

**CLASS, SLAVERY AND THE INDUSTRIALIST THEORY OF
HISTORY IN FRENCH LIBERAL THOUGHT, 1814-1834:
THE CONTRIBUTION OF CHARLES COMTE AND
CHARLES DUNOYER**

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MAY 1990

DECLARATION OF LENGTH OF THE DISSERTATION

I declare that the length of the dissertation "Class, Slavery and the Industrialist Theory of History in French Liberal Thought, 1814-1834: The Contribution of Charles Comte and Charles Dunoyer" does not exceed eighty thousand words, excluding footnotes and bibliography.

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DECLARATION

I declare that this dissertation is the result of my own work and includes nothing which is the outcome of work done in collaboration.

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ABSTRACT

The work of Charles Comte and Charles Dunoyer spanning the years from 1814 to 1834 demonstrates that a reassessment of the nature of nineteenth century liberalism in general, and early nineteenth century French liberalism in particular, is required. The picture of nineteenth century liberalism which emerges from traditional accounts does not prepare one for the kind of liberalism advocated by Comte and Dunoyer, with their ideas of class analysis, exploitation, the relationship between the mode of production and political culture, and the historical evolution from one mode of production to another through definite stages of economic development.

We have been told that liberals restricted themselves to purely political concerns, such as freedom of speech and constitutional government, or economic concerns, such as free trade and deregulation, and eschewed the so-called "social" issues of class and exploitation. I will argue in this thesis that there was a group of liberals in Restoration France which does not fit this traditional view. Charles Comte and Charles Dunoyer combined a traditional liberal concern with political and constitutional liberty and a social theory of class and exploitation which they developed during the late 1810s and 1820s. I discuss at some length their interest in the nature of slave labour, in particular its profitability and its class structure, as well as Dunoyer's industrialist theory of history. Since their strong advocacy of private property, individual liberty and laissez-faire economic policies makes it impossible to classify them as "proto-socialists" or "early socialists" however much their theories may have influenced later socialists including Karl Marx, one is obliged to classify them as liberals. Yet, they are quite unlike the mainstream liberals of the early nineteenth century we have come to know through traditional accounts. It is my conclusion that historians, with a very few exceptions, have badly misunderstood the nature of early nineteenth century liberalism by focusing excessively on political and economic policy matters. A study of liberals like Comte and Dunoyer shows there is another dimension to liberalism which has never been adequately appreciated, a "social" dimension in which the problems of class, exploitation and the evolution of societies through definite economic stages played an important rôle.

INTRODUCTION

The work of Charles Comte and Charles Dunoyer spanning the years from 1814 to 1834 demonstrates that a reassessment of the nature of nineteenth century liberalism in general, and early nineteenth century French liberalism in particular, is required. The picture of nineteenth century liberalism which emerges from traditional accounts does not prepare one for the kind of liberalism advocated by Comte and Dunoyer, with their ideas of class analysis, exploitation, the relationship between the mode of production¹ and political culture (or "morals" as Dunoyer expressed it), and the historical evolution from one mode of production to another through definite stages of economic development. One has been led by many historians to expect that these issues were the exclusive preserve of the early utopian socialists, such as Auguste Comte and the Saint-Simonians, or the Marxists. Since it was Karl Marx who developed the most influential theory of class conflict and historical evolution through economic stages, it has been assumed that these ideas were somehow peculiarly "socialist." They are considered by some historians even to be a distinguishing feature of this tradition of thought.

On the other hand, we have been told, liberals restricted themselves to purely political concerns, such as freedom of speech and constitutional government, or economic concerns, such as free trade and deregulation, and eschewed the so-called "social" issues of class, exploitation and the relationship between the mode of production and political culture. I will argue in this thesis that there was a group of liberals in Restoration France which does

¹I have used the expression "mode of production" to translate a variety of terms which Dunoyer uses, such as "la manière même dont ils pouvaient à leurs besoins" (p. 181), "les modes d'existence" (p. 182), "la manière de vivre" (p. 182), "la mode imparfait de subsistance" (p. 185), all of which were taken from a few pages in Charles Dunoyer, *L'Industrie et la morale considérées dans leurs rapports avec la liberté* (Paris: A. Sautelet, 1825). I chose this translation for two reasons. Firstly, it seemed to carry the meaning of what Dunoyer was trying to say. Secondly, the appropriation of this term by Marxists gives the impression that it was they who invented the concept. By associating it with an obviously liberal social theorist my intention it to show that the term was much more broadly used than is commonly recognised.

not fit this traditional demarcation between liberals and socialists. Charles Comte and Charles Dunoyer combined a traditional liberal concern with political and constitutional liberty and a social theory of class and exploitation which they developed during the late 1810s and 1820s. Since their strong advocacy of private property, individual liberty and laissez-faire economic policies makes it impossible to classify them as "proto-socialists" or "early socialists" however much their theories may have influenced later socialists including Karl Marx, one is obliged to classify them as liberals. Yet, they are quite unlike the mainstream liberals of the early nineteenth century we have come to know through traditional accounts. It is my conclusion that historians, with a very few exceptions, have badly misunderstood the nature of early nineteenth century liberalism by focusing excessively on political and economic policy matters. A study of liberals like Comte and Dunoyer shows there is another dimension to liberalism which has never been adequately appreciated, a "social" dimension in which the problems of class, exploitation and the evolution of societies through definite economic stages played an important rôle.

When one acknowledges that our understanding of liberalism must be changed in order to include what I have called "the social dimension," it quickly becomes apparent that there are many other nineteenth century liberals who share Comte's and Dunoyer's interest in such things as class and exploitation, but who are often left out of or only selectively used in histories of nineteenth century liberalism. A history of liberalism, based upon my expanded redefinition of what liberalism is, would now have to include, in addition to Charles Comte and Charles Dunoyer, others such as Thomas Hodgskin, Herbert Spencer, Gustave de Molinari, Vilfredo Pareto, and Max Weber, along with the traditionally highly regarded figures such as Benjamin Constant, John Stuart Mill, Richard Cobden, and Alexis de Tocqueville. Even these latter liberals have an interest in class and exploitation which has not yet been fully explored by historians.²

²Benjamin Constant's economic writings have been largely ignored by historians and his most interesting piece of social theory, the "De l'esprit de conquête et de l'usurpation dans leurs rapports avec la civilisation européenne" (1814) in *De la liberté chez les*

