

FRATERNALISM VS. PATERNALISM IN GOVERNMENT.

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HEAR the word «paternalism» used often enough, but generally with a meaning attached which is both historically and philosophically incorrect.

As currently used, it carries with it a certain element of demagogism—upper-class demagogism, because generally used in the interest of the few as opposed to that of the many. It gives no reason for the practice or opinion attacked, but supplies the lack of argument with an epithet of opprobrium.

If it is proposed to add to the function of government in any manner,—as, for example, with us, the purchase of our telegraph lines and their subsequent management by the Federal government,—we are sure to hear the word paternalism employed. The word paternalism seems sometimes to be used to designate any governmental activity, but more frequently to designate any increase in governmental activity. The people of England do not as a rule call the ownership and operation of a postal telegraph by the government paternalism, but many Englishmen would call the government ownership and management of the railway lines paternalism. On the other hand, if one goes to Germany at present, one finds few Germans who call the state railways paternal in character. The truth is, however, paternalism has no reference to the quantity of governmental functions, but rather, if I may use the expression, to the quality of these functions. It has no reference to the extent of governmental activity, but to the character of governmental authority. Paternalism means the theory of those who claim that sovereignty is paternal in origin and paternal in character. Sovereignty, it is claimed by adherents of this theory, is patriarchal, because it grew up out of patriarchal arrangements, and preserves its original nature. The authority of a sovereign, it is held by advocates of paternalism, is like that of a father.

The theory of paternalism was prominently advocated in England in the seventeenth century, in the time of the Stuarts. Charles I was a pronounced adherent, and one of its

leading exponents was Sir Robert Filmer, who wrote a little book in its defense called «Patriarcha; or, the Natural Power of Kings.» It was this work which called out the treatises on government by Locke and Algernon Sidney. Henry Morley, in his edition of «Locke on Government,» including Filmer's work, thus sums up Filmer's theory: «There never was a time, said Filmer, when men were equal. When there were only two in the world, one was the master. When children were born, Adam was master over them. Authority was founded by God himself in fatherhood. Out of fatherhood came royalty; the patriarch was king.» The following are the titles of the chapters into which the «Patriarcha» is divided, and they show clearly the real nature of Filmer's doctrine:

«I. The first kings were fathers of families.

«II. It is unnatural for the people to govern or choose governors.

«III. Positive laws do not infringe the natural and fatherly power of kings.»

Filmer argues against equality, and declares that it was by desire for liberty that Adam fell. That the multitude may correct or depose their princes is called a «damnable conclusion.» Filmer refers with evident approval to the saying, The King of Spain is king of men, «because of his subjects' willing obedience; the King of France is king of asses, because of their infinite taxes and impositions; but the King of England is said to be king of devils, because of his subjects' often insurrections against and depositions of their princes.» Now I regard this as a perversion of the true theory of the state. The people constitute the state; and the state, like the church, has divine rights; but these rights, as the venerable Hooker long ago taught, are vested in the people. Kings and priests as individuals are of the social body, and their superior rights are superior or excellent opportunities for service. Their rights are derived from God through the social body. Neither kings nor priests may govern like God, or even like fathers of families. The state is strictly coöperative in character. It is a coöperative community, and this is true without regard to the extent of the functions of the state. We may have a paternal theory of the state, and at the same time advocate

very limited functions of the state; or we may advocate very extensive functions of the state, going even to the extreme of socialism, and yet adhere to the coöperative theory of the state—the commonwealth theory, as it may be called.

There are, as a matter of fact, two kinds of socialism—paternal and fraternal; but the popular socialism of the day is altogether fraternal in character. I am inclined to urge, as an objection against it, that it has too little respect for the theory of paternalism; for it rejects leadership and guidance from superior classes. The German government has waged war against social democracy precisely on this account. It is not so much socialism as democracy to which objection is raised by the ruling classes in Germany. The International Workingmen's Association, under the guidance of Karl Marx, adopted resolutions at its first meeting in London, September, 1864, which began as follows: «In consideration that the emancipation of the laboring classes must be accomplished by the laboring classes.» This little clause means a great deal: it means the entire rejection of paternalism. It is likewise true of American socialism, as advocated by the Socialistic Labor Party, that it entirely rejects paternalism, and implies a separation of class from class, and a rejection of the assistance of superior classes.

