter of the earth.

7. The land of a nation belongs equally to every living citizen of that nation, consequently all title-

deeds granted by dead kings are invalid and need not be respected.

8. If every man have a right to defend his rights, he has also a right to recover them when they have been taken away from him — consequently every man in a nation has a right to recover his portion of the national land.\*

9. The man who is born with only a legal title to his *liberty* is deprived by the law of his natural *property*.

10. When a man is deprived of his *property*, he

\* These propositions are, of course, contrary to the present credence and the present practice, and the reader will no doubt at first consider them as mere arbitrary assertions. It must be remembered, however, that no theory of property (except an empirical superstition based on mere fiction) is currently extant in the English language, and consequently the subject has not yet been determined on other grounds than those of *law*.

Let us suppose an indefinite number of men *commencing a new STATE* in a new country, and no other supposition is possible but that all are exactly equal in their right to the soil. Now, this equality, if departed from, must be departed from, not according to arbitrary superstitions and the arbitrary will of despotic power (as by the king's grant of lands which belonged to the STATE); but according to *principles of equity*, which are in no respect dependent on the will of any individual whatever. And if the principles of equity have *not* been adhered to (and they have not been adhered to in any country in Europe), it follows of necessity that a new generation has an undoubted right to make such new arrangements as *are* equitable, whatever the traditional arrangements may have been in times past.

It must be remembered that the allocation of the State lands (for instance, the abbey lands by Henry VIII.) to *private individuals* is now exactly equivalent to the imposition of a taxation on articles of consumption equal to the *present* rental of those lands, so that those who are labourers have actually the rental of the lands taken from them in the shape of *taxes*. Were there *no taxes*, the alienation of the lands would be a question of comparatively minor import.

has a right to recover it; and consequently every citizen of a country, where the law does not secure to him his natural property, may justly use means to recover that property, exactly in the same manner as he may justly defend his natural liberty, or use means to recover it when he has been deprived of it.

11. Legislation has two ends, consequently a government has two objects.

The first is necessary and immutable, and does not depend on the will or choice of any man or body of men, or majority of men, in any way whatever.

The second is mutable, and *does* depend on the will and choice of those who may be selected to deliberate for the community.

The first end of legislation is *justice*, namely, the preservation by society of the rights of every individual forming society. No will or choice of even a majority can ever make it just that the rights of any individual should be interfered with.

The second end of legislation is *expediency*, namely, the determination and execution of those public acts and public works that are, according to the deliberative judgment of the lawfully-elected legislators, the most calculated to benefit the community.

But no act of *injustice* can ever benefit a community, and an interference with the rights of men against their will is an act of injustice. Consequently, the secondary end of legislation must never be carried out at the expense of the primary end of legis-

lation ; and therefore no deliberative assembly is competent to deliberate on any act whatever that would interfere with the rights of any individual.

12. The primary end of legislation, inasmuch as it is based on the immutable laws of justice, may be carried out either with or without the consent of any person or persons whatever. The secondary end of legislation, inasmuch as it is based on the deliberative choice of the nation, can only affect the actions or property of those who have a free voice in the election of the deliberative legislators. If it affect those who have not such free voice of election, it is an unjust stretch of power.

13. The primary end of legislation is universal and universally binding ; no man, whether he consent or do not consent, can ever be freed from the law of universal justice, that has for its object the prevention of the interference of one man with another. The secondary end of legislation, on the contrary, is not universal, nor can it justly affect the rights of those who have not the opportunity of freely electing their representative, and procuring him a place in the national assembly of deliberative legislators.

14. The primary end of legislation is negative, and does not interfere with the liberty or property of any individual whatever, *neither does it command any man to do any thing*, but only to refrain from *interfering* with his neighbour.

If the primary end of legislation be not carried out by a government, every man may justly carry it out for himself, inasmuch as it is confined to the defence

or recovery of his own rights and of the rights of his fellows, who are attacked by force or fraud.

The secondary end of legislation is positive, and does interfere with the actions and property of those who freely elect the deliberative assembly, but the deliberative assembly is only competent to take into consideration such questions, or such acts or works, as may be considered for the general benefit of the community; neither, if the deliberative assembly determine on an act or measure of *partiality*, is that act or measure in any way binding on any individual whatsoever.

15. The primary end of legislation is the reduction to practice of the immutable principles of equity as developed in political science. The secondary end of legislation is the reduction to practice of the principles which are inferred from an observation of the fruits and consequences of human action.

The rule of the first is politics.

The rule of the second is political economy.

16. It is possible for the deliberative assembly to err in their judgment as to the benefit likely to accrue from a particular act, but that act is not to be viewed as an act of injustice, so long as it does not contain *partiality*—that is, so long as one man is not called upon to bear a burden that is not equally shared by every member of the community, including the members of the assembly and the legislators and executive persons of every description.

But if an act of the deliberative assembly be an act of partiality, and throw upon one class of the

community a burden that is not equally borne by every other class, then must that act be esteemed an act of injustice and an overstepping of the just sphere of the deliberative assembly, and as such it is not competent, neither need it be obeyed, inasmuch as it is an interference with the equal rights of men.

17. The secondary end of legislation is positive, and calls on men to *do something* (to expend their labour or money, for instance), and this is quite equitable and legitimate for the good of society, provided every man be called upon equally; but neither must men be called upon unequally, nor must any be called upon who have not a perfectly free voice, and opportunity of exercising that voice, in the election of a member of the deliberative assembly.

To carry out the two ends of legislation two classes of State servants are required.

1st, An executive government, who have no power whatever to will or to choose, but only to carry out the provisions of natural justice, reduced to *law*—that is, to prevent all internal interference of one member of the State with another member of the State, and to prevent all external interference of a foreign State with the nation or its members.

2d, A deliberative government or assembly, who have no power whatever to execute, but only to deliberate and determine, and then to order execution through the executive servants of the State.

18. But, inasmuch as the deliberative assembly



might overstep its legitimate boundary, and order the execution of an act of injustice, there ought to be a code of *written law*, containing the clear and full declaration of human rights, and the cases in which the executive power may be authorised to arrest and try an individual who has been accused of interference with his fellows by force or fraud,—that is, who has been accused of *crime*.

This body of written law should be unalterable, inasmuch as it is the expression of those immutable principles of justice which never vary from time or circumstance. But as it could not reasonably be expected that a code of law should be perfected at once, some means should be provided for its alteration, so as to render it more and more perfect; but these means should be quite distinct from the ordinary deliberations of the deliberative assembly. And the written law should in no wise be departed from (so long as it exists), even at the command of the deliberative assembly; and every servant of the State who should depart from its provisions should at once be arrested and tried, and if found guilty, dismissed or otherwise dealt with, according to circumstances.

19. This written law should be preserved perfectly distinct from all or any of the ordinary acts or statutes of the deliberative assembly, neither should the two be confounded on any pretext whatever; inasmuch as the one is the sacred depositary of the rights of the community, and the other only the determination of such things as are supposed to be expedient for the time being.

And this written law would be the best security for the rights of the nation, inasmuch as it could be known and published, and every man might make himself acquainted with its contents, learning from it those limits within which he might at all times freely walk, without fear of interference from any quarter whatever.

This written law, it is probable, need not be of great extent, inasmuch as its province would be to determine the cases of arrest and trial (taking the first generally to signify compulsory attendance in court, not merely imprisonment), leaving a large latitude to the court to determine, according to the circumstances of the case, the future disposal of the convicted criminal.

In every well-regulated State it should be the first object to preserve the *innocent*, and not to sacrifice him to an inordinate moderation towards any one who may have been convicted of wilfully infringing the laws of justice. So soon as any one has knowingly and wittingly committed an offence against society, that person has, by his own free act, thrown himself beyond the pale of its protection, and has no right whatever, except to be tried according to the fairest principles of evidence. If intentional guilt be really proved against him, he must be made to repay society for the damage, and must not wonder if he find the path of guilt beset with thorns.

20. The written law of which we have spoken would not be the only written law, but inasmuch as it would contain a detailed declaration of the immut-

able principles of justice, with the grounds upon which all other law of whatever kind must be based, it should hold the first place of pre-eminence, and should be styled the **BOOK OF THE LAW**.

21. To this law of justice, which neither varies from lapse of time or change of circumstance, all other law must necessarily be inferior, whether based on the will of one individual, or on the choice of a body of individuals, however numerous that body might happen to be.

22. It is right, and immutably right, that every man should have the full opportunity of enjoying the fruits of his own labour, without curtailment, without diminution, and without interference.

And it is wrong, immutably wrong, that any man should, by fraud or force, encroach upon the fruits of any other's toil, unless he have the consent of that other.

But it is not, and cannot be, immutably right, in the same sense, that a nation should be governed by one ruler, or ten rulers, or five hundred rulers.

The first is a matter of justice.

The second is a matter of expediency.

Yet both may require to be declared by law.

23. In addition to the book of the law, therefore, which is based on the unchanging principles of man's nature, as determined by the Divine Creator, there is also requisite for a nation the **BOOK OF THE CONSTITUTION**.

24. This book of the constitution ought to determine the *form of government* that the nation wills

to have, whether a monarchy, an aristocracy, a republic, or a mixed constitution composed of these various elements, like the actual government of Great Britain.

25. It should be the object of the book of the constitution to lay down in detail the form of government: the order of succession, supposing a monarchy—the form of election, supposing a republic—and the definite limits of power which each should possess as regards the people, and, in the event of a mixed government, as regards each other.

26. The book of the constitution, it is evident, is based proximately on the will and choice of the nation, but no principle that it contains, and no enactment that it may attempt to enforce, can be valid, if it infringe any of those anterior principles of universal law, which are supposed to have their origin in justice. Neither can any portion of the book of the constitution be valid, or binding on any man whatever, who has not anteriorly agreed to join society in its formation; but if he have agreed to join, and be outvoted, then has he no just cause of complaint whatever.

And much more especially can no portion of this book of the constitution be valid, or binding on any man who is afforded no opportunity of joining in the national deliberation, and who is *excluded* from that deliberation by any person or persons whatever.