One looks in vain in recent overviews of the history of liberalism to find any mention of this "social" dimension. John Gray, for example, acknowledges the importance of the idea of the autonomous individual, private property and the free market to liberal theory, but makes no mention of any theory of class, exploitation, or historical development.³ Because the social dimension plays no part in Gray's account of liberalism, it is not surprising that he dismisses Hodgskin, for example, as just one of "a host of lesser figures" who "produced valuable work (unspecified by Gray) in the classical liberal individualist tradition." While grudgingly acknowledging Hodgskin's philosophical individualism, Gray ignores entirely Hodgskin's theory of property and the vitally important idea of class and exploitation which he developed from it.⁴ Max Weber and Vilfredo Pareto suffer similar fates of dismissive neglect. Spencer is congratulated for his "Principle of Equal Freedom,"

modernes, ed. Marcel Gauchet (Paris: Livre de poche, 1980) which so influenced Dunoyer, has not always been recognised as such. Mill's interest in social issues is well documented, especially in the *Principles of Political Economy* (1848), ed. Donald Winch (Harmondsworth: Penguin, 1970) and the *Essays in French History and Historians. Collected Works of John Stuart Mill*, ed. John M. Robson (University of Toronto Press, 1985), but the important discussion of the nature of subjection under feudalism in *The Subjection of Women*, ed. Kate Soper (London: Virago, 1983) has not been fully appreciated. Richard Cobden uses an undeveloped theory of class and exploitation in his analysis of the rôle of the aristocratic classes in the British Empire and military services. There are scattered references in his speeches and pamphlets: *Speeches on Questions of Public Policy by Richard Cobden, M.P.*, ed. John Bright and J.E. Thorold Rogers (1870) (New York: Kraus Reprint, 1970) and *The Political Writings of Richard Cobden*, ed. Naomi Churgin Miller (New York: Garland Publishing, 1973). Seymour Drescher and Roger Boesche have constantly asserted that Tocqueville's economic and social contributions are just as important as the other aspects of his work which are more commonly discussed. Seymour Drescher, *Dilemmas of Democracy: Tocqueville and Modernization* (University of Pittsburgh Press, 1968); *Tocqueville and Beaumont on Social Reform*, ed. Seymour Drescher (New York: Harper Torchbooks, 1968). The desire to uncover the "hidden" Tocqueville is revealed by Roger Boesche in a series of articles: "The Strange Liberalism of Alexis de Tocqueville," *History of Political Thought*, 1981, vol. 11, pp. 495-524; "Tocqueville and *Le Commerce*: A Newspaper expressing his unusual Liberalism," *Journal of the History of Ideas*, 1983, vol. XLIV, no. 2, pp. 277-92; "Why did Tocqueville fear Abundance? or the Tension between Commerce and Citizenship," *History of European Ideas*, 1988, vol. 9, no. 1, pp. 25-45; *Reconsidering Tocqueville's Democracy in America*, ed. Abraham S. Eisenstadt (New Brunswick: Rutgers University Press, 1988).

³John Gray, *Liberalism* (Milton Keynes: Open University Press, 1986).

⁴Thomas Hodgskin, *The Natural and Artificial Right of Property Contrasted...* (London: B. Steil, 1832) reprinted (Clifton, New Jersey: Augustus M. Kelley, 1973).

but his synthetic philosophy or social theory is quickly disposed of as an unfortunate aberration. Comte, Dunoyer, and Molinari are not mentioned at all - a symptom of the narrow, anglocentric perspective of most historians of liberalism.⁵

There is, however, a theory of society and social evolution which Gray does accept and that is the idea of "spontaneous order" taken from the Scottish Enlightenment, via the writings of Friedrich Hayek.⁶ According to Hayek, the very methodology of liberal theory, that is methodological individualism, precludes a liberal theory of class, a liberal theory of history, or indeed a liberal sociology at all - a view which many historians of liberalism share. Hayek seems to be unaware of Comte and Dunoyer, but he displays his considerable irritation with social theories in his discussion of Auguste Comte and Saint Simon in *The Counter-Revolution of Science: Studies in the Abuse of Reason*.⁷ Following Hayek, Gray gives the impression that, between Adam Ferguson in the eighteenth century and Friedrich Hayek in the twentieth century, liberalism did not have a social theory, except for the bizarrerie of Herbert Spencer's synthetic philosophy. Liberals like Hayek and Gray recognise the importance of the Scottish Enlightenment, especially such figures as Adam Ferguson, Adam Smith, and John Millar, in the development of a liberal social theory, but assume that the matter ended there until Hayek rediscovered the idea of "spontaneous order." Ignoring the important contributions of the Physiocrats in France (Turgot in particular), not to mention the entire tradition of liberal thinking on social theory which existed in the nineteenth century, Hayek argues that, after an exciting period of innovation

⁵Other accounts of liberalism share Gray's reluctance to examine liberal notions of class and social evolution. For Manning, Arblaster, and Bramsted and Melhuish, the economic dimension of nineteenth century liberalism is poorly treated, whilst the social dimension is all but ignored. D.J. Manning, *Liberalism* (London: J.M. Dent and Sons, 1976); Anthony Arblaster, *The Rise and Decline of Western Liberalism* (Oxford: Basil Blackwell, 1984), *Western Liberalism: A History in Documents from Locke to Croce*, ed. E.K. Bramsted and K.J. Melhuish (London: Longman, 1978).

⁶John Gray, "The Idea of Spontaneous Order," *Hayek on Liberty* (Oxford: Basil Blackwell, 1984), pp. 27-55.

⁷Friedrich Hayek, *The Counter-Revolution of Science: Studies in the Abuse of Reason* (Indianapolis: Liberty Press, 1979).

and development in the 1750s, 1760s, and 1770s, the insights of the Scottish Enlightenment petered out after the hiatus of the French Revolution and Napoleon's Empire. In the period covered by the Restoration and the July Monarchy, when the foundations of the three major ideological movements of the nineteenth century (that is conservatism, liberalism, socialism) were being forged, Hayek believes that liberals ignored or had forgotten the Scottish tradition of social theory. Other theorists, most notably Auguste Comte and Saint Simon, who pursued an interest in social questions, became sidetracked by their infatuation with "reason" and science in the development of their theory of class and social evolution. Hayek believes that all theories of class and history are an "abuse of reason" and "collectivist" by their very nature, the result of the "composite" method of analysis (as opposed to methodological individualism of which Hayek approves).

Furthermore, Hayek seems to link all theories of class and history to political illiberalism. This is certainly true for the social theory of Auguste Comte and Saint Simon, who believed in the rule of a technocratic elite of engineers, scientists and bankers, and Karl Marx, whose teleological social theory was to result in the nirvana of socialism. It is my belief that Hayek and other historians have badly misinterpreted nineteenth century liberal thought. Firstly, they have ignored the "social" dimension to much liberal thought, especially French liberal thought, and secondly, they have falsely associated any theory of class and social evolution with socialism. The study of Comte's and Dunoyer's liberalism shows the necessity of correcting these misinterpretations.

