

VOLUNTARYISM: THE POLITICAL THOUGHT OF AUBERON HERBERT

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Auberon Herbert (1838 – 1906) was one of the distinctive figures in the profound and wide-ranging intellectual debate which took place during the late Victorian age. It was during this period, in the intellectual and social ferment of the 1880s and 1890s, that Herbert formulated and expounded voluntaryism, his system of "thorough" individualism. Carrying natural rights theory to its logical limits, Herbert demanded complete social and economic freedom for all non-coercive individuals and the radical restriction of the use of force to the role of protecting those freedoms — including the freedom of peaceful persons to withhold support from any or all state activities. All cooperative activity must be founded upon the free agreement of all those parties whose rightful possessions are involved. Like many other Victorian figures, Herbert had wide-ranging interests. He wrote poetry and accounts of his travels. And the subjects of his non-political essays included religion, clean air and forest conservation. But Herbert's major efforts were devoted to his writings in political theory. This has been long neglected and it is the purpose of this essay to begin to redress that wrong.^[1]

Auberon Herbert was by birth and marriage a well-placed member of the British aristocracy. He was educated at Eton and at St. John's College, Oxford. As a young man he held commissions in the army for several years and served briefly with the 7th Hussars in India (1860). In a letter from India he expresses his opposition to the caste system while maintaining that the British attempt to eliminate the system forcibly was likely to "trample the evil in, not out".^[2] On his return to Oxford he formed several Conservative debating societies, was elected a Fellow of St. John's, and lectured occasionally

in history and jurisprudence. In 1865, as a Conservative, he unsuccessfully sought a seat in the House of Commons. By 1868, however, he was seeking a Parliamentary seat, again unsuccessfully, as a Liberal. Finally, in 1870, Herbert successfully contested a by-election and entered the Commons as a Liberal representing Nottingham. Throughout this period one of Herbert's major occupations seems to have been observing wars. He spent much time near the front during the Prusso-Danish, Franco-Prussian, and American Civil wars. He only missed viewing the Austro-Prussian war of 1866 "owing to its short duration".^[3] In the course of the Prusso-Danish war his courageous aid to wounded Danish troops led to his decoration by the Danish government. With respect to the Civil War, he wrote, "I am very glad that slavery is done away with, but I think the manner is very bad and wrong". Whether he meant by this to emphasize the hypocrisy of the North, which had always preached "the sacredness of revolution", or meant that even slavery should not be forcibly trampled out is unclear.^[4] For, as we shall see, there is in Herbert a pacifist tendency toward denouncing the use of all force — even force directed against force. Herbert's accounts of these excursions illustrate how safe war was in the nineteenth century for non-combatants — at least for aristocratic English non-combatants.

During his time in the House of Commons, Herbert's most noteworthy political acts were to join Sir Charles Dilke in his declaration of republicanism and to support Joseph Arch's attempts to form an agricultural laborer's union. Although, in hindsight, many of Herbert's actions and words during the sixties and early seventies can be read as harbingers of his later,

consistent, libertarianism, he was in reality throughout this period lacking in any consistent set of political principles. During this period, for instance, he supported compulsory State education — albeit with strong insistence on its being religiously neutral.

In late 1873, Herbert met and was much impressed by Herbert Spencer. As he recounts in "Mr. Spencer and the Great Machine", a study of Spencer led to the insight that,

... thinking and acting for others had always hindered, not helped, the real progress; that all forms of compulsion deadened the living forces in a nation; that every evil violently stamped out still persisted, almost always in a worse form, when driven out of sight, and festered under the surface.

I no longer believed that the handful of us — however well-intentioned we might be — spending our nights in the House, could manufacture the life of a nation, could endow it out of hand with happiness, wisdom, and prosperity, and clothe it in all the virtues.^[9]

However, it was even before this intellectual transformation that Herbert had decided, perhaps out of disgust with party politics or uncertainty about his own convictions, not to stand for re-election in 1874. Later, in 1879, he again sought Liberal support to regain a seat from Nottingham. But at that point his uncompromising individualist radicalism was not acceptable to the majority of the Central Council of the Liberal Union of Nottingham. In the interim, he had organized, in 1877, "The Personal Rights and Self-Help Association". And, in 1878, he had been one of the chief organizers along with William Morris^[6] of the anti-Jingoism rallies in Hyde Park against war with Russia. Along with other consistent classical liberals, Herbert repeatedly took anti-imperialist stands. He consistently called for Irish self-determination. In the early 1880s, he opposed British intervention in Egypt as a use of the power of the nation to guarantee the results of particular speculations. And, later, he opposed the Boer War.^[7]

In 1880, following his rejection by the Liberals of Nottingham, Herbert turned to the publication of addresses, essays, and books in defense of consistent individualism and against all forms of political regimentation. Even in 1877, Auberon Herbert had been disturbed by "a constant undertone of cynicism" in the

writings of his mentor, Herbert Spencer, and had resolved to do full justice to "the moral side" of the case for a society of fully free and voluntarily cooperative individuals.^[8] And while Spencer grew more and more crusty, conservative and pessimistic during the last decades of the nineteenth century, Herbert, who continued to think of himself as Spencer's disciple, remained idealistic, radical and hopeful. And while he willingly addressed, he refused to join, such organizations as the Liberty and Property Defense League which he felt to be "a little more warmly attached to the fair sister Property than . . . to the fair sister Liberty".^[9] Similarly, Herbert held himself separate from the Personal Rights Association whose chief mover, J. H. Levy, favored compulsory taxation for the funding of State protective activities. With the exception of the individualistic "reasonable anarchists", Herbert thought of himself as occupying the extreme left wing of the individualist camp, i.e. the wing that was most willing to carry liberty furthest.^[10]