27. But again. In the event of the nation willing a constitution that should not only have an executive power for the enforcement of the equitable laws of

universal justice, but also a deliberative assembly for the determination of those measures that are (apparently) for the benefit of society, it is evident that this deliberative assembly must express its resolutions in written declarations, which can be of no value unless they are enforced.

28. Therefore, besides the book of the law and the book of the constitution, there is also requisite for a nation a **BOOK OF THE STATUTES**, namely, a book of the enactments of the deliberative assembly.

29. But it is evident that these statutes must be restricted to certain limits, inasmuch as no deliberative assembly is competent to deliberate on an act of injustice, nor does it depend on them to say what is or what is not an act of injustice.

Consequently the deliberative assembly must be confined to the consideration of those public measures that interfere with the rights of no man; for if the representatives do interfere with rights, then are they to be regarded as having overstepped their boundary, and *de facto* to be no longer the representatives of the nation.

30. But as the deliberative assembly must have power to raise money and service for the works of the State, it now remains to show how this may justly be done without any man's *rights* being curtailed.

*First*, Every man is by nature entitled to his fractional share of the liferent of the earth, that is, of *property*.

And every man is by nature entitled to the fruits of his own labour.

*Second*, This property and this labour may be employed in any way whatever that does not encroach on the equal rights of another.

*Third*, Therefore every man has a right, if he so choose, to employ persons to protect his property or his liberty, inasmuch as protection is negative, and interferes with no man, except in case of attack, and even then it *repels* attack, but does not originate an interference.

Consequently any numerous body of men have a right to employ the *same individuals* for the protection of their separate property or liberty, and these individuals must be *paid*.

31. The individuals, who are so selected to protect the properties or liberties of the general body, form the *government*, which government must be *paid*.

[But if a government proceed to use its power for the purpose of *paying itself*, instead of receiving payment from the hands of the nation, then must it be held as having departed from its just sphere, and should be dealt with in the same manner as any other forcible oppressor, whether public or private. If it take more than the nation has hired it at, then is it a robber, and should be dealt with as such.

And if any body, not actually hired by the nation, profess to be a government, and do levy money or service, then should every man make it his duty to resist that body, as a confederated band of defrauders, except always Scripture injunctions to the contrary.]

32. But if a society have a right to employ its pro-

erty and its labour in paying those who are appointed to defend the rights of each individual forming that society, society does not thereby *forfeit any or the smallest portion of its RIGHTS*, but only *uses* its rights in the way most agreeable to itself,—that is, employs its property or its service according to its own free will and choice.

33. But if society have a right to employ and to pay persons for the protection of the rights of each individual, society has also a right to elect certain individuals to inquire into those public acts and works that may be for the general benefit.

The individuals so elected form the deliberative assembly of the nation, and the constitution of this deliberative assembly ought to be definitely laid down in the book of the constitution.

34. But every member of society who agrees to elect a deliberative assembly, must also, at the same time, endow that assembly with certain powers, or otherwise the deliberations could be of no use, because no means would be provided for carrying them into effect.

These powers, whatever may be their extent or their limitations, do not reside in the deliberative assembly, but in those who employed them to deliberate. Of itself, the assembly has no power whatever, except as each individual composing it has a right and power to dispose of his own property and service as he pleases, provided he does not interfere with the equal rights of another.

35. But if society has a right to elect a delibera-

tive assembly, society has also a right to endow that assembly with such powers as may be fitting in the will and judgment of society; and each individual elector who agrees to the appointment of the assembly, and to the extent of its powers, does thereby agree to abide by its resolutions, so long as they are made without partiality, and within their proper limits.

36. It is evident, that if a man have a right to employ his property and his labour for his own advantage, he has also a right to employ a servant (if he can find a willing one), and to allocate to that servant any such portion of his business as he may will and choose.

37. But any large number of individuals may agree to employ the same servants for the same portion of their own particular business; and as this business may involve a common expense in which all are interested, they may empower those servants to collect from every individual who employed them his share of the expense.

38. But here it is evident, that the servants have no right or power of their own to collect money, except just in so far as they are authorised by the society that hires them; and also, if they by force collect money from any that did not enter into the hiring association, then must they be regarded as forcible defrauders who ought to be resisted.

39. And also, it is evident that in empowering these servants to collect money for the common expense, society does not part with any, or the



smallest portion of its rights, but only exercises those rights in the mode that appears most befitting to its own judgment.

40. If we suppose the hiring association to be the nation, and the servants to be the deliberative assembly of the nation, we may at once perceive how a deliberative assembly may raise money, (impose taxes,) without the *rights* of any individual in the nation being interfered with. For the deliberative assembly has no public right whatever, except such as it derives from the individuals who agree to elect it. But each of the individuals who agree to elect it, does so elect it for certain known purposes that involve common expense. And in agreeing to elect it, he merely employs the deliberative assembly to judge of those things that are for his own benefit, which benefit, previous to electing the assembly, he agrees to pay for. And on this ground alone can a deliberative assembly raise money without interfering with the rights of society.

41. But it is evident that the deliberative assembly is only competent to deliberate for those who have agreed to elect it, and to endow it with certain powers.

42. The theory of a deliberative assembly, then, is as follows :—A large number of individuals, located proximately to each other, find that certain works would be for their general benefit and profit, although the execution of those works would not be for the benefit or profit of any single individual amongst them, inasmuch as the expense would exceed the

returns that he, as an individual, could expect to derive from them.

[Twenty thousand persons located on the sea-coast might find that a *harbour* would be for their general benefit, although the benefit that any one individual amongst them could derive from the *use* of the harbour would not be sufficient to cover the expense of its construction. The same principle applies to paving, lighting, draining, watching, &c.—all most beneficial to society, yet not sufficiently advantageous to any single individual as to be remunerative to that individual, unless he receive rent for the same. But in receiving rent, those who pay rent, pay for the benefit, and this is not a case of individual execution, but a case in which the rent-payers, namely, society, execute the work.]

This congregate body of individuals we term *society*.

43. Every member of this society is *à priori* supposed to have certain natural property, and (except in the case of sickness, or deformity,) a certain power of labouring, which power is *valuable*, inasmuch as it may be profitably employed.

44. The members of this society then agree among themselves that they will execute certain public works for their common benefit, and discharge the expense of the same. And it is evident that those who do not agree, can neither be called upon to bear any portion of the expense, neither can they claim to participate in the benefit.

45. But having so agreed, it is evident that un-

less *all* are to be employed in executing the desired works, it is necessary for society to select certain individuals to whom the care of carrying these works into execution is to be entrusted.

46. And these individuals who are so selected, whatever powers they may be endowed with, are merely the servants of society. Of themselves, they can have no right to carry the works into execution at the public expense, but only in so far as they have been chosen for that purpose by society.

47. But as it might not be convenient for a large society to inquire and determine what particular works would be for the general benefit, inasmuch as each member requires to attend to his own occupations and business, society might select their public servants, not merely to carry into execution certain works already pointed out and determined on, but to inquire what works would be for the general benefit.

48. And society might also empower their public servants to carry into execution, not merely the works that had previously received the approbation of society, but also those works which, after due deliberation, should appear to the servants themselves to be beneficial.

And in so doing, society does not sacrifice nor give away any or the smallest portion of its rights, but only employs servants to perform for it what it could not so conveniently perform for itself.

49. And in giving the public servants a power to deliberate and to determine on public works, it is

evident, that society must, at the same time, agree to defray the expense of those works, or otherwise there could be no use in giving the power of deliberation.

50. But as, unfortunately, every man is not honest in this world, there might be some, who, although agreeing to the election of the public servants, and to the extent of their deliberative and executive power, should, by fraud, endeavour to escape from paying their portion of the public expense; it would therefore be necessary that some persons should have the power of compelling them to pay their portion, inasmuch as they, by the fact of election, *had agreed* to pay it. It must be observed, however, that this compulsion is not *primary*, neither is it at all similar to that compulsion that is exercised towards one *who never did agree*, nor had the opportunity afforded him of agreeing.

In the one case the compulsion is *just*, in the other case it is *unjust*.

51. For suppose one hundred persons agree together to execute a work for their common advantage. The expense of the work is £100. Certain persons are employed to execute it, and it is completed. When it is completed, the hundred persons are called upon to pay for it in an equal proportion. Ninety persons produce each £1, but the other ten endeavour to evade the payment. Now, suppose these ten are allowed to escape, *who can be called upon in justice* to pay the £10 that should have fallen to their share? The persons who performed the work

did so on the faith of receiving £100, and not £90, for it; neither can it be maintained for a moment that the loss should fall upon them. It is not *just* that *they* should bear the loss. But if they did not bear it, are the ninety to bear it? They agreed to pay £1 each and not more, and it is possible that they would not have consented to order the execution of the work had they contemplated an excess over £1. It is evident that *they* cannot in *justice* be called upon, although *they* must bear the loss in preference to those who executed the work, inasmuch as they were parties to the order, and took the risk of copartnership, which the workmen did not take.

It is clear, then, that if the ten do not pay the £10, some person must be *injured*. But the ten have no right to injure, and the ninety have the right to protect themselves from injury. The ten are those who *originate* the injury, and every injury is an interference. But the first axiom of *justice* is, that no man has a right to interfere primarily with another, so that the ten have committed an injustice for which they must be called to account.

52. Now, in this possibility of some seeking to evade their share of the public expense lies the necessity of a further agreement previous to the execution of the work,—that certain persons shall be chosen and endowed with power to compel payment from *ALL*. But it is clear that this power of compulsion is not, and cannot be *unjust*, inasmuch as it should only be applied to those who did agree to the

execution of the work, or to the election of those who ordained the work.

53. If it apply to those who never did so agree, or who were deprived of the opportunity of agreeing, then it is without doubt *unjust*.