Some historians might prefer to deny Comte and Dunoyer membership in the tradition of nineteenth century liberal thought altogether, rather than redefine what liberalism is. One might argue that Comte and Dunoyer began their careers in 1814 as liberals but, as they developed their social theory in the late 1810s and 1820s, they steadily moved away from liberalism towards something else. This something else was, if not "socialism," then the confused melting pot of ideas which became socialism in the 1830s and 1840s. According to this interpretation, in the new circumstances of the early nineteenth century, interest in class analysis, exploitation and theories of economic

evolution was the preserve of a new tradition of thinking, which has come to be known as "socialism." Almost by definition then, anyone who developed theories of class and theories of economic evolution was a "socialist" and anyone who defended property rights and constitutional limits to state power was a liberal. Since Comte and Dunoyer had strayed from these political and economic issues, they had entered a new domain of political philosophy. One might view them as "fellow travellers" of Auguste Comte and Saint Simon and just two more of the many writers who influenced the development of Marx's theory.

However, to define rigidly the boundaries of liberalism and socialism in this manner and to exclude Comte and Dunoyer from the liberal tradition, or even to accuse them of abandoning liberalism under the influence of "socialist" ideas of class and exploitation, would be to deny them their impeccable liberal credentials won at such personal cost during their struggles against censorship and authoritarian government throughout the Restoration and July Monarchy. If belief in class analysis and a theory of history based upon the concept of modes of production disqualifies Comte and Dunoyer from membership in the liberal camp, then it is hard to understand their continuing interest in "traditional" liberal causes during the period these ideas were being developed. When Comte and Dunoyer were writing their books on social theory during the 1820s they continued to be part of liberal circles in France, Switzerland and England. They participated in campaigns to protect freedom of speech and trial by jury, they sought and got political office under the more liberal July Monarchy, they became members of the liberal Academy of Moral and Political Sciences, they wrote on various issues of liberal political economy, and Dunoyer, since he outlived Comte by some years, was an active member of the Political Economy Society and wrote many articles for the preeminently liberal *Journal des Économie* from the early 1840s onwards.

I believe that a reading of Comte and Dunoyer shows the inadequacy of traditional accounts of the nature of nineteenth century liberalism. It will become clear in the course of this dissertation that Comte's and Dunoyer's theory of class and history follow logically from their very liberal theory of private property, the free market, and individual liberty.

Since the latter three concepts are essential to liberalism, Comte's and Dunoyer's belief in them must qualify them as members of the liberal tradition. Furthermore, the social theory of class and history they developed from their liberal political and economic ideas must also be considered a legitimate part of the nineteenth century liberal tradition. This necessitates a redefinition, or rather an "expansion" of one's definition of liberalism, so that it includes theorists like Comte and Dunoyer and ideas such as their view of class and history. What this means is that the family of individuals who make up the tradition of nineteenth century liberalism is a more complex and diverse group than many have previously suspected. It also means that ideas of class and theories of history commonly associated with the socialist tradition, if they are combined with a belief in property and the free market, are also an important part of the liberal tradition.

THE "PECULIARITY" OF THE FRENCH LIBERAL TRADITION - THE DISCOVERY OF THE SOCIAL DIMENSION

An important attempt to begin this process of redefining the nature of liberalism has been made by the Oxford political philosopher and historian, Larry Siedentop, who has identified a "second tradition" within liberalism. The best known tradition of liberalism is that of the British, for whom social questions of class and exploitation were of little importance. The "second tradition," which coexisted with the British tradition, was French and very socially minded. Because liberalism emerged first in Britain and was more successful there than elsewhere in seeing its political and economic agenda achieved, liberalism came to be associated with its British form alone. However, the form of liberalism which emerged in France in the years immediately after the fall of Napoleon was very different from the liberalism which emerged from Britain. In a provocative essay, "The Two Liberal Traditions," Larry Siedentop argues that French liberalism developed into a different "tradition" of liberalism with quite different "modes of argument and

themes" from what became known as the British mainstream of liberal thought.⁸ The very different concerns of French liberals from the late eighteenth to early nineteenth centuries, such as the source of political legitimacy and the nature of class structure and exploitation, which are more commonly associated with the development of socialist thought, meant that historians who went looking for a French version of British liberal thought never found it. In fact, Siedentop argues, important concepts such as political equality, the development of systematic theories of social change, the central rôle given to changing modes of production in influencing and changing social relations and ideas, and the critical concept of class in historical analysis "were introduced by French liberal thinkers, and only later adapted by socialist writers."⁹ It was the different historical experience of French liberals, Siedentop argues, which led them to ask different questions about political and economic power, thus making their form of liberalism different from their British colleagues. The economic crises of the ancien régime, the class conflict of the revolution, the rise of a military dictatorship, the return of the conservative and authoritarian monarchy and the slowness of industrialisation compared with Britain, naturally led French liberals to strike out in a different direction.

The liberals whom Siedentop identifies as the "originators of a sociological approach to political theory" included Madame de Staël, Benjamin Constant, the group known as the "Doctrinaires" which included Royer-Collard, Barante, and Guizot, and, most importantly, Alexis de Tocqueville.¹⁰ However, as important as these liberals are in the development of

⁸Larry Siedentop, "The Two Liberal Traditions," *The Idea of Freedom: Essays in Honour of Isaiah Berlin*, ed. Alan Ryan (Oxford University Press, 1979).

⁹Siedentop, "The Two Liberal Traditions," p.153. Siedentop has another reason for the comparative neglect of French liberal contributions to social theory. This is due, in Siedentop's view, to the excessive attention given to the English liberal tradition - a tradition which tends to emphasise philosophy of mind and the sensationalist theory of knowledge. On the other hand, the French liberals of the early nineteenth century tended not to be philosophers of mind but rather historians, jurists, or political economists and journalists. The occupational background and intellectual interests of the French liberals was much closer to their eighteenth century counterparts, the Philosophes in France and the members of the Scottish Enlightenment.

¹⁰Siedentop, "The Two Liberal Traditions," p.157.

a sociological and historical approach to political theory, there is another group of lesser-known liberal theorists of which Siedentop appears not to be aware, and yet which seems to be just as important, if not more so, in the development of such a sociological approach to political theory. This lesser-known group includes Jean-Baptiste Say, Charles Comte and Charles Dunoyer, the early, more liberal Henri Saint-Simon, and Augustin Thierry.