In 1885 Herbert sought to establish a Party of Individual Liberty and under this rubric he gave addresses across England. His central theoretical essay, *The Right and Wrong of Compulsion by the State*, was written as a statement of the bases for, the character of, and the implications of, the principles of this Party. Again with the aim of advancing libertarian opinion, Herbert published the weekly (later changed to monthly) paper, *Free Life*, "The Organ of Voluntary Taxation and the Voluntary State", from 1890 to 1901. *Free Life* was devoted to "One Fight More — The Best and the Last" — the fight against the aggressive use of force which is "a mere survival of barbarism, a mere perpetuation of slavery under new names, against which the reason and moral sense of the civilized world have to be called in to rebellion".^[11] Also during the 1890s, Herbert engaged in lengthy published exchanges with three prominent socialists of his day, E. Belfort Bax, Grant Allen and J. A. Hobson.^[12] Herbert continued to write and speak into this century and two of his best essays, "Mr. Spencer and the Great Machine" and "A Plea for Voluntarism", were written

in 1906 — the last year of his life.

In all his mature writings Auberon Herbert defended a Lockean–Spencerian conception of natural rights according to which each person has a right to his own person, his mind and body, and hence to his own labor. Furthermore, each person has a right to the products of the productive employment of his labor and faculties. Since each person has these rights, each is under a moral obligation to respect these rights in all others. In virtue of each person's sovereignty over himself, each individual must consent to any activity which directly affects his person or property before any such activity can be morally legitimate. Specifically, each must forego the use of force and fraud. Each has a right to live and produce in peace and in voluntary consort with others and all are obliged to respect this peace.

Herbert offered a variety of arguments for his basic ascription of rights. One highly concise argument, credited to Spencer, appears among other places in Herbert's 1880 address to the Vigilance Association.

We can suppose no other object to be placed before ourselves but happiness . . . We are then entitled to pursue happiness in that way in which it can be shown we are most likely to find it, and as each man can be the only judge of his own happiness, it follows that each man must be left free so to exercise his faculties and so to direct his energies as he may think fit to produce happiness; — with one most important limitation. His freedom in this pursuit of freedom must not interfere with the exactly corresponding freedom of others.^[13]

Happiness being the right and proper aim of each individual and each person's happiness being the specific aim which that person is uniquely situated to pursue, each has a right to pursue his happiness. Yet since this is a right possessed by all and equal in all men, no-one's rightful pursuit of his own happiness includes the prevention of a comparable pursuit on the part of others. A similar argument — with a logically appropriate emphasis on the presence in each person of faculties the function of which is the attainment of that person's happiness — appears in "A Politician in Sight of Haven". There Herbert argues " . . . that as men have these faculties [in the exercise of which freedom consists] there must be freedom for their exercise".^[14] These premises connect Herbert's

claim that each individual has a right to judge of his own happiness with the conclusion that each individual has a special claim over the use of his own faculties in the implementation of those judgments.

In his most systematic work, *The Right and Wrong of Compulsion by the State*, Herbert adds several further arguments for rights. He again ties the individual's claim to freedom to the conditions necessary for the individual's well-being. But here the emphasis is on moral well-being. Freedom is presented as both a causal and a logical precondition of a man's actions being truly self-beneficial — " . . . without freedom of choice, without freedom of action, there are no such things as true moral qualities . . .".^[15] Furthermore, it is argued, those who believe that some men may rule others must appeal to the baseless premise that some people hold a natural "commission to decide what (their) brother-man shall do or not do".^[16] And this is a premise that is both ungrounded and the historical source of terrible suffering. Nor is plausibility added if it is the majority that is assigned the right to rule their brother-man. Nor can the advocate of (mere) partial sovereignty of one man over another draw any non-arbitrary line between the freedoms which such partial sovereigns are supposed to be able to deny people and the freedoms which they are required to respect. Those who embark on the restriction of equal liberty

. . . are like men who start to make their passage over the wide seas, without chart or compass, and hopefully remark that the look of the waters, the face of the sky, and the direction of the wind will at any special moment tell them what course they ought to steer.^[17]

If one rejects utilitarianism, as Herbert did, as the notion that " . . . nothing is sacred except the convenience of the larger crowd", then one must speak in terms of rights. And then, one must choose between the clear-cut, unproblematic, view that each has absolute rights over himself and the view that some people in some combinations are the owners of others' souls and bodies. In light of the oddities connected with the latter alternative, Herbert concludes that each has absolute obligations to respect the self-ownership of each other person.

