

Chapter II—The Criterion of a Good Form of Government.

The form of government for any given country being (within certain definite conditions) amenable to choice, it is now to be considered by what test the choice should be directed; what are the distinctive characteristics of the form of government best fitted to promote the interests of any given society.

Before entering into this inquiry, it may seem necessary to decide what are the proper functions of government; for, government altogether being only a means, the eligibility of the means must depend on their adaptation to the end. But this mode of stating the problem gives less aid to its investigation than might be supposed, and does not even bring the whole of the question into view. For, in the first place, **the proper functions of a government are not a fixed thing, but different in different states of society;** much more extensive in a backward than in an advanced state. And, secondly, the character of a government or set of political institutions can not be sufficiently estimated while we confine our attention to the legitimate sphere of governmental functions; for, though the goodness of a government is necessarily circumscribed within that sphere, its badness unhappily is not. Every kind and degree of evil of which mankind are susceptible may be inflicted on them by their government, and none of the good which social existence is capable of can be any further realized than as the constitution of the government is compatible with, and allows scope for, its attainment. Not to speak of indirect effects, the direct meddling of the public authorities has no necessary limits but those of human life, and the influence of government on the well-being of society can be considered or estimated in reference to nothing less than the whole of the interests of humanity.

Being thus obliged to place before ourselves, as the test of good and bad government, so complex an object as the aggregate interests of society, we would willingly attempt some kind of classification of those interests, which, bringing them before the mind in definite groups, might give indication of the qualities by which a form of government is fitted to promote those various interests respectively. It would be a great facility if we could say the good of society consists of such and such elements; one of these elements requires such conditions, another such others; the government, then, which unites in the greatest degree all these conditions, must be the best. The theory of government would thus be built up from the separate theorems of the elements which compose a good state of society.

Unfortunately, to enumerate and classify the constituents of social well-being, so as to admit of the formation of such theorems is no easy task. Most of those who, in the last or present generation, have applied themselves to the philosophy of politics in any comprehensive spirit, have felt the importance of such a classification, but the attempts

which have been made toward it are as yet limited, so far as I am aware, to a single step. The classification begins and ends with a partition of the exigencies of society between the **two heads of Order and Progress** (in the phraseology of French thinkers); Permanence and Progression, in the words of Coleridge. This division is plausible and seductive, from the apparently clean-cut opposition between its two members, and the remarkable difference between the sentiments to which they appeal. But I apprehend that (however admissible for purposes of popular discourse) the distinction between Order, or Permanence and Progress, employed to define the qualities necessary in a government, is unscientific and incorrect.

For, first, what are Order and Progress? Concerning Progress there is no difficulty, or none which is apparent at first sight. When Progress is spoken of as one of the wants of human society, it may be supposed to mean Improvement. That is a tolerably distinct idea. But what is Order? Sometimes it means more, sometimes less, but hardly ever the whole of what human society needs except improvement.

In its narrowest acceptance, **Order means Obedience.** A government is said to preserve order if it succeeds in getting itself obeyed. But there are different degrees of obedience, and it is not every degree that is commendable. Only an unmitigated despotism demands that the individual citizen shall obey unconditionally every mandate of persons in authority. We must at least limit the definition to such mandates as are general, and issued in the deliberate form of laws. Order, thus understood, expresses, doubtless, an indispensable attribute of government. Those who are unable to make their ordinances obeyed, can not be said to govern. But, though a necessary condition, this is not the object of government. That it should make itself obeyed is requisite, in order that it may accomplish some other purpose. We are still to seek what is this other purpose, which government ought to fulfill abstractedly from the idea of improvement, and which has to be fulfilled in every society, whether stationary or progressive.

In a sense somewhat more enlarged, **Order means the preservation of peace by the cessation of private violence.** Order is said to exist where the **people of the country have, as a general rule, ceased to prosecute their quarrels by private force, and acquired the habit of referring the decision of their disputes and the redress of their injuries to the public authorities.** But in this larger use of the term, as well as in the former narrow one, Order expresses rather one of the conditions of government, than either its purpose or the criterion of its excellence; for the habit may be well established of submitting to the government, and referring all disputed matters to its authority, and yet the manner in which the government deals with those disputed matters, and with the other things about which it concerns itself, may differ by the whole interval which divides the best from the worst possible.

If we intend to comprise in the idea of Order all that society requires from its government which is not included in the idea of Progress, we must define Order as the preservation of all kinds and amounts of good which already exist, and Progress as

consisting in the increase of them. This distinction does comprehend in one or the other section every thing which a government can be required to promote. But, thus understood, it affords no basis for a philosophy of government. We can not say that, in constituting a polity, certain provisions ought to be made for Order and certain others for Progress, since the conditions of Order, in the sense now indicated, and those of Progress, are not opposite, but the same. The agencies which tend to preserve the social good which already exists are the very same which promote the increase of it, and *vice versa*, the sole difference being, that a greater degree of those agencies is required for the latter purpose than for the former.

What, for example, are the qualities in the citizens individually which conduce most to keep up the amount of good conduct, of good management, of success and prosperity, which already exist in society? Every body will agree that those qualities are industry, integrity, justice, and prudence. But are not these, of all qualities, the most conducive to improvement? and is not any growth of these virtues in the community in itself the greatest of improvements? If so, whatever qualities in the government are promotive of industry, integrity, justice, and prudence, conduce alike to permanence and to progression, only there is needed more of those qualities to make the society decidedly progressive than merely to keep it permanent.

What, again, are the particular attributes in human beings which seem to have a more especial reference to Progress, and do not so directly suggest the ideas of Order and Preservation? They are chiefly the qualities of mental activity, enterprise, and courage. But are not all these qualities fully as much required for preserving the good we have as for adding to it? If there is any thing certain in human affairs, it is that valuable acquisitions are only to be retained by the continuation of the same energies which gained them. Things left to take care of themselves inevitably decay. Those whom success induces to relax their habits of care and thoughtfulness, and their willingness to encounter disagreeables, seldom long retain their good fortune at its height. **The mental attribute which seems exclusively dedicated to Progress, and is the culmination of the tendencies to it, is Originality, or Invention.** Yet this is no less necessary for Permanence, since, in the inevitable changes of human affairs, new inconveniences and dangers continually grow up, which must be encountered by new resources and contrivances, in order to keep things going on even only as well as they did before. Whatever qualities, therefore, in a government, tend to encourage activity, energy, courage, originality, are requisites of Permanence as well as of Progress, only a somewhat less degree of them will, on the average, suffice for the former purpose than for the latter.

To pass now from the mental to the outward and objective requisites of society: it is impossible to point out any contrivance in politics, or arrangement of social affairs, which conduces to Order only, or to Progress only; whatever tends to either promotes both. Take, for instance, the common institution of a police. Order is the object which

seems most immediately interested in the efficiency of this part of the social organization. Yet, if it is effectual to promote Order, that is, if it represses crime, and enables every one to feel his person and property secure, can any state of things be more conducive to Progress? The greater security of property is one of the main conditions and causes of greater production, which is Progress in its most familiar and vulgarest aspect. The better repression of crime represses the dispositions which tend to crime, and this is Progress in a somewhat higher sense. The release of the individual from the cares and anxieties of a state of imperfect protection sets his faculties free to be employed in any new effort for improving his own state and that of others, while the same cause, by attaching him to social existence, and making him no longer see present or prospective enemies in his fellow creatures, fosters all those feelings of kindness and fellowship towards others, and interest in the general well-being of the community, which are such important parts of social improvement.

Take, again, such a familiar case as that of a good system of taxation and finance. This would generally be classed as belonging to the province of Order. Yet what can be more conducive to Progress? A financial system which promotes the one, conduces, by the very same excellences, to the other. Economy, for example, equally preserves the existing stock of national wealth, and favors the creation of more. A just distribution of burdens, by holding up to every citizen an example of morality and good conscience applied to difficult adjustments, and an evidence of the value which the highest authorities attach to them, tends in an eminent degree to educate the moral sentiments of the community, both in respect of strength and of discrimination. Such a mode of levying the taxes as does not impede the industry, or unnecessarily interfere with the liberty of the citizen, promotes, not the preservation only, but the increase of the national wealth, and encourages a more active use of the individual faculties. And *vice versa*, all errors in finance and taxation which obstruct the improvement of the people in wealth and morals, tend also, if of sufficiently serious amount, positively to impoverish and demoralize them. It holds, in short, universally, that when Order and Permanence are taken in their widest sense for the stability of existing advantages, the requisites of Progress are but the requisites of Order in a greater degree; those of Permanence merely those of Progress in a somewhat smaller measure.

In support of the position that Order is intrinsically different from Progress, and that preservation of existing and acquisition of additional good are sufficiently distinct to afford the basis of a fundamental classification, we shall perhaps be reminded that Progress may be at the expense of Order; that while we are acquiring, or striving to acquire, good of one kind, we may be losing ground in respect to others; thus there may be progress in wealth, while there is deterioration in virtue. Granting this, what it proves is, not that Progress is generically a different thing from Permanence, but that wealth is a different thing from virtue. Progress is permanence and something more; and it is no answer to this to say that Progress in one thing does not imply Permanence in every thing. No more does Progress in one thing imply Progress in every thing. Progress of

any kind includes Permanence in that same kind: whenever Permanence is sacrificed to some particular kind of Progress, other Progress is still more sacrificed to it; and if it be not worth the sacrifice, not the interest of Permanence alone has been disregarded, but the general interest of Progress has been mistaken.

If these improperly contrasted ideas are to be used at all in the attempt to give a first commencement of scientific precision to the notion of good government, it would be more philosophically correct to leave out of the definition the word Order, and to say that the best government is that which is most conducive to Progress. For Progress includes Order, but Order does not include Progress. Progress is a greater degree of that of which Order is a less. Order, in any other sense, stands only for a part of the prerequisites of good government, not for its idea and essence. Order would find a more suitable place among the conditions of Progress, since, if we would increase our sum of good, nothing is more indispensable than to take due care of what we already have. If we are endeavouring after more riches, our very first rule should be, not to squander uselessly our existing means. Order, thus considered, is not an additional end to be reconciled with Progress, but a part and means of Progress itself. If a gain in one respect is purchased by a more than equivalent loss in the same or in any other, there is not Progress. Conduciveness to Progress, thus understood, includes the whole excellence of a government.