Larry Siedentop is not alone in seeing a different, more "sociological" form of liberalism emerge in France in the late eighteenth and early nineteenth centuries. Shirley Gruner discusses the contribution of Comte and Dunoyer in their Restoration journals *Le Censeur* and *Le Censeur européen* to the development of this peculiarly French form of liberalism. Whereas Siedentop includes more conservative French liberals such as François Guizot and the other "Doctrinaires" in this new group, Gruner argues that Comte and Dunoyer should be placed in a political category of their own, due primarily to their view of class and the rôle of the mode of production in influencing political structures and behaviour. She even goes so far as to argue that the different theories of class analysis presented by Comte, Dunoyer and Thierry, on the one hand, and Guizot and the Doctrinaires on the other, are so radically different that the two groups logically cannot both claim to be "liberal." Gruner prefers to call the "Thierry-*Le Censeur européen* group" radical liberal and the Guizot group constitutional conservative.¹¹ Although I cannot go as far as Gruner in rejecting the title of "liberal" for Guizot and the Doctrinaires, she is correct in identifying the uniqueness of the liberalism of Comte and Dunoyer. However, I believe Gruner is at least partly correct and that the "Thierry-*Le Censeur européen* group" has a far stronger claim to being the originators of the kind of radical liberal social theory which Siedentop identifies with Guizot and the Doctrinaires and which he believes makes up the "second tradition" of nineteenth century liberalism.

¹¹Shirley M. Gruner, *Economic Materialism and Social Moralism: A Study in the History of Ideas in France from the latter part of the 18th century to the middle of the 19th century* (The Hague, 1973), pp.108-10.

One reason for the "peculiar" nature of French liberalism during the Restoration has to do with the Restoration itself. A handful of historians have focused on the Restoration as a vital and rich period in the development of political, social and economic thought. Marxists in particular, attracted by the search for precursors and origins of Marx' social theory, have recognised the importance of the Restoration for political and sociological theory for some time.¹² Historians of political and economic thought from other political schools have, until recently, been less interested in this period. This is surprising, given the fact that it was a period of remarkable intellectual agitation when the achievements and failures of the French Revolution were beginning to be assessed and the modern forms of conservative, liberal and socialist thought emerged. In the last few years a number of historians have directed their attention to some of the leading liberals of this period, which one reviewer has aptly named "le moment libéral."¹³ Benjamin Constant,¹⁴ Madame de

¹²A relatively recent Marxist assessment has been made by Göran Therborn, *Science, Class and Society: On the Formation of Sociology and Historical Materialism* (London: Verso, 1980).

¹³Laurence Jacobs in a review essay discusses some of the recently published material on Restoration liberalism, "Le moment libéral: The Distinctive Character of Restoration Liberalism," *The Historical Journal*, 1988, vol. 31, no. 2, pp. 479-91.

¹⁴Benjamin Constant is the Restoration liberal upon whom most attention has been focused. Constant, unlike many of his liberal contemporaries, has always been remembered by scholars. Older biographers liked to stress his reputation as the infamous lover of the voracious Madame de Staël, whilst literary critics justly refer to his classic novel *Adolphe*. In more recent decades, scholars have drawn attention to Constant as a political theorist, political journalist and laissez-faire liberal. His considerable output of political journalism and occasional but important economic writings has remained in obscurity until only quite recently. The efforts of people such as Éphraïm Harpaz, Étienne Hoffman, Guy Dodge, Stephen Holmes and most recently Biancamaria Fontana are beginning to show how important Constant was to both the political and intellectual developments of Restoration France. Éphraïm Harpaz has established Constant's credentials as an important liberal journalist of the early Restoration in Éphraïm Harpaz, *L'école libérale sous la Restauration: Le "Mercure" et la "Minerve", 1817-1820* (Geneva: Droz, 1968) and Étienne Hoffman and Biancamaria Fontana have edited and translated respectively Constant's most important work of political philosophy and constitutionalism in Étienne Hoffman, *Les 'Principes de Politique' de Benjamin Constant (1806)*, 2 vols, vol. 1, *La Genèse d'une oeuvre et l'évolution de la pensée de leur auteur 1789-1806* (Geneva: Droz, 1980) and Constant, *Political Writings*, ed. Biancamaria Fontana (Cambridge University Press, 1988). Both have written important introductions to Constant's political philosophy which urges historians and political philosophers to discuss his work in more detail. The case for

Staël,¹⁵ and to a lesser extent François Guizot¹⁶ have all been the recipients of much-needed and useful scholarly attention.

Although he is concerned primarily with François Guizot, the French historian Pierre Rosanvallon is drawn to the Restoration and the July Monarchy, or what he calls "le moment Guizot," because it marked a rupture with both the traditional manner of doing political and economic theory and with French culture in general.¹⁷ One might dispute

Constant's relevance to the debate about modern liberalism is persuasively made by Stephen Holmes in an important new book Stephen Holmes, *Benjamin Constant and the Making of Modern Liberalism* (New Haven: Yale University Press, 1984). One could also mention Marcel Gauchet's edition of Constant's important works in political theory in Benjamin Constant, *De la liberté chez les Modernes: Écrits politiques*, ed. Marcel Gauchet (Paris: Livre de poche, 1980) with a lengthy introduction by Gauchet, "Benjamin Constant: l'illusion lucide de libéralisme," pp.11- 91; Kurt Kloocke, *Benjamin Constant: Une biographie intellectuelle* (Genève: Droz, 1984); Guy Howard Dodge, *Benjamin Constant's Philosophy of Liberalism* (Chapel Hill: University of North Carolina Press, 1980); and the recognition of Constant's rediscovery by Carlo Violi, *Benjamin Constant per una storia della riscoperta politica e religione* (Rome: G. Gangemi, 1985). However, in spite of the growing attention being given to Benjamin Constant, an important aspect of his thought is still being neglected. Unfortunately, historians are primarily interested in Constant's political philosophy. His writings on economic matters, in particular his commentaries on Filangieri, in which Constant defends a laissez-faire economic policy, are still to be properly assessed. Constant concluded his commentary on Filangieri with the call for total laissez-faire which might surprise some modern historians: "Rayons donc, pour tout ce qui n'a pas rapport à des crimes positifs, les mots de *comprimer*, d'*exterper*, et même de *diriger*, du vocabulaire du pouvoir. Pour la pensée, pour l'éducation, pour l'industrie, la devise des gouvernements doit être: *laissez faire et laissez passer*." Benjamin Constant, *Commentaire sur l'ouvrage de Filangieri*, (Paris: P. Dufart, 1822), pp. 300-1.

¹⁵Ghislain de Diesbach, *Madame de Staël*, (Paris: Librairie Académie Perrin, 1983); Madame de Staël, *Considérations sur la Révolution française*, ed. Jacques Godechot (Paris:Tallandier, 1983); Renee Winegarten, *Mme de Staël*, (Leamington Spa: Berg, 1985).

¹⁶Pierre Rosanvallon, *Le moment Guizot* (Paris: Gallimard, 1985) and Guizot's *Histoire de la civilisation en Europe* (Paris: Hachette, 1985), ed. Pierre Rosanvallon.