54. And here it must be remarked, that the laws of *justice* differ essentially from the laws of *benefit*. The laws of justice may be carried into execution by one or by all, over one or over all, at all times and in all circumstances. Every man has the right to defend himself, and to defend his neighbour, and to recover his own property for himself, or his neighbour's property for his neighbour, in all circumstances, and at all times. If he have the *power*, then may he *justly* use that power, but there may be circumstances in which it would not be *judicious* to use it. The defence and recovery of rights is all that the law of justice can take into consideration, and every man has the right to defend and recover his rights, or his neighbour's rights, consequently every man may carry the law of *justice* into effect.

55. But the law of benefit is of a different character. Ten thousand men may think that a certain work shall be for their benefit, and for the benefit of the one other man who is amongst them. And those ten thousand may agree to execute the work at their common expense, yet have they not the smallest right whatever to constrain that other man, nor to extort from him even the shadow of a farthing, if he do not *consent* to join them.

56. If that other man commit a fraud or an out-

rage, or an injury, then have the ten thousand the right to interfere with him, inasmuch as *he* has originated interference, and interference must be *prevented*. And if the ten thousand were to commit a fraud or an injury, and that other man had the *power*, then has that other man the same right to interfere with the ten thousand that they had to interfere with him. The law of justice knows neither majority nor minority, but whosoever has the power may carry it into execution, at all times, and in all circumstances. It is God's law written on the human intellect at the period of its creation, and man as man may carry it into universal effect.

57. But the law of benefit is restricted wholly and solely to those who have consented to the scheme of benefit. The law of *justice* treats of the *immutably right*; the law of *benefit* only of the purchase of a certain advantage at a certain outlay, and no man has a right to compel another to purchase even an advantage.

58. CONSENT in the law of justice is altogether superfluous; in the law of benefit or utility it is altogether essential.

59. A deliberative assembly, then, if it be freely chosen and elected by society, may justly tax society, provided such taxation be made without partiality; and provided also that taxation was one of the ends for which it was elected.

60. But it neither is just, nor ever can be just, so long as the constitution of the human mind remains the same, that the man who had no opportunity of

electing the deliberative assembly should be taxed by it contrary to his consent.

61. These principles being established, there can be no difficulty in determining what is *the right of the majority*.

62. The *right* of the majority, in a matter of *justice*, has no existence, neither was it ever any other than a form of the *right of the strongest*.

63. Strength no more makes right than custom makes morality. Both right and morality are altogether independent of any observed fact or concrete condition that can be appreciated by any process of *a posteriori* observation whatever.

64. It may be laid down as a principle of universal application, whether in the mathematical or the moral sciences, that "no observed fact or concrete condition can ever go one step towards establishing an abstract principle."

But inasmuch as *right* and *wrong* are based upon abstract principles, either they must be abandoned altogether as having no existence, or they must have their origin in the axiomatic convictions of the human mind, which never alter nor vary, although, like some of the axioms of mathematics, they may slumber unheeded and neglected.

65. Let it be granted that any action whatever is either *right* or *wrong*, no matter which, and the *right* of the majority immediately disappears. Let the action be murder. Suppose it *wrong*—of the most heinous character,—unprovoked—in cold blood—the murder of a friend. Now, no *majority* of all the



men who ever existed, or who ever shall exist, can make this murder a good, lawful, and proper action. If all, with one consent, were to shout a hurricane of universal approbation, the action remains the same, a murder, a crime, and an INJUSTICE.

66. There is a *right* independent of all majorities, of all wills or consents, of all human practice, and of all human approbation.

67. And yet, nevertheless, there is a *right* of the majority.

68. In all matters that relate to human rights (that is, to the equal right of every man to natural liberty and to natural property), the majority is as incompetent to alter or to change, as it is to make the two sides of a triangle equal to the third. Neither depends on the will of man; both are the necessary conditions of thought, from which no man can emancipate himself, if his intellect perceive the relations of the propositions, but which any man may *deny*, as every *other* truth has been denied.

69. But in all matters that relate to the consent of mankind, then has the majority a right based on that consent. The right is no more in the *majority* than it is in the rulers. It depends entirely and exclusively on the consent of the general body who have *agreed to abide by the decision of the majority*.

70. And if the general body have not so agreed, then is there no such thing whatever as the *right* of the majority, inasmuch as the majority cannot change justice into injustice, nor injustice into justice, nor can they ever justly compel any minority

to purchase even a *benefit* at an outlay, against the will of the minority. The right of the majority, then, is not a right to *coerce* the minority; neither is it a right to impose upon the minority any measures that they, the majority, may imagine to be for the general benefit.

71. But if the body general, the whole volume of society, *have agreed* to be guided and directed in their public operations by a majority of their *own number*, then has that majority a right, based upon the general consent, in which no individual abandons or foregoes his rights, but merely exercises them in the way most befitting to his judgment and his will.

72. In the law of *justice*, therefore, the right of the majority is null and void, has no existence, is incompetent to appear, and ought never for a single moment to be taken into consideration.

73. But, on the contrary, in the law of *benefit* the right of the majority is supreme and absolute, inasmuch as it is neither more nor less than the expression of the will of the whole body of society who did previously consent to abide by the decision of the majority.

74. And in this light alone can the minority be viewed as not suffering injustice, when they do not obtain the object of their desire.

75. For, all men are *equal* in natural rights, and no man has a right to interfere with another against that other's consent.

76. But if all do consent to form an association, or a *nation*, for the purpose of carrying into execu-

tion the public works that are for their common benefit, and for the better security of the rights of each individual, then must there be provided some means of determining the works that are to be carried into execution, and the particular means of securing the individual rights of the members of the community. And as it is possible for one part of the nation to esteem one class of means the best, and for another part to esteem another class of means the best, it is necessary to determine beforehand what principle of selection shall be put in force, and what *rule* shall regulate the final decision. But now it must be observed that the limits of the question have been extremely curtailed. The question is no longer one of justice, for we have supposed justice to be paramount to all majorities; nor is it one of choice, for we have supposed all to have given their consent. It is then a question of judgment as to what works are really the best, and what means are really the most efficient.

77. And consequently there is no longer any question of injustice, or of interference against the will of any individual, but only a *calculation of the amount of benefit* that is likely to arise from any particular measure when carried into effect.

78. This calculation in many cases is susceptible of numerical expression (witness cases of fever in localities *drained* or *undrained*), but in other cases there have not yet been made *statistics* on which to base a decision that should assume the form of an ascertained rule.

79. It is therefore necessary that some provision should be made for those cases that have not yet assumed their place in any system of science. Let the question be, "Is a national church beneficial?" and it may at once be perceived that the data affecting such a question are of far too limited an extent to enable any person whatever to arrive at a conclusion based on the calculation of probabilities.

80. Because the rule for any question of the kind is, "Take the whole number of cases of a national church, and if the majority have been beneficial, then is it more probable than not that a national church is beneficial."

81. But churches are not *numerous* (an essential in every question of probabilities), and also churches are so various in character, that no decision on such a question could be listened to by any one, were it professedly based on the numerical statistics of national churches.

82. But on such a question as this it is possible to put the case in another light, "The deficiency in number may be compensated by the length of duration;" and if any one single church (that of England and Ireland, for instance) be taken in the whole period of its duration, it might furnish an approximate result, derived not, of course, from the character of *churches*, but from the character of this church during a long course of years, each of which years might be made a unit in the calculation.

83. But even in this case we have only one class of units, whereas, in a calculation of probabilities, two

classes are required. There must not only be a numerical expression for the duration, but a numerical expression for the *benefit* (or value).

84. Now, it is evident that on such a point no man would wish to risk a numerical judgment, and therefore it is necessary that some provision should be made for those cases that are not susceptible of a numerical expression, or are not of such a nature as a man chooses to reduce to a mere question of numbers—numbers which here must in all probability be empirically assumed. Therefore, the question is, “Is this public work likely to be beneficial to the community?” Five hundred answer YEA, and one hundred answer NAY. Now, what is to be *done*? If there were no previous consent amongst the *six* hundred that the majority should determine the final decision, then have the majority no right whatever to enforce their Yea. But seeing that there was (by supposition) a previous consent amongst the whole of the six hundred that a majority of their number should determine, then must it be maintained that when the majority do determine, even without reason alleged, the minority not only suffer no injustice, but actually do choose and select the work, because they had previously agreed to abide by the decision of the majority.

85. The case is one of very simple reduction to signs. A, B, C, D, and E, do will and choose that one of the measures,  $x$  or  $y$ , should be carried into execution, according to the judgment of a majority amongst them; which is equivalent to A, B, C, D, and E, do

will and choose "*the measure selected by the majority.*" A, B, and C select  $x$ , and A, B, and C are a majority of A, B, C, D, and E, consequently  $x$  is the measure selected by the majority. But "*the measure selected by the majority*" was what A, B, C, D, and E did will and choose, consequently  $x$  is the measure that A, B, C, D, and E did will and choose.

86. This principle, so clear in itself, is frequently lost sight of when men speak of the injustice done to the minority. The injustice (if there be any) consists not in the fact of a minority, or majority, but in the absence of that previous consent by which *all* had agreed to be regulated by the judgment of the greater number. (In Britain, for instance, the injustice consists in the absence of universal suffrage.)

87. But let us suppose that another view is taken. Suppose the majority do not press their measure, but ask the minority to allege reason. It is clear that if the majority are not to determine the final decision, the *minority* cannot have so good a claim to carry *their* measure. Consequently there remains but one alternative, namely, to *abandon both*. But to abandon both is contrary to the supposition that all had agreed to associate together for their common benefit, and brings us back to the point from which we started, namely, the point where all men were equal, but had not yet consented to join in association. And consequently as either  $x$  or  $y$  may represent *every possible public work*, where the whole of society are not *unanimous* (an event scarcely to be looked for at any time), every public work would have to be abandoned un-

less society were altogether unanimous. But to abandon every *public* work would be to dissolve society, and what we desire is not to *dissolve* society, but to point out the principles on which society ought to associate.

88. There are, then, four, and only four, possibilities, one of which must necessarily be adopted:—

1st, Public works are to be selected according to the statistical evidence of their benefit. [Many public works are susceptible of this basis; but in case any one should assume that *all* public works are capable of being based on statistical data, we give a question for solution—“Of all known forms of government, which is the best?”—the answer to be founded on the statistics of the various *forms* as distinguished from the accidental circumstances that have accompanied them. Yet one form or other *must* be chosen.]