But, though metaphysically defensible, this definition of the criterion of good government is not appropriate, because, though it contains the whole of the truth, it recalls only a part. What is suggested by the term Progress is the idea of moving onward, whereas the meaning of it here is quite as much the prevention of falling back. The very same social causes—the same beliefs, feelings, institutions, and practices—are as much required to prevent society from retrograding as to produce a further advance. Were there no improvement to be hoped for, life would not be the less an unceasing struggle against causes of deterioration, as it even now is. Politics, as conceived by the ancients, consisted wholly in this. The natural tendency of men and their works was to degenerate, which tendency, however, by good institutions virtuously administered, it might be possible for an indefinite length of time to counteract. Though we no longer hold this opinion; though most men in the present age profess the contrary creed, believing that the tendency of things, on the whole, is toward improvement, we ought not to forget that there is an incessant and ever-flowing current of human affairs toward the worse, consisting of all the follies, all the vices, all the negligences, indolences, and supinenesses of mankind, which is only controlled, and kept from sweeping all before it, by the exertions which some persons constantly, and others by fits, put forth in the direction of good and worthy objects. It gives a very insufficient idea of the importance of the strivings which take place to improve and elevate human nature and life to suppose that their chief value consists in the amount of actual improvement realized by their means, and that the consequence of their cessation would merely be that we should remain as we are. A very small diminution of those exertions would not only put a stop

to improvement, but would turn the general tendency of things toward deterioration, which, once begun, would proceed with increasingly rapidity, and become more and more difficult to check, until it reached a state often seen in history, and in which many large portions of mankind even now grovel; when hardly any thing short of superhuman power seems sufficient to turn the tide, and give a fresh commencement to the upward movement.

These reasons make the word Progress as unapt as the terms Order and Permanence to become the basis for a classification of the requisites of a form of government. The fundamental antithesis which these words express does not lie in the things themselves, so much as in the types of human character which answer to them. There are, we know, some minds in which caution, and others in which boldness, predominates; in some, the desire to avoid imperilling what is already possessed is a stronger sentiment than that which prompts to improve the old and acquire new advantages; while there are others who lean the contrary way, and are more eager for future than careful of present good. The road to the ends of both is the same; but they are liable to wander from it in opposite directions. This consideration is of importance in composing the *personnel* of any political body: persons of both types ought to be included in it, that the tendencies of each may be tempered, in so far as they are excessive, by a due proportion of the other. There needs no express provision to insure this object, provided care is taken to admit nothing inconsistent with it. The natural and spontaneous admixture of the old and the young, of those whose position and reputation are made and those who have them still to make, will in general sufficiently answer the purpose, if only this natural balance is not disturbed by artificial regulation.

Since the distinction most commonly adopted for the classification of social exigencies does not possess the properties needful for that use, we have to seek for some other leading distinction better adapted to the purpose. Such a distinction would seem to be indicated by the considerations to which I now proceed.

If we ask ourselves on what causes and **conditions good government in all its senses**, from the humblest to the most exalted, depends, we find that the principal of them, the one which transcends all others, is the qualities of the human beings composing the society over which the government is exercised.

We may take, as a first instance, **the administration of justice**; with the more propriety, since there is no part of public business in which the mere machinery, the rules and contrivances for conducting the details of the operation, are of such vital consequence. Yet even these yield in importance to the qualities of the human agents employed. Of what efficacy are rules of procedure in securing the ends of justice if the moral condition of the people is such that the witnesses generally lie, and the judges and their subordinates take bribes? Again, how can institutions provide a good municipal administration if there exists such indifference to the subject that those who would administer honestly and capably can not be induced to serve, and the duties are left to

those who undertake them because they have some private interest to be promoted? Of what avail is the most broadly popular representative system if the electors do not care to choose the best member of Parliament, but choose him who will spend most money to be elected? How can a representative assembly work for good if its members can be bought, or if their excitability of temperament, uncorrected by public discipline or private self-control, makes them incapable of calm deliberation, and they resort to manual violence on the floor of the House, or shoot at one another with rifles? How, again, can government, or any joint concern, be carried on in a tolerable manner by people so envious that, if one among them seems likely to succeed in any thing, those who ought to cooperate with him form a tacit combination to make him fail? Whenever the general disposition of the people is such that each individual regards those only of his interests which are selfish, and does not dwell on, or concern himself for, his share of the general interest, in such a state of things good government is impossible. The influence of defects of intelligence in obstructing all the elements of good government requires no illustration. Government consists of acts done by human beings; and if the agents, or those who choose the agents, or those to whom the agents are responsible, or the lookers-on whose opinion ought to influence and check all these, are mere masses of ignorance, stupidity, and baleful prejudice, every operation of government will go wrong; while, in proportion as the men rise above this standard, so will the government improve in quality up to the point of excellence, attainable but nowhere attained, where the officers of government, themselves persons of superior virtue and intellect, are surrounded by the atmosphere of a virtuous and enlightened public opinion.

The first element of good government, therefore, being the virtue and intelligence of the human beings composing the community, the most important point of excellence which any form of government can possess is to promote the virtue and intelligence of the people themselves. The first question in respect to any political institutions is how far they tend to foster in the members of the community the various desirable qualities, moral and intellectual, or rather (following Bentham's more complete classification) moral, intellectual, and active. The government which does this the best has every likelihood of being the best in all other respects, since it is on these qualities, so far as they exist in the people, that all possibility of goodness in the practical operations of the government depends.

We may consider, then, as one criterion of the goodness of a government, the degree in which it tends to increase the sum of good qualities in the governed, collectively and individually, since, besides that their well-being is the sole object of government, their good qualities supply the moving force which works the machinery. This leaves, as the other constituent element of the merit of a government, the quality of the machinery itself; that is, the degree in which it is adapted to take advantage of the amount of good qualities which may at any time exist, and make them instrumental to the right purposes. Let us again take the subject of judicature as an example and illustration. The judicial system being given, the goodness of the administration of justice is in the compound

ratio of the worth of the men composing the tribunals, and the worth of the public opinion which influences or controls them. But all the difference between a good and a bad system of judicature lies in the contrivances adopted for bringing whatever moral and intellectual worth exists in the community to bear upon the administration of justice, and making it duly operative on the result. The arrangements for rendering the choice of the judges such as to obtain the highest average of virtue and intelligence; the salutary forms of procedure; the publicity which allows observation and criticism of whatever is amiss; the liberty of discussion and censure through the press; the mode of taking evidence, according as it is well or ill adapted to elicit truth; the facilities, whatever be their amount, for obtaining access to the tribunals; the arrangements for detecting crimes and apprehending offenders—all these things are not the power, but the machinery for bringing the power into contact with the obstacle; and the machinery has no action of itself, but without it the power, let it be ever so ample, would be wasted and of no effect. A similar distinction exists in regard to the constitution of the executive departments of administration. Their machinery is good, when the proper tests are prescribed for the qualifications of officers, the proper rules for their promotion; when the business is conveniently distributed among those who are to transact it, a convenient and methodical order established for its transaction, a correct and intelligible record kept of it after being transacted; when each individual knows for what he is responsible, and is known to others as responsible for it; when the best-contrived checks are provided against negligence, favoritism, or jobbery in any of the acts of the department. But political checks will no more act of themselves than a bridle will direct a horse without a rider. If the checking functionaries are as corrupt or as negligent as those whom they ought to check, and if the public, the mainspring of the whole checking machinery, are too ignorant, too passive, or too careless and inattentive to do their part, little benefit will be derived from the best administrative apparatus. Yet a good apparatus is always preferable to a bad. It enables such insufficient moving or checking power as exists to act at the greatest advantage; and without it, no amount of moving or checking power would be sufficient. Publicity, for instance, is no impediment to evil, nor stimulus to good, if the public will not look at what is done; but without publicity, how could they either check or encourage what they were not permitted to see? The ideally perfect constitution of a public office is that in which the interest of the functionary is entirely coincident with his duty. No mere system will make it so, but still less can it be made so without a system, aptly devised for the purpose.

What we have said of the arrangements for the detailed administration of the government is still more evidently true of its general constitution. All government which aims at being good is an organization of some part of the good qualities existing in the individual members of the community for the conduct of its collective affairs. A representative constitution is a means of bringing the general standard of intelligence and honesty existing in the community, and the individual intellect and virtue of its wisest members, more directly to bear upon the government, and investing them with

greater influence in it than they would have under any other mode of organization; though, under any, such influence as they do have is the source of all good that there is in the government, and the hindrance of every evil that there is not. The greater the amount of these good qualities which the institutions of a country succeed in organizing, and the better the mode of organization, the better will be the government.

We have now, therefore, obtained a foundation for a twofold division of the merit which any set of political institutions can possess. It consists partly of the degree in which they promote the general mental advancement of the community, including under that phrase advancement in intellect, in virtue, and in practical activity and efficiency, and partly of the degree of perfection with which they organize the moral, intellectual, and active worth already existing, so as to operate with the greatest effect on public affairs. A government is to be judged by its action upon men and by its action upon things; by what it makes of the citizens, and what it does with them; its tendency to improve or deteriorate the people themselves, and the goodness or badness of the work it performs for them, and by means of them. Government is at once a great influence acting on the human mind, and a set of organized arrangements for public business: in the first capacity its beneficial action is chiefly indirect, but not therefore less vital, while its mischievous action may be direct.

The difference between these two functions of a government is not, like that between Order and Progress, a difference merely in degree, but in kind. We must not, however, suppose that they have no intimate connection with one another. The institutions which insure the best management of public affairs practicable in the existing state of cultivation tend by this alone to the further improvement of that state. A people which had the most just laws, the purest and most efficient judicature, the most enlightened administration, the most equitable and least onerous system of finance, compatible with the stage it had attained in moral and intellectual advancement, would be in a fair way to pass rapidly into a higher stage. Nor is there any mode in which political institutions can contribute more effectually to the improvement of the people than by doing their more direct work well. And reversely, if their machinery is so badly constructed that they do their own particular business ill, the effect is felt in a thousand ways in lowering the morality and deadening the intelligence and activity of the people. But the distinction is nevertheless real, because this is only one of the means by which political institutions improve or deteriorate the human mind, and the causes and modes of that beneficial or injurious influence remain a distinct and much wider subject of study.

Of the two modes of operation by which a form of government or set of political institutions affects the welfare of the community — its operation as an agency of national education, and its arrangements for conducting the collective affairs of the community in the state of education in which they already are, the last evidently varies much less, from difference of country and state of civilization, than the first. It has also much less to do with the fundamental constitution of the government. The mode of conducting the

practical business of government, which is best under a free constitution, would generally be best also in an absolute monarchy, only an absolute monarchy is not so likely to practice it. The laws of property, for example; the principles of evidence and judicial procedure; the system of taxation and of financial administration, need not necessarily be different in different forms of government. Each of these matters has principles and rules of its own, which are a subject of separate study. General jurisprudence, civil and penal legislation, financial and commercial policy, are sciences in themselves, or, rather, separate members of the comprehensive science or art of government; and the most enlightened doctrines on all these subjects, though not equally likely to be understood and acted on under all forms of government, yet, if understood and acted on, would in general be equally beneficial under them all. It is true that these doctrines could not be applied without some modifications to all states of society and of the human mind; nevertheless, by far the greater number of them would require modifications solely of detail to adapt them to any state of society sufficiently advanced to possess rulers capable of understanding them. A government to which they would be wholly unsuitable must be one so bad in itself, or so opposed to public feeling, as to be unable to maintain itself in existence by honest means.

