

BENJAMIN TUCKER AND HIS PERIODICAL, *LIBERTY*

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In a letter to the *New York Tribune* on December 4, 1898, Benjamin Tucker (1854-1939) described himself as an Anarchist. "I was the first American — I may say the first Anglo-Saxon — to start (in 1881) an avowedly Anarchistic newspaper printed in the English language. I am still the editor, publisher, and proprietor of that paper. It is everywhere regarded as the pioneer and principal organ of modern individualist Anarchism. I either am, or have been, the publisher of the chief Anarchistic works in the English language. I am the author of the most widely-accepted English text-book of Anarchism. I have enjoyed the friendship, had the benefit of the instruction, and have carefully studied the works, of those Americans from whom the Anarchists have largely derived their beliefs — Josiah Warren, Stephen Pearl Andrews, Lysander Spooner, and Colonel William B. Greene. I am the translator into English of some of the principal works of P. J. Proudhon, who was the first writer in any language to declare himself an Anarchist. I am acquainted, perhaps better than any other man, with the English-speaking Anarchists of the United States. It will be admitted then, I hope, that I speak by the card." (359-3)*

Tucker's Anarchist credentials were impeccable as he plainly stated. In August 1881, he started a "little fortnightly journal called *Liberty*. Its purpose was to contribute to the solution of the social problems by carrying to a logical conclusion the battle against authority . . ."⁽¹⁾ This journal appeared more or less continuously under the guidance of Tucker, first in Boston, and then in New York, until 1908 when Tucker's bookstore and composing room were destroyed by fire. In the words of Paul

Avrich, *Liberty* was simply "the best Anarchist paper in the English language".

The 403 issues of *Liberty* which appeared have been reprinted and made available by the Greenwood Reprint Corporation. They are a great source of information both to the historian and the philosopher. Here we can analyze the history of the individualist Anarchist movement, its reaction to contemporary events of the late 19th and early 20th Centuries, as well as view the actual ideological content and doctrinal changes occurring in the movement. To study *Liberty* is to touch practically every social question. (132-5) ". . . *Liberty* carried translations and articles from many of the most seminal thinkers of both Europe and America."⁽²⁾ While its subscription list probably never exceeded 1000, it had a world-wide circulation and impact, considering that it sparked individualist Anarchist movements in Russia and Australia, among other places.

Tucker made it clear in his first issue that his "journal will be edited to suit its editor, not its readers. He hopes that what suits him will suit them; but, if not, it will make no difference. No subscriber, or body of subscribers, will be allowed to govern his course, dictate his policy, or prescribe his methods. *Liberty* is published for the very definite purpose of spreading certain ideas, and no claim will be admitted, on any pretext of freedom of speech, to waste its limited space in hindering the attainment of that object. We are not afraid of discussion, and shall do what we can to make room for short, serious, and well-considered objection to our views." (1-1) "The purpose of *Liberty*, boiled down to its ultimate essence, is the abolition of authority . . . *Liberty* denies the authority of anybody's god to bind those who do not accept it through persuasion and natural selection.

*All parenthetical footnotes refer to *Liberty* by Whole Number (issue number) and then page number.

Liberty denies the authority of anybody's State to bind those who do not lend voluntary allegiance to it. *Liberty* denies the authority of anybody's 'public opinion', 'social custom', 'consensus of the competent', and every other fashionable or scholarly despot, to step between the individual and his free option in all things." (2-2)

As the proprietor and editor of *Liberty*, Tucker was responsible for its opinions and editorial content. While realizing that he was never the sole owner of Anarchism, Tucker did dominate his paper, and accordingly came to influence the Anarchist movement. However, he well realized that anarchism existed before he did and would continue to exist after he passed away. "I can interpret it only for myself", he wrote. (327-3) Although gentlemanly and shy in his personal relations, Tucker was the "plumb-line of plumb liners" in his editorial role. He tolerated no deviation from the straight and true path of Anarchy as he understood it. His intention as editor was to "win first the attention, and then the admiration and assent, of the most thoughtful thousand people in the world, though at the same time it may for the moment shock, horrify, prejudice, madden, and alienate all others" (367-1) E. O. Brown elaborated this point: "I have seen much in *Liberty* that I agreed with, and much that I disagreed with, but I never saw any cant, hypocrisy, or insincerity in it, which makes it an almost unique publication." (370-7)

Tucker's outlook and optimism are illustrated by relating one item which he saw fit to include in his first issue. Headlined, "The Penalty of Treason to Liberty," it related the story told by Ariosto, in which a fairy, by some mysterious law of her nature, was condemned to appear at certain seasons in the form of a foul and poisonous snake. Those who injured her in the period of her disguise were forever excluded from the blessings which she bestowed when in her power. To those who befriended her, in spite of her loathsome aspect, she afterwards granted all their wishes and made them happy in every way. "Such a spirit is liberty", concluded Tucker. "At times, she takes the form of a hateful reptile. She 'grovels', she hisses, she stings. But woe to those who in disgust shall

venture to crush her. And happy are those who, having dared to receive her in her degraded and frightful shape, shall at length be rewarded by her in the time of her beauty and glory." (1-4)

