On Picket Duty.

Richar: ‘Veeneey, a newsdealer of Ballston Spa, N. Y., and an old friend and supporter of Liberty, has started a weekly trade paper under the name of the “Eastern Newsdealer,” in nearly every issue of which he has one or more editorial articles forcibly driving home the lesson of liberty in matters concerning the news trade. I. is good work.

With the increasing tendency to legislate in behalf of special interests the manifestations of the boomerang in politics become more and more frequent. Less than a year ago the supreme court was sacred in all legalistic eyes. By a vote of five to four it has declared the income tax unconstitutional, and thus had become the bulwark of private property. To hint that its decisions were not immutable and abiding was treason and sanguine. Largely on this issue a political campaign was waged for months, ending in triumph for the court and rout for the forces of disorder. Now all this is suddenly changed. By another vote of five to four this same court has decided that all combinations in restraint of trade are illegal. Property is tottering under the pressure of its own bulwark. By a wholesale denial of freedom of contract the sacred court has dealt capital a boomerang blow. The forces of disorder are rallying and cheering, and the organs of the plutocrats are filled with rage. The “Evening Post” forgets consistency, and hurts blasphemies at the sacred temple of justice. The “Sun,” last summer and fall vituperatively pious, now impiously advises the railroads to acquiesce their ends by secret agreement, and thus violate the law. Other newspapers, less brazenly forgetful of their past, strive to suppress their feelings, singing and muttering behind a thin veil of respect. The opponents of the trusts are tearing their throats with cries of joy. But have a care there! The boomerang again! What’s this that the four say in answer to the five? If all combinations in restraint of trade are illegal, than trades unions are illegal! Looks reasonable, doesn’t it? But how unexpected! To think that, after discoloring capital’s eye, the boomerang would now fly at labor thus viciously! It was ever thus. But the combatants never learn, even from the example of the Anarchist. He is the only fighter in the political battle who doesn’t use the boomerang. Yet him alone, strange to say, does the boomerang faithfully curve.

A good method of propaganda is to mark a newspaper article and mail the paper, with the words “Marked Copy” on the wrapper, to some public person, or to some private person of your acquaintance, whom, in your opinion, the article will interest, arouse, anger, or influence. Now that the subscription price of Liberty is so low, there are a number of its readers who could well afford to subscribe for two or three extra copies, using them in the manner just suggested. As a general thing, it is better to mark one article than more, especially if sure that it is of a character to command the addressee’s attention. For instance, a copy of the present issue might be sent with advantage to so conspicuous an advocate of restriction of immigration as Henry Cabot Lodge; he probably would read with interest Mr. Byington’s clever poem. Or so fair-minded and progressive a judge as Wm. L. Gaynor might see the force of Mr. Yarros’s editorial on the predicament of the courts, and remember it when making some future decision. And perhaps my view of the arbitration treaty might be used or abused by Senator Daniel, on the one hand, or Senator Gray, on the other. Lawyers, doctors, editors, ministers, statesmen, professors,—in short, all men of influence, whether national or local, are good targets for such shots. Perhaps the best choice of all is a man already thinking in a line in which the chosen article is likely to lead him further.

The subvention of trial by jury is proceeding in this community with a quietness and a steadiness that are appalling. Under the special jury act passed by the legislature last year at the instance of that pliant tool of capital, Justice Barrett, the persons now filling the offices created by that act—a special jury commissioner and sundry subordinates—are now engaged in examining the citizens of New York in order to find among them a thousand men (I believe that is the number chosen to constitute the special panel) who have sufficient disregard for individual liberty and common justice to be willing to do the bidding of power in prosecutions so outrageous that the citizen of binary decency cannot be relied on to convict under them. I forget the precise conditions under which cases are to be turned over to twelve men drawn from this special panel, but, if I remember correctly, this matter is placed virtually at the option of the district attorney. The men who are placed on this panel are to be exempted from all other jury duty, which is practically a bribe offered to bankers and merchants (the men desired for the purpose) to tempt them to seek places on the panel, it being good policy for a business man to accept the risk of having to serve on perhaps one case every ten years in order to escape the frequent service (or fine) to which he is now subject.

The object and effect of this special panel are to secure convictions under laws really odious to the majority by setting up a minority in sympathy with such laws from which alone to draw juries for the trial of men charged with their violation. This is a death-blow to the jury system, the main purpose of which, as exacted by the barons from King John, was the protection of the individual citizen against the tyranny of the government. Under this new act the jury is to become, instead of such protection, a mere tool for the enforcement of the government’s tyrannical will. To be convinced of this it is necessary only to pass through, or fail to pass through, the sieve which the special jury commissioner and his subordinates are now manipulating in the Constable Building at the corner of Fifth avenue and Eighteenth street.

There you are asked, not only in general terms whether you have a prejudice against any law of the State that would preclude you from finding a person guilty of violation of such law, but also in specific terms whether you have a prejudice, for instance, against the new age-of-consent law that would preclude you from adjudging guilty of rape a man who had associated sexually, by her consent and at her desire, with a girl under eighteen years of age. This and one or two other hypothetical cases are put to you, revealing clearly that the motive of the new jury act is to enable the district attorney to successfully enforce laws which the people do not wish enforced. Of course the men that hold the reins of power are not yet bold enough to ask you directly whether, in a case involving the issue between labor and capital, you would give a verdict in favor of capital, though this is the information that they most desire. In fact, the other question, in connection with sundry general questions also put, makes a very good case in point, and they are reasonably sure of the chestnuts which it pulls out of the fire. But not a word about this procedure is to be found in the public press. The longest step ever taken in this country in the direction of undermining individual liberty is now almost completed, and no sound of protest goes up on any hand. Were not the people of the State of New York either blind or spineless, nightly mass-meetings would give voice to the consuming wrath which this outrage ought to, but does not, occasion.
Predicament of the Courts.

