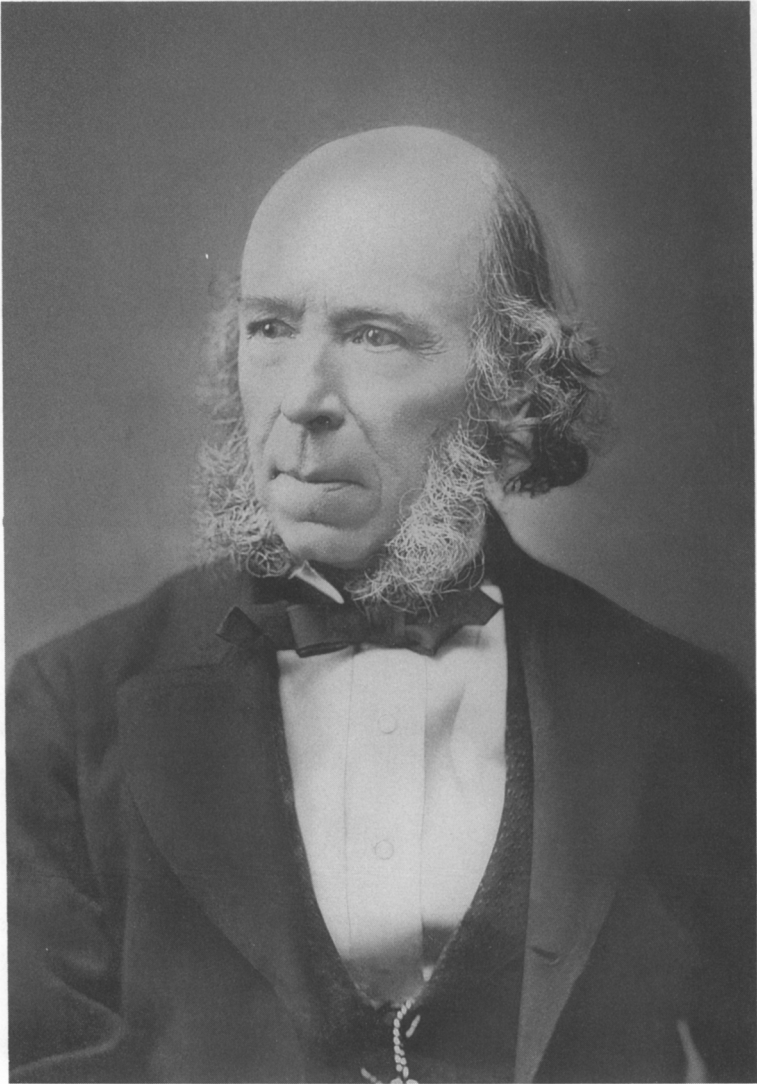


THE MAN VERSUS THE STATE



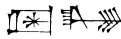
Herbert Spencer

THE MAN VERSUS THE STATE

With Six Essays on
Government, Society, and Freedom

by HERBERT SPENCER

Foreword by Eric Mack
Introduction by Albert Jay Nock



Liberty Fund
Indianapolis

This book is published by Liberty Fund, Inc., a foundation established to encourage study of the ideal of a society of free and responsible individuals.



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PUBLISHER'S NOTE

The Man Versus The State by Herbert Spencer was originally published in 1884 by Williams and Norgate, London and Edinburgh. The book consisted of four articles which had been published in *Contemporary Review* for February, April, May, June, and July of 1884. For collection in book form, Spencer added a Preface and a Postscript. In 1892 the book was reissued with the addition of a few notes in reply to criticism of the first edition.

This Liberty Fund edition contains the entire text of the 1892 edition.

The Man Versus The State was maintained in print for many years in various editions. In 1892 an edition was issued in the United States by D. Appleton and Company. In 1940 one was issued in Great Britain as part of The Thinker's Library.

