ADVANCE SHEET – February 14, 2025

From The Librarian

I want to wish everyone a Happy Valentine's Day. Although the definitive love story featuring a lawyer/lawyers has yet to be written (correct me if I'm wrong), over the years I have attended many memorial services for the bench and bar, and the number of lawyers who were married over fifty years at the time of their passing was not insignificant. I recall a conversation I had with the late Judge Edward Angeletti who told me the only thing he and his wife still argued about was who had to die first. Although my wife and I might have a few more arguments over a few more subjects, the thought of the possibility of even one day without her is a thought I do not allow myself to have. May all of you, regardless of what your calendars dictate, remember the day and the person in your life who gives the day meaning, whether they are still with us, gone, or yet to be met.

Our featured article this issue is by Bertrand Russell, the British philosopher, logician, mathematician, and public intellectual. Entitled "The Taming of Power," it is the final chapter of his book *Power: a new Social Analysis* which was published in 1938.

Joe Bennett

An Evening With Dan Rodricks

On Wednesday, March 12, 2025, Dan Rodricks will be speaking in the Main Reading Room of the Baltimore Bar Library. The presentation will center around Dan's five decades covering Maryland courts and how he in turn transformed those experiences into a successful play.

Dan Rodricks – Three times a week from January 1979 to last month, Dan wrote a column for the Baltimore Sun, representing more than 6,600 entries. It is believed that at the time of his retirement his was the longest-running column in the country. In addition to his column, Dan hosted both radio and television programs over the years and was the creator and host of The Sun's first podcast, Roughly Speaking. He is the author of three books, including "Father's Day Creek: Fly Fishing, Fatherhood and The Last Best Place on Earth" (Apprentice House 2019). In recent years, Dan has written a number of plays. His first, "Baltimore, You Have No Idea," has had three runs to sold-

out audiences at the Baltimore Museum of Art's Meyerhoff Auditorium. A second play, "Baltimore Docket," premiered in February 2024, also to sold-out audiences. Both plays are based on Dan's work as a reporter and columnist for The Sun.

Dan Rodricks is the winner of numerous awards including the National Headliner Award for commentary and the Heywood Broun Award from the Newspaper Guild for writing that championed the underdog.

Originally from Massachusetts, Dan, his wife and two children now reside in Baltimore.

Place: Mitchell Courthouse – 100 North Calvert Street – Main Reading Room of the Bar Library (Room 618, Mitchell Courthouse).

Time: 5:00 p.m., Wednesday, March 12, 2025.

Reception: Catering by DiPasquale's featuring their famous prosciutto, cod fish, fruits and cheeses.

Invitees: All are welcome to this free event.

R.S.V.P.: If you would like to attend telephone the Library at 410-727-0280 or reply by e-mail to **jwbennett1840@gmail.com**.

CLXXXV

This past Sunday Super Bowl LIX was held. While millions watched the game, my wife and I went to the movies. We figured it might be a good time to go. The truth of the matter is that I have not cared about an N.F.L. game since 1984. A certain horseshoe helmeted group had snuck off under cover of darkness earlier in the year to a magical place called Indianapolis. Each Sunday my brother Charles would come over and we would watch the now Indianapolis Colts. (As I recall, all the Colts games that first year were televised in Baltimore.) Their record was 4 – 12 and each of their wins was like a daggar to the heart.

When Art Modell brought his team to town in 1996, I could not have cared less. Well, I guess I could have because almost thirty years later, I think I care less now than I did in 1996.

For awhile, at least, I had my beloved Fighting Irish of Notre Dame until the powers that be found a way to ruin college football. Next year the Irish will have their fourth starting quarterback in four years. The players jump from team to team seemingly not interested in a college degree or a national championship, certainly not concerned with school or team loyalty, but rather where they can procure the most lucrative deal. When Notre Dame played for a National Championship earlier this year, I was not at the movies but I wasn't in front of a television either. As an old guy I do not feel

sorry for myself, but I do feel sorry for all the kids who will never have the opportunity to experience what sport was like when I was their age. It was far from perfect even then, but it was a far cry from what prevails today.

Now, speaking of what is just as amazing as it was forty years ago, how about that Baltimore Bar Library. While greed seems to dominate every decision in the sporting world, as well as the rest of the world (I suppose you do not become one of the seven deadly sins by just phoning it in), the Library has always striven to keep membership dues and other member costs to a minimum. "More for less" are not just meaningless words at the Library. The "more" part of the equation is self-evident by even the most cursory look at what the Library offers in the way of collections and services: the "less" by comparing the cost of obtaining the material from the Library as opposed to almost any other source (especially from publishers). Why not stop by the Library and see for yourself how even in year CLXXXV of operation it is still the place to be.

I look forward to seeing you soon.

Joe Bennett

POWER

A New Social Analysis

by

BERTRAND RUSSELL

London
GEORGE ALLEN & UNWIN LTD

CHAPTER XVIII

THE TAMING OF POWER

"In passing by the side of Mount Thai, Confucius came on a woman who was weeping bitterly by a grave. The Master pressed forward and drove quickly to her; then he sent Tze-lu to question her. 'Your wailing,' said he, 'is that of one who has suffered sorrow on sorrow.' She replied, 'that is so. Once my husband's father was killed here by a tiger. My husband was also killed, and now my son has died in the same way.' The Master said, 'why do you not leave the place?' The answer was, 'there is no oppressive government here.' The Master then said, 'Remember this, my children: oppressive government is more terrible than tigers.' "

The subject of the present chapter is the problem of insuring that government shall be *less* terrible than tigers.