2d, Public works are to be selected according to the decision of the majority.

3d, Public works are to be selected according to the decision of the minority.

4th, Public works are to be altogether abandoned. Let it be distinctly remembered that the question is not one of *justice*, but one of *benefit*. We are not supposing the work to be *right* or *wrong*, in which case it would have to be carried into execution, or refrained from, independently of any inquiry into its probable effects. But we are supposing the work to be one that may, or may not, benefit the public, and that is to be carried into execution wholly

and solely because it is beneficial, or refrained from wholly and solely because it is not beneficial. Such, for instance, as the construction of a harbour, the erection of a lighthouse, or the selection of a monarchy or democracy, in a case where such selection is offered to a people, as happened to the North Americans, when they severed their connection with Britain.

89. The four propositions will be found to include all the possibilities. One of them must be chosen. [There is one other possibility, and the one that has down to the present time played the most important part, namely, "that the public work should be selected according to the *WILL of the ruler*," king, government, or what not. This is the fact *that is*, but we inquire not into the fact *that is*, which is a matter of *history*, but into the fact that *ought to be*, which is a matter of *political science*. What *is*, no more alters what *ought to be*, than the actual conditions of matter alter the abstract truths of mathematics.]

90. Now, let us choose the *fourth*.

If "public works are to be altogether abandoned," then is there no longer an association, for an association without an object (of some kind or other, however insignificant,) is not an association, consequently, there is no longer a nation, but only a large number of separate individuals having no civil connection with each other. This case, therefore, we leave, for we do not pretend to inquire whether men ought, or ought not, to associate, but only "on



what principles they ought to associate, if they *do* associate."

Let us now choose the *third*, and suppose "that public works are to be selected according to the will of the minority." Upon what principle? In a case of right and wrong, the minority might justly claim a preference if they had evidence that their proposition was *just*, and the others *unjust*; but here the question is of a different character, and must be settled on other grounds. We have supposed the case not to involve right and wrong (that is, preservation and recovery of human rights, or encroachment on human rights), but only to involve profit or loss—not to be a question of *pure politics*, but a question of *political economy*.

91. Now, if we consider for a moment, we shall see that the whole question resolves itself into this, "Whose *judgment* is *most probably* correct?" And the answer to this question will definitely settle the point at issue.

92. It is clear that there is nothing whatever in a minority (as a *minority* is the *smallest* number) to make it *more* probable that their judgment is correct; because if it were so, the probability would increase in the inverse ratio of the number, that is, would increase as the number decreased, and consequently, the less numerous the members of the minority, the more probably they would be correct. [It is a fact, however, that in matters involving justice and injustice, the few have often been more correct than the many. Look at the Crusades; at the civil wars

of religion in France; at the universal (with the exception of the Quakers, to their everlasting honour, and to their everlasting reward, it is to be hoped,) approbation with which Britons and Frenchmen regarded the *slave trade*. Nay, look at the whole history of man in any country, or in any age, and there is staring us in the face a huge image of INJUSTICE, high as the golden image which Nebuchadnezzar set up in the plain of Dura, in the province of Babylon. The Shadrachs, the Meshachs, and the Abed-negos, have ever been the few rare worshippers of TRUTH, while "all the people, the nations, and the languages" have fallen down and worshipped some idol of man's invention.

93. Let us now choose the *second*, and suppose "that public works are to be selected according to the decision of the majority." On what principle? Answer,—On the principle that their judgment is *more probably* correct.

BUT, it must be clearly understood that the *will* of the majority is of no more consequence than the will of the minority. *Will* no more makes right than strength does. So far as *will* is concerned, the majority have only a right to dispose of their *own property*. Their numerical preponderance gives them no right whatever that does not reside in each of them as individuals; and no individual amongst them has the smallest right to interfere with, or dispose of, his neighbour's property, consequently no number of individuals can have that right, as no number of *no rights* can ever make a right. Two

men who have *no* money do not make one who has. The public work, therefore, is not to be selected because the majority *will* it (as their *will* extends over their own property alone), but because their judgment is more probably correct as to the character of the work in question. If it be merely a calculation as to the profit or loss likely to arise from the execution of the work, then is it to be assumed that the judgment of the minority is not so correct as the judgment of the majority. It is a mere calculation of probability as to the correctness of judgment in the members of the two parties. And this probability is capable of being reduced to mathematical expression.

94. Grant that the human judgment is capable of pronouncing on the probable benefit of a work.

[This is taken for granted not only in every public act that men perform, but in every private one, if it have profit and loss as its regulating motive.]

95. Let then a work *a* be proposed to two men whose capacity of judging its benefit, *x*, is presumed equal. To propose it to *one* would be to attempt to determine the absolute probability, which cannot be found in this manner; all we can determine is its *relative*, and not its absolute probability.

There are two men, and we put the whole number in the denominator and the portions in the numerator, according to the judgment of *Aye* or *No*.

One man thinks it probable that the work is beneficial; the other man thinks that it is not beneficial.

The probability is then in favour of work,  $\frac{1}{2}$ .  
 \_\_\_\_\_ and against the work,  $\frac{1}{2}$ .

Consequently, the probability on each side is EQUAL.

But let us introduce another man who pronounces, Aye.

The probability is then for  $x$ ,  $\frac{2}{3}$ .  
 \_\_\_\_\_ against  $x$ ,  $\frac{1}{3}$ .

Introduce another Aye and we have, *for*,  $\frac{2}{3}$ , *against*,  $\frac{1}{3}$ , or three to one (that is, three out of four) in favour of the probable benefit, and one to three (one out of four) against the probable benefit.

96. With these small numbers, however, the *limits of error* are so great, that nothing could be properly ascertained by comparing the judgment of three, four, six, or eight men.

97. The greater the number, the less the limits of error; consequently it is advantageous that wherever a question depends on *judgment*, there should be the greatest possible number of persons called upon to pronounce Aye or No, provided always those persons are equally competent.

[Those who plead for the extension of the suffrage should ask a mathematician to calculate *the limits of error* in the small constituencies. The *limits of error* in this case would mean the probability of the wrong man being elected. It is rather curious that the argument based on the *law of great numbers* should not have been enlisted in the cause of universal suffrage. It is purely mathematical, and yet it is capable of exhibiting some curious results, as M. Poisson showed, with regard to the French juries.

In England, it requires a *unanimous* jury to condemn a man, but not so in France. There, a *majority* decides. Now, suppose a man is condemned when eight out of twelve pronounce "guilty," and that out of ten men put on trial there are actually five condemned. Suppose this to have been the case for a series of years, and somebody proposes to alter the law, so that, instead of eight to four being required to condemn a prisoner, seven only shall be required to find him guilty, that is, seven to five, or  $\frac{7}{12}$ . It might perhaps be supposed, that a man's real guilt or innocence would be tolerably well ascertained, whether seven or eight were required; but not so, M. Poisson showed (and almost got into a scrape for it) that there was a relation between the *required majority* and the *number condemned*. That is, suppose with a majority of eight to four, fifty are condemned out of a hundred accused; when the law is altered to seven to five, there will not be more accused, but there will be more out of the hundred condemned—*more than fifty*. The *probability* based on the mere relations of the *numbers* was, we believe, shown to have been actually verified in *fact*. It is a thousand pities that so many passions should interfere to prevent men taking a *rational* view of the numerical matters of politics. There is *one fact* connected with the representation of Great Britain, which is not generally known, and which some may perhaps attempt to deny, although it is merely an *arithmetical* truth, independent of any system of politics or party—a truth that can be demonstrated according to the

laws of numbers. The fact to which we refer is this. According to the present system of representation, there may be a majority of the whole body of electors in the kingdom of one opinion (say, for instance, conservative, or liberal, no matter which)—this majority shall vote freely, and without any interference whatever—everything connected with the election shall be the essence of justice and fair play, and yet it is possible that this majority of all the electors of Great Britain shall only return ONE member to Parliament. This is an *arithmetical fact*, and certainly it is rather a singular one. There is no hidden meaning in the assertion, the proposition can be exhibited as a mere matter of arithmetic—and without departing so very far from what actually *does* occur. We say it *may* occur, that is, it is within the limits of the *present system*, exercised according to the actual provisions of law. It may, however, have been mentioned in some previous publication, but we have not seen it, nor ever met any one who had noticed the fact.]

98. Thus, when 200,000 pronounce Aye, and 100,000 pronounce No, a probability assumes a very different aspect from the case where there are only three persons, and two pronounce Aye, and one pronounces No. In the latter case, the probability *based on human judgment* is nothing, and may be altogether neglected, as the numbers are so small. The *proportion* is the same in both cases, but the value of the fact is very different.

99. For instance, suppose 1000 balls are placed

in a box. Some of them are black, and some of them are white. We wish to discover as near as possible how many black balls, and how many white balls are in the box ; but we are only allowed to draw 500 of them out, consequently we must be satisfied with a probability, that is, a *reason for thinking* that there are so many of each kind. Suppose we draw two, a black and a white. The probability here is, that there are 500 black and 500 white balls in the box ; but we should be egregiously mistaken if we were to base our conclusion on this small number, because it is quite possible that we should draw one of each colour, even if there were 900 black and only 100 white in the box.