It is otherwise with that portion of the interests of the community which relate to the better or worse training of the people themselves. Considered as instrumental to this, institutions need to be radically different, according to the stage of advancement already reached. The recognition of this truth, though for the most part empirically rather than philosophically, may be regarded as the main point of superiority in the political theories of the present above those of the last age, in which it was customary to claim representative democracy for England or France by arguments which would equally have proved it the only fit form of government for Bedouins or Malays. The state of different communities, in point of culture and development, ranges downwards to a condition very little above the highest of the beasts. The upward range, too, is considerable, and the future possible extension vastly greater. A community can only be developed out of one of these states into a higher by a concurrence of influences, among the principal of which is the government to which they are subject. In all states of human improvement ever yet attained, the nature and degree of authority exercised over individuals, the distribution of power, and the conditions of command and obedience, are the most powerful of the influences, except their religious belief, which make them what they are, and enable them to become what they can be. They may be stopped short at any point in their progress by defective adaptation of their government to that particular stage of advancement. And the one indispensable merit of a government, in favor of which it may be forgiven almost any amount of other demerit compatible with progress, is that its operation on the people is favorable, or not unfavorable, to the next step which it is necessary for them to take in order to raise themselves to a higher level.

Thus (to repeat a former example), a people in a state of savage independence, in which every one lives for himself, exempt, unless by fits, from any external control, is practically incapable of making any progress in civilization until it has learned to obey. The indispensable virtue, therefore, in a government which establishes itself over a people of this sort is that it make itself obeyed. To enable it to do this, the constitution of the government must be nearly, or quite despotic. A constitution in any degree popular, dependent on the voluntary surrender by the different members of the community of their individual freedom of action, would fail to enforce the first lesson which the pupils, in this stage of their progress, require. Accordingly, the civilization of such tribes, when not the result of juxtaposition with others already civilized, is almost always the work of an absolute ruler, deriving his power either from religion or military prowess—very often from foreign arms.

Again, uncivilized races, and the bravest and most energetic still more than the rest, are averse to continuous labor of an unexciting kind. Yet all real civilization is at this price; without such labor, neither can the mind be disciplined into the habits required by civilized society, nor the material world prepared to receive it. There needs a rare concurrence of circumstances, and for that reason often a vast length of time, to reconcile such a people to industry, unless they are for a while compelled to it. Hence even personal slavery, by giving a commencement to industrial life, and enforcing it as the exclusive occupation of the most numerous portion of the community, may accelerate the transition to a better freedom than that of fighting and rapine. It is almost needless to say that this excuse for slavery is only available in a very early state of society. A civilized people have far other means of imparting civilization to those under their influence; and slavery is, in all its details, so repugnant to that government of law, which is the foundation of all modern life, and so corrupting to the master-class when they have once come under civilized influences, that its adoption under any circumstances whatever in modern society is a relapse into worse than barbarism.

At some period, however, of their history, almost every people, now civilized, have consisted, in majority, of slaves. A people in that condition require to raise them out of it a very different polity from a nation of savages. If they are energetic by nature, and especially if there be associated with them in the same community an industrious class who are neither slaves nor slave-owners (as was the case in Greece), they need, probably, no more to insure their improvement than to make them free: when freed, they may often be fit, like Roman freedmen, to be admitted at once to the full rights of citizenship. This, however, is not the normal condition of slavery, and is generally a sign that it is becoming obsolete. A slave, properly so called, is a being who has not learned to help himself. He is, no doubt, one step in advance of a savage. He has not the first lesson of political society still to acquire. He has learned to obey. But what he obeys is only a direct command. It is the characteristic of *born* slaves to be incapable of conforming their conduct to a rule or law. They can only do what they are ordered, and only when they are ordered to do it. If a man whom they fear is standing over them and

threatening them with punishment, they obey; but when his back is turned, the work remains undone. The motive determining them must appeal, not to their interests, but to their instincts; immediate hope or immediate terror. A despotism, which may tame the savage, will, in so far as it is a despotism, only confirm the slaves in their incapacities. Yet a government under their own control would be entirely unmanageable by them. Their improvement can not come from themselves, but must be superinduced from without. The step which they have to take, and their only path to improvement, is to be raised from a government of will to one of law. They have to be taught self-government, and this, in its initial stage, means the capacity to act on general instructions. What they require is not a government of force, but one of guidance. Being, however, in too low a state to yield to the guidance of any but those to whom they look up as the possessors of force, the sort of government fittest for them is one which possesses force, but seldom uses it; a parental despotism or aristocracy, resembling the St. Simonian form of Socialism; maintaining a general superintendence over all the operations of society, so as to keep before each the sense of a present force sufficient to compel his obedience to the rule laid down, but which, owing to the impossibility of descending to regulate all the minutiae of industry and life, necessarily leaves and induces individuals to do much of themselves. This, which may be termed the government of leading-strings, seems to be the one required to carry such a people the most rapidly through the next necessary step in social progress. Such appears to have been the idea of the government of the Incas of Peru, and such was that of the Jesuits of Paraguay. I need scarcely remark that leading-strings are only admissible as a means of gradually training the people to walk alone.

It would be out of place to carry the illustration further. To attempt to investigate what kind of government is suited to every known state of society would be to compose a treatise, not on representative government, but on political science at large. For our more limited purpose we borrow from political philosophy only its general principles. To determine the form of government most suited to any particular people, we must be able, among the defects and shortcomings which belong to that people, to distinguish those that are the immediate impediment to progress—to discover what it is which (as it were) stops the way. The best government for them is the one which tends most to give them that for want of which they can not advance, or advance only in a lame and lopsided manner. We must not, however, forget the reservation necessary in all things which have for their object improvement or Progress, namely, that in seeking the good which is needed, no damage, or as little as possible, be done to that already possessed. A people of savages should be taught obedience, but not in such a manner as to convert them into a people of slaves. And (to give the observation a higher generality) the form of government which is most effectual for carrying a people through the next stage of progress will still be very improper for them if it does this in such a manner as to obstruct, or positively unfit them for, the step next beyond. Such cases are frequent, and are among the most melancholy facts in history. The Egyptian hierarchy, the paternal

despotism of China, were very fit instruments for carrying those nations up to the point of civilization which they attained. But having reached that point, they were brought to a permanent halt for want of mental liberty and individuality—requisites of improvement which the institutions that had carried them thus far entirely incapacitated them from acquiring—and as the institutions did not break down and give place to others, further improvement stopped. In contrast with these nations, let us consider the example of an opposite character afforded by another and a comparatively insignificant Oriental people—the Jews. They, too, had an absolute monarchy and a hierarchy, and their organized institutions were as obviously of sacerdotal origin as those of the Hindoos. These did for them what was done for other Oriental races by their institutions—subdued them to industry and order, and gave them a national life. But neither their kings nor their priests ever obtained, as in those other countries, the exclusive moulding of their character. Their religion, which enabled persons of genius and a high religious tone to be regarded and to regard themselves as inspired from heaven, gave existence to an inestimably precious unorganized institution—the Order (if it may be so termed) of Prophets. Under the protection, generally though not always effectual, of their sacred character, the Prophets were a power in the nation, often more than a match for kings and priests, and kept up, in that little corner of the earth, the antagonism of influences which is the only real security for continued progress. Religion, consequently, was not there what it has been in so many other places—a consecration of all that was once established, and a barrier against further improvement. The remark of a distinguished Hebrew, M. Salvador, that the Prophets were, in Church and State, the equivalent of the modern liberty of the press, gives a just but not an adequate conception of the part fulfilled in national and universal history by this great element of Jewish life; by means of which, the canon of inspiration never being complete, the persons most eminent in genius and moral feeling could not only denounce and reprobate, with the direct authority of the Almighty, whatever appeared to them deserving of such treatment, but could give forth better and higher interpretations of the national religion, which thenceforth became part of the religion. Accordingly, whoever can divest himself of the habit of reading the Bible as if it was one book, which until lately was equally inveterate in Christians and in unbelievers, sees with admiration the vast interval between the morality and religion of the Pentateuch, or even of the historical books (the unmistakable work of Hebrew Conservatives of the sacerdotal order), and the morality and religion of the prophecies—a distance as wide as between these last and the Gospels. Conditions more favorable to Progress could not easily exist; accordingly, the Jews, instead of being stationary like other Asiatics, were, next to the Greeks, the most progressive people of antiquity, and, jointly with them, have been the starting-point and main propelling agency of modern cultivation.

It is, then, impossible to understand the question of the adaptation of forms of government to states of society, without taking into account not only the next step, but

all the steps which society has yet to make; both those which can be foreseen, and the far wider indefinite range which is at present out of sight. It follows, that to judge of the merits of forms of government, an ideal must be constructed of the form of government most eligible in itself, that is, which, if the necessary conditions existed for giving effect to its beneficial tendencies, would, more than all others, favor and promote, not some one improvement, but all forms and degrees of it. This having been done, we must consider what are the mental conditions of all sorts necessary to enable this government to realize its tendencies, and what, therefore, are the various defects by which a people is made incapable of reaping its benefits. It would then be possible to construct a theorem of the circumstances in which that form of government may wisely be introduced; and also to judge, in cases in which it had better not be introduced, what inferior forms of polity will best carry those communities through the intermediate stages which they must traverse before they can become fit for the best form of government.

Of these inquiries, the last does not concern us here, but the first is an essential part of our subject; for we may, without rashness, at once enunciate a proposition, the proofs and illustrations of which will present themselves in the ensuing pages, that this ideally best form of government will be found in some one or other variety of the Representative System.

Chapter VII—Of True and False Democracy; Representation of All, and Representation of the Majority only.

It has been seen that the dangers incident to a representative democracy are of two kinds: danger of a low grade of intelligence in the representative body, and in the popular opinion which controls it; and danger of class legislation on the part of the numerical majority, these being all composed of the same class. We have next to consider how far it is possible so to organize the democracy as, without interfering materially with the characteristic benefits of democratic government, to do away with these two great evils, or at least to abate them in the utmost degree attainable by human contrivance.

The common mode of attempting this is by limiting the democratic character of the representation through a more or less restricted suffrage. But there is a previous consideration which, duly kept in view, considerably modifies the circumstances which are supposed to render such a restriction necessary. A completely equal democracy, in a nation in which a single class composes the numerical majority, can not be divested of certain evils; but those evils are greatly aggravated by the fact that the democracies which at present exist are not equal, but systematically unequal in favor of the predominant class. Two very different ideas are usually confounded under the name democracy. The pure idea of democracy, according to its definition, is the government of the whole people by the whole people, equally represented. Democracy, as commonly conceived and hitherto practiced, is the government of the whole people by a mere majority of the people exclusively represented. The former is synonymous with the equality of all citizens; the latter, strangely confounded with it, is a government of privilege in favor of the numerical majority, who alone possess practically any voice in the state. This is the inevitable consequence of the manner in which the votes are now taken, to the complete disfranchisement of minorities.