¹⁷"On peut parler en ce sens de 'moment Guizot' pour qualifier en son originalité la culture politique libérale des années 1814-1848. Le propre de Guizot est en effet d'avoir été en même temps, parfois jusqu'à la caricature, l'interprète avisé des aspirations de toute une génération intellectuelle et l'expression d'une singularité extrême. A la fois totalement présent et radicalement étranger en quelque sorte à la culture politique française de cette période. Totalement présent en ce qu'il a parfaitement exprimé le sens du mouvement de rupture du libéralisme du début du XIXe siècle avec toute la tradition du XVIIIe siècle. Mais radicalement étranger en ce qu'il a brutalement précipité cette différence jusqu'à la détacher de ses indispensables références à une tradition nationale, la rendant culturellement et pratiquement insupportable. Guizot, peut-on dire, a mené jusqu'à son

Rosanvallon's claim on two grounds: firstly, that extreme liberalism alienated French politics from its cultural traditions and secondly, that Guizot was the key figure in this intellectual break with the past. One can reject the notion of alienation from the past as all the liberal historians were keen to show the continuity of French history across the divide of the revolution. Thierry after all saw the one unifying feature of French history in the never-ending struggle of the "Third Estate" to protect its property and to expand its trading and industrial opportunities. The Restoration for Thierry, Comte and Dunoyer was only the best opportunity for decades to complete this revolution which had begun in the thirteenth century. Furthermore, Alexis de Tocqueville identified another important continuity which weakens Rosanvallon's argument. Tocqueville provocatively argued that the process of political centralisation was continuous in spite of the disruptions of the revolution. One can also question Guizot's rôle in the reassessment of liberalism during the Restoration. For Comte and Dunoyer the break with their more traditional political and constitutional liberalism came about from reading Say's *Traité d'économie politique*, which might suggest that a better expression than Rosanvallon's "le moment Guizot" would be "le moment Say." The general lack of interest in economic liberalism has led to the unjustified neglect of one of the most important theorists of the Restoration, the economist Jean-Baptiste Say. His contribution to both economic liberalism and social theory in the broader meaning of the term has still not yet been appreciated. A comprehensive analysis of his life and thought is urgently needed because of the enormous influence he had on the development of French liberalism in particular and European classical economic thought in general.¹⁸

point limite la singularité de la culture politique libérale des années 1814-1848. D'où la fonction privilégiée d'analyste de cette dernière que constitue son oeuvre." Rosanvallon, *Le moment Guizot*, p.29. It is interesting to note that Rosanvallon, like Robert Warren Brown, links the new political thinking of the Restoration to a new "génération intellectuelle."

¹⁸An initial step in assessing Say's important contribution to early nineteenth century liberal thought has been taken by Evert Schoorl of the Institute of Law at the University of Amsterdam. Evert Schoorl, *Jean-Baptiste Say* (Dissertation, Amsterdam, 1980); "Jean-Baptiste Say and the New World," Paper given at the American History of Economics Conference, Michigan State University, 1981; "Say, Everett and Malthusianism," Paper

Alongside the reinterpretation of politics and economic theory the Restoration encouraged an expansion of interest in historical studies and what we would now call sociology. Stanley Mellon has discussed the various political battles which were fought in the name of history and this is also true for the sociological histories written by Charles Comte, Charles Dunoyer, and the sociological approach to economic theory taken by Jean-Baptiste Say.¹⁹ For representatives of all political persuasions, the revolution was an event, whether a "rupture" or not, which had to be explained and which needed new concepts to do so. Two new concepts which Comte and Dunoyer used to great effect were "class" and "industry," both of which were to have an unimagined importance in nineteenth and twentieth century history. Behind the interest in class and industry, which modern social theorists now take for granted, was a new concern for the political and the social questions thrown up by the failure of the French Revolution to achieve its liberal ends. All the liberals were impressed with the dramatic politicisation of all aspects of life which took place during the revolution. Guizot particularly strove to redefine the boundaries between the political and the social spheres, thereby to take into account the new "pouvoir social."²⁰ Other liberals such as Comte and Dunoyer tried to eliminate the political altogether by expanding the economic and social realm in such a way as to do without "politics" as such, thus pushing to an extreme the hostility to the state which has always existed within some versions of classical liberalism.

Yet, in spite of the considerable contributions these recent works have made to our understanding of French liberalism during the Restoration, a proper appreciation of the "social dimension" is still lacking. An interesting assessment of how pervasive the social dimension was to writers in the Restoration is given by Donald Kelley, who has described it as "this apotheosis of the 'social'." Although Kelly is primarily interested in tracing what he

given at the UNESCO Malthus Conference, Paris, 1980. I would like to thank Leonard P. Liggio for bringing Schoorl's work to my attention.

¹⁹Stanley Mellon, *The Political Uses of History: A Study of Historians in the French Restoration* (Stanford, California: Stanford University Press, 1958).

²⁰Rosanvallon, *Le moment Guizot*, pp. 41 ff.

calls the "endless fascination with the 'social'" in French legal theory and history, his assessment can be extended to include other disciplines such as history and economics.

There is one characteristic that not only binds together ideological extremes but also seems essential to the 'new history' that emerged in Restoration France. This was the endless fascination with the 'social' - with social questions and above all the Social Question. Before the Revolution, the focus was on political authority and political liberty; a generation later, interest had shifted markedly from such abstractions to more practical problems of society, especially property relations. Revolutionary legislation and the Napoleonic Code were reversed or modified; the social engineering of Jacobins and Bonapartists alike were looked on with suspicion as a means of controlling or directing social change; and publicists in many ways turned their attentions from constitutions to institutions, from rulers to 'the people.' In this apotheosis of the 'social,' historical scholarship tended to follow suit, and sometimes to take the lead.²¹

As this dissertation will endeavour to show, it is even more appropriate to describe the efforts of Charles Comte and Charles Dunoyer to formulate a liberal theory of class and industry as a similar preoccupation with the "social." It was by means of class theory and the concept of industrialism that the radical liberals Charles Comte and Charles Dunoyer, building upon the work of Benjamin Constant and Jean-Baptiste Say, were able to expand and enrich liberalism in the Restoration period by taking it beyond its traditional concern with constitutional and political matters.

THE LIBERALISM OF CHARLES COMTE AND CHARLES DUNOYER

One historian has described the small group of young men who burst onto the scene in the early years of the Restoration as the "generation of 1820."²² They were a new

²¹Donald R. Kelley, *Historians and the Law in Postrevolutionary France* (Princeton, New Jersey: Princeton University Press, 1984), p. 25.

²²Robert Warren Brown, *The Generation of 1820 during the Bourbon Restoration in France. A Biographical and Intellectual Portrait of the First Wave, 1814-1824* (Duke University, PhD, 1979. Ann Arbor, Michigan: University Microfilms International, 1988). Brown goes too far to claim that the "generation of 1820" was a "renaissance" (p. iii), although there is no denying the richness and importance of the ideas developed at this time. The liberalism of the Restoration period is very much a continuation of the Enlightenment, the Girondin movement during the Revolution, and the Idéologues during

generation who had been born just before the outbreak of the French Revolution. They came of age at a time when the gains of the Revolution were under threat, first of all by Napoleon and then by the return of the Bourbon monarchy. Robert Brown argues that the "first wave" of this generation, consisting "principally of Charles Comte, Charles Dunoyer, Augustin Thierry, Charles-Arnold Scheffer, and the others associated with them,"²³ were journalistically active in the period between 1814 and 1824 and were very self-conscious of themselves as being part of a transition period between the illiberalism of the Empire and the Restoration, and the introduction of a new, truly liberal age.