The problem of the taming of power is, as the above quotation shows, a very ancient one. The Taoists thought it insoluble, and advocated anarchism; the Confucians trusted to a certain ethical and governmental training which should turn the holders of power into sages endowed with moderation and benevolence. At the same period, in Greece, democracy, oligarchy, and tyranny were contending for mastery; democracy was intended to check abuses of power, but was perpetually defeating itself by falling a victim to the temporary popularity of

some demagogue. Plato, like Confucius, sought the solution in a government of men trained to wisdom. This view has been revived by Mr. and Mrs. Sidney Webb, who admire an oligarchy in which power is confined to those who have the "vocation of leadership." In the interval between Plato and the Webbs, the world has tried military autocracy, theocracy, hereditary monarchy, oligarchy, democracy, and the Rule of the Saints—the last of these, after the failure of Cromwell's experiment, having been revived in our day by Lenin and Hitler. All this suggests that our problem has not yet been solved.

To anyone who studies history or human nature, it must be evident that democracy, while not a complete solution, is an essential part of the solution. The complete solution is not to be found by confining ourselves to political conditions; we must take account also of economics, of propaganda, and of psychology as affected by circumstances and education. Our subject thus divides itself into four parts: (I) political conditions, (II) economic conditions, (III) propaganda conditions, and (IV) psychological and educational conditions. Let us take these in succession.

I

The merits of democracy are negative: it does not insure good government, but it prevents certain evils. Until women began to take part in political affairs, married women had no control over their own property, or even over their own earnings; a charwoman with a drunken husband had no re-

dress if he prevented her from using her wages for support of her children. The oligarchical Parliament of the eighteenth and early nineteenth centuries used its legislative power to increase the wealth of the rich by depressing the condition of both rural and urban labour. Only democracy has prevented the law from making trade unionism impossible. But for democracy, Western America, Australia, and New Zealand would be inhabited by a semi-servile yellow population governed by a small white aristocracy. The evils of slavery and serfdom are familiar, and wherever a minority has a secure monopoly of political power, the majority is likely to sink, sooner or later, into either slavery or serfdom. All history shows that, as might be expected, minorities cannot be trusted to care for the interests of majorities.

There is a tendency, as strong now as at any former time, to suppose that an oligarchy is admirable if it consists of "good" men. The government of the Roman Empire was "bad" until Constantine, and then it became "good." In the Book of Kings, there were those who did right in the sight of the Lord, and those who did evil. In English history as taught to children, there are "good" kings and "bad" kings. An oligarchy of Jews is "bad," but one of Nazis is "good." The oligarchy of Tsarist aristocrats was "bad," but that of the Communist Party is "good."

This attitude is unworthy of grown-up people. A child is "good" when it obeys orders, and "naughty" when it does not. When it grows up and becomes a

political leader, it retains the ideas of the nursery, and defines the "good" as those who obey its orders and the "bad" as those who defy it. Consequently our own political party consists of "good" men, and the opposite party consists of "bad" men. "Good" government is government by our group, "bad" government that by the other group. The Montagues are "good," the Capulets "bad," or vice versa.

Such a point of view, if taken seriously, makes social life impossible. Only force can decide which group is "good" and which "bad," and the decision, when made, may at any moment be upset by an insurrection. Neither group, if it attains power, will care for the interests of the other, except in so far as it is controlled by the fear of rousing rebellion. Social life, if it is to be anything better than tyranny, demands a certain impartiality. But since, in many matters, collective action is necessary, the only practicable form of impartiality, in such matters, is the rule of the majority.

Democracy, however, though necessary, is by no means the only political condition required for the taming of power. It is possible, in a democracy, for the majority to exercise a brutal and wholly unnecessary tyranny over a minority. In the period from 1885 to 1922, the government of the United Kingdom was (except for the exclusion of women) democratic, but that did not prevent the oppression of Ireland. Not only a national, but a religious or political minority may be persecuted. The safe-guarding of minorities, so far as is compatible with

orderly government, is an essential part of the taming of power.

This requires a consideration of the matters as to which the community must act as a whole, and those as to which uniformity is unnecessary. The most obvious questions as to which a collective decision is imperative are those that are essentially geographical. Roads, railways, sewers, gas mains, and so on, must take one course and not another. Sanitary precautions, say against plague or rabies, are geographical: it would not do for Christian Scientists to announce that they will take no precautions against infection, because they might infect others. War is a geographical phenomenon, unless it is civil war, and even then it soon happens that one area is dominated by one side, and another by the other.

Where there is a geographically concentrated minority, such as the Irish before 1922, it is possible to solve a great many problems by devolution. But when the minority is distributed throughout the area concerned, this method is largely inapplicable. Where Christian and Mohammedan populations live side by side, they have, it is true, different marriage laws, but except where religion is concerned they all have to submit to one government. It has been gradually discovered that theological uniformity is not necessary to a State, and that Protestants and Catholics can live peaceably together under one government. But this was not the case during the first 130 years after the Reformation.

The question of the degree of liberty that is compatible with order is one that cannot be settled

in the abstract. The only thing that can be said in the abstract is that, where there is no technical reason for a collective decision, there should be some strong reason connected with public order if freedom is to be interfered with. In the reign of Elizabeth, when Roman Catholics wished to deprive her of the throne, it is not surprising that the government viewed them with disfavour. Similarly in the Low Countries, where Protestants were in revolt against Spain, it was to be expected that the Spaniards would persecute them. Now-a-days theological questions have not the same political importance. Even political differences, if they do not go too deep, are no reason for persecution. Conservatives, Liberals, and Labour people can all live peaceably side by side, because they do not wish to alter the Constitution by force; but Fascists and Communists are more difficult to assimilate. Where there is democracy, attempts of a minority to seize power by force, and incitements to such attempts, may reasonably be forbidden, on the ground that a law-abiding majority has a right to a quiet life if it can secure it. But there should be toleration of all propaganda not involving incitement to break the law, and the law should be as tolerant as is compatible with technical efficiency and the maintenance of order. I shall return to this subject under the head of psychology.

