

eral judges, who virtually load 13-inch guns against sparrow hawks. That what amounts to an army should be mobilized to put down what is little more than a barroom brawl is such evident absurdity—such glaring disproportion of means to ends—that popular resentment is often excited. . . . Federal judges who forget these facts of human nature—who even hurry from vacations, as in this city not long ago, to hurl the menaces of the United States against disorderly men whom a police squad could easily control—are doing the nation ill service.

But "government by injunction" is too tempting a power for the Federal judges to abandon it easily. So long as Congress refuses to check them, as the Republican Congresses persistently have done, they may be depended upon to carry "government by injunction" as far as the corporations want it carried. It is natural for the judicial branch of government to draw power to itself under any circumstances; but when the judicial branch is pretty thickly populated with corporation lawyers, the temptation to draw to itself the kind of power that corporations need is greatly augmented. The latest judicial exploit in the way of "government by injunction" has just occurred at St. Louis, where a Federal judge has, at the potent request of the Wabash railroad, granted an injunction against strikers before a threatened strike had begun. This prematurity is a novelty even in the novelty of "government by injunction." The Federal judge who improves upon this injunction must grant one not merely before a strike begins, but before it is threatened. He will have to do it on the ground that, although the defendants are not striking nor threatening to strike, they are thinking of threatening.

#### NATURAL RIGHTS.

It is fashionable in certain quarters to speak of human rights as if they were merely arbitrary, having no relation to nature. Certain things, it is said, are right or wrong, according to circumstances. Slavery is wrong, now, say these reasoners, but there may have been a time when it

was right. Suffrage is every man's right, because we have adopted that fashion; but no man has any inherent right to vote. People who happen to be deprived of these privileges may well strive for them, but have no reason for complaint. When they get strong enough they can succeed, and until they have the strength to win by force if necessary, they have not proven their title. Right really is founded upon might.

Let us examine this position.

Men's rights have relation to other men. Any question of rights is a social question. If there were no society, no such question would arise.

If it be a natural thing for human beings to associate, then their relations fall within the scope of natural law. That human societies are as natural as brute societies cannot be doubted. If every hornet were killed, leaving only larvae to replenish the earth, their progeny would form societies just like those of their ancestors. If every human being except one pair of year-old babies were destroyed, together with all memory and all records of past events, and were this couple to live and repeople the earth, their descendants would inevitably develop societies practically identical with those now existing. Societies are determined by the nature of man, just as the form of the cell is fixed by the nature of the bee.

Societies, therefore, are as natural to man as to other social animals. There must be a natural state of these societies, a natural order of development, and natural rights as between their members.

Social animals lower than man live together in conformity to law under the directive influence of instinct. Each bird, bee, or ant accords to each other member of the society, and to the society as a whole, its rights without the trouble of thinking about it. If man is to have a perfect social organization, he must think it out—just as he must think out a perfect dwelling if he ever has one. Bees naturally make approximately perfect homes; and birds and ants practically perfect nests; and all of them apparently perfect societies. Man alone, starting upon a low plane, must rise by the

power of mind, from bestial conditions toward perfection by the discovery of and conformity to natural law.

Societies being natural growths, they are subject to conditions of health and disease. When we examine the history of extinct societies in the light of this principle we must conclude that, in the absence of some destructive force from without, they died from disease because they failed to find and obey the law of social health. This does not imply a natural period of growth, and a natural time of death for societies; for, though individuals must die, the society which conforms to natural law, may live forever.

Social health seems to depend upon conformity to natural law in securing to every individual his rights as against his fellows and the society, and to the society its rights against the individual. If the society trenches too far upon, or fails to protect individual rights, or if individuals invade the rights of their fellows of the society, social disease results.

Disease in an individual organism is shown by pain. Social disease is shown by unrest, discontent, seditions, tumults, strikes, the arraying of class against class, and other social pains. When the people complain it is always with reason; when they are not wronged they are incapable of social discontent.

In every part of the world the society prevents the individual from acquiring knowledge, or from moving from place to place, or from transporting his property, or robs him of his product, or denies him, or permits his fellows to deny him, land upon which to labor, or allows a class to own the highways, or forbids or hinders trade, or compels or permits large numbers to cease labor so that others must support them, and does and permits other wrongs. And social disease results.

All over the world men occupy the land and highways belonging to the society, and make private property of them, and thereby rob the society and their fellows. And social disease results. When these violations of natural rights accumulate so that the units making up the society become enslaved, degraded and weakened, social death results. Had the Greeks

known as much of the nature and rights of man, as they knew about art, Greece might have soared from height to height until now. Had the Romans found out as much concerning man's natural rights as they learned of modes of enslaving men, the poorest people of Italy might now live in palaces, instead of running mad of hunger in caves.