But now we draw a third, a black one, and the proportion of the balls drawn is, *black*  $\frac{2}{3}$ , and *white*  $\frac{1}{3}$ . Now, remark, that be the proportion of the balls in the box what it may, the third ball drawn *must* be either a white or a black one, and consequently *must* alter the probability of  $\frac{1}{3}$  to  $\frac{2}{3}$  on one side or other, whatever may be the proportion in the box. But to extend this to the 1000 balls, would immediately alter the  $\frac{500}{1000}$  which we had before, to  $\frac{333\frac{1}{3}}{1000}$  and  $\frac{666\frac{2}{3}}{1000}$ . Now, the leap from the one fraction to the other is immensely too great to base a judgment on, and it *depends* entirely on the drawing of *one* ball. Suppose we draw the fourth. It also *must* be a black or a white one. In the first case, the new probability (*reason for thinking*) would be, *black*  $\frac{2}{3}$ , and *white*  $\frac{1}{3}$ , or, extended to the 1000, black  $\frac{750}{1000}$  and white  $\frac{250}{1000}$ . Suppose, however, that the fourth ball

had been white, we should then have two black, and two white, and the probability would have been equal on either side, namely,  $\frac{1}{2}$ , or extended to the 1000,  $\frac{500}{1000}$ . Here the drawing of *one* ball makes a difference of 250 on the probable number of each of the colours in the box, and this immense variation depends entirely on the smallness of the number of balls drawn.

Let us now suppose that we have drawn 200 balls, 150 of which prove to be black, and 50 white. The probability then is, *black* =  $\frac{150}{200}$ , and *white* =  $\frac{50}{200}$ , or extended to the thousand  $\frac{750}{1000}$  and  $\frac{250}{1000}$ ,—exactly the same proportion as we had with three black balls and one white one. But there is a difference, and a very important difference, in the value of the judgment; for let us now ask how many balls it would take to make a difference of 250 on the probable number of each of the colours in the box. As 1000 is to 200, so is 250 to 50,—that is, it would now take *fifty* balls all of one colour, to be drawn *one after the other*, to make the same difference that *one* made necessarily when we had only drawn three. Now, if we had drawn 150 balls out of a box, 50 of which were white, and 100 black, and there remained 850 to be drawn, it is immensely improbable that we should draw fifty of a colour, without one of the other colour. And what is here *immensely improbable* was *absolutely necessary* when we had only drawn three. When we had drawn four balls, the last ball (namely the fourth) made *one-fourth* of the whole number drawn; but when we have drawn 200, the last ball (the 200th) makes



only a *two-hundredth* of the whole number ; and if we draw all we are allowed to draw, the last ball makes only a 500th of the whole number, and consequently makes only a difference of *two* on the probable number of each colour in the box.

100. The principle which we have here attempted to exhibit, and which is purely arithmetical, applies not only to balls in a box, but to individuals engaged in pronouncing judgment. If the number be great, the arithmetical limits of error are so much the smaller. A jury composed of *three* persons would be more likely to err than a jury composed of thirty-one (*cæteris paribus*), because the third person has the whole decision in his hand whenever the other two are opposed. But a difference of *one* on thirty-one is of much less consequence, because the cases of fifteen to fifteen will be very much more rare indeed than the cases of one to one. In *every* case where the two differ, the third decides the whole, but not so whenever there is a difference amongst the thirty. This difference may be from one against twenty-nine, to fifteen against fifteen ; and in fourteen cases out of fifteen, where there is a difference, the *one* has it not in his power to decide the whole, as he has *whenever* there is a difference between the two.

101. We have said that the judgment of the majority is to be chosen, because it is more probably correct than the judgment of the minority. Now, a probability is only a *reason for thinking* one way or another. It has nothing to do with the intrinsic

and *unknown* probability of the fact itself, but is only that probability that exists in the human mind, and not in external nature. To inquire into the nature of things as they are in their own essence, is the characteristic of the antiquated metaphysician.

True wisdom is to speak, not of things as they are in themselves, but of the qualities by which we know them.

102. Consequently, the question resolves itself into, "What reason is there for thinking that the work will be beneficial?"

103. This *reason* may assume two different forms:—

1st, A form not yet reduced to statistical expression.

2d, A form that is reduced to statistical expression.

The first includes two kinds of public works, namely, those whose statistics are desirable and possible, yet are not sufficiently perfect; and those whose statistics are so totally imperfect as to render it a question whether they can ever be made at all.

104. Now let us distinctly express that we do not esteem it either a reproach or a commendation to any public work that it cannot present numerical statistics based upon the benefit it has done; because there are some public works that have for their end a something that cannot be reduced to a mere exhibition of physical abundance. It is not *their province* to make men rich, or to increase the corn, the wine, and the oil of the land. They have a different, and sometimes a higher object, and it would

be an outrage on every better feeling of our nature to cross-examine their approvers as to the grounds of their approbation. We have no right to do so. Differ we may, but we may not encroach on that sacred liberty of opinion which is every man's birth-right, and England's peculiar glory.

It will easily be perceived that we refer to the ecclesiastical establishments of our country. But not only to them, as there are many other works placed in similar circumstances, although seeking ends of a different nature. Such are the public exhibitions, works of ornament, royal progresses, &c., which can produce no *statistics* of benefit conferred, although executed at the public expense.

We do not at present inquire into the character of those things. What we desire is to show that there are such things, and that some *just* means must be provided for their selection, or otherwise they ought not to *be*.

105. We have, then, two classes of public works presenting no sufficient statistics, namely, those that we expect will produce them hereafter, and those that are not of a nature to produce statistics, either because the unit of benefit must be assumed, or because men (very properly) refrain from attempting numerations where numerations might be esteemed profane.

*First*, Of those that we do not expect to produce statistics. What is to be *done*? We reply, In every case that does not interfere with the equal rights of man, the voice of the majority must determine the

execution or non-execution of those works that do not produce statistics. Because, if the human judgment be supposed capable of estimating benefit or detriment, then is it more probable that the majority are correct than the minority, in the proportion of their respective numbers, plus or minus the limits of error. And in those cases where no sufficient statistics are yet forthcoming, the voice of the majority must also determine the execution or non-execution of the public work; but it is especially advisable that the statistics should be perfected without delay, and laid before the public.

106. But what is to be done in those cases where the statistics are sufficient to exhibit the amount of benefit likely to accrue from a work?

Let us, in the first place, understand what is meant by *statistics* as applied to *politics*.

First, *Life* is valuable.

Second, *Liberty* is valuable.

Third, *Property* is valuable.

Fourth, *Pleasure* is valuable.

[Some may maintain that life, liberty, and property are valuable, *because* they are desired,—that is, in fact, because they are pleasant. This may or may not be the case, but even if it were so, *politics* cannot possibly take this view of the matter. It is possible that a man's life shall be a burthen to him, his liberty a thing altogether indifferent to him, and his property a source of trouble and vexation,—that neither from the one nor the other shall he derive pleasure, and shall even resolve to terminate his

earthly existence by his own hand. But this does not alter the political question; for, grant that a man's life is a burthen to him, such an unhappy condition does not give another the right to interfere with his existence; grant that his liberty is indifferent, such a state of degradation does not give another man a right to make him or keep him a slave; grant that his property brings only trouble and vexation, no other man has a right to interfere with it. And, consequently, life, liberty, and property, are viewed as *essentially* valuable,—not valuable from the accident of their being desired or agreeable, but valuable because they form the essential substantives, without which there would be no science of politics whatever. It is a question, however, whether the argument is more sound in philosophy than it is in politics. We know little of the philosophy of man, except through revelation, and by that revelation we are informed that man's present condition is one of *probation*. Now, let us imagine that a seed could *think*, it also might arrive at the conclusion that things were valuable only as they were agreeable; and during the progress of its germination, it might estimate that germination only as it was agreeable or disagreeable. And yet how false is the conclusion! Germination is the necessary condition, without which there would be no tree to spread its branches, no corn to wave in the field, no flower to bloom on the meadow, and no plant to sustain the vast system of animated nature that finds its nutriment in the vegetable creation. Pleasure is the measure of value only when we know

its amount throughout eternity. The *sum total* of happiness may, it is true, be the ultimate standard of value, and the principle may, with every propriety, be applied where that sum total can be ascertained. But in the matter of existence and liberty, the sum total is incapable of exact appreciation, for the moral welfare of mankind is involved in them, and the unseen world beyond the grave must be accurately surveyed, before we can dare to pronounce that life and liberty are only valuable because they afford gratification in this present lower world. Life, liberty, and property, therefore, are the substantive elements of politics, valuable in themselves, and not from any accidental conditions of any kind whatever. The true freeman loves liberty, not because it is pleasant, but because it is *liberty*, just as the true philosopher loves truth, not on account of its advantages, but because it is *truth*.]

107. We use the word pleasure to represent that lawful gratification that may be derived by the general body of society from matters *indifferent*—that is, *non-essential*. LIFE, LIBERTY, and NATURAL PROPERTY are the essentials of politics. The *non-essentials* are physical benefit and mental gratification. [It is more than probable that *Education* can only enter a system of politics, as it tends to the physical benefit or mental gratification of the recipient, and through him of the community. Many things are essentially right and good in themselves, and yet only enter into politics on very restricted grounds; because it is not the province of politics to consider any thing, except

just in so far as it affects society. In the same way a portion of matter enters *arithmetic* only as a *unit*, and yet that portion of matter has many qualities, chemical properties, commercial value, artistic beauty, &c., &c., all of which belong to the matter, and yet are laid aside and forgotten when the single mass, the unit, enters into an arithmetical calculation. Arithmetic has only to do with the *numerical* value, and politics only with the *social* value, as limited to this present world. To introduce any thing else into politics is to depart from its essential nature, as much as if we were to introduce form and colour into arithmetic. And though it has taken men a thousand years to learn this truth, we must at the same time remember that chemistry has had its alchemy, astronomy its astrology, physics its speculations, religion its heresies, and every other thing that is *true*, some false image of its form, which the credulous have believed and the interested have turned to advantage. That there has been a *false* system of politics is no more argument against a true one, than the existence of alchemy, only three centuries ago, is (or ever *was*) an argument against the truth of scientific chemistry, based on accurate observation and rational induction.]

108. Life, liberty, property, and pleasure, then, we consider as having a social value—that is, as being the things that society has associated together for the purpose of *preserving* or *procuring*.

109. Now, let the distinction be clearly remarked. Association is not for the purpose of *procuring* life,

liberty, or property, but for the purpose of *preserving* life, and liberty, and property *from interference*.

110. And, in addition, association is for the purpose of *procuring* pleasure or benefit.

111. This distinction forms the essential difference between the *abstract* science of politics, and the *inductive* science of political economy.