From the point of view of the taming of power, very difficult questions arise as to the best size of a governmental unit. In a great modern State, even when it is a democracy, the ordinary citizen has very little sense of political power; he does not decide

what are to be the issues in an election, they probably concern matters remote from his daily life and almost wholly outside his experience, and his vote makes so small a contribution to the total as to seem to himself negligible. In the ancient City State these evils were much less; so they are, at present, in local government. It might have been expected that the public would take more interest in local than in national questions, but this is not the case; on the contrary, the larger the area concerned, the greater is the percentage of the electorate that takes the trouble to vote. This is partly because more money is spent on propaganda in important elections, partly because the issues are in themselves more exciting. The most exciting issues are those involving war and relations to possible enemies. I remember an old yokel in January, 1910, who told me he was going to vote Conservative (which was against his economic interests), because he had been persuaded that if the Liberals were victorious the Germans would be in the country within a week. It is not to be supposed that he ever voted in Parish Council elections, though in them he might have had some understanding of the issues; these issues failed to move him because they were not such as to generate mass hysteria or the myths upon which it feeds.

There is thus a dilemma: democracy gives a man a feeling that he has an effective share in political power when the group concerned is small, but not when it is large; on the other hand, the issue is likely to strike him as important when the group concerned is large, but not when it is small.

To some extent this difficulty is avoided when a constituency is vocational, not geographical; a really effective democracy is possible, for example, in a trade union. Each branch can meet to discuss a vexed question of policy; the members have a similarity of interest and experience, and this makes fruitful discussion possible. The final decision of the whole union may, therefore, be one in which a large percentage of members feel that they have had a part.

This method, however, has obvious limitations. Many questions are so essentially geographical that a geographical constituency is unavoidable. Public bodies affect our lives at so many points that a busy man who is not a politician cannot take action about most of the local or national issues that concern him. The best solution would probably be an extension of the method of the trade union official, who is elected to represent a certain interest. At present, many interests have no such representative. Democracy, if it is to exist psychologically as well as politically, demands organization of the various interests, and their representation, in political bargaining, by men who enjoy whatever influence is justified by the numbers and enthusiasm of their constituents. I do not mean that these representatives should be a substitute for Parliament, but that they should be the channel by which Parliament is made aware of the wishes of various groups of citizens.

A federal system is desirable whenever the local interests and sentiments of the constituent units are stronger than the interests and sentiments connected

with the federation. If there were ever an international government, it would obviously have to be a federation of national governments, with strictly defined powers. There are already international authorities for certain purposes, e.g. postage, but these are purposes which do not interest the public so much as do those dealt with by national governments. Where this condition is absent, the federal government tends to encroach upon the governments of the several units. In the United States, the federal government has gained at the expense of the States ever since the Constitution was first enacted. The same tendency existed in Germany from 1871 to 1918. Even a federal government of the world, if it found itself involved in a civil war on the question of secession, as might well happen, would, if victorious, be immeasurably strengthened as against the various national governments. Thus the efficacy of federation, as a method, has very definite limits; but within these limits it is desirable and important.

Very large governmental areas are, it would seem, quite unavoidable in the modern world; indeed, for some of the most important purposes, especially peace and war, the whole world is the only adequate area. The psychological disadvantages of large areas—especially the sense of impotence in the average voter, and his ignorance as to most of the issues—must be admitted, and minimized as far as possible, partly, as suggested above, by the organization of separate interests, and partly by federation or devolution. Some subjection of the individual is an inevitable consequence of increasing social

organization. But if the danger of war were eliminated, local questions would again come to the fore, and men's political interests would be much more concerned than at present with questions as to which they could have both knowledge and an effective voice. For it is the fear of war, more than anything else, which compels men to direct their attention to distant countries and to the external activities of their own government.

Where democracy exists, there is still need to safeguard individuals and minorities against tyranny, both because tyranny is undesirable in itself, and because it is likely to lead to breaches of order. Montesquieu's advocacy of the separation of legislative, executive, and judiciary, the traditional English belief in checks and balances, Bentham's political doctrines, and the whole of nineteenth-century liberalism, were designed to prevent the arbitrary exercise of power. But such methods have come to be considered incompatible with efficiency. No doubt the separation of the War Office and the Horse Guards was a safeguard against military dictatorship, but it had disastrous results in the Crimean War. When, in former times, the legislature and the executive disagreed, the result was a highly inconvenient deadlock; now in England, efficiency is secured by uniting both powers, to all intents and purposes, in the Cabinet. The eighteenth and nineteenth century methods of preventing arbitrary power no longer suit our circumstances, and such new methods as exist are not yet very effective. There is need of associations to safeguard this or

that form of liberty, and to bring swift criticism to bear upon officials, police, magistrates, and judges who exceed their powers. There is need also of a certain political balance in every important branch of the public service. For example, there is danger to democracy in the fact that average opinion in the police and the air force is far more reactionary than in the country at large.

In every democracy, individuals and organizations which are intended to have only certain well-defined executive functions are likely, if unchecked, to acquire a very undesirable independent power. This is especially true of the police. The evils resulting from an insufficiently supervised police force are very forcibly set forth, as regards the United States, in *Our Lawless Police*, by Ernest Jerome Hopkins. The gist of the matter is that a policeman is promoted for action leading to the conviction of a criminal, that the Courts accept confession as evidence of guilt, and that, in consequence, it is to the interest of individual officers to torture arrested persons until they confess. This evil exists in all countries in a greater or less degree. In India it is rampant. The desire to obtain a confession was the basis of the tortures of the Inquisition. In Old China, torture of suspected persons was habitual, because a humanitarian Emperor had decreed that no man should be condemned except on his own confession. For the taming of the power of the police, one essential is that a confession shall never, in any circumstances, be accepted as evidence.