The confusion of ideas here is great, but it is so easily cleared up that one would suppose the slightest indication would be sufficient to place the matter in its true light before any mind of average intelligence. It would be so but for the power of habit; owing to which, the simplest idea, if unfamiliar, has as great difficulty in making its way to the mind as a far more complicated one. That the minority must yield to the majority, the smaller number to the greater, is a familiar idea; and accordingly, men think there is no necessity for using their minds any further, and it does not occur to them that there is any medium between allowing the smaller number to be equally powerful with the greater, and blotting out the smaller number altogether. In a

representative body actually deliberating, the minority must of course be overruled; and in an equal democracy (since the opinions of the constituents, when they insist on them, determine those of the representative body), the majority of the people, through their representatives, will outvote and prevail over the minority and their representatives. But does it follow that the minority should have no representatives at all? Because the majority ought to prevail over the minority, must the majority have all the votes, the minority none? Is it necessary that the minority should not even be heard? Nothing but habit and old association can reconcile any reasonable being to the needless injustice. In a really equal democracy, every or any section would be represented, not disproportionately, but proportionately. A majority of the electors would always have a majority of the representatives, but a minority of the electors would always have a minority of the representatives. Man for man, they would be as fully represented as the majority. Unless they are, there is not equal government, but a government of inequality and privilege: one part of the people rule over the rest: there is a part whose fair and equal share of influence in the representation is withheld from them, contrary to all just government, but, above all, contrary to the principle of democracy, which professes equality as its very root and foundation.

The injustice and violation of principle are not less flagrant because those who suffer by them are a minority, for there is not equal suffrage where every single individual does not count for as much as any other single individual in the community. But it is not only a minority who suffer. Democracy, thus constituted, does not even attain its ostensible object, that of giving the powers of government in all cases to the numerical majority. It does something very different; it gives them to a majority of the majority, who may be, and often are, but a minority of the whole. All principles are most effectually tested by extreme cases. Suppose, then, that, in a country governed by equal and universal suffrage, there is a contested election in every constituency, and every election is carried by a small majority. The Parliament thus brought together represents little more than a bare majority of the people. This Parliament proceeds to legislate, and adopts important measures by a bare majority of itself. What guaranty is there that these measures accord with the wishes of a majority of the people? Nearly half the electors, having been outvoted at the hustings, have had no influence at all in the decision; and the whole of these may be, a majority of them probably are, hostile to the measures, having voted against those by whom they have been carried. Of the remaining electors, nearly half have chosen representatives who, by supposition, have voted against the measures. It is possible, therefore, and even probable, that the opinion which has prevailed was agreeable only to a minority of the nation, though a majority of that portion of it whom the institutions of the country have erected into a ruling class. If democracy means the certain ascendancy of the majority, there are no means of insuring that, but by allowing every individual figure to tell equally in the summing up. Any minority left out, either purposely or by the play of the machinery, gives the power not to the majority, but to a minority in some other part of the scale.

The only answer which can possibly be made to this reasoning is, that as different opinions predominate in different localities, the opinion which is in a minority in some places has a majority in others, and on the whole every opinion which exists in the constituencies obtains its fair share of voices in the representation. And this is roughly true in the present state of the constituency; if it were not, the discordance of the House with the general sentiment of the country would soon become evident. But it would be no longer true if the present constituency were much enlarged, still less if made co-extensive with the whole population; for in that case the majority in every locality would consist of manual laborers; and when there was any question pending on which these classes were at issue with the rest of the community, no other class could succeed in getting represented any where. Even now, is it not a great grievance that in every Parliament a very numerous portion of the electors, willing and anxious to be represented, have no member in the House for whom they have voted? Is it just that every elector of Marylebone is obliged to be represented by two nominees of the vestries, every elector of Finsbury or Lambeth by those (as is generally believed) of the publicans? The constituencies to which most of the highly educated and public spirited persons in the country belong, those of the large towns, are now, in great part, either unrepresented or misrepresented. The electors who are on a different side in party politics from the local majority are unrepresented. Of those who are on the same side, a large proportion are misrepresented; having been obliged to accept the man who had the greatest number of supporters in their political party, though his opinions may differ from theirs on every other point. The state of things is, in some respects, even worse than if the minority were not allowed to vote at all; for then, at least, the majority might have a member who would represent their own best mind; while now, the necessity of not dividing the party, for fear of letting in its opponents, induces all to vote either for the first person who presents himself wearing their colors, or for the one brought forward by their local leaders; and these, if we pay them the compliment, which they very seldom deserve, of supposing their choice to be unbiassed by their personal interests, are compelled, that they may be sure of mustering their whole strength, to bring forward a candidate whom none of the party will strongly object to—that is, a man without any distinctive peculiarity, any known opinions except the shibboleth of the party. This is strikingly exemplified in the United States; where, at the election of President, the strongest party never dares put forward any of its strongest men, because every one of these, from the mere fact that he has been long in the public eye, has made himself objectionable to some portion or other of the party, and is therefore not so sure a card for rallying all their votes as a person who has never been heard of by the public at all until he is produced as the candidate. Thus, the man who is chosen, even by the strongest party, represents perhaps the real wishes only of the narrow margin by which that party outnumbers the other. Any section whose support is necessary to success possesses a veto on the candidate. Any section which holds out more obstinately than the rest can compel all the others to adopt its nominee; and this superior pertinacity is

unhappily more likely to be found among those who are holding out for their own interest than for that of the public. Speaking generally, the choice of the majority is determined by that portion of the body who are the most timid, the most narrow-minded and prejudiced, or who cling most tenaciously to the exclusive class-interest; and the electoral rights of the minority, while useless for the purposes for which votes are given, serve only for compelling the majority to accept the candidate of the weakest or worst portion of themselves.

That, while recognizing these evils, many should consider them as the necessary price paid for a free government, is in no way surprising; it was the opinion of all the friends of freedom up to a recent period. But the habit of passing them over as irremediable has become so inveterate, that many persons seem to have lost the capacity of looking at them as things which they would be glad to remedy if they could. From despairing of a cure, there is too often but one step to denying the disease; and from this follows dislike to having a remedy proposed, as if the proposer were creating a mischief instead of offering relief from one. People are so inured to the evils that they feel as if it were unreasonable, if not wrong, to complain of them. Yet, avoidable or not, he must be a purblind lover of liberty on whose mind they do not weigh; who would not rejoice at the discovery that they could be dispensed with. Now, nothing is more certain than that the virtual blotting out of the minority is no necessary or natural consequence of freedom; that, far from having any connection with democracy, it is diametrically opposed to the first principle of democracy, representation in proportion to numbers. It is an essential part of democracy that minorities should be adequately represented. No real democracy, nothing but a false show of democracy, is possible without it.

Those who have seen and felt, in some degree, the force of these considerations, have proposed various expedients by which the evil may be, in a greater or less degree, mitigated. Lord John Russell, in one of his Reform Bills, introduced a provision that certain constituencies should return three members, and that in these each elector should be allowed to vote only for two; and Mr. Disraeli, in the recent debates, revived the memory of the fact by reproaching him for it, being of opinion, apparently, that it befits a Conservative statesman to regard only means, and to disown scornfully all fellow-feeling with any one who is betrayed, even once, into thinking of ends. [\[3\]](#) Others have proposed that each elector should be allowed to vote only for one. By either of these plans, a minority equalling or exceeding a third of the local constituency, would be able, if it attempted no more, to return one out of three members. The same result might be attained in a still better way if, as proposed in an able pamphlet by Mr. James Garth Marshall, the elector retained his three votes, but was at liberty to bestow them all upon the same candidate. These schemes, though infinitely better than none at all, are yet but makeshifts, and attain the end in a very imperfect manner, since all local minorities of less than a third, and all minorities, however numerous, which are made up from several constituencies, would remain unrepresented. It is much to be lamented, however, that none of these plans have been carried into effect, as any of them would have recognized

the right principle, and prepared the way for its more complete application. But real equality of representation is not obtained unless any set of electors amounting to the average number of a constituency, wherever in the country they happen to reside, have the power of combining with one another to return a representative. This degree of perfection in representation appeared impracticable until a man of great capacity, fitted alike for large general views and for the contrivance of practical details—Mr. Thomas Hare—had proved its possibility by drawing up a scheme for its accomplishment, embodied in a Draft of an Act of Parliament; a scheme which has the almost unparalleled merit of carrying out a great principle of government in a manner approaching to ideal perfection as regards the special object in view, while it attains incidentally several other ends of scarcely inferior importance.

According to this plan, the unit of representation, the quota of electors who would be entitled to have a member to themselves, would be ascertained by the ordinary process of taking averages, the number of voters being divided by the number of seats in the House; and every candidate who obtained that quota would be returned, from however great a number of local constituencies it might be gathered. The votes would, as at present, be given locally; but any elector would be at liberty to vote for any candidate, in whatever part of the country he might offer himself. Those electors, therefore, who did not wish to be represented by any of the local candidates, might aid by their vote in the return of the person they liked best among all those throughout the country who had expressed a willingness to be chosen. This would so far give reality to the electoral rights of the otherwise virtually disfranchised minority. But it is important that not those alone who refuse to vote for any of the local candidates, but those also who vote for one of them and are defeated, should be enabled to find elsewhere the representation which they have not succeeded in obtaining in their own district. It is therefore provided that an elector may deliver a voting paper containing other names in addition to the one which stands foremost in his preference. His vote would only be counted for one candidate; but if the object of his first choice failed to be returned, from not having obtained the quota, his second perhaps might be more fortunate. He may extend his list to a greater number in the order of his preference, so that if the names which stand near the top of the list either can not make up the quota, or are able to make it up without his vote, the vote may still be used for some one whom it may assist in returning. To obtain the full number of members required to complete the House, as well as to prevent very popular candidates from engrossing nearly all the suffrages, it is necessary, however many votes a candidate may obtain, that no more of them than the quota should be counted for his return; the remainder of those who voted for him would have their votes counted for the next person on their respective lists who needed them, and could by their aid complete the quota. To determine which of a candidate's votes should be used for his return, and which set free for others, several methods are proposed, into which we shall not here enter. He would, of course, retain the votes of all those who would not otherwise be represented; and for the remainder, drawing lots, in default of better,

would be an unobjectionable expedient. The voting papers would be conveyed to a central office, where the votes would be counted, the number of first, second, third, and other votes given for each candidate ascertained, and the quota would be allotted to every one who could make it up, until the number of the House was complete; first votes being preferred to second, second to third, and so forth. The voting papers, and all the elements of the calculation, would be placed in public repositories, accessible to all whom they concerned; and if any one who had obtained the quota was not duly returned, it would be in his power easily to prove it.

These are the main provisions of the scheme. For a more minute knowledge of its very simple machinery, I must refer to Mr. Hare's "Treatise on the Election of Representatives" (a small volume Published in 1859), and to a pamphlet by Mr. Henry Fawcett, published in 1860, and entitled "Mr. Hare's Reform Bill simplified and explained." This last is a very clear and concise exposition of the plan, reduced to its simplest elements by the omission of some of Mr. Hare's original provisions, which, though in themselves beneficial, we're thought to take more from the simplicity of the scheme than they added to its practical advantages. The more these works are studied, the stronger, I venture to predict, will be the impression of the perfect feasibility of the scheme and its transcendent advantages. Such and so numerous are these, that, in my conviction, they place Mr. Hare's plan among the very greatest improvements yet made in the theory and practice of government.

