

OUR BENEVOLENT FEUDALISM

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649151790

Our benevolent feudalism by W. J. Ghent

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W. J. GHENT

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BY
W. J. GHENT

New York
THE MACMILLAN COMPANY
LONDON: MACMILLAN & CO., LTD.

1902

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Set up and electrotyped October, 1902.

Norwood Press
J. S. Cushing & Co. — Berwick & Smith
Norwood Mass. U.S.A.

PREFACE

THE germ of this book was contained in an article published in the *Independent*, April 3, 1902. The wide interest which that article awakened prompted the elaboration and arrangement of its briefly considered and somewhat disjointed parts into the present form.

The chapters on "Our Makers of Law" and "Our Interpreters of Law" have been carefully read by a member of the New York Bar who has made a special study of the matters treated therein. Some of the decisions cited in the latter chapter are admitted to be those of subordinate courts in comparatively unimportant States. The intention, however, was to give a general view of judicial interpretation; and for that reason it became necessary to cite decisions of inferior as well as superior courts, and those from semi-industrial as well as industrial States.

As the book goes to press, the news is published that the anthracite magnates have yielded and made concessions to public sentiment. It is an act in harmony with the wiser forethought of most of the magnates of to-day, and it strengthens the general seigniorial position immeasurably.

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CHAPTER I

UTOPIAS AND OTHER FORECASTS

"THE old order changeth, yielding place to new." But what the new order shall be is a matter of some diversity of opinion. Whoever, blessed with hope, speculates upon the future of society, tends to imagine it in the form of his social ideals. It matters little what the current probabilities may be—the strong influence of the ideal warps the judgment. To Thomas More, though most tendencies of his time made for absolutism, the future was republican and communistic; and to Francis Bacon the present held the promise of a new Atlantis, despite the growing arrogance of the Crown and the submissiveness of the people.

The great diversity of social ideals produces a like diversity of social forecasts. All the soothsayers give different readings of the signs. Even those of the same school, who build the future in the light of the same dogmas, differ in regard to particulars of form and structure. How many forecasts of one sort or another have been given us, it is impossible to say. Mr. H. G. Wells, in a footnote to his "Anticipations," complains of their scarcity. "Of quite serious forecasts and inductions of things to come," he says, "the number is very small indeed; a sug-

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gestion or so of Mr. Herbert Spencer's, Mr. Kidd's 'Social Evolution,' some hints from Mr. Archdall Reid, some political forecasts, German for the most part (Hartmann's 'Earth in the Twentieth Century,' *e.g.*), some incidental forecasts by Professor Langley (*Century Magazine*, December, 1884, *e.g.*), and such isolated computations as Professor Crookes's wheat warning and the various estimates of our coal supply, make almost a complete bibliography." But surely the Utopians, from Plato to Edward Bellamy, have given us "quite serious forecasts"; there is something of serious prophecy in both Karl Marx and Friedrich Engels, much more in Tolstoi and Peter Kropotkin; and the "Fabian Essays" are charged with it. Mr. Henry D. Lloyd's "Wealth against Commonwealth" closes with a brilliant and eloquent picture of a regenerated society, and Mr. Edmond Kelly's "Individualism and Collectivism" is in large part prophetic. All the social reformers who write books or articles give us engaging pictures of things as they are to be; and though the Philosophical Anarchists deal rather more largely with polemics than with prophecy, the Socialists are conspicuously definite and serious in their forecasts. Even the popular scientists — the astronomers, biologists, and anthropologists — often run into prediction; and in the pages of Richard A. Proctor, E. D. Cope, and Grant Allen, and of such living men as M. Camille Flammarion, Mr. Alfred Russell Wallace, and Professor W. J. McGee, we have frequent depictions of certain phases of the future.

Doubtless, any reader can add to this list. Of a