This reform, however, though necessary, is by

no means sufficient. The police system of all countries is based upon the assumption that the collection of evidence against a suspected criminal is a matter of public interest, but that the collection of evidence in his favour is his private concern. It is often said to be more important that the innocent should be acquitted than that the guilty should be condemned, but everywhere it is the duty of the police to seek evidence of guilt, not of innocence. Suppose you are unjustly accused of murder, and there is a good *prima facie* case against you. The whole of the resources of the State are set in motion to seek out possible witnesses against you, and the ablest lawyers are employed by the State to create prejudice against you in the minds of the jury. You, meanwhile, must spend your private fortune collecting evidence of your innocence, with no public organization to help you. If you plead poverty, you will be allotted Counsel, but probably not so able a man as the public prosecutor. If you succeed in securing an acquittal, you can only escape bankruptcy by means of the cinemas and the Sunday Press. But it is only too likely that you will be unjustly convicted.

If law-abiding citizens are to be protected against unjust persecution by the police, there must be two police forces and two Scotland Yards, one designed, as at present, to prove guilt, the other to prove innocence; and in addition to the public prosecutor there must be a public defender, of equal legal eminence. This is obvious as soon as it is admitted that the acquittal of the innocent is no less a public interest than the condemnation of the guilty. The

defending police force should, moreover, become the prosecuting police force where one class of crimes is concerned, namely crimes committed by the prosecuting police in the execution of their "duty." By this means, but by no other (so far as I can see), the present oppressive power of the police could be mitigated.

II

I come now to the economic conditions required in order to minimize arbitrary power. This subject is of great importance, both on its own account, and because there has been a very great deal of confusion of thought in relation to it.

Political democracy, while it solves a part of our problem, does not by any means solve the whole. Marx pointed out that there could be no real equalization of power through politics alone, while economic power remained monarchical or oligarchic. It followed that economic power must be in the hands of the State, and that the State must be democratic. Those who profess, at the present day, to be Marx's followers, have kept only the half of his doctrine, and have thrown over the demand that the State should be democratic. They have thus concentrated both economic and political power in the hands of an oligarchy, which has become, in consequence, more powerful and more able to exercise tyranny than any oligarchy of former times.

Both old-fashioned democracy and new-fashioned Marxism have aimed at the taming of power. The former failed because it was only political, the latter

because it was only economic. Without a combination of both, nothing approaching to a solution of the problem is possible.

The arguments in favour of State ownership of land and the large economic organizations are partly technical, partly political. The technical arguments have not been much stressed except by the Fabian Society, and to some extent in America in connection with such matters as the Tennessee Valley Authority. Nevertheless they are very strong, especially in connection with electricity and water power, and cause even Conservative governments to introduce measures which, from a technical point of view, are socialistic. We have seen how, as a result of modern technique, organizations tend to grow and to coalesce and to increase their scope; the inevitable consequence is that the political State must either increasingly take over economic functions, or partially abdicate in favour of vast private enterprises which are sufficiently powerful to defy or control it. If the State does not acquire supremacy over such enterprises, it becomes their puppet, and they become the real State. In one way or another, wherever modern technique exists, economic and political power must become unified. This movement towards unification has the irresistible impersonal character which Marx attributed to the development that he prophesied. But it has nothing to do with the class war or the wrongs of the proletariat.

Socialism as a political movement has aimed at furthering the interests of industrial wage-earners; its technical advantages have been kept compara-

tively in the background. The belief is that the economic power of the private capitalist enables him to oppress the wage-earner, and that, since the wage-earner cannot, like the handicraftsman of former times, individually own his means of production, the only way of emancipating him is collective ownership by the whole body of workers. It is argued that, if the private capitalist were expropriated, the whole body of the workers would constitute the State; and that, consequently, the problem of economic power can be solved completely by State ownership of land and capital, and in no other way. This is a proposal for the taming of economic power, and therefore comes within the purview of our present discussion.

Before examining the argument, I wish to say unequivocally that I consider it valid, provided it is adequately safeguarded and amplified. *Per contra*, in the absence of such safeguarding and amplifying I consider it very dangerous, and likely to mislead those who seek liberation from economic tyranny so completely that they will find they have inadvertently established a new tyranny at once economic and political, more drastic and more terrible than any previously known.

In the first place, "ownership" is not the same thing as "control." If (say) a railway is owned by the State, and the State is considered to be the whole body of the citizens, that does not insure, of itself, that the average citizen will have any power over the railway. Let us revert, for a moment, to what Messrs Berle and Means say about ownership and

control in large American corporations. They point out that, in the majority of such corporations, all the directors together usually own only about one or two per cent of the stock, and yet, in effect, have complete control:

"In the election of the board the stock holder ordinarily has three alternatives. He can refrain from voting, he can attend the annual meeting and personally vote his stock, or he can sign a proxy transferring his voting power to certain individuals selected by the management of the corporation, the proxy committee. As his personal vote will count for little or nothing at the meeting unless he has a very large block of stock, the stock holder is practically reduced to the alternative of not voting at all or else of *handing over his vote to individuals over whom he has no control and in whose selection he did not participate.* In neither case will he be able to exercise any measure of control. Rather, control will tend to be in the hands of those who select the proxy committee. . . . Since the proxy committee is appointed by the existing management, the latter can virtually dictate their own successors."[1]

The helpless individuals described in the above passage are, it should be noted, not proletarians, but capitalists. They are part owners of the corporation concerned, in the sense that they have legal rights which may, with luck, bring them in a certain income; but owing to their lack of control, the income is very precarious. When I first visited the United States in 1896, I was struck by the enormous

[1] Op. cit., pp. 86–7.

number of railways that were bankrupt; on inquiry, I found that this was not due to incompetence on the part of the directors, but to skill: the investments of ordinary shareholders had been transferred, by one device or another, to other companies in which the directors had a large interest. This was a crude method, and now-a-days matters are usually managed in a more decorous fashion, but the principle remains the same. In any large corporation, power is necessarily less diffused than ownership, and carries with it advantages which, though at first political, can be made sources of wealth to an indefinite extent. The humble investor can be politely and legally robbed; the only limit is that he must not have such bitter experiences as to lead him to keep his future savings in a stocking.