Also noteworthy is an intriguing, recurring, argument of Herbert's, perhaps best expressed in the address of 1880:

... no man can have rights over another man unless he first have rights over himself. He cannot possess the rights to direct the happiness of another man, unless he possess rights to direct his own happiness: if we grant him the latter right, this is at once fatal to the former.^[18]

Herbert's argument seems designed to bring out the incongruity between the demand for absolute respect for any person A as a putative (political) rightholder over another person B with at least partial rightful authority over what B shall do or undergo, and the demand that A, as all persons, should be under the authority of others, including B, with respect to what A shall do or undergo. This incongruity does not plague the view that each man merits respect as an absolute rightholder over himself. This sort of incongruity in the triumphant assignment to each of political rights the real content of which is to render each the property of, and the servant of, the will of others is what Herbert seems to have in mind when he asserts that, "Pure critical reason obliges us to believe in Self-ownership".^[19]

In virtue of his absolute rights over himself and his faculties, a person comes to acquire a property right to the products of his faculties and labor — with the one qualification that one may not rightfully exercise one's faculties or labor upon what another already has a right to without the consent of that party. Whatever would be produced by such an illegitimate exercise would not be the rightful property of the transgressor. According to Herbert, to deny that the products of a man's rightful exercise of his faculties are his property is to deny that men have rights over themselves and their own activities.

It is idle to say in one breath that each man has the right to the free use of his own faculties, and in the next breath to propose to deal by the power of the State with what he acquires by means of those faculties, as if both the faculties and what they produced belonged to the State and not to himself.^[20]

Herbert's arguments characteristically wove together the utility of private ownership for each person and the flow of entitlement from a person's labor to his products.

In what way, we ask, would it profit a man if he were told that he owned his own body and mind, and if at the same time he were debarred . . . from the full and perfect possession, as an individual, of any of the good things of the earth — either from the possession of land, or of the products of land, for the sake of which the labours of his body and mind have been expended?^[21]

For Herbert, as in other matters of principle, to accept any compromise of property rights, to claim anything less than absolute private ownership, would be to enter onto the slippery slope leading to full State control or ownership. Still, despite the centrality of property rights to Herbert's system, he never does provide a detailed account of what specific actions produce initial property rights to objects, or of what specific actions are crucial to the transfer of property rights. Often Herbert argues as though all he need do to establish his own specific position on property rights is to criticize convincingly the socialist and land nationalizer positions. Thus, he fails to deal systematically with the common argument that, "The doctrine of individual rights may give property in labour-power, but not in the material in which it is vested".^[22] The closest Herbert comes to meeting such arguments is his claim that land to which one has established a right will be as much, and as little, a "manufactured article" as the crop which one grows on that land. Hence, if one can have an individual right to the crop raised (perhaps in virtue of "the difficulty of separating what is artificial from what is natural" in it) one can have an individual right to cultivated land and, presumably, to other material from nature which has been readied for human use.^[23] But this still leaves unanswered the questions: exactly what acts establish a property right and why? Nor does Herbert seem to have been much concerned with insuring that contemporary holders of e.g. land, had rightfully acquired their holdings from parties who had themselves rightful title to those holdings. In the pages of Benjamin Tucker's *Liberty*, Herbert was accused of joining Spencer in believing that since land holdings had so often been determined by robbery, one could not now do more for justice than insist that all future acquisitions and transfers be non-aggressive.^[24]

Against what types of actions do a person's rights provide moral immunity? Since person A's having a right to something involves his moral freedom and prerogative to do with that thing as he chooses (provided that in so doing A does not prevent person B from exercising his rights), A's rights are violated whenever he is prevented from doing as he chooses with what is rightfully his. Violations of rights consist in subverting a person's choice about and disposal of what he owns. Since physical force (and the threat thereof) is the great subverter of choice, since this is the essential vehicle for the non-consensual use of persons, their faculties, and their properties, it is against force (and the threat thereof) that all persons have rights. In addition, persons have rights against being subjected to fraud. For fraud is simply a surrogate for, and the moral equivalent of, force. Fraud is the "twin-brother of force . . . which by cunning sets aside the consent of the individual, as force sets it aside openly and violently".^[25]

In *The Right and Wrong of Compulsion by the State*, Herbert is anxious to point out that there is a potentially dangerous confusion between " . . . two meanings which belong to the word force".^[26] Direct force is employed when person A, without his consent, is deprived of, or threatened with the deprivation of, something to which he has a right — e.g. some portion of his life, liberty, or property. Anyone subject to such a deprivation or threat is, in his own eyes, the worse for it. His interaction with the wielder of force (or fraud) is something to be regretted, something to which he does not consent. This is the case, e.g. when A pays B to stave off being beaten or murdered by B. In contrast, B might get A to pay B a certain sum or do B a particular service, by indicating that B will only do something which A values if A pays that sum or renders that service. By so indicating the conditions for A's receiving from B what A values, person B may get person A to do something which, in itself, A had rather not do. If B does induce A to act by threatening (so-called) to withhold what A values, then, according to Herbert, we can say that B has used "indirect force" upon A. But "indirect force" is radically different from "direct force". In the case of indirect force, person A does not act

under a genuine threat. For he is not faced with being deprived of something rightfully his (e.g. his arm or his life). Instead he is bribed, coaxed, induced, into acting by the lure of B's offer of something which is rightfully B's. No rights-endangering act plays any role in motivating A. A may, of course, wish that B had offered even more. But in accepting B's offer, whatever it may be, A indicates that on the whole he consents to the exchange with B. He indicates that he values this interchange with B over the *status quo*. He indicates that he sees it as beneficial — unlike all interactions involving direct force.