112. Politics treats of life, liberty, and property.

Political economy treats of pleasure and benefit, (commonly called *utility*, an improper term in political phraseology, as we shall show hereafter).

113. Now, be it also remarked (for this is an important part of our whole argument), that *preservation* is negative, and *procuration* is positive. Politics, therefore, is a negative science—that is, treats of what ought *not* to be done. Political economy is a positive science—that is, treats of what may be done beneficially. Politics does not treat of the *absolute* preservation of life (*that* is the business of the physician), but of its *relative* preservation—that is, of its preservation from every kind of forcible interference originating from another.

Thus a man's life in politics is viewed as a something which others may interfere with and take away. And all that politics has to do is to *prevent* such interference. Now, prevention is negative—that is, it does not *do* any thing, but only prevents something from being done. If there were no interference, there would be no necessity for prevention, and consequently no necessity for associating together to prevent.



A man's liberty and property are viewed exactly in the same light: they are to be *preserved*. They are not granted by association, they are anterior and paramount to association. Association is for the very purpose of preserving these things, and consequently they originate association, and association does *not* originate *them*.

114. We have here, then, the *essential* object of association, namely, the preservation of life, liberty, and property. And this preservation is not to be attained by any *positive* means, but by the prevention of every kind of interference that would tend to injure life, liberty, or property. So long as there is no interference, society need not perform any act whatever, but stands only on a footing of general self-defence—that is, purely passive until some one shall have trespassed on the rights of another.

115. But exactly the reverse of this is the case in those matters which relate to BENEFIT, and which form the *non-essential* objects of association.

116. Benefit is to be *procured*, and positive means are necessary for procuring it, and positive information is requisite to enable us to determine that a work is calculated to benefit society.

117. If no man interfered with another's life, liberty, or property, we should have the perfection of *justice*, and society need not interfere or perform any act whatever for the preservation of life, liberty, or property.

118. But *benefit* must first be ascertained, and the

work that is to produce it must be carried into execution, consequently society must *act*.

119. The perfection of justice supposes a *passive* state of society in which there is no *social* action—that is, no interference whatever between man and man—that is, a state of society in which every man acts for *himself*, and with his *own property*. So soon as any man becomes *active* in his *social* capacity (except by *persuasion*), he acts on the life, liberty, or property of another, and consequently commits an act of injustice.

The perfection of benefit, on the contrary, supposes a state of society in which the whole body politic is *active*.

120. This activity is only competent on the *consent* of those who associate, and who agree to procure a public benefit at their common expense.

121. It is *essential* that the life, liberty, and property of every man should be preserved, without interference of any kind or from any quarter.

122. But it is not essential that society should agree to procure benefit at the public expense. It is *beneficial* for society so to do, but not *essential*. Society may agree to procure benefit, or society may agree not to procure benefit, but society has no option whatever in the matter of preserving life, liberty, and property. Every man is bound to refrain from interfering with the life, liberty, and property of another; and so to refrain, is to preserve the life, liberty, and property of that other.

123. But if *every* man is bound to refrain from in-

terfering with the life, liberty, and property of another, the whole body of society is so bound, because the term *every* includes all who can form society.

124. But if *every* one refrained from such interference, there could be no injustice, and consequently there would be no necessity for laws relating to justice.

125. Laws respecting *justice*, therefore, relate to evil-doers, and not to well-doers. Consequently, every law that relates to the well-doer must be based on his consent, or else it must be an interference based on *will*, backed by *power*.

126. We have said that the perfection of justice supposes a passive state, and the perfection of benefit an active state. There is no contradiction between the two.

127. The perfection of justice supposes that no man shall interfere with the rights of another, consequently, if none interfere with another, all must be passive in their *social* capacity.

128. But when every man's life, liberty, and property are in his possession, each may agree to execute a public work at the common expense, and thereby to become active without giving up his *rights*—that is, each chooses to devote a certain part of his wealth for a common purpose. But if he part with his wealth on his free consent, he sacrifices no portion of his rights, because he has a right to part with his right according to his choice.

129. But when society becomes socially active, the same law of justice must still be adhered to. No man's rights must be interfered with, and no man

must be called upon to part with his property, unless he have previously given his consent. If he have given his consent, and the public work is executed on the faith of that consent, then is he bound to *pay*, because otherwise his neighbour would be injured, and he has no right to injure his neighbour. Therefore, although society may become socially active for the common benefit, yet is not the right of any man interfered with, provided he have given his consent to abide by the decision of the majority.

130. But if the right of no man be interfered with, then is the perfection of justice realised, and consequently, the perfection of justice and the perfection of benefit may be coincident with each other and exist together.

131. Let it be remembered, however, that the perfection of justice is *non-interference*, which is passive, whereas the perfection of benefit supposes that each member of society should part with a portion of his wealth, and give to another the right to demand that portion from him, in which case society must be active.

132. We may now determine the character of political *statistics*.

133. It is not the province of statistics to determine any thing whatever concerning the *rights* of men. But it is the province of statistics to determine concerning the *benefit* of men.

134. Statistics can never prove any thing to be *right* or *wrong*, inasmuch as these are abstract qualities, not learned or determined through observation.

But statistics can prove a thing to be beneficial or prejudicial, inasmuch as benefit and prejudice can be *observed* and *measured*, and expressed in *numbers*.

135. Consequently in all matters that relate to the benefit of society, it is of the utmost importance that statistics should be made for the guidance of society in its determinations.

136. But what are statistics?

Let us take an example:—

Suppose it is found that, in quarters of a city which are undrained, one person in 100 is attacked with fever in the course of five years.

And in the quarters of the same city which are drained, only one person in 500 is attacked with fever in the same period.

A solitary case of one city, during so short a period, would afford us no sufficient ground for drawing a conclusion; but suppose we find the proportion of cases to hold constant in all cities, and suppose we find that, by draining the unhealthy quarters, the cases of fever diminish from  $\frac{1}{100}$  to  $\frac{1}{500}$  in a given period.

Then we have statistics to found a conclusion on; which conclusion is, that fever is five times more prevalent in undrained quarters of a city than in those that are drained; and consequently that it is *beneficial* to drain all quarters of a city if fever is to be avoided.

137. *Mere* numbers, however accurately collected, do not form *political* statistics. It is necessary that those numbers should involve *social benefit* or *social*

*detriment*, and that a conclusion relating to such benefit or detriment may be drawn. For instance, if we were informed that 10,000 persons died of cholera in certain given localities, this would not afford us a conclusion respecting social benefit, inasmuch as the fact is absolute, and not comparative. Or, again, suppose we were informed that ten vessels were lost in each year between 1st January 1810 and 1st January 1820, on a certain reef of rocks, and that the average loss of life in each year was fifty. We could draw no political conclusion, nothing whatever, from *these* facts to guide us in forming a judgment relating to the benefit of society. The first is merely a case of *medical* statistics; the last, of *maritime* statistics.

138. Now, it is possible that, by the addition of some other information, these facts shall be transformed into *political* statistics. For instance, let us add that, on the 1st January 1820, a light was established on the reef where the vessels had been lost, and that from the 1st January 1820 to the 1st January 1830 the average loss of ships for each year was only one, and the loss of life five. We have here data for drawing a conclusion in which the benefit of society is implicated. First, as to the loss of property:—Suppose the vessels to have averaged £1000 a-piece, it is clear that, in the first period of ten years, £100,000 of property was lost; that, in the second period, only £10,000 worth was lost, and consequently that £90,000 has been saved. If the lighthouse were the only difference in the *condi-*

tions, then would the saving of the £90,000 be attributed to the lighthouse,—that is, it would (socially) be credited with that sum. But it must be debited with its cost and charges. Suppose its cost to have been £15,000, and its annual expense £1000; we have then (exclusive of any calculation of interest), lighthouse *Cr.* by £90,000, and lighthouse *Dr.* to £25,000, leaving a balance of £65,000 in favour of lighthouse, on a period of ten years. Life, however, cannot be weighed against gold, and we cannot compare the value of the lives saved with the expense of the means adopted for preventing their loss. But we have an absolute balance in favour of lighthouse of 450 lives, saved through its instrumentality. But what are the political conclusions to be drawn from these facts? *1st*, The lighthouse has proved itself to be beneficial to society, and consequently may be continued with the same probability of benefit. *2d*, In a new case where another dangerous reef is found to occasion the loss of ships, the above statistics may be of great service in enabling any person to arrive at a much more correct judgment than if he had no facts of the kind to guide him.

139. Be it remarked, at the same time, that statistics cannot be transplanted from one locality to another, without taking into consideration those different *conditions* that the respective localities present. For, suppose a new reef is brought forward as requiring a light. It might be supposed that the *same* proportional advantage would necessarily fol-

low from its construction. Not necessarily. There may be in the vicinity of this latter reef a current, or a deep bay, or some other *condition*, that did not exist in the former case; and a large portion of the loss may, perhaps, be really attributable to the current, or the embayed lee-shore, and not merely to the absence of a light. Consequently these new conditions must be taken into consideration, and as no man can, *à priori*, determine exactly what difference they may occasion, the erection of the new lighthouse must still be partially a matter of *judgment*, although the previous statistics limit the liability to error. In the first case, *the whole* was supposed to be a matter of judgment previous to the erection of the lighthouse; but in the second case, the *difference made by the new conditions* (the current or bay) are all that remain to be estimated.

140. Suppose the new lighthouse *has* a dangerous current in its vicinity, and its statistics are ascertained on a term of years.

It will immediately be seen that the limit of error has still further diminished; for, let the question now be concerning the erection of a third lighthouse, in whose vicinity there is also a dangerous current. In the first case of the current, we had to estimate, by rough judgment, the whole effect of the current; but in the latter case, having the statistics of the first, we have not to estimate the whole effect of the current, but only its differential effect as compared with the first.



141. Now, remark how the limit of error decreases with the increase of the statistics.

In the case of the first lighthouse, before its erection (supposing it to be the first) the whole effect of the light was a matter of *a priori* judgment, and not of ascertained truth.