They endeavoured in their numerous writings to achieve a number of tasks: firstly, to understand the upheaval which the Revolution had caused in French society; secondly, to formulate a way in which this upheaval could finally be ended without losing the considerable gains which the Revolution had ushered in; thirdly, to map out a path which France might follow for the future. The first task led to the discovery of the need for history, that the only way to make sense of the Revolution was to study it historically by collecting documents, reading the memoirs of participants, and writing historical interpretations of the major stages through which the revolution passed. One need only

the Empire, with many representatives of these schools and movements living long enough to have had a great influence on the liberals after 1815. Brown does a good service to Restoration scholarship in discussing the contribution of Charles Comte and Charles Dunoyer and the other members of this generation but there are some curious omissions. For example there is practically no mention of Benjamin Constant whose writing on constitutionalism and Napoleon's militarism were instrumental in forming the world view of Comte and Dunoyer, as was Jean-Baptiste Say's political economy. Brown tends more towards a literary and cultural analysis of the "generation of 1820" and thus misses this legal, social and economic dimension to their thought. Alan Spitzer, on the other hand, does not include Comte and Dunoyer in the "generation of 1820" which he defines as the cohort which was born between 1792-1803. Comte and Dunoyer were born in 1782 and 1786 respectively. Spitzer prefers to link them to the "generation of Stendhal." It would seem nitpicking to exclude Comte and Dunoyer, as they rose to public prominence and produced their most important work in the period between 1815 and 1825. This surely gives them the right to included in the "generation of 1820." See Alan B. Spitzer, *The French Generation of 1820* (Princeton University Press, 1987).

²³Robert Warren Brown, *The Generation of 1820 during the Bourbon Restoration*, p. iii.

mention the pioneering work of François Guizot and Augustin Thierry, as well as the numerous historical review essays in Comte's and Dunoyer's journal to be aware of the enormous importance of history to "the generation of 1820."²⁴

The second task led to the development of liberal constitutionalism of which Benjamin Constant is perhaps the leading figure. Comte and Dunoyer early in their careers contributed to the push for liberal constitutionalism by actively campaigning for freedom of speech, trial by jury and the rule of law in general and they became, in fact, quite notorious for their aggressive court cases in which they legally challenged the abuses by the new régime of these recently created freedoms. The hope of the liberal reformers was that the only way to temper the power of political authority, whether it be the military dictatorship of Napoleon or the attempt to restore the arbitrary authority of the crown and the privileges of the church and the nobility under the Restoration, was to follow the English and American model of a constitution. Thierry in particular wrote essays for *Le Censeur* in which the virtues (imaginary and real) and lessons for France of the Constitutions and Bills of Right of 1688-89 and 1787/1791 were discussed at length. But Brown is incorrect to argue that, even after the political crack-down in 1820 following the assassination of the Duke de Berry and the dispersal of the "first wave" of the 1820 generation, these events did not lessen their faith in the benefits of constitutionalism. Some may have been confident enough in their faith in constitutions and the balance of power to wait for someone like Louis Phillipe to see their plans fulfilled, but Comte and Dunoyer were not. Under the influence of the political economy of Jean-Baptiste Say and the philosophical history of Benjamin Constant and François Montlosier, Comte and Dunoyer abandoned their faith in pure political and constitutional liberalism and sought answers to the problems facing Restoration France in a new social theory known as industrialism.

²⁴Although not using the same terminology as Brown, Stanley Mellon in his pioneering study of the historiography of the Restoration period makes it very clear why history was so important and what political agenda it served: Stanley Mellon, *The Political Uses of History: A Study of Historians in the French Restoration* (Stanford, California: Stanford University Press, 1958).

The third task for the "generation of 1820" according to Robert Brown, was to map out a path which France could follow for the future and for many it was an "industrial" future. Brown and others have discussed the theory of "industrialism" which appeared at this time and which is best known in the formulation of Saint-Simon (under the influence of Augustin Thierry). However, the liberal version of "industrialism" which Comte and particularly Dunoyer formulated has not received the attention it merits. It emerged after Comte and Dunoyer came to the conclusion that there were more fundamental forces at work than the liberal constitutionalists acknowledged and which needed to be understood before a truly liberal society could be created. These forces included the nature of economic exploitation, the structure of class power, the influence of the economy and the mode of production on the development of political culture, and the evolution of one economic stage of development to another. Much of their theoretical work in the late 1810s and mid-1820s was devoted to an examination of these underlying forces at work in history and which still governed the fate of France in the post-revolutionary world. After discussing at considerable length how different classes had maintained their rule over the centuries, they turned to an examination of the future path they predicted France would take. For Dunoyer in particular, it was one of increasing depoliticisation of French society, a complete withering away of the state in fact, where all aspects of social and economic life would be regulated by the interplay of the forces of supply and demand through the free market. In such a radical market society there would be no need for state officials, regulatory bureaucrats, and the horde of privilege-seeking farmers, manufacturers, and monopolists who sought state protection for their inefficient concerns. Comte and Dunoyer in moments of liberal rapture even went so far as to suggest the possibility of a stateless society in which even the limited functions of police services and military defence would either be unnecessary or would be taken over by the market - a theme which the editor and economic

theorist Gustave de Molinari developed with some sophistication some years after Comte and Dunoyer suggested it.²⁵

It is the aim of this dissertation to show how two important members of this "generation of 1820", Charles Comte and Charles Dunoyer, developed a sophisticated and coherent sociological and historical approach to liberal political theory, which Siedentop has identified as the "second liberal tradition." The liberalism developed by Charles Comte and Charles Dunoyer has several components which will be examined in some detail:

1. the early phase of constitutional liberalism
2. the discovery of the economic theory of Jean-Baptiste Say and the beginning of their theory of "industrialism"
3. their interest in the issue of slavery, the profitability of slave labour, its abolition and its rôle in historical evolution
4. Dunoyer's first full-length formulation of the theory of industrialism with its ideas of exploitation, class, the interrelationship between the mode of production and political culture (or "morals"), and the evolution of societies through economic stages.