In order to fully appreciate Tucker and *Liberty*, one must have an understanding of how he and his readers understood the word Anarchism. "Anarchism means no government, but it does not mean no laws and no coercion. This may seem paradoxical, but the paradox vanishes when the Anarchist definition of government is kept in view. Anarchists oppose government, not because they disbelieve in punishment of crime and resistance to aggression, but because they disbelieve in compulsory protection. Protection and taxation without consent is itself invasion; hence Anarchism favors a system of voluntary taxation and protection." (212-2) Tucker was one of the very first individuals in the world to advocate the idea "that defense is a service, like any other service", and that such a service could and should be provided by private agencies supported by voluntary patronage. (104-4)

This advocacy was in turn based on a certain definition of government, namely "government has been defined . . . as the subjection of the 'non-invasive' individual to a will not his own." (156-4) The State (or government) is in its very nature a compulsory institution to which all are forced to belong to and which all are compelled to support. (26-2) *Liberty's* supporters were the sternest enemies of invasion of person and property. "We make war upon the State as the chief invader of person and property, as the cause of substantially all the crime and misery that exist, as itself the most gigantic criminal extant." (25-2)

The starting point of the entire Anarchistic philosophy was the absolute sovereignty of every individual. (28-2) The only way to respect the sovereignty of the individual would be to refrain from invasion of every person's body and justly acquired property. Tucker realized that criminals and invaders of person and property would remain, even in the absence of formal governments, but "*Liberty's* position [was] that, of the really serious and important acts of invasion of individual sovereignty, at least nine-tenths are committed by organized

State governments or through privileges granted by them, and that the governmental idea, with the State as its principal embodiment, is the efficient cause of almost all of our social evils." (86-4) Thus Anarchism was not only a protest against every form of human invasion (94-5), but in particular against the aggression of organized government.

Liberty's advocacy of Anarchism had both a positive and negative side. The negative side was simply the call for the abolition of politics. (25-2) *Liberty* proposed to abolish government and substitute in its place voluntary arrangements. "We offer every possible method of voluntary social union by which men and women may act together for the furtherance of well-being." (27-2) Tucker carried this doctrine to its fullest extent, as he was not bound by political or cultural or social mores. Tucker and his supporters differed from all other 19th Century radicals in their conception of cooperation. These Anarchists distinguished themselves even from the Individualists, who believed that "cooperation for defense and protection should be compulsory, whereas the Anarchist believe[d] that cooperation should never be compulsory, and that no compulsion should ever be exercised upon the non-invasive individual." (260-2) Although Tucker was likely at times to call himself a socialist, he always emphasized the voluntary aspect of socialism. His disagreement with the communists and socialists of other schools revolved around their economics as well as their conception of cooperation. ". . . [T]heir Communism is another State, while my voluntary cooperation is not a State at all. It is a very easy matter to tell who is an Anarchist and who is not. Do you believe in any form of imposition upon the human will by force?" (94-4)

From the beginning of *Liberty*, Tucker placed emphasis on the rights of the individual and individual sovereignty. This natural rights approach may have been influenced by Lysander Spooner who at the commencement of *Liberty* was still living and contributing articles to it. Reminiscent of Spooner's outlook, was the statement in an 1882 issue that "there is but one single kind of 'legal' freedom; and that is simply the 'natural' freedom of each individual to do

whatever he will with himself and his property, for his body here, and his soul hereafter, so long as he does not trespass upon the equal freedom of any other person." (24-2) In still an earlier issue was enunciated the cardinal right of all individuals to do anything and everything which they may chose voluntarily to do so long as it is done at their own cost. (7-2)

"Th[e] question of rights and obligations was thoroughly threshed out in *Liberty* in the year 1887." (198-2) Although Tucker maintained that he had not changed his fundamental opinions since he had begun *Liberty*, it is obvious that by the late 1880s his defense of Anarchism had changed from one asserting a natural rights justification to one asserting the Stirnerite version of egoism. (201-4) By early 1888, Tucker was no longer defending property as a right, but rather claimed it to be only a social convention. (117-5) Having abandoned natural right as the basis of Anarchism, Tucker replaced it with the concept of equal liberty as the touchstone of his Anarchism. "It is true . . . that Anarchism does not recognize the principle of human rights. But it recognizes human equality as a necessity of stable society." (126-4) ". . . [T]he only compulsion of individuals the propriety of which Anarchism recognizes is that which compels invasive individuals to refrain from overstepping the principle of equal liberty. Now, equal liberty itself being a social convention (for there are no natural rights), it is obvious that Anarchism recognizes the propriety of compelling individuals to regard 'one' social convention. . . . Anarchism protects equal liberty . . . , not because it is a social convention, but because it is equal liberty, — that is, because it is Anarchism itself." (123-5)