The situation is in no way essentially different when the State takes the place of a corporation; indeed, since it is the size of the corporation that causes the helplessness of the average shareholder, the average citizen is likely to be still more helpless as against the State. A battleship is public property, but if, on this ground, you try to exercise rights of ownership, you will be soon put in your place. You have a remedy, it is true: at the next General Election, you can vote for a candidate who favours a reduction in the Navy Estimates, if you can find one; or you can write to the papers to urge that sailors should be more polite to sight-seers. But more than this you cannot do.

But, it is said, the battleship belongs to a capitalist State, and when it belongs to a workers' State

everything will be different. This view seems to me to show a failure to grasp the fact that economic power is now a matter of government rather than ownership. If the United States Steel Corporation, say, were taken over by the United States Government, it would still need men to manage it; they would either be the same men who now manage it, or men with similar abilities and a similar outlook. The attitude which they now have towards the shareholders they would then have towards the citizens. True, they would be subject to the government, but unless it was democratic and responsive to public opinion, it would have a point of view closely similar to that of the officials.

Marxists, having retained, as a result of the authority of Marx and Engels, many ways of thinking that belong to the forties of last century, still conceive of businesses as if they belonged to individual capitalists, and have not learnt the lessons to be derived from the separation of ownership and control. The important person is the man who has control of economic power, not the man who has a fraction of the nominal ownership. The Prime Minister does not own No. 10 Downing Street, and Bishops do not own their palaces; but it would be absurd to pretend, on this account, that they are no better off as regards housing than the average wage-earner. Under any form of socialism which is not democratic, those who control economic power can, without "owning" anything, have palatial official residences, the use of the best cars, a princely entertainment allowance, holidays at the public expense in official

holiday resorts, and so on and so on. And why should they have any more concern for the ordinary worker than those in control have now? There can be no reason why they should have, unless the ordinary worker has power to deprive them of their positions. Moreover the subordination of the small investor in existing large corporations shows how easy it is for the official to overpower the democracy, even when the "democracy" consists of capitalists.

Not only, therefore, is democracy essential if State ownership and control of economic enterprises is to be in any degree advantageous to the average citizen, but it will have to be an effective democracy, and this will be more difficult to secure than it is at present, since the official class will, unless very carefully supervised, combine the powers at present possessed by the government and the men in control of industry and finance, and since the means of agitating against the government will have to be supplied by the government itself, as the sole owner of halls, paper, and all the other essentials of propaganda.

While, therefore, public ownership and control of all large-scale industry and finance is a *necessary* condition for the taming of power, it is far from being a *sufficient* condition. It needs to be supplemented by a democracy more thorough-going, more carefully safeguarded against official tyranny, and with more deliberate provision for freedom of propaganda, than any purely political democracy that has ever existed.

The dangers of State Socialism divorced from

democracy have been illustrated by the course of events in the U.S.S.R. There are those whose attitude to Russia is one of religious faith; to them, it is impious even to examine the evidence that all is not well in that country. But the testimony of former enthusiasts is becoming more and more convincing to those whose minds are open to reason on the subject. The arguments from history and psychology with which we have been concerned in previous chapters have shown how rash it is to expect irresponsible power to be benevolent. What actually happens, as regards power, is summed up by Eugene Lyons in the following words:

"Absolutism at the top implies hundreds of thousands, even millions, of large and small autocrats in a state that monopolizes all means of life and expression, work and pleasure, rewards and punishments. A centralized autocratic rule must function through a human machine of delegated authority, a pyramid of graded officialdom, each layer subservient to those above and overbearing to those below. Unless there are brakes of genuinely democratic control and the corrective of a hard-and-fast legality to which everyone, even the anointed of the Lord, is subjected, the machine of power becomes an engine of oppression. Where there is only one employer, namely, the State, meekness is the first law of economic survival. Where the same group of officials wields the terrible power of secret arrests and punishments, disfranchisement, hiring and firing, assignment of ration categories and living space—only an imbecile or some one with a perverted

taste for martydom will fail to kow-tow to them."[1]

If concentration of power in a single organization —the State—is not to produce the evils of despotism in an extreme form, it is essential that power within that organization should be widely distributed, and that subordinate groups should have a large measure of autonomy. Without democracy, devolution, and immunity from extra-legal punishment, the coalescence of economic and political power is nothing but a new and appalling instrument of tyranny. In Russia, a peasant on a collective farm who takes any portion of the grain that he has himself grown is liable to the death penalty. This law was made at a time when millions of peasants were dying of hunger and attendant diseases, owing to the famine which the government deliberately refrained from alleviating.[2]

III

I come now to the propaganda conditions for the taming of power. It is obvious that publicity for grievances must be possible; agitation must be free provided it does not incite to breaches of the law; there must be ways of impeaching officials who exceed or abuse their powers. The government of the day must not be in a position to secure its own permanence by intimidation, falsification of the register of electors, or any similar method. There must be no penalty, official or unofficial, for any well-grounded criticism of prominent men. Much of this, at present, is secured by party government in

[1] *Assignment in Utopia*, p. 195. [2] Ibid., p. 492.

democratic countries, which causes the politicians in power to be objects of hostile criticism by nearly half the nation. This makes it impossible for them to commit many crimes to which they might otherwise be prone.