Two editions have circulated in the United States in the last forty years. In 1940 Caxton Printers, Ltd., of

Caldwell, Idaho, issued an edition with an Introduction by Albert Jay Nock. In this edition, two more essays, "Over-Legislation" and "From Freedom to Bondage," were added to the original four.

In 1969 Penguin Books issued an edition with an Introduction by Donald Macrae. In this edition, "From Freedom to Bondage" was also included along with three other essays, "The Social Organism," "Representative Government—What Is It Good For?," and "Specialized Administration."

For this Liberty Fund edition we have included the Introduction by Nock. In addition, we have printed in a separate section the five essays included in either the Caxton or Penguin editions. Following in the tradition of these earlier publishers we have also added an essay, "The Proper Sphere of Government," which has not, to our knowledge, been reprinted in any book for over one hundred years. Data on original publication are provided at the beginning of each essay.

FOREWORD

Herbert Spencer produced four major works in political philosophy plus numerous additional and important essays. The first of these works, *The Proper Sphere of Government* (1842) is the least well-known. The second is Spencer's most famous systemic treatise in this area, *Social Statics* (1851). *The Man Versus The State* (1884), which is the centerpiece of this volume, is the third major political work. This is a more polemical and quasi-sociological work than either the first two or Spencer's fourth major political study, "Justice," Part IV of *The Principles of Ethics* (1891).

In addition to presenting the first and third of these studies, the present volume makes available two of Spencer's relatively early political essays, "Over-Legislation" (1853) and "Representative Government" (1857); two of his important essays in political sociology, "The Social Organism" (1860) and "Specialized Administration" (1871); and "From Freedom to Bondage"

(1891), which extends the polemical and analytic themes of *The Man Versus The State*.

Herbert Spencer was born in Derby, England on April 27, 1820.¹ He entered a family of dissenting clergymen and teachers in which a long opposition to State-Church ties and solid identification with the rising commercial classes had bred a strong anti-statist individualism. Both his father, George Spencer, and his uncle, the Rev. Thomas Spencer, were supporters of Church disestablishment, the anti-Corn Law Movement and the extension of the franchise. As autodidacts and teachers, Spencer's father and uncles looked to the sciences and their practical applications rather than to the classical tradition. Their anti-statist individualism and their scientifically oriented rationalism were passed on to Herbert Spencer. Spencer himself points to the possible Hussite and Huguenot origins of family as a partial explanation of his own individualism and disregard for authority. And he often recounts how his belief in a universe entirely governed by natural causal law grew out of his father's scientific interests and curiosity about the causes of natural phenomena.

Spencer's education was almost entirely in the hands of his father and, later, his uncles William and Thomas.

¹Two remarkably dry and impersonal accounts of Spencer's life are: *An Autobiography of Herbert Spencer* 2 volumes (New York: D. Appleton and Co., 1904); and D. Duncan's *Life and Letters of Herbert Spencer* 2 volumes (New York: D. Appleton and Co., 1908). D. Wiltshire's *The Social and Political Thought of Herbert Spencer* (Oxford: Oxford University Press, 1978) is the most systematic on the topic. It is personally sympathetic, highly informative, but too conventional in its own theoretical perspective and evaluation.

The focus was on the natural and biological sciences. He gathered plants and insects, performed experiments, sketched and worked out problems in mathematics and attended lectures at the Derby Philosophical Society. When Spencer was in his teens his uncle Thomas sought to broaden his education with classics, languages and history. But his rebellious nephew proved to be relatively immune to such useless and dogmatic pastimes.

In November 1837, just after Victoria ascended to the throne, Spencer joined the engineering staff of the London and Birmingham Railway. Until 1841 and again from 1845 through 1848, working for a number of different firms, Spencer participated in the great expansive phase of railway construction. He appears to have been highly competent and successful at all the engineering tasks undertaken; during these years, and later, Spencer produced a variety of mechanical inventions, and between 1839 and 1842 he published seven articles in the *Civil Engineer's and Architect's Journal*. Only his greater interest in a literary career and, perhaps, the difficulty that this sober and intense young man had in forming warm relations with his colleagues precluded a full-term career in civil engineering. In later years this spectacular growth of the British rail system was continually to serve Spencer as an example of progressive, non-governmental social co-ordination. And just as continually, he used the failure of municipal governments to restrict the noise of trains as an example of the failure of governments to carry out their proper negative functions.