The more traditional "political" or "constitutional" phase of their liberalism emerged during the earliest years of the Restoration when, as committed journalists writing in *Le Censeur* and *Le Censeur européen*, Comte and Dunoyer engaged in the struggle for the freedom of speech and other constitutional guarantees such as trial by jury. This was partly a reaction against the interference of the censor in the publication of their journal and partly due to the more orthodox political liberalism, which they had developed as law students

²⁵See chapter three for a discussion of Dunoyer's view of the state in a purely industrial society. Molinari first presented his ideas on the complete privatisation of all government functions, a form of liberal anarchism in other words, in Gustave de Molinari, "De la production de la sécurité," *Journal des Économistes*, 1849, vol. 22, pp. 277-290, and a little later in *Les soirées de la rue Saint-Lazare: entretiens sur les lois économique et défense de la propriété* (Paris: Guillaumin, 1849), "Onzième soirée," pp. 303-337, and in other works throughout his long life. Molinari's anarchist form of laissez-faire liberalism is discussed in David M Hart, "Gustave de Molinari and the Anti-statist Liberal Tradition: Part I," *Journal of Libertarian Studies*, Summer 1981, vol. V, no. 3, pp. 263-290.

and journalists in the late Empire and early Restoration. The next phase in the development of their liberalism was brought about by reading the works of the economist Jean-Baptiste Say, which came about because of the closure of their journal by the censors in September 1815. Their reading of Say led to a reformulation of their liberalism from a political and constitutional basis to an economic and social one in which property, class, exploitation and the changing modes of production in history played an important part. The development of Comte's and Dunoyer's liberalism is discussed in chapter one.

Having been forced to withdraw from the field of journalism by the censors, Comte and Dunoyer began to work out the implications of Say's economic theory for their liberalism. An excellent example of Comte's and Dunoyer's new social and economic focus is the application of Say's economic theories to the analysis of historical and current problems, in particular the issue of slavery. To Comte and Dunoyer, the existence of slavery was the most glaring example of the antithesis of property rights and the exploitation of productive labour by a small class of non-productive individuals.²⁶ By expressing a special concern for slavery in their social theory Comte and Dunoyer were reflecting the interest of many Restoration liberals in the issue of slavery and slave emancipation. The debate about the British experience of slavery and the issues raised by abolitionists about its economic viability were taken up by Comte and Dunoyer at the very time they were writing their initial formulations of their social theory, in the early and mid 1820s. Consequently, in order to appreciate Comte's and Dunoyer's approach to the slave problem, a discussion of the debate between Adam Hodgson, Jean-Baptiste Say and Henri Storch about the economic viability of slavery is provided in chapter two. Dunoyer's views on slavery are discussed in chapter three in the context of his theory of "industrialism."

²⁶Comte dealt with slavery at length in Charles Comte, *Traité de législation ou exposition des lois générales, suivant lesquelles les peuples prospèrent, dépérissent, ou restent stationnaires* (3rd edition, Bruxelles: Hauman, Cattoir et Co., 1837). "Livre cinquième," pp. 359-496. Dunoyer discussed slavery in Charles Dunoyer, *L'industrie et la morale considérées dans leurs rapports avec la liberté* (Paris: Sautet et Cie, 1825), chapter VI, "Du degré de liberté qui est compatible avec la vie des peuples sédentaires qui se font entretenir par des esclaves," pp. 189-237.

All the threads of their ideas on class analysis and the conflict between productive and unproductive labour came together in the theory of "industrialism," first extensively elaborated by Dunoyer in 1825. Ownership of property, the changing mode of production, and class structures of exploitation were the basis of a complete liberal theory of historical change from hunters and gatherers to modern "industrial" society, in which the state would virtually disappear and all relations would be voluntary market ones, leading to what Dunoyer called the "municipalisation" of the world. Each stage of economic development had its own mode of production which influenced that society's political structure, class relations, and "morals" or political culture. The main economic stages were the following: savagery based upon hunting and gathering; nomadic life based upon primitive herding; slave society based upon slave labour in the household and in the fields; feudal or politically "privileged" society based upon rigid legal privileges which existed up until the revolution; the system of political place-getting (especially under Napoleon) which was based upon fierce competition to secure government posts and other privileges; and the final stage of industry which was exclusively based upon production for the market. Comte and Dunoyer optimistically believed that French society stood on the verge of entering the stage of "industrialism." Dunoyer's theory of class, historical development and "industrialism" is discussed in chapter three.

To keep this dissertation within bounds some means of limiting the scope of the discussion was needed. Thematically, the discussion has been limited to the above mentioned topics. Chronologically, analysis begins with the foundation of Comte and Dunoyer's journal, *Le Censeur*, in June 1814 when they began their opposition to the Restored monarchy and campaigned in the defence of traditional liberal political freedoms such as freedom of speech, and ends with the delayed publication of Charles Comte's *Traité de la propriété* in 1834. Thus the period of time covered by this dissertation is by and large the Restoration. During the 1820s both Comte and Dunoyer had given up active journalism, devoting themselves to more scholarly pursuits so that, by the end of the decade, the essential features of their economic and social theory had been formulated. The basic

outlines of Dunoyer's theory of class and history were presented in the 1825 work *L'industrie et la morale*, to which greater detail was added in later reworkings but little of substance altered.²⁷ Similarly, Comte's work on legislation appeared in 1827 and should have been followed soon after by his work on property, but this had to be delayed until after the 1830 Revolution and did not appear in print until 1834. However, the *Traité de la propriété* had been conceived and largely written in the late 1820s.²⁸ After the 1830 Revolution both were distracted from further scholarly work by political office and their writings reflect this fact. Although they both tried to combine political office with membership of the Academy of Moral and Political Sciences, their great works of theory lay behind them. What they did write concerned more day-to-day matters or the problems of editing the writings of others, such as Say and Malthus, than with broader theoretical questions. Comte died (in 1837) soon after seeing the *Traité de la propriété* (1834) appear in print. Dunoyer lived quite a bit longer, until 1862, but became embroiled in issues which were quite different from those that preoccupied him in the Restoration period, notably the rise of socialism in the 1840s, the Revolution of 1848 and then the coup d'état of Napoleon III. Thus the period from 1814 to 1834 seems to be a natural one for analysis, a period

²⁷I have chosen to examine Dunoyer's ideas in their first formulation of 1825, with some reference to the 1830 work *Nouveau traité*. I have not analysed the 1845 edition of *De la liberté du travail* as the focus of argument by that time had changed in order to counter the rise of socialism in the 1840s. Dunoyer first presented his ideas in Charles Dunoyer, *L'industrie et la morale considérées dans leurs rapports avec la liberté* (Paris: Sautet et Cie, 1825). This was expanded in a revised edition which unfortunately was destroyed by a fire in the printer's warehouse, with only a few advance copies being distributed to friends: Charles Dunoyer, *Nouveau traité d'économie social, ou simple exposition des causes sous l'influence desquelles les hommes parviennent à user de leurs forces avec le plus de LIBERTÉ, c'est-à-dire avec le plus FACILITÉ et de PUISSANCE* (Paris: Sautet, 1830), 2 vols. The final reworking of his social theory appeared in *De la liberté du travail* (1845) republished in *Oeuvres de Dunoyer, revues sur les manuscrits de l'auteur*, 3 vols., ed. Anatole Dunoyer (Paris: Guillaumin, 1870, 1885?, 1886). Avec une notice sur la vie et les travaux de l'auteur, par Mignet. Vols. 1 and 2 are a reprint of *De la liberté du travail*.