One cannot help pitying the courts in their futile and painful efforts to find some way of reconciling the economic contradictions which beset and menace modern society. Anyone who follows judicial decisions and pronouncements in cases involving the questions of combination, restraint of trade and competition, blacklisting, etc., knows that they are merely groping in the dark, and constantly falling into pits dug by those who obey more powerful commands than are represented by anarchistic laws and blundering statutes. To vary the metaphor, the poor courts are between the devil and the deep sea. There are the common-law restrictions upon monopolies and restraints of trade to observe, and there are, on the other hand, the irresistible tendencies of modern industry. Having no principle to guide them, their decisions are necessarily contradictory, illogical, and arbitrary. Some time since, the Indiana supreme court held that workmen may order a strike as a means of compelling an employer to discharge an obnoxious fellow-workman. It argued very rationally that men have the right to say under what conditions they are willing to work, and that, if a certain fellow-workman is for any reason offensive to them, they are entitled to refuse to work with him. But, since a strike is nothing more than a refusal to work, there is nothing wrong in "coercing" an employer, by means of a strike, to discharge an employee, or, if the discharged employee was injured, the court admitted, but the injury is incidental to the assertion of an unquestioned right on the part of the other employees, and he has no grievance that the law can recognize. A few weeks ago a Canadian court rendered a similar decision in a parallel case, and doubtless many libertarians felicitated themselves on the evidence of progress exhibited by our courts, just as Liberty has congratulated Justice Holmes, of Massachusetts, on his progressive and logical view of picket service and boycotting.

Now examine the case just decided by the New York court of appeals, in which the same question is presented in a somewhat different form. Suit was brought by an employee of a Rochester brewery against an assembly of the Knights of Labor to recover damages for causing him loss of wages. The assembly had made a contract with the brewers' organization whereby the latter agreed not to employ for more than four weeks any man who would not become a member of the order. The plaintiff having refused to join the assembly, the brewer discharged him, while the assembly succeeded in preventing him from obtaining a position elsewhere in the city. The court of appeals declares that the plaintiff is entitled to damages, reasoning as follows:

Public policy and the interests of society favor the utmost freedom as the sitter to pursue his lawful trade or calling, and, if the purpose of an organization or combination of workmen be to hamper, or to restrict, that freedom, and, through contracts or arrangements with employers, to coerce other workmen into becoming combines and to come under its rules and conditions, under the penalty of the loss of their positions, and of deprivation of employment, then that purpose secures clearly unlawful, and militates against the spirit of our government and the nation. The enforcement of such a purpose would conflict with that principle of public policy which prohibits monopolies and exclusive privileges. It would tend to deprive the public of the services of men in useful employments and capacities. It would, to use the language of Mr. Justice Barrett in People ex rel. Gill vs. Smith, "impooverish and crush a citizen for no reason connected in the slightest degree with the advancement of wages or the maintenance of the rate."

Let us look into these several propositions. In the first place, Justice Barrett's dictum that such contracts as the one in question are not connected in the slightest degree with the maintenance and advancement of wages is plainly incorrect. Unions are the means of maintaining wages, and anything essential to the integrity and prosperity of trades unions indirectly protects the rate of wages. Unions cannot maintain wages, unless they are strong and well-organized, and contracts with large employers against retaining non-union men in the same way may be a method of promoting effective organization. Judge Barrett, therefore, is superficial in assuming that such contracts as at with the Rochester brewer are not required by the main object of unionism—the advancement of wages.

Be this as it may, the relevant and important question is what difference the court has discovered between a strike to compel the discharge of a non-union workman and a contract avoiding disputes by preventing the employment, side by side, of union and non-union men. It is to be supposed that the court would share the view of the Indiana and Canada tribunals regarding the right of a man or a body of workmen to refuse to work with an offensive fellow-employee. Dissent from this doctrine would imply that workmen may not strike except for reasons approved by courts and legislatures—which would mean industrial slavery. But, if the "coerce" of an employer into discharging an employee by means of a strike or the threat of a strike is permissible, how can it be wrong to prevent the necessity of strikes and friction by a contract of the kind indicated?

The result is exactly the same in both cases. Either method involves "coerce" of the employer; for how is he induced to enter into a restrictive contract, if not through the open or tacit threat of a refusal to work? And each method has the effect of depriving a workman of the utmost freedom to pursue his lawful calling. Either method is an attempt "to coerce workmen to become members of the organization under the penalty of the loss of position and of deprivation of employment." If a contract is illegal, how can a strike for the same purpose and having precisely the same effect be permissible?

It is strange (or rather, it is not strange at all) that that alleged organ of individualism, the shallow and sophistical "Evening Post" of Godkin and White, should cordially approve the New York decision, and hail it as the affirmation of the alleged right "to one's livelihood." The "Post" says that the doctrine of the court is deeply embedded in the constitution and in the common law, and that without it there would be no freedom for the individual. How about the freedom of the union men to prescribe the terms of their employment, to strike for any reason and for no reason at all, in the absence of any contract-obligation? Would the "Post" prohibit the coercion of the non-union men by means of strikes? What an amount of liberty the individual would then possess!