All this is more important when the State has a monopoly of economic power than it is under capitalism, since the power of the State will be vastly augmented. Take a concrete case: that of women employed in the public service. At present they have a grievance, because their rates of pay are lower than those of men; they have legitimate ways of making their grievance known, and it would not be safe to penalize them for making use of these ways. There is no reason whatever for supposing that the present inequality would necessarily cease with the adoption of Socialism, but the means of agitating about it would cease, unless express provision were made for just such cases. Newspapers and printing presses would all belong to the government, and would print only what the government ordered. Can it be assumed as certain that the government would print attacks on its own policy? If not, there would be no means of political agitation by means of print. Public meetings would be just as difficult, since the halls would all belong to the government. Consequently, unless careful provision were made for the express purpose of safeguarding political liberty, no method would exist of making grievances known, and the government, when once elected, would be as omnipotent as Hitler, and could easily arrange for its own re-election to the end of time.

Democracy might survive as a form, but would have no more reality than the forms of popular government that lingered on under the Roman Empire.

To suppose that irresponsible power, just because it is called Socialist or Communist, will be freed miraculously from the bad qualities of all arbitrary power in the past, is mere childish nursery psychology: the wicked prince is ousted by the good prince, and all is well. If a prince is to be trusted, it must be not because he is "good," but because it is against his interest to be "bad." To insure that this shall be the case is to make power innocuous; but it cannot be rendered innocuous by transforming men whom we believe to be "good" into irresponsible despots.

The B.B.C. is a State institution which shows what is possible in the way of combining freedom of propaganda with government monopoly. At such a time as that of the General Strike, it must be admitted, it ceases to be impartial; but at ordinary times it represents different points of view, as nearly as may be, in proportion to their numerical strength. In a Socialist State, similar arrangements for impartiality would have to be made in regard to the hiring of halls for meetings and the printing of controversial literature. It might be found desirable, instead of having different newspapers representing different points of view, to have only one, with different pages allocated to different parties. This would have the advantage that readers would see all opinions, and would tend to be less one-sided than those who, at present, never see in a newspaper anything with which they disagree.

There are certain regions, such as art and science, and (so far as public order allows) party politics, where uniformity is not necessary or even desirable. These are the legitimate sphere of competition, and it is important that public feeling should be such as to bear differences on such matters without exasperation. Democracy, if it is to succeed and endure, demands a tolerant spirit, not too much hate, and not too much love of violence. But this brings us to the psychological conditions for the taming of power.

IV

The psychological conditions for the taming of power are in some ways the most difficult. In connection with the psychology of power, we saw that fear, rage, and all kinds of violent collective excitement, tend to make men blindly follow a leader, who, in most cases, takes advantage of their trust to establish himself as a tyrant. It is therefore important, if democracy is to be preserved, both to avoid the circumstances that produce general excitement, and to educate in such a way that the population shall be little prone to moods of this sort. Where a spirit of ferocious dogmatism prevails, any opinion with which men disagree is liable to provoke a breach of the peace. Schoolboys are apt to ill-treat a boy whose opinions are in any way odd, and many grown men have not got beyond the mental age of schoolboys. A diffused liberal sentiment, tinged with scepticism, makes social co-operation much less difficult, and liberty correspondingly more possible.

Revivalist enthusiasm, such as that of the Nazis, rouses admiration in many through the energy and apparent self-abnegation that it generates. Collective excitement, involving indifference to pain and even to death, is historically not uncommon. Where it exists, liberty is impossible. The enthusiasts can only be restrained by force, and if they are not restrained they will use force against others. I remember a Bolshevik whom I met in Peking in 1920, who marched up and down the room exclaiming with complete truth: "If vee do not keel zem, zey vill keel us!" The existence of this mood on one side of course generates the same mood on the other side; the consequence is a fight to a finish, in which everything is subordinated to victory. During the fight, the government acquires despotic power for military reasons; at the end, if victorious, it uses its power first to crush what remains of the enemy, and then to secure the continuance of its dictatorship over its own supporters. The result is something quite different from what was fought for by the enthusiasts. Enthusiasm, while it can achieve certain results, can hardly ever achieve those that it desires. To admire collective enthusiasm is reckless and irresponsible, for its fruits are fierceness, war, death, and slavery.

War is the chief promoter of despotism, and the greatest obstacle to the establishment of a system in which irresponsible power is avoided as far as possible. The prevention of war is therefore an essential part of our problem—I should say, the most essential. I believe that, if once the world were

freed from the fear of war, under no matter what form of government or what economic system, it would in time find ways of curbing the ferocity of its rulers. On the other hand, all war, but especially modern war, promotes dictatorship by causing the timid to seek a leader and by converting the bolder spirits from a society into a pack.

The risk of war causes a certain kind of mass psychology, and reciprocally this kind, where it exists, increases the risk of war, as well as the likelihood of despotism. We have therefore to consider the kind of education which will make societies least prone to collective hysteria, and most capable of successfully practising democracy.

Democracy, if it is to succeed, needs a wide diffusion of two qualities which seem, at first sight, to tend in opposite directions. On the one hand, men must have a certain degree of self-reliance and a certain willingness to back their own judgment; there must be political propaganda in opposite directions, in which many people take part. But on the other hand men must be willing to submit to the decision of the majority when it goes against them. Either of these conditions may fail: the population may be too submissive, and may follow a vigorous leader into dictatorship; or each party may be too self-assertive, with the result that the nation falls into anarchy.

What education has to do in this matter may be considered under two heads: first, in relation to character and the emotions; secondly, in relation to instruction. Let us begin with the former.