While the coöperative theory of government is the correct one for modern times, it ought to include a certain element of paternalism. Democracies, above all other forms of government, require the leadership of wise and strong men. Moreover, there are classes in every modern community composed of those who are virtually children, and who require paternal and fostering care, the aim of which should be the highest development of which they are capable. We may instance the negroes, who are for the most part grown-up children, and should be treated as such. How any one who believes in the fatherhood of God and in paternalism in the family is able to sneer at paternalism and reject every element of it in government as a bad thing, I am unable to conceive. I must confess that I am too much of a conservative in my views and sentiments to do this.

The course of modern national development has been away from paternalism and in the direction of the extended functions of the state. The two movements have proceeded *pari passu*. Paternalism was connected with the feudalism of the middle ages, and in its highest development was a natural

outgrowth of feudalism. Feudalism regarded sovereignty as a private right, and like a father the overlord protected his subordinates settled on his estates. These subordinates surrendered themselves to his protection, and gave up a large portion of their freedom. Out of the institutions of feudalism and its hierarchy of classes grew the conception of freedom merely as negative. Not to be restrained by the state was freedom; but in modern times, as has been well pointed out, freedom implies participation in the activity of the state. During the period of feudalism, however, the functions of the state were comparatively limited. The revenues of government were relatively small, and the chief departments of state activity at the present time did not then exist. The administration of justice was largely private. Public boards of health did not exist, nor even regular paid police and fire departments. Streets were not lighted at public expense, nor were they cleaned by public authority; but each one cleaned the street in front of his own door, if it was cleaned at all, which was not usually the case. Education was only to a very limited extent, as compared with modern times, a public function.

As a matter of fact, those who would like to return to European absolutism urge as an objection against modern constitutional government that it is far more expensive than the older, absolutistic governments which it has replaced. Very naturally so. It is not more extravagant, nor is it more corrupt. What parliamentary government does not shine in both respects when compared with France under the Bourbons, or England under the Stuarts? The greater expensiveness of free governments means simply that democratic governments engage in more numerous and larger activities. It is a commonplace of finance that free, democratically governed nations bear burdens which would produce revolutions in a despotism. Why? Because in the one case the people feel that they are acting, and in the other case that some one else is acting for them, in a paternal capacity.

We often enough hear self-help opposed to the activity of government; but in what does self-help consist? In doing everything directly for one's self? Then I ought to bake my own bread, make my own boots, build my own house, etc.; and all this is contrary to the fundamental principles of industrial civilization. Self-help consists in having things done. Do we practise self-help when we let private corporations do

things for us? What do those people mean who speak about self-help in gas business, railways, etc.? Shall each one build his own gas-works, construct his own railways, etc.? This is folly. Self-help can only mean to have things done by our agents under our general control, as in the case of government enterprises under a system of representative government.

We see, then, that those people who speak of governmental activity as paternalism have an altogether un-American idea of the state. They are behind the times, for they have transported into our day ideas appropriate to the reign of Charles I.

There is a great deal of paternalism in the United States, and it is found in the industrial field. It is a paternalism of private corporations performing public functions, because it is claimed that the people are not intelligent and moral enough to perform them directly through their own agents. Arguments used in favor of this paternalism are precisely similar to arguments used in favor of the old political paternalism—namely, the need of intelligence and integrity superior to that of the mass of the people. Like the old political paternalism, it is irresponsible and rejects all claims to control in the interests of the public as an invasion of sacred rights. Like the old political paternalism, those who represent this modern industrial paternalism enjoy large revenues, and they let others labor and fight and die for them. They support their own private armed troops exactly as did the old feudal lords, and the basis of both claims is divine private rights. The modern feudal lord and his claims remind me of what one of the most distinguished jurists of modern times—Professor von Ihering—says of those who prate most loudly about the sacred rights of property—namely, that to them too often nothing else is sacred.

As instances of industrial paternalism I would mention our railways, telegraphs, telephones, street-car lines, elevated railways, gas-works in most cities, water-works in some. I have in mind, for example, the desire of New York for rapid transit. New-Yorkers for years pleaded with private individuals, entreating them to give the city rapid transit; but for a long time it scarcely occurred to them to do anything for themselves.

The higher education in many of our States may be instanced as an example of paternalism of a somewhat different kind. The people, as such, too often fail to think

it their duty to make contribution for this; but they constitute themselves beggars and besiege every man of property to make gifts.