Godkin, like the court, does not distinguish between empty phrases and scientific propositions. They use such terms and phrases as "coercion," "right to livelihood," freedom to pursue one's calling, etc., without any understanding of their real meaning. Their floundering and blundering are due to the fact that they have no test of invasion. They see that a certain contract deprives a third person of employment, and they raise the cry of "coercion," forgetting to inquire what sort of coercion is used, and overlooking the fact that the inhibition of certain kinds of "coercion" would lead to industrial slavery. The question in all cases is what the method is which is resorted to to deprive a man of his livelihood. If union men "coerce" employers and non-union men by striking or threatening to strike, they do nothing which individual freedom does not entitle them. They simply assert their own rightful freedom, and, if their rightful freedom conflicts, not with the equal freedom, but with the interests, of some one else, they are not responsible for the injury to that individual.

It is commendable in the courts and pseudo-individualist organs to assail monopoly and vindicate freedom, but they have so confused notions of these things that their advocacy is often fatal to that which they profess to love and encouraging to that which they affect to abhor. In the name of freedom they would abolish all freedom, and to escape monopoly things which individual freedom does not entitle them. They simply assert their own rightful freedom, and, if their rightful freedom conflicts, not with the equal freedom, but with the interests, of some one else, they are not responsible for the injury to that individual.

Arbitration a Union of Tyrants.

It is to be hoped that the arbitration treaty with Great Britain, now pending in the senate, may be defeated. International arbitration, on its face, is a very pretty thing, and war, both on its face and in reality, is a very dreadful
ful thing. But there are worse things than war, and oppression is one of them; and international arbitration, in reality, is more likely to sustain oppression than it is to prevent war.

It is powerless to accomplish the good that is expected of it, and it is full of capacity for the maintenance of evils with which few dream that it has any connection.

It may seem strange, at first blush, that Liberty, which places so high a value upon jury trial as a method of preserving the peace among individuals, should deprecate its adoption as a method of preserving the peace among nations, especially as the present international juries, though lacking the important requisite of unanimity in the verdict, would more nearly realize the true trial by jury than present jury practice does, in that they would be judges, not simply of the facts, but of the law, of the justice of the law, and of the penalty. Closer examination, however, shows that the cases are not parallel. There is a vital difference between them. In one case it is possible to get an impartial jury, in the other it is not.

Suppose, for instance, a community consisting of a dozen large families, or clans, in every member of which the family spirit does strongly. Suppose these families have to interests in a considerable degree antagonistic, each being jealous of the growth and strength of the others. If a dispute were to arise or an offense to be committed in such a community, would it be possible to impanel an impartial jury for the trial of the case? Certainly not. Probably all, and surely most, of the men drawn as jurors would be incapacitated for the rendering of an honest verdict by the fact that their private interests in the preservation of the peace would be less than their private interest in the immediate welfare of themselves and their clansmen. The value of the jury system depends, first of all, upon the fact that, in a community consisting of hundreds and thousands and millions of people unacquainted with each other personally, it is always possible, and even easy, to impanel twelve men so remote from the parties immediately involved that none of them will have anything to gain or lose directly by the victory of either, while all of them, as citizens liable to invasion, will have much to gain indirectly by the defeat and restraint of whichever of the two parties shall be proved the invader.

Now, the community of nations is precisely in the situation of the community of families just supposed, and therefore the settlement of international disputes is not easy—in fact, it is generally impossible—to agree on even one jurymen, let alone twelve, whose Cambodian interest is not more or less involved in the outcome, tempting him to subordinate thereto justice and the public peace. The verdict of such a jury in a matter of great importance will not be accepted by the nation to which it is adverse, provided that nation be strong enough to fight.

International arbitration, then, is powerless to abolish war. War can be abolished only by obliterating frontiers and abolishing the State. Means of arbitration can in no way be expected to much cement the relations of robber governments and bring about a closer cooperation between them in the prosecution of their schemes of theft and oppression. Labor has reason to fear when thieves propose to come to terms.

An international arbitration treaty will pave the way for international extradition treaties, and international immigration treaties, and international restrictions of all sorts, more stringent than any that now exist, gradually reducing the individuals of all nations to a state of helplessness and hopelessness that will make them submissive slaves forever. Nowhere do you find labor enthusiastic for international arbitration. It cannot explain its lack of enthusiasm; it cannot formulate the reasons why; but, acting as always from impulse and instinct, for once it is headed in the right direction, it strikes the danger from afar.

The cry of the old International Working People's Association was: "Workers of all countries, unite!" The oppressors seem to have taken the cue, and now, under cover of international arbitration, the watchword is circulating: "Dictators of all countries, unite!"

Let their victims take warning.  

**Upper-Class Bovarys.**

The daily history of contemporary morals seems to take satisfaction in contradicting those who, stopping up their ears and bandaging their eyes, persist in declaring that there is no feminine crisis, and that the singular disease which torments our contemporaries is an invention of authors and lecturers.

The women, nevertheless, are doing all that they can to warn us.

While those of the people and of the modest bourgeoisie meet in congresses, air their grievances and voice their desires in annual reports, books, and magazines, those of the upper class, the society women, the rich and the titled, are applying the pick to the old structure to the best of their ability. Each week brings its principal scandal, with so abundant a harvest of intimate details, so insolent a publicity, that the surprise which such a matter used to occasion has given place first to entertainment and then to acceptance as a matter of course. I know very honest women of the bourgeoisie who no longer are in the least astonished when a married woman runs away with a tagane—provided she is a princess.