The employer may be indirectly forced to accept the workman's offer, or the workman may be indirectly forced to accept the employer's offer; but before either does so, it is necessary that they should consent, as far as their own selves are concerned, to the act that is in question. And this distinction is of the most vital kind, since the world can and will get rid of direct compulsion; but it can never of indirect compulsion . . .^[27]

Besides, Herbert argues, any attempt to rid the world of indirect force must proceed by expanding the role of direct force. And, " . . . when you do so you at once destroy the immense safeguard that exists so long as [each man] must give his consent to every action that he does".^[28] The believer in strong governments cannot claim, says Herbert, that in proposing to regulate the terms by which individuals may associate, he is merely seeking to diminish the use of force in the world.

What, then, may be done when the violation of rights threatens? So strong is Herbert's critique of force that, especially in his early writings, he is uncomfortable about affirming the propriety of even defensive force. Thus, in "A Politician in Sight of Haven", the emphasis is on the fact that the initiator of force places his victim "outside the moral-relation" and into "the force-relation". Force, even by a defender, is not "moral". The defender's only justification is the necessity of dealing with the aggressor as one would with "a wild beast". Indeed, so pressed is Herbert in his search for some justification that he says, in justification of his defense of himself, that "The act on my part was so far a moral one, inasmuch as I obeyed the derived moral command to help my neighbor".^[29] In *The Right and Wrong of*

Compulsion by the State, Herbert starts by identifying the task of finding moral authority for any use of force with the task of finding moral authority for any government. He declares that no "perfect" foundation for such authority can be found, that all such authority is an usurpation — though "when confined within certain exact limits . . . a justifiable usurpation".^[30] Herbert also asserts the inalienability of each person's rights — including, presumably, the rights of each aggressor. This seems to confirm the status of even defensive force as an usurpation. But then Herbert seems to reverse himself — arguing that those who use force (or fraud), having disallowed, "this universal law . . . therefore lose the rights which they themselves possess under it".^[31] Finally, Herbert arrives at the considered judgment that, within special contexts, self-preservation does justify self-defense. Self-preservation " . . . justifies an action wrong in itself (as the employment of force) only because of the wrong which has been already committed in the first instance by some other person".^[32] Ten years later, Herbert was, if anything, more hesitant about defensive force when he wrote,

If the self is the real property of the individual, we may, I think assume (*it is however at best an assumption*) that force may be employed to repel the force that would take from an individual this special bit of property in himself. . . .^[33]

Finally, however, Herbert seems to have fully overcome his hesitancy about defensive force. Possibly his most forceful statement appears in the essay, "A Voluntarist Appeal".

If you ask us why force should be used to defend the rights of Self-ownership, and not for any other purpose, we reply by reminding you that the rights of Self-ownership are . . . supreme moral rights, of higher rank than all other human interests or institutions; and therefore force may be employed on behalf of these rights, but not in opposition to them. All social and political arrangements, all employments of force, are subordinate to these universal rights, and must receive just such character and form as are required in the interest of these rights.^[34]

According to Herbert, each person's absolute right to what he has peacefully acquired through the exercise of his faculties requires the abolition of compulsory taxation. The demand for "voluntary taxation" only is a simple instance of the demand for freedom in all human

interaction. An individual does not place himself outside the moral-relation by merely retaining his property, by not donating it to some other person's conception of a worthy project. Such a peaceful individual is not a criminal and is not properly subject to the punishment of having a portion of his property confiscated. Herbert particularly urged those in the Individualist camp to reject compulsory taxation.

I deny that A and B can go to C and force him to form a State and extract from him certain payments and services in the name of such State; and I go on to maintain that if you act in this manner, you at once justify State-Socialism. The only difference between the tax-compelling Individualist and the State-Socialist is that whilst they both have vested ownership of C in A and B, the tax-compelling Individualist proposes to use the powers of ownership in a very limited fashion, the Socialist in a very complete fashion. I object to the ownership in any fashion.^[35]

It is compulsory taxation which generates and sustains the corrupt game of politics — the game in which all participants strive to further their aims with resources forcefully extracted from those who do not share their aims. Compulsory taxation breaks the link between the preferences of the producers of, and peaceful holders of, resources with respect to how those resources (their property, their faculties, their minds and bodies) should be used and the actual use of those resources. For instance, compulsory taxation,

. . . gives great and undue facility for engaging a whole nation in war. If it were necessary to raise the sum required from those who individually agreed in the necessity of war, we should have the strongest guarantee for the preservation of peace. . . . Compulsory taxation means everywhere the persistent probability of a war made by the ambitions or passions of politicians.^[36]

Perhaps the most profound direct challenge to Herbert's whole philosophical orientation appeared in Hobson's critique, "Rich Man's Anarchism". There Hobson, as a representative of the "new" Hegelian organicist Liberalism, criticizes the "doctrine of separate life and self ownership" by attacking its underlying "monadism". He accuses Herbert of holding the purportedly false view that, "The thing called Society is . . . merely an aggregation of individuals, it has no corporate existence, no 'self' which can be governed".^[37] In-

stead, according to Hobson, the individual mind is a social product — “. . . made, maintained, and constantly influenced by other minds”.^[38] In an original variation on the theme that defenders of individual freedom are crass materialists, Hobson asserts that Herbert’s monadism flows from his assumption that individuals are identical to their bodies. For it is only this assumption which leads to the identification of a separate and discrete individual for each separate and discrete body. But the physical distinctness of human bodies is not, according to Hobson, morally significant.