If democracy is to be workable, the population must be as far as possible free from hatred and destructiveness, and also from fear and subservience. These feelings may be caused by political or economic circumstances, but what I want to consider is the part that education plays in making men more or less prone to them.

Some parents and some schools begin with the attempt to teach children complete obedience, an attempt which is almost bound to produce either a slave or a rebel, neither of which is what is wanted in a democracy. As to the effects of a severely disciplinary education, the view that I hold is held by all the dictators of Europe. After the war, almost all the countries of Europe had a number of free schools, without too much discipline or too much show of respect for the teachers; but one by one, the military autocracies, including the Soviet Republic, have suppressed all freedom in schools and have gone back to the old drill, and to the practice of treating the teacher as a miniature Führer or Duce. The dictators, we may infer, all regard a certain degree of freedom in school as the proper training for democracy, and autocracy in school as the natural prelude to autocracy in the State.

Every man and woman in a democracy should be neither a slave nor a rebel, but a citizen, that is, a person who has, and allows to others, a due proportion, but no more, of the governmental mentality. Where democracy does not exist, the governmental mentality is that of masters towards dependents; but where there is democracy it is that of

equal co-operation, which involves the assertion of one's own opinion up to a certain point, but no further.

This brings us to a source of trouble to many democrats, namely what is called "principle." Most talk about principle, self-sacrifice, heroic devotion to a cause, and so on, should be scanned somewhat sceptically. A little psycho-analysis will often show that what goes by these fine names is really something quite different, such as pride, or hatred, or desire for revenge, that has become idealized and collectivized and personified as a noble form of idealism. The warlike patriot, who is willing and even anxious to fight for his country, may reasonably be suspected of a certain pleasure in killing. A kindly population, a population who in their childhood had received kindness and been made happy, and who in youth had found the world a friendly place, would not develop that particular sort of idealism called patriotism, or class-war, or what not, which consists in joining together to kill people in large numbers. I think the tendency to cruel forms of idealism is increased by unhappiness in childhood, and would be lessened if early education were emotionally what it ought to be. Fanaticism is a defect which is partly emotional, partly intellectual; it needs to be combatted by the kind of happiness that makes men kindly, and the kind of intelligence that produces a scientific habit of mind.

The temper required to make a success of democracy is, in the practical life, exactly what the scientific temper is in the intellectual life; it is a half-way house between scepticism and dogmatism. Truth, it

holds, is neither completely attainable nor completely unattainable; it is attainable to a certain degree, and that only with difficulty.

Autocracy, in its modern forms, is always combined with a creed: that of Hitler, that of Mussolini, or that of Stalin. Wherever there is autocracy, a set of beliefs is instilled into the minds of the young before they are capable of thinking, and these beliefs are taught so constantly and so persistently that it is hoped the pupils will never afterwards be able to escape from the hypnotic effect of their early lessons. The beliefs are instilled, not by giving any reason for supposing them true, but by parrot-like repetition, by mass hysteria and mass suggestion. When two opposite creeds have been taught in this fashion, they produce two armies which clash, not two parties that can discuss. Each hypnotized automaton feels that everything most sacred is bound up with the victory of his side, everything most horrible exemplified by the other side. Such fanatical factions cannot meet in Parliament and say "let us see which side has the majority"; that would be altogether too pedestrian, since each side stands for a sacred cause. This sort of dogmatism must be prevented if dictatorships are to be avoided, and measures for preventing it ought to form an essential part of education.

If I had control of education, I should expose children to the most vehement and eloquent advocates on all sides of every topical question, who should speak to the schools from the B.B.C. The teacher should afterwards invite the children to summarize

the arguments used, and should gently insinuate the view that eloquence is inversely proportional to solid reason. To acquire immunity to eloquence is of the utmost importance to the citizens of a democracy.

Modern propagandists have learnt from advertisers, who led the way in the technique of producing irrational belief. Education should be designed to counteract the natural credulity and the natural incredulity of the uneducated: the habit of believing an emphatic statement without reasons, and of disbelieving an unemphatic statement even when accompanied by the best of reasons. I should begin in the infant school, with two classes of sweets between which the children should choose: one very nice, recommended by a coldly accurate statement as to its ingredients; the other very nasty, recommended by the utmost skill of the best advertisers. A little later I should give them a choice of two places for a country holiday: a nice place recommended by a contour map, and an ugly place recommended by magnificent posters.

The teaching of history ought to be conducted in a similar spirit. There have been in the past eminent orators and writers who defended, with an appearance of great wisdom, positions which no one now holds: the reality of witchcraft, the beneficence of slavery, and so on. I should cause the young to know such masters of eloquence, and to appreciate at once their rhetoric and their wrong-headedness. Gradually I should pass on to current questions. As a sort of *bonne bouche* to their history, I should read to them what is said about Spain (or whatever at the moment

is most controversial) first by the *Daily Mail*, and then by the *Daily Worker*; and I should then ask them to infer what really happened. For undoubtedly few things are more useful to a citizen of a democracy than skill in detecting, by reading newspapers, what it was that took place. For this purpose, it would be instructive to compare the newspapers at crucial moments during the Great War with what subsequently appeared in the official history. And when the madness of war hysteria, as shown in the newspapers of the time, strikes your pupils as incredible, you should warn them that all of them, unless they are very careful to cultivate a balanced and cautious judgment, may fall overnight into a similar madness at the first touch of government incitement to terror and blood lust.

I do not wish, however, to preach a purely negative emotional attitude; I am not suggesting that all strong feeling should be subjected to destructive analysis. I am advocating this attitude only in relation to those emotions which are the basis of collective hysteria, for it is collective hysteria that facilitates wars and dictatorships. But wisdom is not *merely* intellectual: intellect may guide and direct, but does not generate the force that leads to action. The force must be derived from the emotions. Emotions that have desirable social consequences are not so easily generated as hate and rage and fear. In their creation, much depends upon early childhood; much, also, upon economic circumstances. Something, however, can be done, in the course of ordinary education, to provide the nourishment upon

which the better emotions can grow, and to bring about the realization of what may give value to human life.