In the first place, it secures a representation, in proportion to numbers, of every division of the electoral body: not two great parties alone, with perhaps a few large sectional minorities in particular places, but every minority in the whole nation, consisting of a sufficiently large number to be, on principles of equal justice, entitled to a representative. Secondly, no elector would, as at present, be nominally represented by some one whom he had not chosen. Every member of the House would be the representative of a unanimous constituency. He would represent a thousand electors, or two thousand, or five thousand, or ten thousand, as the quota might be, every one of whom would have not only voted for him, but selected him from the whole country; not merely from the assortment of two or three perhaps rotten oranges, which may be the only choice offered to him in his local market. Under this relation the tie between the elector and the representative would be of a strength and a value of which at present we have no experience. Every one of the electors would be personally identified with his representative, and the representative with his constituents. Every elector who voted for him would have done so either because he is the person, in the whole list of candidates for Parliament, who best expresses the voter's own opinions, or because he is one of those whose abilities and character the voter most respects, and whom he most willingly trusts to think for him. The member would represent persons, not the mere bricks and mortar of the town—the voters themselves, not a few vestrymen or parish notabilities merely. All, however, that is worth preserving in the representation of places would be preserved. Though the Parliament of the nation ought to have as little as possible to do

with purely local affairs, yet, while it has to do with them, there ought to be members specially commissioned to look after the interests of every important locality; and these there would still be. In every locality which contained many more voters than the quota (and there probably ought to be no local constituency which does not), the majority would generally prefer to be represented by one of themselves; by a person of local knowledge, and residing in the locality, if there is any such person to be found among the candidates, who is otherwise eligible as their representative. It would be the minorities chiefly, who, being unable to return the local member, would look out elsewhere for a candidate likely to obtain other votes in addition to their own.

Of all modes in which a national representation can possibly be constituted, this one affords the best security for the intellectual qualifications desirable in the representatives. At present, by universal admission, it is becoming more and more difficult for any one who has only talents and character to gain admission into the House of Commons. The only persons who can get elected are those who possess local influence, or make their way by lavish expenditure, or who, on the invitation of three or four tradesmen or attorneys, are sent down by one of the two great parties from their London clubs, as men whose votes the party can depend on under all circumstances. On Mr. Hare's system, those who did not like the local candidates would fill up their voting papers by a selection from all the persons of national reputation on the list of candidates with whose general political principles they were in sympathy. Almost every person, therefore, who had made himself in any way honorably distinguished, though devoid of local influence, and having sworn allegiance to no political party, would have a fair chance of making up the quota, and with this encouragement such persons might be expected to offer themselves in numbers hitherto undreamed of. Hundreds of able men of independent thought, who would have no chance whatever of being chosen by the majority of any existing constituency, have by their writings, or their exertions in some field of public usefulness, made themselves known and approved by a few persons in almost every district of the kingdom; and if every vote that would be given for them in every place could be counted for their election, they might be able to complete the number of the quota. In no other way which it seems possible to suggest would Parliament be so certain of containing the very *élite* of the country.

And it is not solely through the votes of minorities that this system of election would raise the intellectual standard of the House of Commons. Majorities would be compelled to look out for members of a much higher calibre. When the individuals composing the majority would no longer be reduced to Hobson's choice, of either voting for the person brought forward by their local leaders, or not voting at all; when the nominee of the leaders would have to encounter the competition not solely of the candidate of the minority, but of all the men of established reputation in the country who were willing to serve, it would be impossible any longer to foist upon the electors the first person who presents himself with the catchwords of the party in his mouth, and three or four thousand pounds in his pocket. The majority would insist on having a

candidate worthy of their choice, or they would carry their votes somewhere else, and the minority would prevail. The slavery of the majority to the least estimable portion of their numbers would be at an end; the very best and most capable of the local notabilities would be put forward by preference; if possible, such as were known in some advantageous way beyond the locality, that their local strength might have a chance of being fortified by stray votes from elsewhere. Constituencies would become competitors for the best candidates, and would vie with one another in selecting from among the men of local knowledge and connections those who were most distinguished in every other respect.

The natural tendency of representative government, as of modern civilization, is towards collective mediocrity: and this tendency is increased by all reductions and extensions of the franchise, their effect being to place the principal power in the hands of classes more and more below the highest level of instruction in the community. But, though the superior intellects and characters will necessarily be outnumbered, it makes a great difference whether or not they are heard. In the false democracy which, instead of giving representation to all, gives it only to the local majorities, the voice of the instructed minority may have no organs at all in the representative body. It is an admitted fact that in the American democracy, which is constructed on this faulty model, the highly-cultivated members of the community, except such of them as are willing to sacrifice their own opinions and modes of judgment, and become the servile mouthpieces of their inferiors in knowledge, do not even offer themselves for Congress or the State Legislatures, so certain is it that they would have no chance of being returned. Had a plan like Mr. Hare's by good fortune suggested itself to the enlightened and disinterested founders of the American Republic, the federal and state assemblies would have contained many of these distinguished men, and democracy would have been spared its greatest reproach and one of its most formidable evils. Against this evil the system of personal representation proposed by Mr. Hare is almost a specific. The minority of instructed minds scattered through the local constituencies would unite to return a number, proportioned to their own numbers, of the very ablest men the country contains. They would be under the strongest inducement to choose such men, since in no other mode could they make their small numerical strength tell for any thing considerable. The representatives of the majority, besides that they would themselves be improved in quality by the operation of the system, would no longer have the whole field to themselves. They would indeed outnumber the others, as much as the one class of electors outnumbers the other in the country: they could always outvote them, but they would speak and vote in their presence, and subject to their criticism. When any difference arose, they would have to meet the arguments of the instructed few by reasons, at least apparently, as cogent; and since they could not, as those do who are speaking to persons already unanimous, simply assume that they are in the right, it would occasionally happen to them to become convinced that they were in the wrong. As they would in general be well-meaning (for thus much may reasonably be expected

from a fairly-chosen national representation), their own minds would be insensibly raised by the influence of the minds with which they were in contact, or even in conflict. The champions of unpopular doctrines would not put forth their arguments merely in books and periodicals, read only by their own side; the opposing ranks would meet face to face and hand to hand, and there would be a fair comparison of their intellectual strength in the presence of the country. It would then be found out whether the opinion which prevailed by counting votes would also prevail if the votes were weighed as well as counted. The multitude have often a true instinct for distinguishing an able man when he has the means of displaying his ability in a fair field before them. If such a man fails to obtain any portion of his just weight, it is through institutions or usages which keep him out of sight. In the old democracies there were no means of keeping out of sight any able man: the bema was open to him; he needed nobody's consent to become a public adviser. It is not so in a representative government; and the best friends of representative democracy can hardly be without misgivings that the Themistocles or Demosthenes whose councils would have saved the nation, might be unable during his whole life ever to obtain a seat. But if the presence in the representative assembly can be insured of even a few of the first minds in the country, though the remainder consist only of average minds, the influence of these leading spirits is sure to make itself insensibly felt in the general deliberations, even though they be known to be, in many respects, opposed to the tone of popular opinion and feeling. I am unable to conceive any mode by which the presence of such minds can be so positively insured as by that proposed by Mr. Hare.

This portion of the assembly would also be the appropriate organ of a great social function, for which there is no provision in any existing democracy, but which in no government can remain permanently unfulfilled without condemning that government to infallible degeneracy and decay. This may be called the function of Antagonism. In every government there is some power stronger than all the rest; and the power which is strongest tends perpetually to become the sole power. Partly by intention and partly unconsciously, it is ever striving to make all other things bend to itself, and is not content while there is any thing which makes permanent head against it, any influence not in agreement with its spirit. Yet, if it succeeds in suppressing all rival influences, and moulding every thing after its own model, improvement, in that country, is at an end, and decline commences. Human improvement is a product of many factors, and no power ever yet constituted among mankind includes them all: even the most beneficent power only contains in itself some of the requisites of good, and the remainder, if progress is to continue, must be derived from some other source. No community has ever long continued progressive but while a conflict was going on between the strongest power in the community and some rival power; between the spiritual and temporal authorities; the military or territorial and the industrious classes; the king and the people; the orthodox and religious reformers. When the victory on either side was so complete as to put an end to the strife, and no other conflict took its

place, first stagnation followed, and then decay. The ascendancy of the numerical majority is less unjust, and, on the whole, less mischievous than many others, but it is attended with the very same kind of dangers, and even more certainly; for when the government is in the hands of One or a Few, the Many are always existent as a rival power, which may not be strong enough ever to control the other, but whose opinion and sentiment are a moral, and even a social support to all who, either from conviction or contrariety of interest, are opposed to any of the tendencies of the ruling authority. But when the democracy is supreme, there is no One or Few strong enough for dissentient opinions and injured or menaced interests to lean upon. The great difficulty of democratic government has hitherto seemed to be, how to provide in a democratic society—what circumstances have provided hitherto in all the societies which have maintained themselves ahead of others—a social support, a *point d'appui*, for individual resistance to the tendencies of the ruling power; a protection, a rallying-point, for opinions and interests which the ascendant public opinion views with disfavor. For want of such a *point d'appui*, the older societies, and all but a few modern ones, either fell into dissolution or became stationary (which means slow deterioration) through the exclusive predominance of a part only of the conditions of social and mental well-being.

Now, this great want the system of Personal Representation is fitted to supply in the most perfect manner which the circumstances of modern society admit of. The only quarter in which to look for a supplement, or completing corrective to the instincts of a democratic majority, is the instructed minority; but, in the ordinary mode of constituting democracy, this minority has no organ: Mr. Hare's system provides one. The representatives who would be returned to Parliament by the aggregate of minorities would afford that organ in its greatest perfection. A separate organization of the instructed classes, even if practicable, would be invidious, and could only escape from being offensive by being totally without influence. But if the *élite* of these classes formed part of the Parliament, by the same title as any other of its members—by representing the same number of citizens, the same numerical fraction of the national will—their presence could give umbrage to nobody, while they would be in the position of highest vantage, both for making their opinions and councils heard on all important subjects, and for taking an active part in public business. Their abilities would probably draw to them more than their numerical share of the actual administration of government; as the Athenians did not confide responsible public functions to Cleon or Hyperbolus (the employment of Cleon at Pylos and Amphipolis was purely exceptional), but Nicias, and Theramenes, and Alcibiades were in constant employment both at home and abroad, though known to sympathize more with oligarchy than with democracy. The instructed minority would, in the actual voting, count only for their numbers, but as a moral power they would count for much more, in virtue of their knowledge, and of the influence it would give them over the rest. An arrangement better adapted to keep popular opinion within reason and justice, and to guard it from the various deteriorating influences which assail the weak side of democracy, could

scarcely by human ingenuity be devised. A democratic people would in this way be provided with what in any other way it would almost certainly miss—leaders of a higher grade of intellect and character than itself. Modern democracy would have its occasional Pericles, and its habitual group of superior and guiding minds.