. . . the concession of physical independence is no bar to the unity of the moral organism for anyone whose thought has passed beyond the crude materialism which conceives mind as a physical function of brain. The “self-ownership” of mind, by means of which Mr. Herbert denies the moral unity of Society and posits all “rights” as individual possessions, is a fiction, not a “natural” fact.^[39]

Hobson’s ultimate positive position is that Society is the significant moral entity and that each part of society has a duty to serve the whole and has rights against the whole or its parts only insofar as such immunities further the social good, i.e. the well-being of Society.

Herbert’s response to Hobson, largely found in his essay, “Lost in the Region of Phrases”, is a model reply to this sort of organicist argument. First, Herbert questions the relevance, for Hobson’s political conclusions, of the fact that we live and grow in communities with others, interact, affect one another for better or worse, and so on.

We are all agreed probably that we are subject to innumerable influences, that we all act and re-act upon each other in the great social whole, that the environment constantly affects and modifies the individual . . . But what in the name of good logic and plain sense have this universal interaction and interdependence to do with the fundamental dogmas of [compulsory] Socialism?^[40]

And in what possible way do the facts of human interaction (interaction which Hobson himself is led to describe in terms of an individual being affected by other individuals) imply the absence of individual minds and persons?

That when you bring men together for any purpose, either for the purpose of listening to speeches or for some common undertaking, such men act upon each other in a very marked manner, both for good and

for evil, sometimes heightening the evil, is what we all daily know and experience; but I cannot see how this heightening of emotion can in any way affect the fact that those who thus influence and are influenced are individuals, each with his own set of feelings, each with his own separate body and mind, and each with his own responsibility . . . no literary phrases about social organisms are potent enough to evaporate the individual.^[41]

Hobson’s argument, says Herbert, reduces to the incredible claim that because a number of individuals interact freely in many mutually beneficial ways they are properly subject to a Hobsonian scheme of coercion.

The syllogism, I presume, would run: We all depend upon the exchange of voluntary and mutually convenient services, arranged according to our own individual likings and requirements; therefore we are to be placed, under the system of universal compulsion, which has been amiably devised for us by Mr. Hobson’s friends . . .^[42]

It is true, of course, that each of us is a member or plays a part in a great number of interactions and organizations. But,

All these various wholes, without any exception, in which an individual is included — these so-called organisms of which he forms parts — exist for the sake of the individual. They exist to do his service; they exist for his profit and use. If they did not minister to his use; if they did not profit him, they would have no plea to exist.^[43]

Besides, if the goal is organic unity and if a unity must include each person’s interests if it is to be truly organic, then freedom is the only means to such a unity. For only if individuals are not coerced into associations will their joining them reflect genuine accommodations on the part of those associations to the interests and desires of those individuals. So if one’s goal is organic unity one must, in theory, reject compulsion.^[44] And, in practice, Herbert claims, “There is only one result you can get out of the suppression of the individual, and that is the organized dominant faction triumphing over the defeated faction”.^[45]

Herbert’s demand for a “Voluntary State”, i.e. a State devoted solely to the protection of Lockean – Spencerian rights and funded voluntarily, combined with his continual condemnation of existing State activities, led to Herbert’s being commonly perceived as an anarchist. Often these perceptions were based on hostility and ignorance — of the sort which even led to the charges that, e.g. Herbert was an “advanc-

ed Socialist" or that he favored the "abolition of all laws".^[46] But Herbert was also considered to be an anarchist by serious and reasonably well-informed pro-State critics such as J. A. Hobson and T. H. Huxley. Similarly, J. H. Levy thought that to reject the compulsory State was to reject the State as such. And while, for these men, Herbert's purported anarchism was a fault, the individualist anarchist Benjamin Tucker always insisted that, to his credit, Auberon Herbert was a true anarchist.^[47] Of course, there can be no question whether Auberon Herbert was an anarchist of the coercive collectivizing or terrorist sort. Nothing could be further from his own position. For as Herbert points out in his "The Ethics of Dynamite", coercion, systematic or random, is nothing but a celebration of the principles on which the coercive State rests.