This has been, in the past, one of the purposes of religion. The Churches, however, have also had other purposes, and their dogmatic basis causes difficulties. For those to whom traditional religion is no longer possible, there are other ways. Some find what they need in music, some in poetry. For some others, astronomy serves the same purpose. When we reflect upon the size and antiquity of the stellar universe, the controversies on this rather insignificant planet lose some of their importance, and the acerbity of our disputes seems a trifle ridiculous. And when we are liberated by this negative emotion, we are able to realize more fully, through music or poetry, through history or science, through beauty or through pain, that the really valuable things in human life are individual, not such things as happen on a battlefield or in the clash of politics or in the regimented march of masses of men towards an externally imposed goal. The organized life of the community is necessary, but it is necessary as mechanism, not something to be valued on its own account. What is of most value in human life is more analogous to what all the great religious teachers have spoken of. Those who believe in the Corporate State maintain that our highest activities are collective, whereas I should maintain that we all reach our best in different ways, and that the emotional unity of a crowd can only be achieved on a lower level.

This is the essential difference between the liberal outlook and that of the totalitarian State, that the former regards the welfare of the State as residing ultimately in the welfare of the individual, while the latter regards the State as the end and individuals merely as indispensable ingredients, whose welfare must be subordinated to a mystical totality which is a cloak for the interest of the rulers. Ancient Rome had something of the doctrine of State-worship, but Christianity fought the Emperors and ultimately won. Liberalism, in valuing the individual, is carrying on the Christian tradition; its opponents are reviving certain pre-Christian doctrines. From the first, the idolators of the State have regarded education as the key to success. This appears, for example, in Fichte's *Addresses to the German Nation*, which deal at length with education. What Fichte desires is set forth in the following passage:

"If any one were to say: 'how could any one demand more of an education than that it should show the pupil the right and strongly recommend it to him; whether he follows these recommendations is his own affair, and if he does not do it, his own fault; he has free will, which no education can take from him': I should answer, in order to characterize more sharply the education I contemplate, that just in this recognition of and counting on the free will of the pupil lies the first error of education hitherto and the distinct acknowledgment of its impotence and emptiness. For inasmuch as it admits that, after all its strongest operation, the will remains free, that is oscillating undecidedly between good and

bad, it admits that it neither can nor wishes to mould the will, or, since will is the essential root of man, man himself; and that it holds this to be altogether impossible. The new education, on the contrary, would have to consist in a complete annihilation of the freedom of the will in the territory that it undertook to deal with."

His reason for desiring to create "good" men is not that they are in themselves better than "bad" men; his reason is that "only in such (good men) can the German nation persist, but through bad men it will necessarily coalesce with foreign countries."

All this may be taken as expressing the exact antithesis of what the liberal educator will wish to achieve. So far from "annihilating the freedom of the will," he will aim at strengthening individual judgment; he will instil what he can of the scientific attitude towards the pursuit of knowledge; he will try to make beliefs tentative and responsive to evidence; he will not pose before his pupils as omniscient, nor will he yield to the love of power on the pretence that he is pursuing some absolute good. Love of power is the chief danger of the educator, as of the politician; the man who can be trusted in education must care for his pupils on their own account, not merely as potential soldiers in an army or propagandists for a cause. Fichte and the powerful men who have inherited his ideals, when they see children, think: "Here is material that I can manipulate, that I can teach to behave like a machine in furtherance of my purposes; for the moment I may be impeded by joy of life,

spontaneity, the impulse to play, the desire to live for purposes springing from within, not imposed from without; but all this, after the years of schooling that I shall impose, will be dead; fancy, imagination, art, and the power of thought shall have been destroyed by obedience; the death of joy will have bred receptiveness to fanaticism; and in the end I shall find my human material as passive as stone from a quarry or coal from a mine. In the battles to which I shall lead them, some will die, some will live; those who die will die exultantly, as heroes, those who live will live on as my slaves, with that deep mental slavery to which my schools will have accustomed them." All this, to any person with natural affection for the young, is horrible; just as we teach children to avoid being destroyed by motor cars if they can, so we should teach them to avoid being destroyed by cruel fanatics, and to this end we should seek to produce independence of mind, somewhat sceptical and wholly scientific, and to preserve, as far as possible, the instinctive joy of life that is natural to healthy children. This is the task of a liberal education: to give a sense of the value of things other than domination, to help to create wise citizens of a free community, and through the combination of citizenship with liberty in individual creativeness to enable men to give to human life that splendour which some few have shown that it can achieve.

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This is a collection of more than a hundred op-ed pieces and letters on public affairs written during the Biden administration, 2020-2024. It is followed by an appreciation of Jefferson's contribution to the American polity, unacknowledged in recent years. It is a sequel to a previous volume, *Vox Clamantis In Deserto* (2021) covering the four previous failed national administrations, those of Presidents Clinton, Bush (Jr.), Obama, and Trump. ALSO AVAILABLE: VOX CLAMANTIS IN DESERTO, A collection of articles and book reviews 1995-2020, $25 paperback, $9.99 Kindle. My political stance is not one that commends itself to either of today's contending factions, since I dislike bellicosity, plutocracy, and permissiveness. Foreign policies that generate millions of refugees are not to be excused on the basis of limited American casualties, nor can I overlook the proletarianization of the American work force, including the professions, or the diminution of personal character and insecurity resulting from extreme permissiveness in morals, ultimately affecting the quality of our national leadership.

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