Tucker expressed his changed attitude as follows: "From the start [of *Liberty*] I have known that self-interest is the mainspring of conduct and that the ego is supreme. I had not, however, carefully thought out or even considered the bearing of this philosophy upon the question of obligation. I took society for granted and assumed the desire of man for society, and it was from this standpoint that I had loosely talked of natural rights. But Stirner's book [*The Ego and His Own*] caused me to ask

myself: If the individual does not wish society, is he under any obligation to act socially? And I no sooner asked it than I answered it in the negative. *At no time have I answered it in the affirmative.* . . . I have since [1886] seen that my use of the word right in those days was entirely improper, and this, coupled with a steadily-clearing perception of the logic of egoism, is the only change my ethical opinions have undergone since I started *Liberty*." (201-4)

In later years, Tucker exemplified his position by questioning the moralists (those asserting the natural rights philosophy and opposing his egoistical justification of Anarchism): "Why is one man bound to refrain from injuring another? That is the question which the moralists must answer. I know plenty of reasons why it is expedient for one man to refrain from injuring another. Therefore I advise him to refrain. But if my reasons do not commend themselves to his judgement; if my view of expediency does not coincide with his, — what obligation is there upon him to refrain? . . . I see no reason, as far as moral obligation is concerned, why one [man] should not subordinate or destroy the other. But if each of these men can be made to see that the other's free life is helpful to him, then they will agree not to invade each other; in other words, they will equalize their existences, or rights to existence by contract . . . Before contract is the right of might. Contract is the voluntary suspension of the right to might. The power secured by such suspension we may call the right of contract. These two rights — the right of might and the right of contract — are the only rights that ever have been or ever can be. So-called moral rights have no existence." (261-3) Tucker demanded to know what obligation, apart from expediency, there is upon man to refrain from aggressing against another. (265-1) His point was that the obligation to refrain from aggression was universal, without exception, or it was nothing. The problem as he saw it was to justify the imposition of this obligation upon the man who chose to forsake human society or enjoyed social unrest and insecurity. Thus Tucker concluded that there are no rights except might. (194-1) "Rights begin only with convention. They are not the liberties

that exist through natural power, but the liberties that are created by mutual guarantee." (328-4)

Fearless logician that he was, Tucker was never afraid to endorse his reasoning, regardless of where it led him. It was only on egoistic and utilitarian grounds — i.e. grounds of expediency — that he believed in equal liberty. (320-4) On several occasions during the later years of *Liberty* Tucker was forced to concur in certain deviations from his earlier Anarchistic position based on non-invasion and respect for individual sovereignty. Thus he claimed that a woman who threw her baby into the fire was acting non-invasively, (321-1) and that in certain instances coercion of the non-invader was justified. Reasoning from his egoistic framework, Tucker denied that the thing fundamentally desirable was the minimum of invasion. For him, "the ultimate end of human endeavor [was] the minimum of pain. We aim to decrease invasion only because, as a rule, invasion increases the total of pain (meaning, of course, pain suffered by the ego, whether directly or through sympathy with others). But it is precisely my contention that this rule, despite the immense importance which I place upon it, is not absolute; that, on the contrary, there are exceptional cases where invasion — that is, coercion of the non-invasive lessens the aggregate pain. Therefore coercion of the non-invasive, when justifiable at all, is to be justified on the ground that it secures, not a minimum of invasion, but a minimum of pain. . . . [T]o me [it is] axiomatic — that the ultimate end is the minimum of pain." (324-4) Thus Tucker asserted that coercion and invasion were justifiable in the case of a burning city, which can only be saved by blowing up the houses on a strip of territory inhabited by non-invasive persons who refuse to consent to such disposition of their property. (324-4) (310-5) According to Tucker, necessity and only necessity may excuse the coercion of the innocent, (308-4) and he readily admitted that there were relations between men and the land and of men to each other, where he would for the moment trample ruthlessly upon all the principles by which successful society must as a general rule be guided. (304-3)

Tucker held "that emergencies are liable to arise in the lives of men and of societies when all principles except that of self-preservation must be thrown to the winds; that there are moments when the continuance of individual life and social relations depends on the promptness with which we violate the very rules of conduct that in ordinary and normal times contribute most vitally to our well-being." (339-4) In defending his position, Tucker declared that a critic's answer amounted "in its conclusion to a statement that no evil can be as disastrous as an act of invasion; that justice should be done though the heavens fall, for a precedent of injustice would lead to a worse disaster than the falling of the heavens; . . ." and that further discussion was hopeless. (341-4)

One final example will suffice to show that for Tucker, there were occasions when justice was not the supreme consideration. (341-4) Another of his critics propounded the situation of a drowning man agreeing to forego all his worldly goods in return for being saved from drowning. The critic demanded to know if under Anarchistic ethics such an agreement was enforceable. Tucker's position was that such a contract was not enforceable, even though its non-enforcement was a violation of Anarchistic principle. Tucker's conclusion was that "there is no obligation upon outsiders to enforce any contract, even though it be just, and that, when individuals associate themselves for defensive purposes, they will decide at the start what classes of just contracts it is advisable to enforce." (341-4) Such men will decline to enforce the just contract of a drowning man.