With all this array of reasons, of the most fundamental character, on the affirmative side of the question, what is there on the negative? Nothing that will sustain examination, when people can once be induced to bestow any real examination upon a new thing. Those indeed, if any such there be, who, under pretense of equal justice, aim only at substituting the class ascendancy of the poor for that of the rich, will of course be unfavorable to a scheme which places both on a level. But I do not believe that any such wish exists at present among the working classes of this country, though I would not answer for the effect which opportunity and demagogic artifices may hereafter have in exciting it. In the United States, where the numerical majority have long been in full possession of collective despotism, they would probably be as unwilling to part with it as a single despot or an aristocracy. But I believe that the English democracy would as yet be content with protection against the class legislation of others, without claiming the power to exercise it in their turn.

Among the ostensible objectors to Mr. Hare's scheme, some profess to think the plan unworkable; but these, it will be found, are generally people who have barely heard of it, or have given it a very slight and cursory examination. Others are unable to reconcile themselves to the loss of what they term the local character of the representation. A nation does not seem to them to consist of persons, but of artificial units, the creation of geography and statistics. Parliament must represent towns and counties, not human beings. But no one seeks to annihilate towns and counties. Towns and counties, it may be presumed, are represented when the human beings who inhabit them are represented. Local feelings can not exist without somebody who feels them, nor local interests without somebody interested in them. If the human beings whose feelings and interests these are have their proper share of representation, these feelings and interests are represented in common with all other feelings and interests of those persons. But I can not see why the feelings and interests which arrange mankind according to localities should be the only one thought worthy of being represented; or why people who have other feelings and interests, which they value more than they do their geographical ones, should be restricted to these as the sole principle of their political classification. The notion that Yorkshire and Middlesex have rights apart from those of their inhabitants, or that Liverpool and Exeter are the proper objects of the legislator's care, in contradistinction the population of those places, is a curious specimen of delusion produced by words.

In general, however, objectors cut the matter short by affirming that the people of England will never consent to such a system. What the people of England are likely to think of those who pass such a summary sentence on their capacity of understanding

and judgment, deeming it superfluous to consider whether a thing is right or wrong before affirming that they are certain to reject it, I will not undertake to say. For my own part, I do not think that the people of England have deserved to be, without trial, stigmatized as insurmountably prejudiced against any thing which can be proved to be good either for themselves or for others. It also appears to me that when prejudices persist obstinately, it is the fault of nobody so much as of those who make a point of proclaiming them insuperable, as an excuse to themselves for never joining in an attempt to remove them. Any prejudice whatever will be insurmountable if those who do not share it themselves truckle to it, and flatter it, and accept it as a law of nature. I believe, however, that of prejudice, properly speaking, there is in this case none except on the lips of those who talk about it, and that there is in general, among those who have yet heard of the proposition, no other hostility to it than the natural and healthy distrust attaching to all novelties which have not been sufficiently canvassed to make generally manifest all the pros and cons of the question. The only serious obstacle is the unfamiliarity: this, indeed, is a formidable one, for the imagination much more easily reconciles itself to a great alteration in substance than to a very small one in names and forms. But unfamiliarity is a disadvantage which, when there is any real value in an idea, it only requires time to remove; and in these days of discussion and generally awakened interest in improvement, what formerly was the work of centuries often requires only years.

Chapter VIII—Of the Extension of the Suffrage.

Such a representative democracy as has now been sketched—representative of all, and not solely of the majority—in which the interests, the opinions, the grades of intellect which are outnumbered would nevertheless be heard, and would have a chance of obtaining by weight of character and strength of argument an influence which would not belong to their numerical force—this democracy, which is alone equal, alone impartial, alone the government of all by all, the only true type of democracy, would be free from the greatest evils of the falsely-called democracies which now prevail, and from which the current idea of democracy is exclusively derived. But even in this democracy, absolute power, if they chose to exercise it, would rest with the numerical majority, and these would be composed exclusively of a single class, alike in biases, prepossessions, and general modes of thinking, and a class, to say no more, not the most highly cultivated. The constitution would therefore still be liable to the characteristic

evils of class government; in a far less degree, assuredly, than that exclusive government by a class which now usurps the name of democracy, but still under no effective restraint except what might be found in the good sense, moderation, and forbearance of the class itself. If checks of this description are sufficient, the philosophy of constitutional government is but solemn trifling. All trust in constitutions is grounded on the assurance they may afford, not that the depositaries of power will not, but that they can not misemploy it. Democracy is not the ideally best form of government unless this weak side of it can be strengthened; unless it can be so organized that no class, not even the most numerous, shall be able to reduce all but itself to political insignificance, and direct the course of legislation and administration by its exclusive class interest. The problem is to find the means of preventing this abuse without sacrificing the characteristic advantages of popular government.

These twofold requisites are not fulfilled by the expedient of a limitation of the suffrage, involving the compulsory exclusion of any portion of the citizens from a voice in the representation. Among the foremost benefits of free government is that education of the intelligence and of the sentiments which is carried down to the very lowest ranks of the people when they are called to take a part in acts which directly affect the great interests of their country. On this topic I have already dwelt so emphatically that I only return to it because there are few who seem to attach to this effect of popular institutions all the importance to which it is entitled. People think it fanciful to expect so much from what seems so slight a cause—to recognize a potent instrument of mental improvement in the exercise of political franchises by manual laborers. Yet, unless substantial mental cultivation in the mass of mankind is to be a mere vision, this is the road by which it must come. If any one supposes that this road will not bring it, I call to witness the entire contents of M. de Tocqueville's great work, and especially his estimate of the Americans. Almost all travelers are struck by the fact that every American is in some sense both a patriot and a person of cultivated intelligence; and M. de Tocqueville has shown how close the connection is between these qualities and their democratic institutions. No such wide diffusion of the ideas, tastes, and sentiments of educated minds has ever been seen elsewhere, or even conceived as attainable. Yet this is nothing to what we might look for in a government equally democratic in its unexclusiveness, but better organized in other important points. For political life is indeed in America a most valuable school, but it is a school from which the ablest teachers are excluded; the first minds in the country being as effectually shut out from the national representation, and from public functions generally, as if they were under a formal disqualification. The Demos, too, being in America the one source of power, all the selfish ambition of the country gravitates towards it, as it does in despotic countries towards the monarch; the People, like the despot, is pursued with adulation and sycophancy, and the corrupting effects of power fully keep pace with its improving and ennobling influences. If, even with this alloy, democratic institutions produce so marked a superiority of mental development in the lowest class of Americans, compared with the

corresponding classes in England and elsewhere, what would it be if the good portion of the influence could be retained without the bad? And this, to a certain extent, may be done, but not by excluding that portion of the people who have fewest intellectual stimuli of other kinds from so inestimable an introduction to large, distant, and complicated interests as is afforded by the attention they may be induced to bestow on political affairs. It is by political discussion that the manual laborer, whose employment is a routine, and whose way of life brings him in contact with no variety of impressions, circumstances, or ideas, is taught that remote causes, and events which take place far off, have a most sensible effect even on his personal interests; and it is from political discussion and collective political action that one whose daily occupations concentrate his interests in a small circle round himself, learns to feel for and with his fellow-citizens, and becomes consciously a member of a great community. But political discussions fly over the heads of those who have no votes, and are not endeavouring to acquire them. Their position, in comparison with the electors, is that of the audience in a court of justice compared with the twelve men in the jury-box. It is not *their* suffrages that are asked, it is not their opinion that is sought to be influenced; the appeals are made, the arguments addressed, to others than them; nothing depends on the decision *they* may arrive at, and there is no necessity and very little inducement to them to come to any. Whoever, in an otherwise popular government, has no vote, and no prospect of obtaining it, will either be a permanent malcontent, or will feel as one whom the general affairs of society do not concern; for whom they are to be managed by others; who "has no business with the laws except to obey them," nor with public interests and concerns except as a looker-on. What he will know or care about them from this position may partly be measured by what an average woman of the middle class knows and cares about politics compared with her husband or brothers.

Independently of all these considerations, it is a personal injustice to withhold from any one, unless for the prevention of greater evils, the ordinary privilege of having his voice reckoned in the disposal of affairs in which he has the same interest as other people. If he is compelled to pay, if he may be compelled to fight, if he is required implicitly to obey, he should be legally entitled to be told what for; to have his consent asked, and his opinion counted at its worth, though not at more than its worth. There ought to be no pariahs in a full-grown and civilized nation; no persons disqualified except through their own default. Every one is degraded, whether aware of it or not, when other people, without consulting him, take upon themselves unlimited power to regulate his destiny. And even in a much more improved state than the human mind has ever yet reached, it is not in nature that they who are thus disposed of should meet with as fair play as those who have a voice. Rulers and ruling classes are under a necessity of considering the interests and wishes of those who have the suffrage; but of those who are excluded, it is in their option whether they will do so or not; and, however honestly disposed, they are, in general, too fully occupied with things which they *must* attend to to have much room in their thoughts for any thing which they can with impunity

disregard. No arrangement of the suffrage, therefore, can be permanently satisfactory in which any person or class is peremptorily excluded—in which the electoral privilege is not open to all persons of full age who desire to obtain it.

There are, however, certain exclusions, required by positive reasons, which do not conflict with this principle, and which, though an evil in themselves, are only to be got rid of by the cessation of the state of things which requires them. I regard it as wholly inadmissible that any person should participate in the suffrage without being able to read, write, and, I will add, perform the common operations of arithmetic. Justice demands, even when the suffrage does not depend on it, that the means of attaining these elementary acquirements should be within the reach of every person, either gratuitously, or at an expense not exceeding what the poorest, who can earn their own living, can afford. If this were really the case, people would no more think of giving the suffrage to a man who could not read, than of giving it to a child who could not speak; and it would not be society that would exclude him, but his own laziness. When society has not performed its duty by rendering this amount of instruction accessible to all, there is some hardship in the case, but it is a hardship that ought to be borne. If society has neglected to discharge two solemn obligations, the more important and more fundamental of the two must be fulfilled first; universal teaching must precede universal enfranchisement. No one but those in whom an *à priori* theory has silenced common sense will maintain that power over others, over the whole community, should be imparted to people who have not acquired the commonest and most essential requisites for taking care of themselves—for pursuing intelligently their own interests, and those of the persons most nearly allied to them. This argument, doubtless, might be pressed further, and made to prove much more. It would be eminently desirable that other things besides reading, writing, and arithmetic could be made necessary to the suffrage; that some knowledge of the conformation of the earth, its natural and political divisions, the elements of general history, and of the history and institutions of their own country, could be required from all electors. But these kinds of knowledge, however indispensable to an intelligent use of the suffrage, are not, in this country, nor probably any where save in the Northern United States, accessible to the whole people, nor does there exist any trustworthy machinery for ascertaining whether they have been acquired or not. The attempt, at present, would lead to partiality, chicanery, and every kind of fraud. It is better that the suffrage should be conferred indiscriminately, or even withheld indiscriminately, than that it should be given to one and withheld from another at the discretion of a public officer. In regard, however, to reading, writing, and calculating, there need be no difficulty. It would be easy to require from every one who presented himself for registry that he should, in the presence of the registrar, copy a sentence from an English book, and perform a sum in the rule of three; and to secure, by fixed rules and complete publicity, the honest application of so very simple a test. This condition, therefore, should in all cases accompany universal suffrage; and it would, after a few years, exclude none but those who cared so little for the privilege,

that their vote, if given, would not in general be an indication of any real political opinion.