In the Spring of 1842 Spencer began a series of letters to the radical dissenting journal, the *Nonconformist*. Re-

printed in pamphlet form *The Proper Sphere of Government* is in some respects his most radical political essay. Spencer maintains that justice construed as respect for natural rights and not any direct pursuit of the "general good" should be the guide for determining the sphere of governmental action. This standard requires of individuals only that they not engage in positive acts of oppression while it requires that the government act only to intervene against such positively oppressive actions.

The publication of *The Proper Sphere of Government* coincided with Spencer's only intense and sustained period of practical political involvement. He served as the secretary of the Derby branch of the Complete Suffrage Union and wrote numerous short tracts for this group as well as for the Anti-State-Church Association. The non-remunerative character of his literary activities during this period explains his return to railway engineering in 1845. In 1848, however, Spencer secured a post as a sub-editor of *The Economist*. At this time *The Economist* was the premier organ for free trade and laissez-faire, and Spencer's submission of a copy of *The Proper Sphere of Government* can hardly have prejudiced his application.

Spencer's five years at *The Economist* were spent at essentially non-ideological ordering of news items, but in *Social Statics* published during the third year, he deepened and systematized the doctrine of *The Proper Sphere of Government*.

The decade following the publication and moderate success of *Social Statics* was devoted to the composition of a number of crucial papers developing Spencer's

Lamarckian-oriented evolutionary perspective and also of a series of important political and sociological essays. Though Spencer's health and finances continued to be in precarious condition, during this period he entered into friendships with many of England's most notable intellectual figures, including George Eliot, Thomas Huxley, George Lewes and John Stuart Mill. Spencer's status as a political heretic during this and succeeding decades should not obscure his broader role as a valued member of the scientific secularist intellectual community. In 1858 Spencer formulated the ambitious outline for his Synthetic Philosophy, on which he was to work, in the face of competing projects and recurring ill-health, for the next thirty-eight years. This scheme included his *First Principles* plus multi-volume works in the Principles of Biology, Psychology, Sociology and Ethics. To fund this project Spencer at first sought the income of some undemanding governmental post in the India administration, as a prison governor, as a postal official or even as a member of the consular service. No suitable posts were available; and, instead, Spencer developed a subscription arrangement to finance his great project. Crucial to this arrangement, as it developed, were the American subscriptions gathered by Spencer's greatest promoter, Edward L. Youmans. When in the mid-sixties this financial construction collapsed due to subscriber's non-payments and Spencer's delays in issuing sections of the Synthetic Philosophy, Mill offered to cover Spencer's immediate losses and to organize a subvention for Spencer's continued work. Spencer refused this charitable aid. However, when Youmans organized a fund

among American admirers which would either be paid to Spencer or revert to his American publishers, Spencer "who detested publishers more than he disliked charity, could not refuse."²

The political essays of this decade following the publication of *Social Statics* which are reprinted here, "Over-Legislation" and "Representative Government," can easily be read as elaborations upon the doctrine of *Social Statics*. We find a thoroughly general attack on the efficacy of governmental action and a faith that progress will bring the demise of superstitious belief in government omnipotence—albeit, this belief will "die hard." We find a continued expectation that only general suffrage will block class legislation—"only in a general diffusion of political power, is there a safeguard for the general welfare." But effective voter vigilance is possible only when representative government is confined to enforcing the simple and permanent "principles of equity" and not when that government attempts "the complex business of regulating the entire national life."