Turning from Tucker's ethics and philosophy of Anarchism, which were always and obviously a central part of *Liberty*, let us examine a few other themes which were taken up in his journal. During his early editorial years, Tucker expressed great interest in the activities of the social revolutionaries, both abroad and in the United States. The Russian and European Anarchist movement received both support and publicity from *Liberty*.¹³ Tucker wrote at the time of the Anarchist trial in Lyons, France in early 1883, "Anarchy knows no frontiers; it is a gospel of human brotherhood that spans oceans." (33-2) During the first three years of *Liberty*, Tucker

was a follower of many Anarchists of international fame, such as Elisee Reclus, Peter Kropotkin, Michael Bakunin, and others of lesser note. As time wore on, particularly after the Haymarket affair in 1886, Tucker came to restrict his support of these revolutionaries who practiced "propaganda by deed". His objection was not only to their violent methods but also to their support of authoritarianism.

Tucker illustrated this discrimination in his eulogy on Karl Marx which appeared in 1883, after Marx's death: "For Karl Marx, the 'egalitaire', we feel the profoundest respect; as for Karl Marx, the 'authoritaire', we must consider him an enemy. . . . Proudhon was years before Marx [in discussing the struggle of the classes and the privileges and monopolies of capital]. . . . The vital difference between Proudhon and Marx [was] to be found in their respective remedies which they proposed. Marx would nationalize the productive and distributive forces; Proudhon would individualize and associate them. Marx would make the laborers political masters; Proudhon would abolish political mastership entirely. . . . Marx believed in compulsory majority rule; Proudhon believed in the voluntary principle. In short, Marx was an 'authoritaire'; Proudhon was a champion of Liberty." (35-2)

Tucker displayed basically the same attitude towards the Haymarket martyrs. Nearly all the contemporary violence of the Anarchists was commented on in *Liberty*. This included the assassination of President Garfield by Guiteau, the attempted killing of Carnegie's associate, Frick, by Alexander Berkman, as well as the deeds of the revolutionaries abroad, especially in France and Russia. Tucker was not opposed to the use of force, but it was foolish in his opinion to "resort to it before necessity compels, . . . as a general thing, when force becomes necessary, the wiser way is to use as much as possible as promptly as possible; and, until it becomes necessary, there cannot be too little force." (85-1) He generally considered violence to be inexpedient and an inappropriate way of achieving his goals. He realized that the downfall of one government, unless accompanied by a corresponding change in the ideas among the populace, would only result in the

substitution of another government in its place. His goal was the destruction of the governmental idea, which could only be accomplished through the use of persuasion and reason. In the opinion of Victor Yarros, another writer for *Liberty*, "The practical abolition of the State would be a very easy matter, if the State 'idea' were once abolished in the 'minds' of a considerable number of people." (113-8)

Regardless of the poor publicity generated by the revolutionaries, Tucker refused to compromise on his use of the word Anarchism or on his overall philosophy. He wrote, that "we believe that the most manly and effectual method of dealing with the State is to demand its immediate and unconditional surrender as a usurper, and to flatly and openly challenge its assumed right to forestall and crush out the voluntary associative government and regulation of individuals by themselves in all things." (16-2) Tucker believed that the Land League Movement in Ireland had been a glorious and significant social force, arising from the fact that it developed as the result of spontaneous, voluntary actions. (20-2) Furthermore, the "No Rent Manifesto" could have been a stepping stone towards to "No Tax Manifesto". Had the mass of Irishmen not swallowed the idea that society is impossible without a State, they might have been successful. Passive resistance (ignoring the laws without causing direct harm to anyone) and resistance to taxation were Tucker's two main methods of achieving Liberty in his own time. Although the distance (the eventual triumph of Liberty) might be great, the point for Tucker was that the journey had begun. (51-7)

Tucker could not be considered a utopian, even though he envisioned a stateless, non-monopolistic society. He clearly understood that Anarchism would not solve all of mankind's troubles. "[T]here are some troubles from which mankind can never escape. . . . [The Anarchists] never have claimed that liberty will bring perfection; they simply say that its results are vastly preferable to those that follow authority. . . . As a choice of blessings, liberty is the greater; as a choice of evils, liberty is the smaller. Then liberty always, say the Anarchists. No use of force except against the inva-

der;" (154-4)

Children are probably always a problem in any society, and that was no less true of *Liberty's* time and audience than for ours. The subject of children under Anarchy, and of parental-child responsibility aroused no serious controversy in *Liberty* until 1895. In 1890, Tucker had chosen to reprint a short, pithy article taken from *Freethought*, which apparently echoed his own sentiments at the time: that parents have a certain lien upon their children, at least as long as the children lean on them. (160-3) Later pronouncements emphasized that the child, like the adult, has no right to life at all, only the immunity from assault or invasion which all human beings are due. (235-2) In May 1895, Tucker reprinted the letter of an English Individualist, J. Greevz Fisher, which dealt with the question of parental responsibility for the support of the children. The conclusion of both Fisher and Tucker was that, "we must not interfere to prevent neglect, but only to repress positive invasion," and that "no person, parent or not, may be rightfully compelled to support any helpless being, of whatever age or circumstance, unless he has made that being helpless by some invasive act." (312-5&8)