Paternalism of a private character—as opposed, I mean, to governmental paternalism—has made alarming progress among us in recent years. The paternalism to which I refer is a paternalism of the rich, and it is a paternalism which they should resist. Inequalities of the most injurious character are by many held justifiable, because it is claimed that we need the very rich to plan, organize, and carry on all important enterprises. Where would our railways be, it is asked, if we did not have among us men who count their money by the million? There is scarcely a town in the land where the people are not waiting for a rich man to start some enterprise. Business, churches, schools, all wait upon the movements of the rich. The idea of self-help dwindles. People fold their hands and wait.

Outside of the industrial field there is fortunately some evidence of a tendency of wealthy philanthropists to resist the paternalism which others would force on them. Notable examples may be found in the gifts of Mr. Enoch Pratt to Baltimore and of Mr. Andrew Carnegie to Allegheny City and to Pittsburg. The latter were generous gifts for library buildings, made on condition that the libraries should be supported either partly or entirely by taxation. Mr. Carnegie, in other words, said: I will help you, provided you will help yourselves; and, fortunately, he emphasized this condition in these words: «I am clearly of the opinion that it is only by the city maintaining its public libraries, as it maintains its public schools, that every citizen can be made to feel that he is a joint proprietor of them, and that the public library is for the public as a whole, and not for any portion thereof; and I am equally clear that unless a community is willing to maintain public libraries at the public cost, very little good can be obtained from them.»

I am strongly of the opinion that there should be a similar coöperation of public and private effort in maintaining all institutions of learning, including universities; and I believe that this coöperation will secure the best results. I cannot help regretting, for example, that Mr. Johns Hopkins did not offer his millions to the State of Maryland for the establishment of a university on condition that the university should be regarded as the university of the State, should be the crown of the educational system of the State, and should receive an annual grant from the

public treasury equal, say, to four per cent. on the value of his endowment, in addition to the income of the endowment itself. This could have been effected in such a manner as to avoid injurious political influences, as the experience of several Western States amply demonstrates. What would have been the results of such an arrangement? His university would have a more ample income, and could spend a portion of this in direct efforts to improve the educational system of the State. The people of the State would feel a greater interest in it, because, being supported in part out of taxes, it would belong to them more than it does; and a closer connection with the public life of the State would help to purify politics and elevate the tone of the public service.

The rôle which we assign the state as a coöperative institution will depend upon our wishes and ideals. If we desire medieval paternalism or a plutocracy, we must assign it very limited functions, leaving all great enterprises, all large and noble institutions of learning, all the interests of art and culture, to the care of the few, and training the people to look to them for aid in every concern of importance. If, however, we aim to secure the highest practicable development of all faculties of all, we must advocate, not that exclusive state action which we call socialism, but far-reaching functions of government, Federal, State, and municipal, attempting to separate wisely the duties of individuals, and of free and voluntary associations of individuals, from the duties of the people organized as state. There is no self-help for the masses like state action—using state in its broad generic sense as inclusive of all subdivisions of the state. The state is a suitable field for the coöperation of ordinary men with ordinary means. It gathers up small sums, and uses the large aggregate for undertakings which otherwise would be beyond the reach of any save the rich. It is thus that in some countries railways have been built by the people and are now owned by the people, the artisan, the mechanic, and the peasant being all part owners because they are citizens. A state may be mentioned in Germany—Württemberg—where the railways were admirably constructed under the supervision of a man who required for his services less than two thousand dollars per annum—perhaps equivalent to twice, possibly thrice, that sum with us now. The greatest universities of the world are likewise state institutions. Scholars look now to Berlin as the leading university

of the world, and all the endowments which it has received from rich people amount to less than one million dollars, the income of which is used chiefly for special purposes like prizes, scholarships, fellowships, etc., and not for the regular expenses of the institution, which are defrayed by taxation. In the United States the State universities have recently grown more rapidly than the private foundations.

I do not say that it is altogether wrong for us to ask people of means to assist in carrying on and developing our educational institutions, and I am sure it is praiseworthy in wealthy Americans to give so generously as some of them do; but I do say, without hesitation, that we as a people should be more self-reliant and practise to a greater degree self-help in all spheres of social life, the higher education included, for that, like every other grade of education, is a matter of public concern and not a class interest. Nor must we overlook other facts in this connection. Private paternalism in education and elsewhere has a dangerous tendency toward plutocracy. Sometimes, even if not so often as one might think, support by the wealthy few is made virtually conditional on management in the interest of these few. More than once have I heard the opinion expressed that the most fortunate thing which could happen to an institution would be the death of a wealthy benefactor whose authoritative interference was felt to be burdensome.