It is also important, that the assembly which votes the taxes, either general or local, should be elected exclusively by those who pay something towards the taxes imposed. Those who pay no taxes, disposing by their votes of other people's money, have every motive to be lavish and none to economize. As far as money matters are concerned, any power of voting possessed by them is a violation of the fundamental principle of free government, a severance of the power of control from the interest in its beneficial exercise. It amounts to allowing them to put their hands into other people's pockets for any purpose which they think fit to call a public one, which, in the great towns of the United States, is known to have produced a scale of local taxation onerous beyond example, and wholly borne by the wealthier classes. That representation should be coextensive with taxation, not stopping short of it, but also not going beyond it, is in accordance with the theory of British institutions. But to reconcile this, as a condition annexed to the representation, with universality, it is essential, as it is on many other accounts desirable, that taxation, in a visible shape, should descend to the poorest class. In this country, and in most others, there is probably no laboring family which does not contribute to the indirect taxes, by the purchase of tea, coffee, sugar, not to mention narcotics or stimulants. But this mode of defraying a share of the public expenses is hardly felt: the payer, unless a person of education and reflection, does not identify his interest with a low scale of public expenditure as closely as when money for its support is demanded directly from himself; and even supposing him to do so, he would doubtless take care that, however lavish an expenditure he might, by his vote, assist in imposing upon the government, it should not be defrayed by any additional taxes on the articles which he himself consumes. It would be better that a direct tax, in the simple form of a capitation, should be levied on every grown person in the community; or that every such person should be admitted an elector on allowing himself to be rated *extra ordinem* to the assessed taxes; or that a small annual payment, rising and falling with the gross expenditure of the country, should be required from every registered elector, that so every one might feel that the money which he assisted in voting was partly his own, and that he was interested in keeping down its amount.

However this may be, I regard it as required by first principles that the receipt of parish relief should be a peremptory disqualification for the franchise. He who can not by his labor suffice for his own support, has no claim to the privilege of helping himself to the money of others. By becoming dependent on the remaining members of the community for actual subsistence, he abdicates his claim to equal rights with them in other respects. Those to whom he is indebted for the continuance of his very existence may justly claim the exclusive management of those common concerns to which he now brings nothing, or less than he takes away. As a condition of the franchise, a term should be fixed, say five years previous to the registry, during which the applicant's name has not been on the parish books as a recipient of relief. To be an uncertificated

bankrupt, or to have taken the benefit of the Insolvent Act, should disqualify for the franchise until the person has paid his debts, or at least proved that he is not now, and has not for some long period been, dependent on eleemosynary support. Non-payment of taxes, when so long persisted in that it can not have arisen from inadvertence, should disqualify while it lasts. These exclusions are not in their nature permanent. They exact such conditions only as all are able, or ought to be able, to fulfill if they choose. They leave the suffrage accessible to all who are in the normal condition of a human being; and if any one has to forego it, he either does not care sufficiently for it to do for its sake what he is already bound to do, or he is in a general condition of depression and degradation in which this slight addition, necessary for the security of others, would be unfelt, and on emerging from which this mark of inferiority would disappear with the rest.

In the long run, therefore (supposing no restrictions to exist but those of which we have now treated), we might expect that all, except that (it is to be hoped) progressively diminishing class, the recipients of parish relief, would be in possession of votes, so that the suffrage would be, with that slight abatement, universal. That it should be thus widely expanded is, as we have seen, absolutely necessary to an enlarged and elevated conception of good government. Yet in this state of things, the great majority of voters in most countries, and emphatically in this, would be manual laborers, and the twofold danger, that of too low a standard of political intelligence, and that of class legislation, would still exist in a very perilous degree. It remains to be seen whether any means exist by which these evils can be obviated.

They are capable of being obviated if men sincerely wish it; not by any artificial contrivance, but by carrying out the natural order of human life, which recommends itself to every one in things in which he has no interest or traditional opinion running counter to it. In all human affairs, every person directly interested, and not under positive tutelage, has an admitted claim to a voice, and when his exercise of it is not inconsistent with the safety of the whole, can not justly be excluded from it. But (though every one ought to have a voice) that every one should have an equal voice is a totally different proposition. When two persons who have a joint interest in any business differ in opinion, does justice require that both opinions should be held of exactly equal value? If with equal virtue, one is superior to the other in knowledge and intelligence—or if with equal intelligence, one excels the other in virtue—the opinion, the judgment of the higher moral or intellectual being is worth more than that of the inferior; and if the institutions of the country virtually assert that they are of the same value, they assert a thing which is not. One of the two, as the wiser or better man, has a claim to superior weight: the difficulty is in ascertaining which of the two it is; a thing impossible as between individuals, but, taking men in bodies and in numbers, it can be done with a certain approach to accuracy. There would be no pretense for applying this doctrine to any case which can with reason be considered as one of individual and private right. In an affair which concerns only one of two persons, that one is entitled to follow his own

opinion, however much wiser the other may be than himself. But we are speaking of things which equally concern them both; where, if the more ignorant does not yield his share of the matter to the guidance of the wiser man, the wiser man must resign his to that of the more ignorant. Which of these modes of getting over the difficulty is most for the interest of both, and most conformable to the general fitness of things? If it be deemed unjust that either should have to give way, which injustice is greatest? that the better judgment should give way to the worse, or the worse to the better?

Now national affairs are exactly such a joint concern, with the difference that no one needs ever be called upon for a complete sacrifice of his own opinion. It can always be taken into the calculation, and counted at a certain figure, a higher figure being assigned to the suffrages of those whose opinion is entitled to greater weight. There is not in this arrangement any thing necessarily invidious to those to whom it assigns the lower degrees of influence. Entire exclusion from a voice in the common concerns is one thing: the concession to others of a more potential voice, on the ground of greater capacity for the management of the joint interests, is another. The two things are not merely different, they are incommensurable. Every one has a right to feel insulted by being made a nobody, and stamped as of no account at all. No one but a fool, and only a fool of a peculiar description, feels offended by the acknowledgment that there are others whose opinion, and even whose wish, is entitled to a greater amount of consideration than his. To have no voice in what are partly his own concerns is a thing which nobody willingly submits to; but when what is partly his concern is also partly another's, and he feels the other to understand the subject better than himself, that the other's opinion should be counted for more than his own accords with his expectations, and with the course of things which in all other affairs of life he is accustomed to acquiesce in. It is only necessary that this superior influence should be assigned on grounds which he can comprehend, and of which he is able to perceive the justice.

I hasten to say that I consider it entirely inadmissible, unless as a temporary makeshift, that the superiority of influence should be conferred in consideration of property. I do not deny that property is a kind of test; education, in most countries, though any thing but proportional to riches, is on the average better in the richer half of society than in the poorer. But the criterion is so imperfect; accident has so much more to do than merit with enabling men to rise in the world; and it is so impossible for any one, by acquiring any amount of instruction, to make sure of the corresponding rise in station, that this foundation of electoral privilege is always, and will continue to be, supremely odious. To connect plurality of votes with any pecuniary qualification would be not only objectionable in itself, but a sure mode of compromising the principle, and making its permanent maintenance impracticable. The democracy, at least of this country, are not at present jealous of personal superiority, but they are naturally and must justly so of that which is grounded on mere pecuniary circumstances. The only thing which can justify reckoning one person's opinion as equivalent to more than one is individual mental superiority, and what is wanted is some approximate means of

ascertaining that. If there existed such a thing as a really national education or a trustworthy system of general examination, education might be tested directly. In the absence of these, the nature of a person's occupation is some test. An employer of labor is on the average more intelligent than a laborer; for he must labor with his head, and not solely with his hands. A foreman is generally more intelligent than an ordinary laborer, and a laborer in the skilled trades than in the unskilled. A banker, merchant, or manufacturer is likely to be more intelligent than a tradesman, because he has larger and more complicated interests to manage. In all these cases it is not the having merely undertaken the superior function, but the successful performance of it, that tests the qualifications; for which reason, as well as to prevent persons from engaging nominally in an occupation for the sake of the vote, it would be proper to require that the occupation should have been persevered in for some length of time (say three years). Subject to some such condition, two or more votes might be allowed to every person who exercises any of these superior functions. The liberal professions, when really and not nominally practiced, imply, of course, a still higher degree of instruction; and wherever a sufficient examination, or any serious conditions of education, are required before entering on a profession, its members could be admitted at once to a plurality of votes. The same rule might be applied to graduates of universities; and even to those who bring satisfactory certificates of having passed through the course of study required by any school at which the higher branches of knowledge are taught, under proper securities that the teaching is real, and not a mere pretense. The "local" or "middle class" examination for the degree of associate, so laudably and public-spiritedly established by the University of Oxford, and any similar ones which may be instituted by other competent bodies (provided they are fairly open to all comers), afford a ground on which plurality of votes might with great advantage be accorded to those who have passed the test. All these suggestions are open to much discussion in the detail, and to objections which it is of no use to anticipate. The time is not come for giving to such plans a practical shape, nor should I wish to be bound by the particular proposals which I have made. But it is to me evident that in this direction lies the true ideal of representative government; and that to work towards it by the best practical contrivances which can be found is the path of real political improvement.

If it be asked to what length the principle admits of being carried, or how many votes might be accorded to an individual on the ground of superior qualifications, I answer, that this is not in itself very material, provided the distinctions and gradations are not made arbitrarily, but are such as can be understood and accepted by the general conscience and understanding. But it is an absolute condition not to overpass the limit prescribed by the fundamental principle laid down in a former chapter as the condition of excellence in the constitution of a representative system. The plurality of votes must on no account be carried so far that those who are privileged by it, or the class (if any) to which they mainly belong, shall outweigh by means of it all the rest of the community. The distinction in favor of education, right in itself, is farther and strongly

recommended by its preserving the educated from the class legislation of the uneducated; but it must stop short of enabling them to practice class legislation on their own account. Let me add, that I consider it an absolutely necessary part of the plurality scheme that it be open to the poorest individual in the community to claim its privileges, if he can prove that, in spite of all difficulties and obstacles, he is, in point of intelligence, entitled to them. There ought to be voluntary examinations at which any person whatever might present himself, might prove that he came up to the standard of knowledge and ability laid down as sufficient, and be admitted, in consequence, to the plurality of votes. A privilege which is not refused to any one who can show that he has realized the conditions on which in theory and principle it is dependent, would not necessarily be repugnant to any one's sentiment of justice; but it would certainly be so if, while conferred on general presumptions not always infallible, it were denied to direct proof.