Society being a natural thing, government is natural. Is there a natural form of government? Clearly, there must be. Otherwise we should have a complex organism with no natural provision for a head. The natural government must be one of three things: an autocracy, a democracy, or an oligarchy. An autocracy cannot be natural; for nature has provided no way of constituting the autocrat; and for one to impose obedience upon all violates the law of equal freedom. An oligarchy cannot be natural for the same reasons, and because no number larger than one can rightfully possess more rights over their fellows than can one.

The natural government of reasonable beings must be the democracy. The natural mode of its exercise must be that in which the individual reason acts directly upon its institutions by the exercise of the voting power. The natural and healthful state will be reached when a just balance shall be established between the respective areas of individual and collective action. Neither an autocracy nor an oligarchy can accomplish this, because the governing body will always act in the interests of the person or class composing it. A pure democracy is the only form of government in which the governing body is selfishly interested in knowing the right and doing right by all.

Man has natural rights. He has a natural right to labor, to move from place to place, to transport his property, and to highways provided by the society for his use. He has a natural right to think freely and speak freely. He has a natural right to so much of the earth as he needs on such terms as shall be just to the rest of society whom he excludes from it. He has a natural right to vote. These and other rights are as essentially present in his nature and in the nature of so-

ciety, as the peculiar attributes of bee-life and hive-life are inseparable from the nature of bees and hives. And among these are "life, liberty, and the pursuit of happiness." There never was a time or a condition of society when the denial of these rights was not a wrong and the cause of social disease and pain.

HERBERT QUICK.

### LAND, LABOR AND CAPITAL.

Humanity has from time to time been subjected to various classifications. One of these, the dictum of a wag, was that mankind fell naturally under three heads, "Men, women and French." Indebted doubtless more or less to this suggestion, an American in lieu of it wrote that the human race was divided into "saints, sinners and the Beecher family." Our humorous sage, Josh Billings, declared that humanity was divided into two kinds of people, "the wise and the otherwise," and the writer of this article invites the reader's attention to a still further division of the "wise" as distinct from the "otherwise."

Among intelligent men are to be found two distinct orders of intellect which might fitly be called the mathematical and the logical, were it not for the popular conception that the mathematical mind is the logical mind. Does it not even seem heresy, then, to question it? Let us consider it a moment.

If we call mathematics the logic of quantity, we may as well call logic the mathematics of quality; and in both instances we shall hint at a distinction which, though usually overlooked, is most vital, viz.: the distinction between the quantitative and the qualitative perceptions.

Who does not remember those provoking school examples in the attempt to solve which he was ignominiously detected subtracting oranges from apples and dividing tables by chairs? Was not the "12" which formed the coefficient of the "tables" a most seductive invitation to you to divide it by the "3," serving the like purpose in the case of the chairs? And the result! It was neither tables to be sat upon, nor chairs to be eaten off of.

The quantitative order of intellect

is most plentiful, in comparison with the much higher qualitative order in which both poetry and humor have their rise—as much more plentiful as mathematicians are than poets.

For an historical illustration, take Francis Bacon. Although "Baconian logic" owes its name to the "wisest, brightest, and meanest of mankind," and notwithstanding the fact that his name in this field of learning is at least co-luminous with that of Aristotle, he had such a "plentiful lack" of the sense of qualitative proportion as to be absolutely destitute of humor—that subtle perception of qualitative incongruity. Indeed, to such a remarkable extent is this true that the theory of Baconian authorship of Shakespeare's plays is met by the insuperable fact that in all the brilliant, scintillant wit of Bacon's admitted writings is not to be found one solitary glimmer of genuine humor, if we may believe high authorities; while, as we all know, Shakespeare's plays abound no less in inimitable humor than in surpassing wit. Had Bacon had a sense of humor it would assuredly have saved him from being the "meanest of mankind."

Recall all the long line of historic villains who have scourged the race from Cain to—well, never mind the living example. What one was endowed with a sense of genuine humor? It is not contended that both these orders of intellect may not, upon rare occasions, be found in one and the same person. The immortal bard, whose cosmical mind enveloped the universe like another ethereal ocean, is a case in point. So too, nearer our own time and place, is Dr. Oliver Wendell Holmes. But such instances are notably conspicuous by their dearth.

The present ascendancy of the quantitative intellect is productive of dire results, since, among other things, it tends to consider facts merely as numerical units, and fails to duly recognize that qualitative value which inheres in their particular degree of generality. That a magnet attracts iron, nickel, etc., is just as true as that all bodies attract other bodies, but the two truths are not of the same size—not of the same generality.

Take a most common example