We live in an age of active evolution, and the art of government is evolving like everything else around us. Dynamite is its latest and least comfortable development. It is a purer essence of government, more concentrated and intensified, than has ever yet been employed. It is government in a nutshell, government stripped as some of us aver, of all its dearly beloved fictions, ballot-boxes, political parties, House of Commons oratory, and all the rest of it It is the perfection, the *ne plus ultra*, of government.^[48]

Whether or not Herbert was an anarchist of the individualist, private property, free market sort is another and far more complex question. Herbert himself continually rejected the label and, although he maintained cordial relationships with men like Benjamin Tucker, he insisted that his views were sufficiently different from theirs in relevant respects to place him outside the camp of "reasonable" anarchists. In what ways, then, did Herbert's views differ from those of the individualist anarchists as represented by Tucker? Tucker had tied himself to a labor theory of value. It followed for him that such activities as lending money and renting property were not genuinely productive and that those who gained by means of such activities advanced themselves improperly at the expense of less propertied people. Thus, Tucker took the laboring class to be an exploited class — exploited by the holders of capital. And he duly sympathized with, and often shared the rhetoric of, others who were announced cham-

pions of the proletariat against the capitalist class. Herbert did not accept this sort of economic analysis. He saw interest as a natural market phenomenon — not, as Tucker did, as the product of State enforced monopolization of credit. And Herbert saw rent as legitimate because he believed, contrary to Tucker, that one did not have to be continually using an object in order to retain just title to it and, hence, to be in the moral position to charge others for their use of that object.^[49, 50]

I suspect that it was these differences — differences not actually relevant to the issue of Herbert's anarchism — which, combined with Herbert's desire not to grant the political idiots of his day the verbal victory and advantage of tagging him an "anarchist", sustained Herbert's insistence that what he favored was, in fact, a type of State. But other factors and nuances entered in. Herbert argued that a voluntarily supported State would do a better job at defining and enforcing property rights than would the cooperative associations which anarchists saw as taking the place of the State and as protective of individual liberty and property. Unfortunately, in his exchange with Tucker on this matter, the question of what sort of institution or legal structure was needed for, or consistent with, the protection of individual life, liberty, and property tended to be conflated with the question of what were the genuine bases for particular claims to property.^[51] Finally, Herbert's considered judgment was that individualistic supporters of liberty and property who, like Tucker, favored the free establishment of defensive associations and juridical institutions were simply making a verbal error in calling themselves "anarchists". They were not for no-government, Herbert thought, but rather for decentralized, scattered, fragmented, government. Herbert's position was that, although it would be better to have many governments within a given territory (a republican one for republicans, a monarchical one for monarchists, etc.) than it would be to compel everyone to support a single State,^[52] if given the choice, individuals would and, for "strong minor moral reasons" should, converge on a single government as their common judge and defender within a given territory.^[53]

Ultimately how we classify Herbert depends upon our answers to these two questions: (1) Does the fact that Herbert would allow individuals to withhold support from "the State" and to form their own alternative rights-respecting associations, show him to be an anarchist?, and (2) Does the fact that Herbert thought that it would be unwise for individuals to form such splinter associations, and unlikely that they would form them, show that the central institution which he favored was a State?^[54]

No sketch of Herbert's views could be complete, even as a sketch, without some mention of Herbert's multi-dimensional analysis of power — "the curse and the sorrow of the world".^[55] Following Spencer's distinction between industrial and militant societies, Herbert continually emphasized the differences between two basic modes of interpersonal coordination. There is the "way of peace and cooperation" founded upon respect for self-ownership and the demand for only voluntary association. And there is the "way of force and strife" founded upon either the belief in the ownership of some by others or in simple reverence for brute force.^[56] It is difficult, however, to summarize Herbert's analysis since it involves a great number of interwoven moral, psychological, and sociological insights. Essentially one must look to his writings — especially his two last essays, "Mr. Spencer and the Great Machine", and "A Plea for Voluntaryism". Insofar as there is a division of labor between these two essays, the former focuses on the inherent dynamic of political power, the ways in which the great game of politics captures its participants no matter what their own initial intentions, while the latter essay focuses on the corrupting results of this captivity within those participants. According to Herbert, no man's integrity or moral or intellectual selfhood can withstand participation in the battle of power politics.

The soul of the high-minded man is one thing; and the great game of politics is another thing. You are now part of a machine with a purpose of its own — not the purpose of serving the fixed and supreme principles — the great game laughs at all things that stand before and above itself, and brushes them scornfully aside, but the purpose of securing

victory; . . . When once we have taken our place in the great game, all choice as regards ourselves is at an end. We must win; and we must do the things which mean winning, even if those things are not very beautiful in themselves.^[57]

Progress is a matter of the development of human individuality — not the growth of uniformity and regimentation. Hence,

Progress depends upon a great number of small changes and adaptations, and experiments constantly taking place, each carried out by those who have strong beliefs and clear perceptions of their own in the matter. . . . But true experimentation is impossible under universal systems. . . . Progress and improvement are not amongst the things that great machines are able to supply at demand.^[58]

Progress, then, is part of the price we all pay for power. But the possessors of power pay a further price. For, according to Herbert, power is a "fatal gift".