In the case of the second lighthouse, we have only to judge of the *difference* made by the current, and, in the case of the third, of the difference made by some difference between two currents. But to judge of the difference between two currents as likely to cause the loss of a ship, is a much less difficult matter than to judge of the whole causes that tend to produce the loss. Suppose the benefit obtained by the first light was represented by 6; then the benefit of the second light will be = 6, plus or minus current. Suppose the current = - 1: then benefit of second light = 5. The second current may be a very dangerous one; yet we have some grounds to arrive at a nearer conclusion than if we had had no previous case of a current. Suppose we take the first light only, and compare it in the first place. First light = 6; third light = 6 - effect of second current. Now, suppose second current even to be three times as dangerous as first one (a far greater allowance than probably ever occurs in nature, provided the first current be estimated to diminish the whole benefit one-sixth)—then, third light = 6 - 3 = 3,—that is, the statistics of first light brought us within 3 of the benefit of third light. But, comparing second and third light, we have, second light = 5;

difference between effect of second and third light, = 2; consequently, the statistics of second light brought us within 2 of the benefit of third light. Now, if the second current have been pronounced by nautical men to be of the most dangerous kind with which they are acquainted, a new current (a third one) must come in between 0 and 3. Now, we have *two* currents with which it may be compared, and consequently the liability to error is so much diminished. Next time, in all probability, we should not be further than 1; and if we continue the course of statistics, we should arrive at a fraction, diminishing constantly as the statistics were perfected.

142. Political statistics are therefore numerical exhibitions of the probable benefit likely to arise from a public work, based on ascertained facts, relating to public works of a similar description.

143. If statistics do not exhibit the probable *benefit* (or prejudice) likely to result to *society*, they are not *political* statistics, but belong to geography (in its larger sense), medicine, the art military, the art maritime, &c. &c.;—that is, to something else than *politics*. The exhibition of social benefit or prejudice is absolutely essential to constitute *political* statistics.

144. We now give the reason why the term *utility* is objectionable in politics.

[The question is not altogether one of mere words, but of the true understanding of the province of political science, and what we wish to remark is, that if *utility* be retained in politics, it must have a tech-

nical meaning. There are *two ideas* involved, and there might advantageously be *two terms* used to represent them.]

145. A thing is *useful* when it tends as a means towards an end. This we suppose to be the generally accepted meaning of the word *useful*, and what we maintain is, that the idea required in politics involves *more* than merely a means towards an end. It involves a means towards an end *beneficial to society*, (or the reverse, namely, *prejudicial to society*.)

146. Guns, and swords, and poison are *useful* if we wish to murder. This is merely a question of physics and physiology, and *not of politics*.

147. Guns and swords are *beneficial* when employed in a just cause for the defence of life, liberty, and property. [Supposing, of course, that *defence* is orthodox,—a proposition we take for granted merely to illustrate the necessity of employing *two* words to express things that differ.]

148. *Fraud* is *useful* if it obtain for us a desired object. Fraud never can be *beneficial to society*. Force unjustly applied is *useful* as a means of obtaining possession of another's property. Force unjustly applied can never be *beneficial*.

149. That is, swords, guns, and poison do conduce towards the end we have in view, and, consequently, are *useful*, because the definition of *useful* is general, and inquires not into the character of the end, but only into the character of the thing considered as capable of conducing to *any* end.

150. But in politics there is a *certain definite end*

to which a thing must conduce, before it can become one of the substantives of political science.

151. This definite end is, "*the benefit of society*," divided into the most efficient means for the preservation of life, liberty, and property, the increase of physical wealth, and the procuration of mental gratification.

152. *Utility* belongs not to politics, but to the natural history of the world (in its larger sense), and though often employed to signify *benefit*, that signification is technical and ought to be abandoned, if *utility* be also retained to represent "the power of producing an end."

153. Anything whatever that enables man to arrive at any end whatever, is *useful*, but what is required in politics is a word to signify the power or tendency to produce the *benefit* or *prejudice of society*.

154. The same kind of distinction holds good in the medical sciences of physiology and therapeutics. The physiologist inquires into the absolute action of a substance, the therapist only into its *remedial* action. The physiologist inquires into the effect on the human frame, without inquiring whether that effect be good, bad, or indifferent, provided merely the effect be proven to exist. He inquires merely, is or is not this particular symptom an effect of the administration of the substance? Whether the effect be *beneficial* or *prejudicial* to the patient, he has no business to inquire as a physiologist.

The therapist, on the contrary, cares nothing whatever about the detail of the symptom, provided

the effect be beneficial to the patient—that is, tends to his recovery from disease. All that he has to do as a therapist is to discover and exhibit those substances (medicines) which tend to the patient's recovery. If any substance have no effect tending to advance or retard *recovery*, that substance comes not within the province of the therapist, although at the same time it may be one of the most interesting to the physiologist. Physiology includes *all* effects, therapeutics only those that relate to *recovery* from disease. The same individual, however, may be both a physiologist and therapist—at one moment studying truth, the next studying how to cure his patient. In a similar manner, *utility* is universally applicable to *means*—that is, to things that conduce to any end whatever; *social benefit* applies to those means which conduce to the preservation of the life, liberty, and property of men, to the increase of physical wealth, and to the procuration of mental gratification.

155. We have said that life, liberty, and property are to be preserved. This preservation is essential, and forms the first and primary end of politics.

156. But there still remains to be ascertained, “What are the most *efficient* means of preserving life, liberty, and property?”

157. It is essential that the thing be done, and now remains the question, What is the best way of doing it? What means are the most effectual, and what means are the most economical? Shall every man walk about with arms in his hand, as do the Arabs? or shall the whole mass of the population

confide the arms to a certain particular class, and instruct that class to prevent every kind of interference with life, liberty, and property?

158. And again, if a certain class (a government) be appointed, it still remains to be determined what *kind* of government is the best—that is, which is the least likely to abuse the power confided to it, and the most likely to act for the general benefit.

159. But not only are life, liberty, and property to be preserved. Positive benefit is to be procured by the execution of public works which are too extensive and too expensive for any individual to execute.

160. Consequently it remains to be proven what works *are* beneficial to society, and in *what proportion*.

161. And again, as public works cost money, and a government costs money, what is the best mode of raising that money? Is it by taxing labour, and repressing industry, or by taxing natural property (the land, &c.), so that no man's labour shall, in anywise whatever, be interfered with?

162. All these questions require to be solved according to *evidence*, or otherwise according to the *judgment of the majority*. [We have already explained how the judgment of the majority comes into play, where there is no sufficient evidence. When there are no statistics relating to the *work*, we must fall back on the statistics relating to those who approve or disapprove of the work, and, provided no principle of *justice* be infringed, the majority carry with them the greater probability of correct judgment,

and consequently must determine the execution or non-execution of the work. If the majority infringe a principle of justice, then is their voice of no validity whatever. There are things which the majority are *competent* to determine, and there are things immutable as the constitution of the human mind, over which neither majority nor minority, nor whole community, nor kings, nor governments, nor *laws*, can justly exercise the smallest portion of control.]

163. We now return to the question, "What is to be done in those cases where the statistics are sufficient to exhibit the amount of benefit likely to accrue from a work?"

164. It strikes us at once, that if a work be proven beneficial, it ought to be carried into execution, and if proven prejudicial, it ought not to be carried into execution.

165. Let us inquire, however, how this principle would operate if carried out.

Suppose the minority are in possession of statistics proving a certain public work beneficial, and that the majority do not consent to its execution, what is to be done? Grant that the work is clearly proven to be beneficial (as was the case with the *abolition* of the corn-laws, some years before the majority were convinced of the *impolicy*, as well as of the scandalous iniquity of those infamous enactments), and that the majority are still so bigoted and blinded that they persist in rejecting it. The minority have proof that their work is a good one, but upon what principle can they carry it into effect? Let us sup-

pose the work to be a *positive* one, and not the repeal of an unjust law—to be a work requiring execution, such as the erection of a public hospital.

166. The principle must never be forgotten, that “no man has a right to compel another to *purchase* even an advantage without his consent.”

167. But if the minority were to determine the execution of the public work (supposing they had the power), upon the statistical evidence of its benefit, clearly they would be making others purchase without the consent of those others,—because the community had not consented (and never would consent) to abide by the decision of the minority.

168. We must conclude, therefore, that statistics *alone* cannot determine the execution of a public work. Let those statistics be as satisfactory as possible, they cannot (in a *positive* work) *overbear* the voice of the majority. What, then, is their use?

169. The use of statistics is to convince and enlighten men, but not to govern them.

170. Man is a rational being, and is therefore convinced by rational evidence. If he were not convinced by rational evidence he would not be a rational being, and only in so far as he is convinced by rational evidence is he a rational being.

171. Rational evidence, is either deductive or inductive. When deductive, it rests on the intuitive axioms of the human mind, which are self-evident and universal, or on the generalizations obtained through induction. When inductive, it rests on the observed conditions of external nature, to



which the axioms of the human mind have been applied.

Knowledge is either perceptual or rational. Perceptual knowledge is either external and obtained through the senses, or internal and obtained through psychological observation and intuition.

Perceptual knowledge is immediate, and teaches us the *existence* of things expressed in language by nouns substantive.

Rational knowledge is mediate, and teaches us the necessary *relations* of things in the abstract qualities of equivalence, number, quantity, distance, direction, force, value, benefit, equity, &c.

[The first and simplest elements of rational knowledge are *both* perceptive and rational. Thus the simplest, and *only* the simplest forms of reasoning are capable of being practised without a technical language, such as figures, algebraic and geometric signs.]

Rational evidence involves a *calculation*, and every calculation is performed by the reasoning powers, and not by the organs of sense.

When we reason, we depart farther and farther from the facts of immediate perception, and arrive at propositions which could not possibly be learnt through mere observation. It is impossible for us to *observe* the distance of the sun from the earth; but we can observe the conditions of the planetary bodies, from which conditions the distance follows as a necessary consequence. It is impossible for us to *observe* that the areas of two circles are to each

other as the squares of their diameter, yet that proposition can be proven as an *à priori* truth, capable of universal application. This truth is *abstract*, and we must learn through observation whether there are or are not any real circles in the external world to which the truth can be applied.