Some months later, Tucker reconsidered his position and came to the conclusion that since the mother owns her children, parental invasion is not to be prohibited. Thus, as we have seen, a mother who throws her baby into the fire is not committing an aggression, since she is only handling her property in a way that she sees fit. Tucker maintained that the change which his opinion underwent consisted "simply in the substitution of certainty for doubt as to the non-invasive character of parental cruelty, — a substitution which involves the conclusion that parental cruelty is not to be prohibited, since third parties have not to consider the danger to organisms that are outside the limits of social protection." (320-4&5)

The debate about this issue continued for many numbers of *Liberty* and ended ultimately by Tucker converting all of his critics but one. J. William Lloyd broke with Tucker and *Liberty* over this issue and refused to associate any longer with those calling themselves Anarchists. Lloyd disputed Tucker's contention that chil-

dren were property, while he (Lloyd) maintained that "Each human being owns himself" and that "no human being owns another". (325-7) According to Tucker, the mother who uses force upon her child invades no body at all. Tucker's editorial point of view was not clouded by any preconceived notions or any sentimentality. He was quite willing to follow the consequence of his reasoning so long as he could find no flaws in his chain of logic. (322-5) As harsh or heartless as his doctrine may seem, he cautioned that he had the best interest of babies and children at heart as he believed that the observance of his principles would secure to children on the whole greater happiness than they can ever enjoy in any society neglectful of these principles. (320-5)

Another lively topic of interest, which resulted in lengthy discussion, concerned the Anarchistic acceptance of copyright and patents. In the early years of *Liberty*, when Tucker reviewed Spooner's "A Letter to Scientists and Inventors, on the Science of Justice, and their Right of Perpetual Property in their Discoveries and Inventions," Tucker had expressed his disapproval of Spooner's thesis. He could conceive of nothing more unreasonable than granting to any one the right to monopolize a fact of nature. (47-1) Four years later, in 1888, Tucker commented on the position that Henry George had taken regarding patents and copyright. The two agreed that patents had no validity but parted company over the legitimacy of copyright; George defending them and Tucker denying them on the basis that discovery can give no right of ownership. (128-4) Later when international copyright agreements became prominent political discussion, *Liberty* picked up this theme again. Tucker's opinion was that copyright, in any form and under any limitation, was an injustice. According to Tucker, "there [was] no more justification for the claim of the discoverer of an idea to exclusive use of it than there would have been for a claim on the part of the man who first 'struck oil' to ownership of the entire oil region or petroleum product. . . . The central injustice of copyright and patent law is that it compels the race to pay an individual through a long term of years a monopoly price for knowledge that he

has discovered today, although some other man or men might, and in many cases very probably would, have discovered it tomorrow." (173-4) "[F]rom the justice and social necessity of property in concrete things we have erroneously assumed the justice and social necessity of property in abstract things, — that is, — of property in ideas, — with the result of nullifying to a large and lamentable extent that fortunate element in the nature of things, in this case not hypothetical, but real, — namely, the immeasurably fruitful possibility of the use of abstract things by any number of individuals in any number of places at precisely the same time, without in the slightest degree impairing the use thereof by any single individual." (366-3) "The '*raison d'être*' of property is found in the very fact that there is no such possibility, — in the fact that it is impossible in the nature of things for concrete objects to be used in different places at the same time." (366-3)

Perhaps the most interesting part of this copyright-patent controversy was that one of *Liberty's* subscribers offered a quotation from Spooner's *Law of Intellectual Property*, which resulted in a great outburst from Tucker. The correspondent, A. H. Simpson, rightfully claimed that Spooner had linked together the argument for property in ideas to the justification for property in material objects and land. Tucker called Spooner's work on *Intellectual Property* "positively foolish because it is fundamentally foolish, — because, that is to say, its discussion of the acquisition of the right of property starts with a basic proposition that must be looked upon by all consistent Anarchists as obvious nonsense. I quote this basic proposition. 'The natural wealth of the world belongs to those who first take possession of it. . . . So much natural wealth, remaining unpossessed, as any one can take possession of first, becomes absolutely his property.' In interpretation of this, Mr. Spooner defines taking possession of a thing as the bestowing of valuable labor upon it, such, for instance, in the case of land, as cutting down the trees or building a fence around it. What follows from this? Evidently that a man may go to a piece of vacant land and fence it off; that he may then go to a second piece and fence that off; then to a

third, and fence that off; then to a fourth, a fifth, a hundredth, a thousandth, fencing them all off; that, unable to fence off himself as many as he wishes, he may hire other men to do the fencing for him; and that then he may stand back and bar all other men from using these lands, or admit them as tenants at such rental as he may choose to extract. Now, if this be true, what becomes of the Anarchistic doctrine of occupancy and use as the basis and limit of land ownership?" (180-4)