If you mean to have and to hold power, you must do whatever is necessary for the having and holding of it. You may have doubts and hesitations and scruples, but power is the hardest of all taskmasters, and you must either lay these aside, when you once stand on that dangerous, dizzy height, or yield your place to others, and renounce your part in the great conflict. And when power is won, don't suppose that you are a free man, able to choose your path and do as you like. From the moment you possess power, you are but its slave, fast bound by its many tyrant necessities.^[59]

Hence, ultimately, it is in no one's interest to seek power over others. Such an endeavor simply generates a dreadful war of all upon all which, even when momentarily won, makes the victor the slave of the vanquished and which robs all contestants of their dignity as self-owning and self-respecting beings. It is necessary to emphasize that, according to Herbert, liberty and respect for all rights is, ultimately, in each individual's interest. For Herbert often couched his appeals in terms of self-denial and self-sacrifice. This was especially true of his appeals to the working class whom he envisioned as forming electoral majorities for the purpose of legislating downward redistributions of property. Indeed, Herbert constantly associated socialism and force with (unconstrained) majority rule and he always assumed that the majority which would endanger freedom and property would be essentially composed of the least advantaged 51 per cent.^[60] Hence, he sometimes was insensitive to the dangers from

well-placed minority factions, and he tended to concentrate on State abuses which were intended to aid the poor.^[61] Nevertheless, he did oppose foreign interventions as being special interest ventures and he recognized the dangers from the "rich" who desired "bigger armies and fleets, more territory, more glory, and many noble opportunities of making a splash before the eyes of the world", and from those so nervous about socialism that they desire to "turn the nation into an army for [their] convenience, and submit it to military discipline".^[62]

And, ultimately, his calls upon the working classes for self-denial have to be seen in the light of his vision of progress as possible only through the development of individual moral character. In the end, Herbert makes clear that these calls are simply for the development of the discipline to withstand the temptations of (merely) short-term political windfalls and to appreciate the long-term moral, psychological, and economic importance, for each person, of respect for all individual rights. Thus, on the moral and psychological level, Herbert rhetorically asks,

If you lose all respect for the rights of others, and with it your own self-respect, if you lose your own sense of right and fairness, if you lose your belief in liberty; and with it the sense of your own worth and true rank, if you lose your own will and self-guidance and control over your own lives and actions, what can all the buying and trafficking, what can all the gifts of politicians give you in return?^[63]

And on the tactical level, he adds, "... in the end you will gain far more by clinging faithfully to the methods of peace and respect for the rights of others than by allowing yourselves to use the force that always calls out force in reply . . .".^[64] The skepticism of Herbert's contemporaries about whether they would have to live with such long-term consequences was, for them, no virtue, and, for us, no favor.

NOTES

1. Many of the major and representative essays by Herbert are reprinted in *The Right and Wrong of Compulsion by the State and Other Essays* (Indianapolis, Ind.: Liberty Classics, 1978). Portions of this essay appear as my introduction to that collection. Essays by Herbert for which the initial citation is marked with an asterisk are included in this volume and page citations for these essays are to this collection.

2. S. Hutchinson Harris, *Auberon Herbert: Crusader for Liberty* (London: Williams and Norgate, 1943), p. 31.
3. *Dictionary of National Biography: Second Supplement* (London: Smith, Elder and Co., 1912), p. 251.
4. Harris, *Auberon Herbert*, p. 59.
5. Herbert, "Mr. Spencer and the Great Machine", * p. 260.
6. E. P. Thompson, *William Morris* (New York: Pantheon, 1977), p. 221.
7. Besides Herbert, *The Right and Wrong of Compulsion by the State*, * pp. 172-174, see Harris, *Auberon Herbert*, p. 237, and Herbert's "'The Rake's Progress' in Irish Politics", *Fortnightly Review* (1891), and "The Tragedy of Errors in the War in Transvaal", *Contemporary Review* (1900).
8. Harris, *Auberon Herbert*, p. 248.
9. Auberon Herbert, "The Rights of Property" (London: Liberty and Property Defense League, 1890), p. 7.
10. *Ibid.*, p. 39.
11. S. Hutchinson Harris, "Auberon Herbert", *Nineteenth century and After* (1938), pp. 700-701.
12. All of these exchanges appeared in *The Humanitarian: A Monthly Review of Sociological Science*. They included: Herbert's "Wares for Sale in the Political Market Place", Bax's "Voluntaryism Versus Socialism" and Herbert's "State Socialism in the Court of Reason" (1895), Herbert's "The Creed of Restricted Faculties" and "The Harvest of the Sands" and Grant Allen's "Strike! But Hear Me" (1895), Herbert's "A Voluntarist Appeal", Hobson's "Rich Man's Anarchism" and Herbert's "Salvation by Force" (1898), and Herbert's "Lost in the Region of Phrases" (1899).
13. Auberon Herbert, "Address on the Choices Between Personal Freedom and State Protection", * p. 43.
14. Auberon Herbert, "A Politician in Sight of Haven", * p. 97.
15. Auberon Herbert, *The Right and Wrong of Compulsion by the State*, * p. 126.
16. *Ibid.*, p. 127.
17. *Ibid.*, p. 133.
18. "Address", p. 46.
19. Auberon Herbert, "The Principles of Voluntarism and Free Life", * p. 372 footnote.
20. Herbert, *Right and Wrong*, p. 152.
21. Auberon Herbert, "A Voluntarist Appeal", p. 314.
22. Hobson, "Rich Man's Anarchism", p. 394.
23. Herbert, "A Voluntarist Appeal", p. 325.
24. *Liberty*, ed. by Benjamin Tucker, Boston and New York, 1881-1908 (reprinted Westport, Conn: Greenwood Press, 1970).
25. Auberon Herbert, "A Plea for Voluntarism", * p. 329.
26. Herbert, *Right and Wrong*, p. 144.
27. *Ibid.*, pp. 144-145.
28. *Ibid.*, pp. 145-146.
29. Herbert, "... Haven", p. 101. (Italics added).
30. Herbert, *Right and Wrong*, p. 141.
31. *Ibid.*
32. *Ibid.*, p. 142.
33. Herbert, "State Socialism . . .", p. 29. (Italics added.)
34. Herbert, "A Voluntarist Appeal", p. 317.
35. J. H. Levy, ed., *Taxation and Anarchism* (London: Personal Rights Assoc., 1912), p. 3. Also see M. N. Rothbard's *Power and Market* (Kansas City: Sheed