Plural voting, though practiced in vestry elections and those of poor-law guardians, is so unfamiliar in elections to Parliament that it is not likely to be soon or willingly adopted; but as the time will certainly arrive when the only choice will be between this and equal universal suffrage, whoever does not desire the last can not too soon begin to reconcile himself to the former. In the mean time, though the suggestion, for the present, may not be a practical one, it will serve to mark what is best in principle, and enable us to judge of the eligibility of any indirect means, either existing or capable of being adopted, which may promote in a less perfect manner the same end. A person may have a double vote by other means than that of tendering two votes at the same hustings; he may have a vote in each of two different constituencies; and though this exceptional privilege at present belongs rather to superiority of means than of intelligence, I would not abolish it where it exists, since, until a truer test of education is adopted, it would be unwise to dispense with even so imperfect a one as is afforded by pecuniary circumstances. Means might be found of giving a farther extension to the privilege, which would connect it in a more direct manner with superior education. In any future Reform Bill which lowers greatly the pecuniary conditions of the suffrage, it might be a wise provision to allow all graduates of universities, all persons who have passed creditably through the higher schools, all members of the liberal professions, and perhaps some others, to be registered specifically in those characters, and to give their votes as such in any constituency in which they choose to register; retaining, in addition, their votes as simple citizens in the localities in which they reside.

Until there shall have been devised, and until opinion is willing to accept, some mode of plural voting which may assign to education as such the degree of superior influence due to it, and sufficient as a counterpoise to the numerical weight of the least educated class, for so long the benefits of completely universal suffrage can not be obtained without bringing with them, as it appears to me, more than equivalent evils. It is possible, indeed (and this is perhaps one of the transitions through which we may have to pass in our progress to a really good representative system), that the barriers which

restrict the suffrage might be entirely leveled in some particular constituencies, whose members, consequently, would be returned principally by manual laborers; the existing electoral qualification being maintained elsewhere, or any alteration in it being accompanied by such a grouping of the constituencies as to prevent the laboring class from becoming preponderant in Parliament. By such a compromise, the anomalies in the representation would not only be retained, but augmented; this, however, is not a conclusive objection; for if the country does not choose to pursue the right ends by a regular system directly leading to them, it must be content with an irregular makeshift, as being greatly preferable to a system free from irregularities, but regularly adapted to wrong ends, or in which some ends equally necessary with the others have been left out. It is a far graver objection, that this adjustment is incompatible with the intercommunity of local constituencies which Mr. Hare's plan requires; that under it every voter would remain imprisoned within the one or more constituencies in which his name is registered, and, unless willing to be represented by one of the candidates for those localities, would not be represented at all.

So much importance do I attach to the emancipation of those who already have votes, but whose votes are useless, because always outnumbered—so much should I hope from the natural influence of truth and reason, if only secured a hearing and a competent advocacy, that I should not despair of the operation even of equal and universal suffrage, if made real by the proportional representation of all minorities, on Mr. Hare's principle. But if the best hopes which can be formed on this subject were certainties, I should still contend for the principle of plural voting. I do not propose the plurality as a thing in itself undesirable, which, like the exclusion of part of the community from the suffrage, may be temporarily tolerated while necessary to prevent greater evils. I do not look upon equal voting as among the things which are good in themselves, provided they can be guarded against inconveniences. I look upon it as only relatively good; less objectionable than inequality of privilege grounded on irrelevant or adventitious circumstances, but in principle wrong, because recognizing a wrong standard, and exercising a bad influence on the voter's mind. It is not useful, but hurtful, that the constitution of the country should declare ignorance to be entitled to as much political power as knowledge. The national institutions should place all things that they are concerned with before the mind of the citizen in the light in which it is for his good that he should regard them; and as it is for his good that he should think that every one is entitled to some influence, but the better and wiser to more than others, it is important that this conviction should be professed by the state, and embodied in the national institutions. Such things constitute the *spirit* of the institutions of a country; that portion of their influence which is least regarded by common, and especially by English thinkers, though the institutions of every country, not under great positive oppression, produce more effect by their spirit than by any of their direct provisions, since by it they shape the national character. The American institutions have imprinted strongly on the American mind that any one man (with a white skin) is as good as any other; and it is

felt that this false creed is nearly connected with some of the more unfavorable points in American character. It is not small mischief that the constitution of any country should sanction this creed; for the belief in it, whether express or tacit, is almost as detrimental to moral and intellectual excellence any effect which most forms of government can produce.

It may, perhaps, be said, that a constitution which gives equal influence, man for man, to the most and to the least instructed, is nevertheless conducive to progress, because the appeals constantly made to the less instructed classes, the exercise given to their mental powers, and the exertions which the more instructed are obliged to make for enlightening their judgment and ridding them of errors and prejudices, are powerful stimulants to their advance in intelligence. That this most desirable effect really attends the admission of the less educated classes to some, and even to a large share of power, I admit, and have already strenuously maintained. But theory and experience alike prove that a counter current sets in when they are made the possessors of all power. Those who are supreme over every thing, whether they be One, or Few, or Many, have no longer need of the arms of reason; they can make their mere will prevail; and those who can not be resisted are usually far too well satisfied with their own opinions to be willing to change them, or listen without impatience to any one who tells them that they are in the wrong. The position which gives the strongest stimulus to the growth of intelligence is that of rising into power, not that of having achieved it; and of all resting-points, temporary or permanent, in the way to ascendancy, the one which develops the best and highest qualities is the position of those who are strong enough to make reason prevail, but not strong enough to prevail against reason. This is the position in which, according to the principles we have laid down, the rich and the poor, the much and the little educated, and all the other classes and denominations which divide society between them, ought as far as practicable to be placed; and by combining this principle with the otherwise just one of allowing superiority of weight to superiority of mental qualities, a political constitution would realize that kind of relative perfection which is alone compatible with the complicated nature of human affairs.

In the preceding argument for universal but graduated suffrage, I have taken no account of difference of sex. I consider it to be as entirely irrelevant to political rights as difference in height or in the color of the hair. All human beings have the same interest in good government; the welfare of all is alike affected by it, and they have equal need of a voice in it to secure their share of its benefits. If there be any difference, women require it more than men, since, being physically weaker, they are more dependent on law and society for protection. Mankind have long since abandoned the only premises which will support the conclusion that women ought not to have votes. No one now holds that women should be in personal servitude; that they should have no thought, wish, or occupation but to be the domestic drudges of husbands, fathers, or brothers. It is allowed to unmarried, and wants but little of being conceded to married women to hold property, and have pecuniary and business interests in the same manner

as men. It is considered suitable and proper that women should think, and write, and be teachers. As soon as these things are admitted, the political disqualification has no principle to rest on. The whole mode of thought of the modern world is, with increasing emphasis, pronouncing against the claim of society to decide for individuals what they are and are not fit for, and what they shall and shall not be allowed to attempt. If the principles of modern politics and political economy are good for any thing, it is for proving that these points can only be rightly judged of by the individuals themselves; and that, under complete freedom of choice, wherever there are real diversities of aptitude, the greater number will apply themselves to the things for which they are on the average fittest, and the exceptional course will only be taken by the exceptions. Either the whole tendency of modern social improvements has been wrong, or it ought to be carried out to the total abolition of all exclusions and disabilities which close any honest employment to a human being.

But it is not even necessary to maintain so much in order to prove that women should have the suffrage. Were it as right as it is wrong that they should be a subordinate class, confined to domestic occupations and subject to domestic authority, they would not the less require the protection of the suffrage to secure them from the abuse of that authority. Men, as well as women, do not need political rights in order that they may govern, but in order that they may not be misgoverned. The majority of the male sex are, and will be all their lives, nothing else than laborers in corn-fields or manufactories; but this does not render the suffrage less desirable for them, nor their claim to it less irresistible, when not likely to make a bad use of it. Nobody pretends to think that woman would make a bad use of the suffrage. The worst that is said is that they would vote as mere dependents, the bidding of their male relations. If it be so, so let it be. If they think for themselves, great good will be done; and if they do not, no harm. It is a benefit to human beings to take off their fetters, even if they do not desire to walk. It would already be a great improvement in the moral position of women to be no longer declared by law incapable of an opinion, and not entitled to a preference, respecting the most important concerns of humanity. There would be some benefit to them individually in having something to bestow which their male relatives can not exact, and are yet desirous to have. It would also be no small matter that the husband would necessarily discuss the matter with his wife, and that the vote would not be his exclusive affair, but a joint concern. People do not sufficiently consider how markedly the fact that she is able to have some action on the outward world independently of him, raises her dignity and value in a vulgar man's eyes, and makes her the object of a respect which no personal qualities would ever obtain for one whose social existence he can entirely appropriate. The vote itself, too, would be improved in quality. The man would often be obliged to find honest reasons for his vote, such as might induce a more upright and impartial character to serve with him under the same banner. The wife's influence would often keep him true to his own sincere opinion. Often, indeed, it would be used, not on the side of public principle, but of the personal interest or worldly vanity of the family.

But, wherever this would be the tendency of the wife's influence, it is exerted to the full already in that bad direction, and with the more certainty, since under the present law and custom she is generally too utter a stranger to politics in any sense in which they involve principle to be able to realize to herself that there is a point of honor in them; and most people have as little sympathy in the point of honor of others, when their own is not placed in the same thing, as they have in the religious feelings of those whose religion differs from theirs. Give the woman a vote, and she comes under the operation of the political point of honor. She learns to look on politics as a thing on which she is allowed to have an opinion, and in which, if one has an opinion, it ought to be acted upon; she acquires a sense of personal accountability in the matter, and will no longer feel, as she does at present, that whatever amount of bad influence she may exercise, if the man can but be persuaded, all is right, and his responsibility covers all. It is only by being herself encouraged to form an opinion, and obtain an intelligent comprehension of the reasons which ought to prevail with the conscience against the temptations of personal or family interest, that she can ever cease to act as a disturbing force on the political conscience of the man. Her indirect agency can only be prevented from being politically mischievous by being exchanged for direct.

I have supposed the right of suffrage to depend, as in a good state of things it would, on personal conditions. Where it depends, as in this and most other countries, on conditions of property, the contradiction is even more flagrant. There something more than ordinarily irrational in the fact that when a woman can give all the guarantees required from a male elector, independent circumstances, the position of a householder and head of a family, payment of taxes, or whatever may be the conditions imposed, the very principle and system of a representation based on property is set aside, and an exceptionally personal disqualification is created for the mere purpose of excluding her. When it is added that in the country where this is done a woman now reigns, and that the most glorious ruler whom that country ever had was a woman, the picture of unreason and scarcely disguised injustice is complete. Let us hope that as the work proceeds of pulling down, one after another, the remains of the mouldering fabric of monopoly and tyranny, this one will not be the last to disappear; that the opinion of Bentham, of Mr. Samuel Bailey, of Mr. Hare, and many other of the most powerful political thinkers of this age and country (not to speak of others), will make its way to all minds not rendered obdurate by selfishness or inveterate prejudice; and that, before the lapse another generation, the accident of sex, no more than the accident of skin, will be deemed a sufficient justification for depriving its possessor of the equal protection and just privileges of a citizen.