Tucker was alert enough to understand the implications of Spooner's argument, and was quite independent enough to reject them. In fact, Tucker claimed that he had taken issue with Spooner on this very point, after he had read Spooner's pamphlet on the Irish and English landlord question. "In that pamphlet [*Revolution, a Reply to Lord Dunraven*] Mr. Spooner bases his opposition to Irish and English landlords on the 'sole' ground that they or their ancestors took their lands 'by the sword' from the original holders. This is plainly stated, — so plainly that I took issue with Mr. Spooner on this point when he had asked me to read the manuscript before its publication. I then asked him whether if Dunraven or his ancestors had found unoccupied the very lands that he now holds, and had fenced them off, he would have any objection to raise against Dunraven's title to and leasing of these lands. He declared emphatically that he would not. Whereupon I protested that his pamphlet, powerful as it was within its scope, did not go to the bottom of the land question." (182-6)

As the foregoing comments indicate, Tucker solved the 'land question' with the doctrine of occupancy and use as the sole basis and limit of land ownership. This doctrine was based upon the teachings of Josiah Warren who advocated that natural wealth is not property at all and that neither the State nor the individual can set a price upon it without violating the first principle of commercial justice, that cost is the equitable limit of price. (28-2) The Anarchists of this school were definitely against the payment of rent by tenants (the actual occupiers of a given piece of land) to a landlord. Their case was intertwined with their advocacy of removing the restrictions from the business of banking as well

as depriving property in land of legal sanction and title. (39-1) The doctrine of occupancy and use evolved from the mid-19th Century theories of land reformer George Henry Evans, who enunciated the principle that each man shall possess the ground he can use and no more. (126-5)

The basis of all the controversy among the Anarchists (and with other social reformers of their time, especially Henry George and the Single-Taxers) was essentially about determining the justness of land holding. Auberon Herbert, the English voluntary taxationist and a contributor to *Liberty*, insisted on treating the land question as if it were simply a problem of buying and selling, and loaning and borrowing. Tucker cited another English critic of Herbert, who noted, "When we come to the question of the ethical basis of property, Mr. Herbert refers us to 'the open market'. But this is an evasion. The question is not whether we should be able to sell or acquire 'in the open market' anything which we rightfully possess, but how we come into rightful possession." (172-7)

Mr. Tucker's most relentless critic (although eventually a convert to the cause) of the occupancy and use doctrine was Stephen Byington. The Anarchistic doctrine of occupancy and use was always expounded in a general sort of way and never really dealt with serious details. The Anarchist doctrine consisted basically of the following provisions as outlined by Tucker: "Occupancy and use is the only title to land in which we will protect you; if you attempt to use land which another is occupying and using, we will protect him against you; if another attempts to use land to which you lay claim, but which you are not occupying and using, we will not interfere with him; but of such land as you occupy and use you are the sole master, and we will not ourselves take from you, or allow anyone else to take from you, whatever you may get out of such land." (252-3) Tucker further informed Byington that "A man cannot be allowed, merely by putting labor, to the limit of his capacity and beyond the limit of his personal use, into material of which there is a limited supply and the use of which is essential to the existence of other men, to withhold that material from other men's use; and any contract

based upon or involving such withholding is lacking in sanctity or legitimacy as a contract to deliver stolen goods.” (331–4) Byington pushed Tucker to answer what would happen to people desirous of renting a room or a building for only a short time, or what would happen to the ownership of buildings when occupiers and users of the land upon which they were built changed, or how vacationers would secure their premises while away? Tucker considered these questions matters of administrative detail, unworthy of discussion unless the attempt be to show that the theory of occupancy and use was unworkable. (331–4)

According to Tucker, the last user and occupier of a given piece of land would have to remove all of his personal property (unless specifically sold to the next occupier-user), otherwise he would lose control of it. “The man who persists in storing his property on another’s premises is an invader, and it ‘is’ his ‘crime’ that alienates control of his property. He is ‘fined one house,’ not ‘for building a house and then letting another man live in it,’ but for invading the premises of another.” (331–4)

For Tucker and his band of 19th Century Anarchists there were four fundamental monopolies, i.e. four modes by which governments granted legal privileges to the few at the great expense to the many. These four monopolies were the land monopoly, the tariff monopoly, the banking monopoly, and the patent and copyright monopoly. All but the tariff question received prominent coverage in *Liberty*. The tariff question was very clear cut and there was little controversy among Anarchists on this point. They all believed in free trade without restriction. The question of the banking monopoly was not so simple, as the Anarchists differed among themselves, as well as with their opponents, on economic theory. Discussions were carried on about economic problems relating to money and banking, namely, the nature of capital and interest, the basis of the standard of value for money, and the significance of free banking theory to Anarchist doctrine.