Upper-class Bovarys, who feed the purveyors of scandal without noticing or caring for the effect produced upon others, upon the humble, who barely manage to live in the uneventfulness of the poor family, in the melancholy round of rough and tiresome toil. These princesses do not suspect that they are the real revolutionists, and that every time that one of theirnumber escapes from the Old House, slamming the door after her, the Old Conjugal House is shaken much more profoundly than by the clamors of the suffering insignificant or by the violent attacks of lower-class innovators.

Must we condemn them, without mercy? Is their case so bad that they can find no defender? Many say so. But, rich, beautiful, free, they seem without excuse for not enduring even the light chain of marriage—go in a world which has treasures of indulgence for those who know how to combine observance of the proprieties with secret enjoyment of voluptuous delights. Emma Bovary excites pity by the frightful disproportion between her desires and her condition. The wife of a ridiculous petty

bourgeoisie, dreaming of romantic love and princely luxury in a fifth-story apartment in Ternes, is a commonplace of book and stage. She is forgiven for her fall, which seems almost like an ascension.

But there is no pity for the upper-class Bovaries, and their downfall definitely degrades them in the eyes of the crowd.

On the ground of high morality? Not at all. What the crowd will not pardon is that, having luxury and money, they nevertheless fall. For the attractions of luxury and money are the only reasons which the crowd accepts in justification, even in explanation, of violations of social conventions.

Let us make bold to say it: nothing seems to-day so disgusting to everybody as a woman who loses her head through love. They affect to view her case as one of grotesque hysteria, or else as one of debasing libertinism. George Sand, from the depths of the Elysian Fields where she undoubtedly promenaded in her glorious serenity, has had a chance recently to see how her amorous adventures are viewed. They have been carefully classified, and to this other Thigane of Paqello but little more consideration has been shown. Women of temperament must make up their minds; they will not get respectful treatment from the press in future. Their romance will be treated as an unclean thing.

Yet it is not so mad a wish, this wish of the upper-class Bovaries for something superior to their miserable happiness. Sad queens of cosmopolitan society, how easily I understand their desire, on a day when they are suffering from a nervous attack, to escape from the round of methodical pleasures and catalogued amusements in which they have lived for twenty years, exchanging the Grand Hotel of Rome for the Savoy of London, and then for some other "first-class hotel" on the Riviera, and then for the boasted yachts with gloomy intervals of château life and the Paris racing season. Know, O modest bourgeoisie, to whom a glimpse of sumptuous life often seems a heavenly dream, that one tires of nothing so quickly as the comforts of luxury, and that all society people, men and women alike, are as weary of their pleasures as you can be of your monotony and your immobility. The proof is to be seen in the fact that men and women in society seek simply to escape from themselves, to fly from intolerable solitude. The men seek relief from their ennui in sports, which give the illusion of effort; in change of scene, which gives the illusion of progress; in amateur art, which gives the illusion of glory, but at bottom they know very well that glory, effort, progress, are forbidden to them, and that they only go through the forms of human activity, producing nothing whatever and profiting nobody whomsoever. And likewise the women are condemned to only go through these forms, to only speak the words, of love, in an environment where love is excluded from marriage, and replaced, outside of marriage, by that mild form of debauchery known as flirtation.

It will be said: "Why, on the contrary! These men and these women, who have no labor imposed upon them, who are not humbled by the demands of business or the lack of money, have plenty of
time in which to divert themselves by love, without stepping outside the circle of their customary relations."

"Alas!" will answer the interested parties, "how mistakes you are! In the first place, we have lost faith in each other, and the idea of a love-passion in our society seems to us a laughable extravagance. Besides, the grand passion is exclusive, and desires solitude; we have not the right of solitude. Our passionettes must accommodate themselves to the exigencies of our cosmopolitan life, so full and so empty, but so inexorable in its periodicity."

It is the truth.

So from time to time a woman loses her head, and begins to love, outside society's ranks, a man whose principal merit consists precisely in the fact that he is not in society. It seems to the poor woman of fashion that, simply because he does not wear a frock coat, simply because he has an art or trade, this lover will be a man, and not the eternal copy of the gentleman elbowed in all the capitals of Europe, whom she knows, and who knows her, in advance. It seems to her that this "crossing" will give birth to passion, enthusiasm, or, at least, heart-occupation, relief from ennui.

Once this idea has taken root in the brain of a woman accustomed to indulging all her caprices, what is there to retain her? The idea of duty? From her childhood she has heard it interpreted in the narrow sense of conventionalism. The religious idea? She no longer knows, accustomed to living in all the countries of Europe and to associate indifferently with people of all faiths, to say nothing of those who have none,—she no longer knows whether she has a religious faith. The only obstacles, then, are loss or diminution of fortune, and social inconveniences,—loss of standing.

To sacrifice such interests to a man, even an unworthy man, is perhaps absurd, but it is not base, though it is deprived of the physical attraction. Let us not go too far in holding a woman responsible for the quality of her amorous preferences. It is not the man that she chooses, it is love. She was suffering in prison; she escapes with the companion that offers, especially favoring one who will certainly be her ally against the society that she quits. If she ran away with one of her own world, she would not consider it an escape.

To these women who escape let us show a little of that indulgence which should be accorded to every act of passion done in spite of social and financial interests. Loves as madly erotic as these should be gratuitous too, which is not too common, and is no danger of becoming so. And the resultant scandals have at least the advantage of affording us precious data as to the conditions of woman's heart in cosmopolitan society. There are, then, some, and of the highest, who cry out: "Anything rather than stay here!" Thus they nobly disdignor a society without morals, without ideal, without country. They teach the humble that rich life is sometimes the most intolerable of lives. In violently returning to the elementary laws of love, they proclaim a sort of religion, inferior, to be sure, but at any rate more noble than that of the dollar.