The two sociological essays reprinted here, "The Social Organism" and "Specialized Administration" represent another, and not entirely compatible, side of Spencer's thought. The relationship between Spencer's political thought and both his general evolutionism and his evolutionary sociology are too intricate and confused to be untangled here—or perhaps anywhere. But a few points can be made with special regard to these two essays. The foremost is that the main purpose of the social

²Wiltshire, p. 76.

organism metaphor is to emphasize the non-mechanical, non-intentional, yet mutually co-ordinated, character of the processes which give rise to and sustain any given society and its institutions and the pervasiveness, in any complex society, of social orders and structures which are, in Hayek's recent language, the result of human action but not of human design. The metaphor also serves to highlight further parallels between, e.g., the physiological and the economic divisions of labor. It was no part of Spencer's intention to advocate any form of moral or methodological organicism. Thus he asserts that in contrast to biological organisms, "The corporate life [of society] must be subservient to the lives of the parts instead of the lives of the parts being subservient to the corporate life." Yet here too intention and result part company. For, within "The Social Organism," we find Spencer proclaiming that "our Houses of Parliament discharge, in the social economy, functions which are in sundry respects comparable to those discharged by the cerebral masses in a vertebrate animal." Such assertions clearly paved the way for T. H. Huxley to claim in "Administrative Nihilism" that an implication of the organism metaphor was that the economy can and occasionally should be the subject of Parliament's intentional control and manipulation just as a biological organism's body can and usually should be controlled and manipulated by that individual's central nervous system.

Spencer's response in "Specialized Administration" is, unfortunately, both implausible and doctrinally corrosive. He maintains that both the higher biological or-

ganism and the higher social organism display systems of passive, negatively regulative, control over inner organs and their interrelations and systems of active, positively regulative, control over outer organs and the relationship of these organs to the external environment. But, in order to maintain the parallelism with respect to inner organs, Spencer must implausibly hold that functional inner parts of biological organisms are merely negatively regulated in accord with something like the principle of equal freedom and the enforcement of contracts. And, in order to maintain the parallelism with respect to outer organs, Spencer must hold that in foreign affairs the state is to go beyond the administration of justice into the realm of positive action. This appears to be inconsistent with Spencer's rejection of offensive war, colonialism and government control of foreign trade. Spencer fails to see the implications of granting the government a positive regulatory function in external affairs because he confuses this significant concession with the truism (applicable to both internal and external affairs) that the government must have positive control over its own apparatus.

Spencer's growing fame and financial security through the 1870s and 1880s was matched neither by happiness nor good health. At least in part the personal tragedy of the second half of Spencer's life was due to his perception of an evolutionary regression after 1850 back toward a mercantilistic and warlike social order of the sort he labeled "militant." Although in one letter he described *The Man Versus The State* as the "finished form" toward which he had been working for

forty-two years and as “a positive creed for an advanced party in politics,”³ for the most part he was deeply pessimistic about stopping the drift to “Communism.” By the time this work was composed Spencer no longer saw his task to be charting the course of progress which mankind would be following. Rather it was his duty to oppose the process of “re-barbarization.” The essays of *The Man Versus The State* are Spencer’s most sustained, brilliant and bitter act of resistance.

“The New Toryism” seeks to define true liberalism and to explain how the Liberal Party had come to advocate a new system of state power. “The Coming Slavery” offers a rich explanation of how increments to state power set in play a dynamic, the ultimate consequences of which are despotism and enslavement. “The Sins of Legislators” attacks legislators’ ignorance both of economic laws which co-ordinate people’s desires and efforts and evolutionary law which requires that in the course of progress “sufferings must be endured.” Here we find an invocation of “the survival of the fittest” though it must be remembered that for Spencer the fittest are those well-adapted to cooperative social life and even those in whom spontaneous sympathy engenders aid to “the unfortunate worthy.” “The Great Political Superstition” attacks the doctrine of unlimited governmental sovereignty, whether monarchical or parliamentary, and the associated doctrine that rights are created by the state and may, with equal ease, be abolished by the state. The latter portion of this essay stands as an

³Duncan, i, p. 324.

impressive summary of Spencer's political worldview. The present volume closes with "From Freedom to Bondage," one of Spencer's best expositions of his contrast between voluntary, industrial society, the society of contract and compulsory, militant society, the society of status. We find here prophecies as vivid as Bakunin's about the plight of actual workers subordinated to an "army of officials, united by interests common to officialism."