In order to understand the Anarchist objection to government money, it is first necessary to distinguish between their political objections

and their economic objections. Politically, they were against government compulsion and therefore were against governmental prohibition of any voluntary currency or arrangements that the people might make for and among themselves. The Anarchists rejected the Greenback movement primarily for this reason: “It is greenback‘ism’ that Liberty objects to, for its first and fundamental principle . . . is that it shall be a criminal offense for any individual or association to issue currency for circulation, and that there shall be no money except that issued by the government. . . . Greenbackism is money monopoly in its most extreme form. Free money, on the other hand, means free trade carried into finance, unlimited competition in the business of ‘making money’, and as a result, the utter rout of inferior and usurious currencies by the virtues of the cheapest and the best.” (37–1) Again, politically speaking, the Anarchists objected to laws relating to interest or usury legislation. They continuously opposed “the claim that one has a moral right to take usury, but advocate no method of abolishing it save the removal of all restrictions preventing the free action of natural principles. To attempt to suppress usury by statute is outrageous because tyrannical, and foolish because ineffectual.” (6–1)

Most of *Liberty’s* adherents believed that the governmental limitations placed on the amount of currency issued and on the choice of media of exchange (generally being restricted to gold and silver) were the cause of financial depressions as well as the cause that interest was charged on loans of money. In a criticism of William Graham Sumner, a *Liberty* correspondent put forth the proposition that “Interest has no existence in Nature, but is solely due to monopoly, whose parent the State alone is.” (78–4) There were many other discussions in *Liberty* relating to the value of money and the nature of capital and interest, which generally reduced themselves to the claim that any increase in the supply of money (which would be the result of a regime of free banking) would confer a social benefit and would lead to the disappearance of interest.¹⁴¹

Although their economic arguments have not stood the test of time, the political objections to

government money were and still are quite valid. Free banking and free money meant the utter absence of restriction upon the issue of all money not fraudulent (80-4) and this was considered to be a cardinal doctrine of Anarchism. (314-5) Tucker was a supporter of the concept of mutual banking, as outlined both by P. J. Proudhon, and his own friend and mentor, Colonel William B. Greene (author of *Mutual Banking*), by which the monetization of all marketable wealth was made possible. Tucker's position was that free banking would lead to mutual banking, and that this could only come about through absolute free competition in banking. (314-5 and 69-4) It was Tucker's belief that mutual banking would be the single greatest step that could possibly be taken in the direction of emancipating labor from poverty. No single liberty was as necessary as the liberty of banking. (314-5)

Liberty's concern with social unrest and labor was evinced by its discussion of boycotts, unions and the strike. As early as 1886, Tucker elaborated that "any individual may place any condition he chooses, provided the condition be not in itself invasive, upon the doing or not doing of anything which he has a right to do or not do; but no individual can rightfully be a party to any bargain which makes a necessarily invasive condition incumbent upon any of the contracting parties. From which it follows that an individual may rightfully 'extort' money from another by 'threatening' him with certain consequences, provided those consequences are of such a nature that he can cause them without infringing upon anybody's rights." (85-1) On December 3, 1887, *Liberty* declared; "A man has a right to threaten what he has a right to execute. The boundary-line of justifiable boycott is fixed by the nature of the threat used." (113-4) Tucker boasted that "prior to these declarations, so far as [he knew], the true foundation and limitation of the right to boycott had never been laid down." (369-2) In this connection it is also interesting to note that *Liberty* not only questioned the law against blackmail, but also the laws against libel and slander. Victor Yarros, a close Tucker associate during many of the *Liberty* years, was "inclined to take the position that all speech ought to be

free, and that there can be no invasive quality in mere speech." (312-2) As a person does not own his own reputation, it merely being a measure of the view held of him by others, then, regardless of the truth or falsity of an alleged libel or slander, no speech, in and of itself, can be invasive. Therefore all libel and slander laws ought to be abolished. (312-2)

Liberty truly touched on nearly all of the pressing social questions of its era. Space was devoted to articles about free love, marriage and divorce, and sexual relations among men and women. Even the woman suffrage movement came under attack: "Women are human beings, and consequently have all the natural rights that any human beings can have. They have just as good a right to 'make laws' as men have, and no better; AND THAT IS JUST NO RIGHT AT ALL." (22-4) Mormon polygamy, pornography and postal censorship were also discussed. The Chinese immigration issue was mentioned at times. Freethought was always advocated and the tyranny and cultism of religion nearly always denounced. Tucker proudly reprinted in *Liberty* and his private press the English Anarchist classics, such as Spooner's *Natural Law*, *Letter to Thomas Bayard*, and *A Letter to Grover Cleveland*, Auberon Herbert's *A Politician in Sight of Haven*, Edmund Burke's *Vindication of Natural Society*, Stephen Pearl Andrews' *Science of Society* and his discussion of *Love, Marriage, and Divorce*, as well as quoting excerpts from such writers as Nietzsche, Proudhon, and Stirner. Tucker also made *Liberty* serve as a forum for publishing and publicizing what he called "advanced literature", by which he meant "the literature which, in religion and morals, leads away from superstition, which, in politics, leads away from government, and which, in art, leads away from tradition". (391-4)

Tucker was ambitious and promoted many literary ventures alongside his Anarchist journalism. He had agents in different parts of the world selling *Liberty* and his other literary wares. He had occasional foreign correspondents, such as Vilfredo Pareto, George Bernard Shaw, and John Henry Mackay, submit their evaluations of Anarchist developments to *Liberty's* readers. He maintained especially

close contact with the English Individualist-Anarchist movement and carried on extensive correspondence with the main English figures, such as Auberon Herbert, Wordsworth Donisthorpe, John Badcock, J. H. Levy, and J. Greevz Fisher. Other American associates and correspondents of *Liberty*, such as Henry Appleton, James L. Walker, Joseph Labadie, Victor Yarros, Stephen Byington, Alan and Florence Kelly, John Kelly, Gertrude Kelly, George and Emma Schumm, Francis Tandy, Henry Cohen, and J. Wm. Lloyd formed the often changing nuclei of Tucker's circle.