Like those birds whom instinct forces to quit their nest when the season is about to change, they too, in their way and without knowing it, are precursors.

March Prévost.

**The Use of the Ballot.**

I invite readers of Liberty to revert to the November and December numbers, carefully read again the discussion between Mr. Yarros and myself on the ballot, examine then in the present issue his latest contribution to the discussion, and decide for themselves whether this last can be considered as anything but a piece of special pleading.

It is not my purpose to traverse his present rejoinder point by point. Its manifest weakness relieves me from that task, which would be a little tiresome. Two points only shall I touch upon: in the one case, to show the practical insignificance to which Mr. Yarros's contention is reduced; in the other, to show how his evasion of my argument that use of the ballot in existing polities is invasive.

Let me quote first, then, from his article in the November number—the article that gave rise to this discussion.

Of course, abstention does not prevent the Anarchists from expressing sympathy with progressive politicians and making war upon the more objectionable type. They can applaud the effort to secure free trade without voting and working for free-trade candidates. But, my correspondent objects, suppose that is actually dependent on a single vote, or on the vote of an Anarchistic group, whether a congressional majority favorable to a free-trade bill should be elected or not; suppose that they had it absolutely in their power to decide, by throwing their political influence on the right side, whether the country should have free banking or the perpetuation of the present financial system: what would you advise?

Is it not clearly evident here that Mr. Yarros meant his readers to understand him (or his correspondent) as positing a situation where one of the two political parties which mainly divide the country's vote had inserted in its platform, among the usual ndangerous and non-invasive proposals, a libertarian plank of great importance to Anarchists? Did any reader dream that he had in mind a situation where exactly one-half of the voters in the country (barring himself) had specifically arrayed themselves in favor of one libertarian plank, leaving all others out of their platform and specifically pledging their candidates against all invasive measures whatsoever?

Of course not. Had it been his intention to discuss so extraordinary a hypothesis, then, like the careful writer that he is (though he now pleads carelessness), he would have stated it explicitly. But now he finds himself under the necessity of thus emasculating his hypothesis in order to give any degree of plausibility to his defence. As a result, his contention, even if sound, is deprived of all significance, because no such situation as that which Mr. Yarros now sets up, and no approach to such a situation, even arises in the national politics of the United States.

But Mr. Yarros finds that he cannot demonstrate the possibility, even under those much-modified conditions, of non-aggressive use of the ballot. Unable to meet my argument, he dodges it, and for the most part, discussed in his first article was the advisability of voting. In comment I suggested that, in deciding whether voting is advisable or not, due weight should be given to the fact that use of the ballot is aggression. He answered that circumstances are conceivable, even with the existing political system, under which voting would not be, of necessity, an aggressive act, and he proceeded to instance such circumstances. The advisability of voting thus passing entirely out of the discussion, at least temporarily, and the issue between Mr. Yarros and myself turning exclusively upon the aggressiveness of voting, I replied that, with the existing political system, no conditions could be named under which the salary of the successful candidate and the expenses of his election would not be paid by compulsory taxation,—an aggression in which the voter, by voting, would become a participant. And now, the question Mr. Yarros makes to this is that, under the conditions named by him, his participation in voting would result in less invasion than would his abstention from voting. Which, of course, is a sudden and sharp turn back from the question of the aggressiveness of voting to the question of the advisability of voting,—in other words, a dodge indisputable. The aggressive quality of the act of voting depends not all on the quantity of aggression involved in the act. If it involves any aggression at all, it is aggressive, and those committing it are aggressors, while those who refrain from committing it are not aggressors, even though the total aggression be greater because of their refraining. Mr. Yarros's answer shows very clearly that, as I have always claimed, it may be advisable, in exceptional cases, to aggress in order to make the others more timidly and finally establish the policy of non-aggression, but it utterly fails to show that such aggression is not aggression.

As for Mr. Yarros's final paragraph, dealing with absolute and relative ethics, it is simply an interposition of a veil of verbiage between the truth and those who would see it. It is my doctrine of exceptional cases clothed in the circumlocutions of Ethical Anarchism. It is an attempt to get the benefit of the doctrine of exceptional cases, without having to admit the fact that this doctrine is fatal to moralism.

Fortunately it is for Mr. Yarros that his reputation as a thinker and a writer rests on something stronger than his part in this discussion. Otherwise he would have to be regarded as a careless and disingenuous disputant.

**Liberty and the Ballot.**

Referring to the discussion of the propriety of using the ballot in the interest of liberty, I must deny at the outset that, in my second article on the subject, there was any abandonment of the position taken in the first, or any attempt to shift my position with or without an "air of having done nothing of the sort." Mr. Parke is perfectly correct in stating that the question which I undertook to discuss originally was whether, politics being in general what they are today, a particular occasion can arise when it would be wise for anarchy to yield to those who would secure freedom and do not admit the theory of "exceptional cases" to participate in them without violation of principle. This was the question discussed, not only in the first article, but also in the second. There was no concession or unconscious substitution or change of propositions.

In my first article I maintained that it would not be ethically improper to use the ballot for the purpose of furthering the cause of freedom, even when having been challenged by Mr. Tucker, and the charge having been made by him that it involved a violation of the doctrine of exceptional cases, I pointed out in the rejoinder that, as the use of the ballot is not an aggression when resorted to for the
purpose of preventing aggression and extending the sphere of legitimate freedom, the charge of inconsist-
ency and "making light of the inva1sive quality of the ballot" was raised not only in the momentary mis-
apprehension. In other words, my contention was (and is) that under present political conditions the use of the ballot is not always and necessarily an aggression.