Two of the issues that appear in these later essays operated to further Spencer's defensiveness and isolation. Spencer vehemently attacked Henry George and land-nationalizers and was, in turn, attacked for having abandoned his own belief in the societal ownership of land. George in particular criticized Spencer's alleged apostasy, which seemed to be epitomized by the disappearance of the chapter on "The Right to the Use of the Earth" from the 1892 edition of *Social Statics*. Spencer's angry response was that, in principle, his views had never changed. He continued to believe in the societal ownership of land *and* in just compensation to current landholders—at least for the costs of improvements. Since, however, he had come to realize (on the basis of reasoning that can only be classified as suspect) that society could not afford to pay this just compensation and since the current rampant officialism would translate social ownership into socialism, he rejected explicit social reappropriation under the existing circumstances. And further he declared that the whole issue was moot because everyone, including the author of "The Great Political Superstition," acknowledged Parliament's ultimate

sovereignty over the land. The land question controversy has become one of the test cases for all theories about Spencer's purported drift to conservatism. Satisfying answers to questions about whether or in what sense there was such a drift and about how such a drift might be explained are crucial to a full understanding of Spencer and are yet to be provided.

In contrast, with the significant exception of Spencer's sometime acceptance of conscription in defensive war,⁴ Spencer remained clearly and adamantly non-conservative in his opposition to militarism and imperialism. In the early 1880s Spencer returned to active politics in an unsuccessful attempt to build an influential Anti-Aggression League. It was to these futile efforts plus the demands of his American tour in the Summer and Fall of 1882 that Spencer ascribed a further breakdown in his health. Nevertheless, throughout the 1880s and 1890s Spencer attacked and tried to organize public opinion against aggressive British involvement abroad. In "The Sins of Legislators" his greatest ire is directed at those alleged liberal imperialists who, "though they cannot bear to think of the evils accompanying the struggle for existence as it is carried on without violence among individuals in their own society, contemplate with equanimity such evils in their intense and wholesale forms, when inflicted by fire and sword on entire communities." For Spencer it was the growth of explicit mil-

⁴ Cf., *The Principles of Ethics* (Indianapolis: Liberty Fund, 1978) ii, p. 87. Yet in 1888 Spencer was still attacking conscription as the natural product of militarism and as an unjust imposition on the "working classes." Duncan, i, pp. 380-391.

itarism which, through numerous channels, was the underlying cause of the social regression of the last decades of the nineteenth century. As he concludes in "From Freedom to Bondage," "Everywhere, and at all times, chronic war generates the militant type of structure, not in the body of soldiers only but throughout the community at large." The vision of a nation which had forfeited its historical opportunity and had thereby defeated Spencer's youthful hopes and prophecies dominated Spencer's declining years. The bitterness and the sadness of this vision show through in Spencer's final acts of resistance—his essays on "Regimentation," "Re-Barbarization," and "Imperialism and Slavery" published in 1902. When Herbert Spencer died on December 8, 1903 it was with the conviction that, at least as a political thinker and writer, his life had been in vain.

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INTRODUCTION

I

In 1851 Herbert Spencer published a treatise called *Social Statics; or, The Conditions Essential to Human Happiness Specified*. Among other specifications, this work established and made clear the fundamental principle that society should be organised on the basis of voluntary cooperation, not on the basis of compulsory cooperation, or under the threat of it. In a word, it established the principle of individualism as against Statism—against the principle underlying all the collectivist doctrines which are everywhere dominant at the present time. It contemplated the reduction of State power over the individual to an absolute minimum, and the raising of social power to its maximum; as against the principle of Statism, which contemplates the precise opposite. Spencer maintained that the State's interventions upon the individual should be confined to punishing those crimes