Every axiom is common to man as man, and is necessarily admitted to be true as soon as it is understood. And every *necessary* consequence of an axiom is also admitted to be true when the proposition is abstract, provided the *relation of consequence* be apprehended by the mind. Man has no power to shape his intellectual belief in the matter of axiomatic truth; but *necessarily* believes as soon as he comprehends.\*

And also as the necessary consequence is merely another form of the axiom, or a case of its application, man necessarily believes the consequence in

\* This necessary belief in intellectual truth, must not be confounded with a doctrine which sophistically attempts to make it appear *in language* that "man is not responsible for his belief," meaning thereby his *religious* belief. Religious belief is not merely belief in a *dogma*, nor in a *fact*; but in the testimony of God. Many propositions may be so sophisticated by the use of ambiguous terms, that *opposite* conclusions may be made to result apparently by a fair use of logic. And thus in one department it may be proven that man is *not* responsible for his belief, and in another that he *is* responsible; both of which, in fact, are *true*. But the fallacy lies in confounding the one kind of belief with the other, and arguing from one to the other, as if what were true of the one were necessarily true of the other. The question of responsibility, however, is not so fairly argued in the region of belief (where the principal term is eminently ambiguous), as in the region of *action*, because action is the first event that introduces the theory of responsibility. Belief *may* mean *passive perception*, and for this man is not responsible; but it may also mean *active confiding*, and for this man is responsible, because the voluntary activity of the mind is involved. Mr Isaac Taylor has a noble lecture on "Man Responsible."

the same manner as he is constrained from his constitution to believe the *axiom*. A *demonstrated* proposition, can no more be doubted by the man who comprehends the process of demonstration, than can the primary axiom on which the proposition is ultimately made to rest.

An abstract science is nothing more than the series of propositions that may be constructed by the application of the axioms of the human mind to the fundamental concept that forms the subject-matter of the science. This fundamental concept is primary, simple, and incapable of being defined—that is, it cannot be analysed nor separated into a plurality of concepts. The fundamental concept in arithmetic is *unity*; in algebra, *quantity*; in geometry, *space*; in statics, *force*; and in ethics, *equity*.

172. Equity is the fundamental concept of all moral science that is *rational*—that is, of all moral science originating in the application of the axioms of the human reason to the primary concept, which makes men believe that an action *ought* or *ought not* to be performed.

173. But inasmuch as the moral nature of mankind has undergone a change, by which his perception of equity has become obscured (though not *obliterated*), it is possible for human beings to sink into a state of degradation, in which they lose sight of the moral character of an action, and are incapable of perceiving more than its relations of time, place, circumstance, &c., which constitute the *ontological* character of a phenomenon.

174. Nevertheless, mankind is endowed with the concept of *equity*, and its propositions may be constructed in the same manner as the propositions of the mathematical sciences, by the application of the axioms of the reason to this fundamental concept.

175. The abstract sciences are universal, and may be discovered without the observation of any condition of matter whatever, farther than to supply the substantive element of thought.

176. The fundamental concepts which form their subject-matter, exist universally in human beings, and the axioms also exist universally in human beings, so that every man has the materials of the abstract sciences within his reach.

The science of politics is the science of *equity*, and treats of those actions which men may do, or may not do *equitably*.

177. The science of politics, therefore, is an abstract science, taking its origin in the application of the universal axioms of the reason to the substantive concept *equity*.

178. The science of politics is independent of all observation, and of every condition of matter whatever, save that the conception of human action is requisite to originate the *circumstances* of equity.

179. And the materials of the science of politics are within the reach of every human being.

180. It is therefore evident that *statistics* do not in any way whatever enter into the science of politics, inasmuch as statistics are records of the observed conditions of matter or of men.

181. But there is another science connected with society, that is based exclusively on observation.

182. That science is *Political Economy*.

183. The science of politics is deductive, the science of political economy is inductive.

184. The science of political economy treats of "what is beneficial to society."

185. The science of politics does not treat of what is *beneficial*, but of what is *equitable*. The science of political economy, on the contrary, does not treat of what is equitable, but of what is beneficial.

186. The science of politics is purely rational, and *à priori*, like the mathematical sciences. The science of political economy is a mixed science, like mechanics, optics, or astronomy.

187. The principles of *politics* can in nowise be inferred from observed facts. The principles of *political economy* can never be deduced from the axioms of the human reason.

188. At the same time, there is between the two sciences a harmony, based upon the universal fact that "*that which is just is beneficial*," and that "*that which is unjust is prejudicial*." God has so constructed the material creation and the mind of man, that the axiomatic rule of *equity* does invariably coincide with the observed condition of *benefit*, and thus the two distinct sciences are linked together in such a manner, that they mutually afford perpetual illustration of each other's truth.

189. The first necessary inquiry for men in society is, "What is just?" When the *just* is esta-

blished, men may take into consideration, "What may we do for our mutual benefit?"

190. But inasmuch as the political progress of mankind is a progress from the excess of injustice to a continual diminution of injustice, and as the history of every society in Europe is the history of the gradual and slow recovery of human rights, in which course of progress each country is at a more or less advanced point, varying with the knowledge and virtue of its population,—statistics (that is, the facts of political economy) are of great value in hastening the progress of equity, because men who *will not* do what is equitable, are frequently induced to do what is *beneficial*.

191. Laws may be known for centuries to be unjust, and yet remain unrepealed, until they are shown by the observed evils that follow in their train, and that are reduced to the form of statistics, to be productive of actual detriment to society.

192. We have said that in the abstract sciences men *necessarily* believe when they comprehend an axiom, or a demonstrated proposition.

But it is possible for men to *deny* almost any proposition whatever, when that proposition interferes with their passions, or what they conceive to be their self-interest. Thus the priests of Rome denied that the earth revolved in an orbit round the sun, and the physicians of England denied that the blood circulated in the arteries. And in the present day men deny the *equal right* of all men to natural liberty and natural property,—a proposition as certainly based on

the axioms relating to *equity*, as the proposition that two sides of a triangle are greater than the third is based on the axioms relating to *space*.

193. Where self-interest is concerned, then, we must ever look for contradictory assertion, until the time comes when the interest of denial shall have ceased,—that is, when equity shall be so perfectly established, that no class of men shall have an injustice to defend.

194. But in the sciences that are not abstract,—that is, in the sciences that depend on external observation for their primary facts,—a process of valid proof is also capable of being exhibited, and of being held up to the world as the rational evidence that ought to produce conviction.

195. The *extension* of the abstract sciences depends on the deduction of new propositions from the primary axioms of the reason, applied to the various forms of the substantive concept that distinguishes each particular science.

196. The extension of the inductive sciences, on the contrary, depends on the observation of the conditions of the external world, and of the phenomena that constantly accompany the same conditions; as well as on the process of reasoning that generalises from a fact to a law.

197. Statistics are nothing more than the records of observed conditions, and of the phenomena that accompany them.

198. Statistics are absolutely essential to the existence of a science of political economy, as an induc-

tive science, and their use is to point out what things are beneficial to society, and what things are prejudicial to society.

199. Now, although it is possible for some men to deny a proposition that is proven, inasmuch as their intellect is (really or professedly) blinded by the influence of self-interest, it must always be remembered that the great majority of men are *not* interested in injustice, and consequently are capable of perceiving or admitting truth.

200. The use of statistics, therefore, is to convince the great body of the community that their interest lies in a certain direction.

201. When they are thus convinced on sufficient grounds, they have an inducement to act, and also a power of argument to meet those who oppose themselves.

202. Let us now suppose the minority of a community to be in possession of statistics proving a certain work to be beneficial. It cannot be the duty of the minority (supposing they had the power) to execute that work at the public expense, because no man has a right to compel another to purchase an advantage; and if the minority rule, it must be by compulsion, for no society will agree to be ruled by the decision of the MINORITY. They may be obliged to *acquiesce*, but they will never *agree*. What, then, is to be done, to bring about the execution of the beneficial work?

203. The minority must convince the majority, by means of the rational evidence contained in their



statistics, and if those statistics are really conclusive, there can be little doubt that the majority of a *large* community will be convinced. We have taken the least favourable case for our argument, because a principle, to hold good, must be applicable to all cases.

204. Let us now reverse the conditions, and suppose, as is almost invariably the case, that it is the minority who oppose themselves to the execution of the beneficial public work.

205. We shall suppose that, as is the case in all European governments (except perhaps some of the Swiss states), the minority happen to be invested with the *power*. The majority of the nation are in possession of statistics proving a work to be beneficial. Of course, the true line of conduct for a nation is to establish a government that is based on the choice of the majority, with whose decision the whole have agreed to coincide. But as this is not actually the case, and as it is not *legal* (we do not mean *lawful* by *legal*) even for a majority to abolish a government, we shall suppose for a moment things as *they are*, and not as they *ought to be*.

206. The minority who are in power oppose themselves to the will of the majority, which will is based upon rational evidence contained in statistics.

207. Now, it will be observed that the majority without evidence stand on a very different footing from the majority with evidence.

208. This country happily is in possession of the first element of freedom, namely, free discussion.

When evidence is publicly brought forward, it may for a time fail to convince those who are in power, because they may have some self-interest at stake. But in a country like Britain, where absolutism has almost died away, it is not possible for evidence to be long before the public without producing an effect corresponding to the amount of interest that is taken in the question at issue. Evidence (if conclusive) will sooner or later convince even that minority who do not wish to be convinced, and, at all events, it will certainly increase the power of those who have it, because it will throw the balance of argument invariably in their favour; and rulers must listen to reason, who would be deaf to mere will, because a man who has reason on his side is an opponent not to be trifled with.

209. Statistics, therefore, are valuable as a means of producing changes, as well as for the purpose of teaching what works are beneficial.

210. Without statistics we should not be able to ascertain what works were beneficial, unless they involved some principle of justice or injustice, which we have supposed not to be the case in the present discussion.