But, say the constitutionalists, the ballot "means aggression" is a "direct and flat contradic-
tion of this proposition. Substituting the word "aggression" for the phrase "the use of the ballot in my statement, he triumphantly represents me as say-
ing that it would not impose any hardship on a citizen from the purpose of furthering the cause of freedom." Were I bound to accept this form of the statement, Mr. Tucker's criticism would certainly be justified. But no one who has studied the history of this subject can deny that Mr. Tucker, by his argument, has not taken advantage of a lack of precision, of an unfortunate slip of the pen. To deny that the ballot to-day generally means aggression, that voting under democracy and majority rule is inconsistent with equal freedom, would require a departure from reason or defense or elaboration. My only point was that it would not be aggression, in the strict sense of the term, for cer-
tain citizens to vote for certain measures under pecu-
ril circumstances, so conceived and so designed for the sake of the argument.

I supposed that my vote would be declarative in favor of a libertarian measure. The question is not whether my hypothesis is correct or not. My conclusion must be judged in the light of my own premises, not in that of any other. I dealt with an imaginary situ-
ation, not with a real one. I supposed that my vote would decide the fate of a libertarian measure, and that, if I vote for it, a certain candidate, the measure would be certain of enactment. I asserted (and still assert) that it would not be improper or inconsistent— in other words, it would not be aggression—for me to use the ballot in that situation. The only new objec-
tion Mr. Tucker has advanced is that the man elected by me might vote for measures of an invasive char-
ter, and that, in any case, his salary would be paid out of a fund collected by compulsory taxation.

Since, then, he may be my elector and may make me an accomplice in such invasion, and I could  justly hold responsible for the consequences.

To this argument I demur. The facts I admit, but the conclusion I reject. My judgment is that I can only be responsible for what is done with my con-
sent and authority, or as a consequence of my acts. If I vote for a man because I believe that his election would secure the passage of a libertarian measure, and with the distinct understanding that he will not use my grant of power for the enactment of any new ag-
gression legislation (this being clearly part of the hy-
pothetical, since there would be very little sense or use in trying to "measure" at the expense of a dozen invasive ones), I am distinctly enti-
tled to hold myself entirely absolved from the conse-
quence of his violation of trust.

Suppose A and B to be candidates, and that the only new issue is the abolition of the tax on State banks. Suppose that the election of A means the abolition of the tax, and that I vote for him. There being no other issues, he is not bound to vote for invasive legis-
lation, and I am not bound against voting for any proposals emanating from reactionary sources, my whole duty to liberty is done. I am guilty of no in-
vasion, for the abolition of the tax is a libertarian measure. I am not responsible for any invasive legis-
lation, for my candidate is pledged not to vote for it, and a deliberate violation of his pledge cannot be foreseen or presumed. Wherein, then, have I offended against equal freedom.

To be sure, the salary of my successful candidate will be paid out of compulsory taxation, as will be the expenses of the election and of the work of congress. But would my failure to vote do more to undermine this fabric of invasion than my participation? So far as those phases of the matter are concerned, the conse-
quences of A's election are exactly equal to those of B's election. The government goes on, whoever is elected. The only difference is the enforced repeal of the tax,—the success of a libertarian measure. If I fail to vote, we have the compulsory taxation and all other standing aggressions plus the retention of the bank tax. If I vote, we have, as the only result of the ballot, the abolition of the tax. Other things remain unchanged, except that any step libertarians necessarily strengthen the movement for equal liberty.

And here is where the important distinction between absolute freedom and gradual freedom comes to puzzle Mr. Tucker so greatly, it is properly brought in. Under absolute ethics it would not be necessary for an An-
archist to recognize or identify himself, even indi-
rectly, with an invasive institution. I decline to associate with him who, like Mr. Tucker, believe in invading only under exceptional and ex-
temporary conditions. But we do not live under equal freedom, and absolute ethics cannot be applied. We have to promote liberty in ways rendered possible by existing conditions, and, if we can make appreci-
able gains by using the ballot under certain circum-
stances, we are entitled to do so, although superfi-
cially such a course would seem contrary to the prin-
ciples of invasion. By using the ballot we un-
doubtedly identify ourselves in a sense with present politics, but reflection and analysis show that there may be situations in which the use of the ballot does not even involve any compromise with liberty. Absolute ethics enjoin us to boycott eviction and avoid all contact and affiliation therewith, but relative ethics authorize us to use the methods and appliances and agencies of our day, provided the purpose be a gain to liberty. I say "authorizes," not "enjoin,

In other words, it would not be aggression—for me to use the ballot in that situation. The only new objec-
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Latter-Day America.

[Suggested by the present movement for an educational tax for the education of the average citizen of which it was found that Americans, having been plundered by the Turks, are now turned to this country as pawns; and by the recollection of Byatt's ode in America:]

O mother of a mighty race,
Yet lovely in thy youthful grace!
The elder sister, thy bashful grief;
Admirer and hale blooming rose.
With words of alms
And tears which they join thy name.
For on thy cheeks the glow is spent
That time thy morning hills with red;
That time, we legislate; thy foot
Within thy woods are not more meet;
Thy hopeful eye
Is bright as the noonday sky.
There's freedom at thy gates, and rest
For earth's down-trodden and oppressed,
A shelter for the hunted head,
For the starred laborer tall and broad.
Power, at thy bounds,
Stop, and calls back his bashed bravos.
O fair young mother! on thy bow
Shall sit a nobler grace than now.
Deep in the brightness of thy skin,
The thought of thy many steeds.
And, as they fleet,
Deep strength and riches at thy feet.
Thy eye, with every coming hour,
Shall burn, shall shine, and all shall bow;
And when thy sisters, elder born,
Would breathe no pleasing words of warm.
Before alive eye
Upon their lips the true shall die.