Among Tucker's other notable projects were the publication of *Instead of a Book* in 1893 and the publication of *Liberty* in German for a short time. He promoted the formation of an Anarchist Letter Writing Corps under the auspices of Byington and sold and printed sheets filled with Anarchist slogans. He published such books as Zola's *Modern Marriage*, Eltzbacher's *Anarchism*, and not coincidentally Stirner's *The Ego and His Own*. The appearance of this later book was, in Tucker's opinion, the most notable contribution on behalf of Anarchism that he had made in his 30 year career. (397-1) Stirner was one of the three great Anarchists in 19th century literature, according to Tucker; the other two being Proudhon and Ibsen. He constantly strived to call attention to all three both in *Liberty* and wider literary circles. (393-11) His New York bookstore eventually came to house a large collection of literature that made for "Egoism in Philosophy, Anarchism in Politics, and Iconoclasm in Art." (399-2)

Yet for all his boldness and greatness, Tucker and *Liberty* still leave something to be desired. Did Tucker and his editorial columns in *Liberty* present a true and consistent version of Anarchy? Of course it is easy to criticize doctrine nearly a century old, but there is much in Tucker that is still valid, as well as much that is still as wrong as the day it was published. In spite of Tucker's eventual deviations, his life-long emphasis on individual sovereignty and the non-invasive individual is well-founded.

As Libertarians and Anarchists today we might accept the philosophy of egoism that Tucker came to espouse (namely, that might

makes right in the absence of mutual agreement). Tucker, himself, recognized the law of equal liberty as being the essence of Anarchism; but his own defense of this social convention seems circular, for it amounts to the statement that we are Anarchists because we are Anarchists. (123-5) Or else we might adopt an alternative defense of Anarchism, such as one which has been outlined by Murray Rothbard in his writings and which hinges on the twin axioms of self-ownership (the absolute right of each person to own his or her own mind and body) and homesteading (the absolute right of each person to own previously unused natural resources which they have in some way occupied or transformed). Tucker's main challenge to the moralists was to demand to know why one is bound not to injure or invade another. What obligation exists, in the absence of any mutual agreement, to refrain from initiating violence? I think the answer is primarily logical and epistemological in nature. Invasion violates the axioms of self-ownership and homesteading. The invader clearly acts on the axiom that he controls his own life, yet in coercing others he plainly denies it. The resort to violence is a confession of imbecility. Invasion is anti-life and the invader, under the moralist's theory, loses his own rights (to life and property) to the extent that he has committed an aggression. Thus to answer Tucker, the obligation to refrain from initiating violence is found in the real world around us. Anyone who acts so as to deny the validity of these axioms must sooner or later fail and suffer disaster. As Tucker himself wrote, early in his career, "It is better to suffer great inconveniences than the evils engendered by the violation of individual rights." (37-4)

Of course, Tucker came to disagree with this position. He called that person who would enforce the drowning man's contract a person "with justice on the brain, a man who would do justice though the heavens fall." (344-4) We can only speculate as to whether his rule of expediency would succeed or not, but as applied to individual lives we can make a comparison, which however may be an unfair one. Tucker retired to Europe soon after the fire of 1908 and spent the next 30 years of his life mostly apart from the Anarchist movement. In fact we might

say that while *Liberty* existed Anarchism blazed in glory, but when Tucker retired the flames soon returned to embers. By contrast, Lysander Spooner, definitely a moralist and natural right defender of Anarchism and therefore an opponent of Tucker's, became steadily more radical and libertarian as he grew older. Each person must be left to judge the effect of historical circumstances on these two individuals, but their differing philosophies of Anarchism must also be taken into consideration when viewing the outcome of their lives.

To evaluate Tucker in terms of current day

libertarian thinking, we would have to say this: We concur with Tucker that no living person owes any other living person any thing in the absence of voluntary agreement; but the obligation to refrain from initiating violence is not a positive duty. It is a negative one. It is something which we should not do, not something we should do. We can stand by and see a man murdered or a woman raped (170-4); but we cannot claim that there are times when it is necessary for the Anarchist to become Archist, and to abandon the guiding rule of his life and to coerce the noninvasive individual. (307-3)

NOTES

1. Benjamin R. Tucker, *Instead of a Book* (New York: Haskell House, 1969), p.ix.
2. William O. Reichert, *Partisans of Freedom* (Bowling Green, Oh.: Bowling Green University Popular Press, 1976), p.146.
3. James J. Martin, *Men Against the State* (Colorado Springs, Col.: Ralph Myles, 1970), p.220.
4. Murray N. Rothbard, "The Spooner-Tucker Doctrine: An Economist's View," in *Egalitarianism as a Revolt Against Nature, and Other Essays* (Washington, D.C.: Libertarian Review Press, 1974), pp.129-33.