- Andrews and McMeel, 1977), pp. 165–166. For a discussion of the views of J. H. Levy, Herbert's antagonist in the exchange reprinted as *Taxation and Anarchism*, see *Liberty*, Vol. VII, No. 14, p. 4.
36. Herbert, "The Principles . . .", p. 398.
 37. Hobson's "Rich Man's Anarchism", p. 391.
 38. *Ibid.*, p. 392.
 39. *Ibid.*, p. 393. Hobson also raises, as a problem for Herbert's theory of property rights in created things, the issue of co-operative production. He argues that "organic co-operation . . . disables us from imputing any single product to the activity of an individual who was alone directly engaged in producing it" (p. 395). To my knowledge, Herbert never addresses this issue. But see Robert Nozick's *Anarchy, State and Utopia* (New York: Basic Books, 1974), pp. 183–189.
 40. Herbert, "Salvation . . .", p. 228.
 41. Herbert, "Lost . . .", pp. 247–248.
 42. *Ibid.*, p. 252.
 43. *Ibid.*, pp. 249–250.
 44. *Ibid.*, pp. 255–256.
 45. *Ibid.*, pp. 257–258.
 46. Harris, *Auberon Herbert* . . . , pp. 319–320.
 47. See Hobson, "Rich Man's Anarchism"; T. H. Huxley, "Government: Anarchy of Regimentation", *Nineteenth Century* (1890); Levy, ed., *Taxation and Anarchism*, p. 7; and Tucker's announcement of Herbert's death in *Liberty*, Vol. XV, No. 6, p. 16 — "Auberon Herbert is dead. He was a true Anarchist in everything but name. How much better (and how much rarer) to be an Anarchist in everything but name than to be an Anarchist in name only!"
 48. Herbert, "The Ethics of Dynamite",* p. 194. So thorough is Herbert's condemnation of the dynamiter that, as Victor Yarros pointed out in his general laudatory commentary in *Liberty*, Vol. X, No. 5, pp. 3–4, ". . . Mr. Herbert reasons in a way which logically involves the condemnation of force under all circumstances and leads straight to non-resistance". Here, again, we see Herbert's discomfort with even self-defensive force. Yarros, in contrast, goes on to say that "Everything depends on what the dynamite is intended for". If persons were to use dynamite in genuine acts of self-defense, they "would not be trying to govern, but to protect themselves from government".
 49. In rejecting Tucker's belief that interest reflected a grant of state monopoly, Herbert rejected the view that free banking would lead to the disappearance of interest. For a defense of this view and of the centrality of gold in a free banking system by Herbert's economically sophisticated follower, J. Greevz Fisher, see Benjamin Tucker's *Instead of a Book* (New York: Tucker, 1893), pp. 222–245. For a systematic discussion of problems in Tucker's economic thought, see "The Spooner–Tucker Doctrine: An Economist's View", in M. N. Rothbard's *Egalitarianism: A Revolt Against Nature and Other Essays* (Washington, D.C.: Libertarian Review Press, 1974).
 50. While Herbert grounded his views in a belief in moral rights and obligations, Tucker came to espouse a purportedly post-moralistic egoism, and while Herbert was at least sympathetic to theism, Tucker was aggressively anti-religious. But these differences never seem to have been factors in their disputes.
 51. *Liberty*, Vol. VII, No. 6, p. 5.
 52. See Levy, ed., *Taxation and Anarchism*, pp. 3–4.
 53. Herbert, "A Voluntarist Appeal", p. 329 and "The Principles . . .", pp. 383–384. The quoted phrase is from "State Socialism . . .", p. 29.
 54. See *Liberty*, Vol. X, No. 12, p. 3. For a portion of the contemporary version of this dispute see Nozick, *Anarchy, State, and Utopia*, Tibor Machan, *Human Rights and Human Liberties* (Chicago: Nelson-Hall, 1975), and the essays by Eric Mack and Murray Rothbard in *Anarchism*, edited by J. W. Chapman and J. R. Pennock (New York: New York University Press, 1978).
 55. Herbert, "A Plea for Voluntarism", p. 316.
 56. *Ibid.*, p. 358.
 57. Herbert, "Mr. Spencer . . .", p. 267.
 58. *Ibid.*, pp. 300–301.
 59. Herbert, "A Plea for Voluntarism", p. 321.
 60. For reasons against expecting the majority coalition to be the lowest 51 per cent, see Nozick, *Anarchy, State and Utopia*, pp. 274–275.
 61. *Liberty*, Vol. X, No. 11, p. 2.
 62. Herbert, "Salvation . . .", p. 237.
 63. *Ibid.*, p. 341.
 64. *Ibid.*, p. 358.