She's somewhat lost her youthful grace;
The cares of razing such a race
Have made like virtue, at least
The dancing step, the rowed cheek,
And, past a doubt,
Have soured her temper out and out.
To day our nervous, worried mother
Fads all her children such a bother
She can't get time to keep them quiet
And dress, and well, and order for their diet
To make plum cake
Such as she knows the neighbors bake.
Yet she can'sh more supplies command
Than any housewife in the land,
But in her inexperienced youth
She can't keep any, nor she's the truth;
She bustles, frets,
Scolds, clatters, smashes, and forgets.
She has a refuge here for men,
Unless they're too down-trodden; then
She sends them back to that same shore
That made them ignorant or poor,
And makes a mill
They there have gathered coin and skill.
Properly speaking, here she runs
A boarding house for favorite sons
Who seem to have the cash to pay
Their bills; to those who come and say:
"We want a chance,
To work out our delinquency,"
She answers: "Go and work it out
Where folks can bear to have about
Improvised, untrained, hopeful man;
Find such a country, if you can;
But, if you can't,
Get off the earth; come here you shan't."

Stephen T. Byington.

Latinieres.

[Jean Bégin in Le Journal.]

AGAINST A CERTAIN CRITIC.

Never hope to content the bilious Bivou Fincomra. He cannot satisfy all with nothing. However well you may do, he always has dreamed of something better. When some one praised in his presence the exploits of the divine Hercules in making fifty Egyptian virgins pregnant in a single night, our monarch intimated that not all of them gave birth to twins.

AGAINST A CERTAIN LAW.

Formerly the town-criers sold in the streets the cards of courtesans, giving their names, residences, and prices. No one was obliged to buy these cards or to profit by the information which they afforded. Since the law of Scossa Pudes prohibiting these free business men and women to profit to this country as pawns; and by the recollection of Byatt's ode in America:

Mother of a mighty race,
Yet lovely in thy youthful grace!
The elder sister, thy bashful grief;
Admirer and hale blooming rose.
With words of alms
And tears which they join thy name.
For on thy cheeks the glow is spent
That time thy morning hills with red;
That time, we legislate; thy foot
Within thy woods are not more meet;
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now, having its principal capital in its mob-inciting power, while the others have theirs in dollars. It preaches, savage like, to dispense the others of their advantage by use, not by the use of them, and their capital.

Will these corporations that have been going along thus for years now spring some irredeemable calamity, if not seized by a prompt and violent hand? Is the universal habit of oligarchical capitalists illegitimate, as it is in the past ages? Can it no longer be trusted?

What new measure-staff of merit has the "Examiner," and how did it determine its selection?

If it be so, then, the great and wroxonomic powers have all the available capital, so that competing regulation cannot be inaugurated, then posit the inquiry how this be came so; how came a few men to get all this capital, while the rest, quite as industrious and frugal, have none? Why, this is the secret of the greater part of the wealth and capital with which to compete these subjugating institutions, either by similar plants or by substitution?

There is still abundance of unused earth and plenty of wildest vegetation, similar plants, roads, rival plants, as railroads. Why not, then, proceed in this regular, emulative, fair way to reduce enormous profits to the compensation that other service brings? Unfortunately the why not is too hard by. Unused earth is held out of use by law to tempt men from its direct necessity, while both used and unused earth is prohibited for the same purpose and by the same means from the credit service necessary to enable all production into capital, and then to use and retain it. The first is accomplished by giving title to earth by parhelion instead of occupancy and use; the second by placing a ten per cent. tax on all natural capital, except gold. This, being limited by nature, which forces all debts of men are almost unlimited, not only limits producing operations to the gold volume, thus leaving the surplus men out altogether, but necessarily creates a competition among those who have a capital at all that makes them pay their owners all their product, except so much as keeps them alive while using it. And, sure enough, there is no available capital to compete these mammoth corporations and there never can be so long as the credit function is not in the hands of those who pay them all their product, except the gold that would have done the business for someone else.

So, every new house, instead of meaning so much credit base with which to compete this gold monopoly to the rate at which the men are the producers get, means so much added opportunity to get more of the gold at large into its hands. And this is why skill cannot start now and produce capital with which to compete these corporations to common rate of pay, and it is the natural capital that gives the hands of a few men. So it shall be plain enough by this time that this is due to credit monopoly by a single commodity, and that the way to remedy it is to allow all property to be freely bought and sold, and thus not only providing credit enough to give the surplus men opportunity to produce, but all men to do so without turing their surplus earnings into the coffers of the coin monopoly for a chance to earn their living, instead of the coin monopoly to crow about its gains at the batting of a hair such as direction has anybody heard from the "Examiner." It has itself ever had convenient coin mines at its back, and the monopolies is it trying to suppress are the very ones likely to 137, with her luckier hand in the "Examiner" attempts and defend the remedy that goes to the root of the trouble. It is cheaper to fake away at State Socialism and come out as worse a ruler than to champion liberty and take chances at complete competition.

"Impurity" Is the Evil of Dramatic Sanction.
[Bernard Shaw in Saturday Review.