On the other hand, the fact must not be overlooked that private support of art, literature, learning, places the burden of sustaining and carrying forward our civilization upon a few people comparatively. When we examine into the number of givers in cities like New York, Boston, and Philadelphia, we find that it is a small one indeed in proportion to the number of wealthy people, and we are reminded of the saying, «Many are called, but few are chosen.» There is in each great community a small list of givers, and that is all. If the names of contributors to public institutions are asked, the same names are repeated again and again; and once outside of the little circle, givers are rare. This is not morally justifiable. It was not part of the design for which private property was instituted that the great bulk of it should be used for selfish enjoyment.

Another consideration is brought to mind by the mention of art. Art, essentially public in nature, as a matter of fact never has flourished when exclusively dependent on

private support. The atmosphere of private wealth is antagonistic to its growth.

We may insist upon public support of public institutions, and at the same time afford full scope for the largest amount of private philanthropy. Private parties can do what, as a matter of fact, states cannot at present be persuaded to do, even if it is their proper function. We must, as practical men, take into account the existing situation. Private persons can also go ahead of public opinion and lead it, ever placing high ideals before us. The loftiest conceptions of civilization must ever first dawn in a few minds, and the truest excellence frequently requires vigorous support of strong arms, and that for a long time, before it can secure anything like general recognition.

Perhaps it is now plain to my readers why selfishness must demand very limited functions of the state, and why we must insist upon extended functions of the state. What is the ethical idea of the state? We may say fraternalism. The state, and the state alone, stands for all of us. All other institutions are more or less exclusive, and stand for part of us—for some of us, not for all of us. As the state advances, as it becomes more ideal in its constitution and in its administration, as its fraternal, ethical essence becomes purer, its functions must ever grow wider and wider. So-called self-help—that is, individual self-help—in protection of person and property, comes to be regarded as barbarism. Private enterprise in war, like Wallenstein's in the Thirty Years' War, is, thank God, abolished; and education, art, the care of the weak and dependent, and the nobler departments of social life, become to an increasing extent public in character. First the individual bears the burden; then perhaps the association of individuals; then, in the middle ages, the church; then, since the Reformation, the state, the greatest of all coöperative institutions,—that is, the people in their organic capacity,—takes up the work of civilization.

Yet the state can never absorb all our industrial and social life. Society is greater than the state, and must include a sphere for the individual and for private associations of individuals. By a harmonious development of all sorts of activities will scope be afforded for a richly diversified civilization and for the best expansion of true individuality. We shall thus have the Aristotelian variety in unity.

The educational value of public ownership

and management may be contrasted with the lack of general educational value of corporate undertakings. Austin, Texas, serves as an example. A few years since the first part of a campaign in that city for the establishment of city water-works and an electric-light plant was educational. It began in an economic society of some thirty members, which met from time to time to discuss economics; and during the entire campaign there was an active discussion of the relative merits of public and private undertakings, and an examination of underlying economic and social principles was made by many citizens. This is the kind of political activity which carries with it the popular education which has been so much lauded in republican and representative government; whereas ordinary municipal campaigns are merely personal, and leave behind only bitterness and dissension. Public undertakings carry with them instruction in economics and politics, whereas fools can grant a franchise to private corporations and let them exploit the people. Turkey, corrupt, degraded, ignorant, turns over even her lighthouses on the sea-coast to a private corporation.

Harm results from the use of the epithet «paternalism.» It keeps us from those works of magnitude which would be a real blessing, but does not prevent a thousand and one petty acts of interference.

We may, indeed, go further and say that in keeping us from works of magnitude it necessitates countless laws and petty acts of interference, and in preventing action at the right time it necessitates action at a later period when it is more difficult to accomplish the desired end. It keeps us from applying the ounce of prevention, and as a consequence we are perpetually trying to make up for past neglect by the use of a pound of cure. It would be—so timid souls, frightened by the cry «paternalism,» tell us—illegitimate to expend a few hundred dollars in efforts to reform «Margaret, the mother of criminals,» but we spend a million and a quarter on her pauper and criminal posterity.

Mr. Charles Booth, in his book «Labour and Life of the People,» shows that past neglect now necessitates a certain amount of what he calls socialism. The old individualism, he tells us, has broken down, and he adds these words: «Thorough interference on the part of the state with the lives of a small fraction of the population would tend to make it possible ultimately to dispense with any socialistic interference in the lives of all the rest.»