I am beginning seriously to believe that woman is going to regenerate the world after all. Here is a dramatist, Mr. Shaw, who was a shipman to Hardy, who was captains to Nelson, who committed adultery with Lady Hamilton, who was notoriously a polyandrist. And what is her verdict on Lady Hamilton? Simply that what the conventional male dramatist would call her "impurity" was an entirely respectable, lovable, natural feature of her character, insisting in it with all the qualities which make her the favorite friend of England's fa

fear hero. There is no apology made for this view, no consciousness betrayed at any point that there is, or ever was, a general assumption that it is an evil.

"Nelson's Exchequer," the first act the mistress of Greville, in the second repudiated by Greville and promptly transferring her affection to his uncle, in the third married to the uncle and (or an expedition of a 44 gun ship) in the fourth living with this man during his wife's lifetime, and parting from him at his death with all the honors of a wife. There is no more question raised as to the propriety of it than to start exclaiming to Imogene's virtue in the picture. An American poetess, Mrs. Charlotte Stenton Perkins [sic], has described, in biting little verses, how she met a Prejudice; reasoned with it, remonstrated with it, satisfied it, ridiculed it, appealed to its teachings, as the exasperated prophet, and every blenishment had on it without moving it an inch; and finally "just walked through it." A better practical instance of this could hardly be found than "Nelson's Exchequer." Base argues with our prejudices—makes them, in fact, the subject of his plays. Result: we almost tear him to pieces, and shut our theatre doors as tight as we can against him.

"Risen Home" walks through our prejudices stiffly on the way to another duty. "Nelson's Exchequer" is an edifying experience for the young girl of fifteen. Only, in the house of commons a solitary admiral wants the license of the theatre to show him a crowd of busy people at the morats of the quarter-deck. What does this simple salt suppose would have happened to the theatre, if it had told the whole truth on the subject?

In order to realize what a terrible person the New Woman is, we should all read "Nelson's Exchequer." The character of the New Woman is as cold, as contemptible as that of Imogene. It is not that the New Woman is not a lady, but that the street has left of your purity, perhaps. No, you think: if we are to be certified pure, you shall be so certified too; whoreson husbands are as important to us as with a man now, to familiarize with the frantic fury of the men, their savage denunciations of Madame Sarah Grand, and the instant and huge success of her book. There was only one possible defence against it; and that was to boldly deny that there was even a flame among the inconstancies of men—say, to appeal to the popular instinct in defence of the virility, the good-heartness, and the lovable humanity of Tom Jones. Alas for the human heart. The popular re-

sponse come than another New Woman promptly assumes that what is lovable in Tom Jones is lovable in Sophia Western also, and presents us with a ultra-

sympathetic Exchequer heroine who is such a lovely little girl, that the

Mr. Shaw, for my part, I am a man; and Madame Grand's position fills

me with dismay. What I should like, of course, would be the maintenance of two distinct classes of womankind, the one to be preserved for you and the other monogamous and reputable. I could then have my fill of polygamy among the polyandrous ones with the certainty that I could hand them over to the police if they annoy me. At the present state of the law, at which date I could marry one of the monogamous ones and live happily ever afterwards. But, if a woman were to say such a thing as this about men, I should be shocked; and of late years it has begun to dawn on me that even (or, if you will, still act, on it without confessing to it), women may be
disgusted. Now, it is a very serious thing for Man to be an object of disgust to Woman, on whom from the cradle over she is dependent for her child on its nurse. I would cheerfully accept the un-

popularity of Guy Fawkes, if the only alternative were to be generally suspected by women of nasty ideas about them; consequently I am forced to re-

consider my position; if I must choose between ac-

cepting for myself the asceticism which I have hitherto

to light heartedly demanded from all respectable

women, I should do so, extending the precept to a larger

population of women who live as freely as 'Nelson's Exche-

teenth,' why then—but space presses, and this is not

dramatic criticism. To business—

It is said that the Nelson of the play is a mere

word in Nelson. The real man would have been an

extraordinarily interesting hero. Nelson was no nice,

cultured gentleman. He started sailoring and living

on a scandalous diet of "salt horse" at twelve,

and was a captain of a 44 gun ship when he was twenty-two; and was

an admiral in command of a fleet in one of the greatest naval engage-

ments of modern times when he was forty.

Nelson could hardly have been the savior of a

person of such a character, and yet present to us also the invisa-

ble theatrical hero who ordered his engagements like an actor-manager, made his signals to the whole

British public, and wrote prayers for publication.

"Risen Home" is a style of "The Hero and the Heroine" instead of offer-

ing them up to the god of battles. With consummate professional skill founded on an apprenticeship that began in his childhood, having officers to match and hardly and able crews, and fighting against compar-

ative amateurs at a time when the average French

physique had been driven far below the average Eng-

lish one by the age of starvation that led to the burn-

ing of the chateaux and the Berains, Nelson had only

his hands and every engagement, as if he were leading a forlorn hope, and won not only on the odds, but on the boldest presumption on the odds. When he was victorious, he insisted on the facts of the victory; he was not the patriot of his honors—the Mansion House, for example, were omitted. When he was beaten, which usually happened promptly enough when he made a shore attack, he disguised the other, knowing what he would do to his ad-

versary the next time he caught him. He always

played even his most heroic antagonists off the stage.

At the battle of the Nile, Brueys, the French admiral, having the unenviable assignment om his tobacco and his colors, and fought until the sea swallowed him and his defeat. Nothing could be more heroic.

Nelson, on the other hand, was knocked silly, and re-

mained more or less for about a week before they

knew that he was not sick, afterwards knowing what he would do to his ad-

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