²⁸Charles Comte, *Traité de la propriété*, 2 vols. (Paris: Chamerot, Ducollet, 1834). The work on property was supposed to appear with his *Traité de législation* in 1827. The two books were considered to be the two parts of essentially one work.

which includes the very fruitful years when Comte's and Dunoyer's ideas were first formulated.

CHAPTER 1 - THE DEVELOPMENT OF COMTE'S AND DUNOYER'S LIBERALISM - FROM CONSTITUTIONALISM TO THE SOCIAL THEORY OF INDUSTRIALISM

Before turning to a more detailed discussion of those aspects of Comte's and Dunoyer's liberalism which best demonstrate the social dimension to Restoration liberalism, it is important to have a brief overview of their lives and work. This will be done in the context of the changes going on in the period of their greatest activity following the launch of their opposition journal, *Le Censeur*, during first Restoration in 1814. The biographical chapter which follows will deal with Comte's and Dunoyer's activities separately up to 1814, when they joined forces in editing a liberal opposition journal, *Le Censeur*; then jointly for the period from 1814 to 1820, when they made a vital contribution to Restoration liberalism as editors of *Le Censeur* and *Le Censeur européen* and with their law suits against the censors and arbitrary government power; and then separately again as they both went their different ways after their journal folded in the wake of the political reaction of 1820.

CHARLES COMTE 1782 TO 1814

It seems appropriate to begin with Charles Comte since he was born some four years before Dunoyer, but unfortunately the details of his early life are more obscure than for his companion. It is not until their paths cross, first at law school in Paris and then as joint editors during the Restoration, that information about Comte's activities becomes more abundant. As is so often the case with little known figures of the early nineteenth century, one learns most about Comte's life from the eulogies given at his funeral by friends and colleagues who had known him well. One of these was Mignet, that indefatigable giver of eulogies for departed old liberals, who delivered a speech before the Academy of Moral and Political Sciences on the occasion of the tenth anniversary of the death of Charles

Comte.²⁹ He noted one of the key aspects of Comte's life and work, which was the rôle he had filled in linking the Enlightenment and the liberal constitutional phase of the Revolution with the events of the nineteenth century. In Mignet's opinion, Comte had been able to add considerably to the achievements of the philosophes by combining their political liberalism with the new economic liberalism of the early nineteenth century.³⁰

From the moment Comte entered Paris for the first time in 1806 to attend law school until his untimely early death in 1837 at the age of 55, he entered into both political and intellectual controversy by defending institutions and ideas which French liberals of the early nineteenth century held sacrosanct, in particular constitutional government, the free press, trial by jury and antimilitarism. Like the philosophes of the previous century, Comte was able to combine political activity and theory in a rich and fascinating way and, if he lacked the brilliant style of a Voltaire (his attempt at writing an historical drama did not impress Mignet), his social theory had a theoretical depth and sophistication which Voltaire's histories and political tracts did not have. However what they both shared was a willingness to become involved in famous court cases of their times to make a political

²⁹Mignet, *Notice historique sur la vie et les travaux de M. Ch. Comte* (1846) read at a meeting of the Academy of Moral and Political Sciences, 30 May 1846 and published in *Journal des économistes*, June 1846. vol. XIV, p. 269-280. See also Gustave de Molinari, "Comte (François-Charles-Louis)," *Dictionnaire de l'économie politique*, ed. Charles Coquelin and Guillaumin (Paris: Librairie Guillaumin, 1852), vol. 1, pp. 446-447.

³⁰By this he had in mind the laissez-faire economic theories of Jean-Baptiste Say and other members of the school of classical political economy who emerged in the first couple of decades of the nineteenth century. Mignet's assessment of the importance Say's liberal political economy would play in the development of Comte's (as well as Dunoyer's) social theory is an accurate one as will become clearer in the course of subsequent chapters. "...M. Charles Comte, que la générosité de ses doctrines et l'énergie de sa conduite rapprochent des penseurs du dernier siècle et des acteurs de la Révolution... entre dès 1804, avec l'ardeur de la jeunesse, dans les voies où la fatigue et les déceptions venaient d'arrêter ses devanciers, il y a marché d'un pas hardi et ferme tant qu'il a vécu. Adversaire déclaré du pouvoir militaire sous l'Empire, défenseur courageux des institutions populaires sous la Restauration, il s'est montré polémiste indomptable dans la presse, dont il a, plus qu'un autre, contribué à rétablir l'indépendance, théoricien inflexible dans ses ouvrages, où, à la philosophie du dix-huitième siècle, il a ajouté la science du dix-neuvième, et il lie en quelque sorte la génération qui a opéré la conquête révolutionnaire des droits sociaux de notre pays, à la génération qui a procédé à l'établissement régulier de ses libertés légales." In Mignet, "Comte," *Journal des économistes*, June 1846, vol. XIV, p.269.

point - Voltaire notably with the Calas case over religious intolerance and Comte in cases dealing with censorship.

François-Charles-Louis Comte was born on 25 August 1782 in Sainte-Énimie, a small village in the department of Lozère, into a bourgeois family which owned what Mignet describes as a "modest" amount of land. Comte's father enjoyed hunting with his noble neighbours until the Revolution forced many of them into exile. Another consequence of the Revolution was that Comte's father became the head of the cantonal National Guard, an institution which Charles Comte admired and for which he wrote a spirited defence when the citizen militia came under threat in the late 1820s.³¹ Comte lost his mother in the early days of the revolution. His father devoted himself to the education of his four children but he found this increasingly difficult to do. Thus in 1793, when Comte was eleven years old, his father sent him and a younger brother to be taught by a fugitive priest in the inhospitable mountainous and snow-ridden village of Salmon. Like Stendhal's character Julien Sorel in *Rouge et Noir*, Comte got his first taste of grammar, Latin, geography and history in this way but he soon exhausted the meagre pedagogical talents of the priest and was forced to travel about "from priest to priest," as Mignet put it, in order to continue his education. It was not until the education system was reorganised during the revolution that Comte was able to find a more satisfactory education in the newly established central school at Mende.

Not much is known of Comte's activities during the Directory and early Empire. The best source on Comte's early life, Mignet, is silent except for a few platitudinous remarks about the rigours of studying Plutarch and the "soul strengthening" exercise of reading the "great men" of the ancient world. However one particular event which caught Mignet's attention was Comte's refusal to vote in favour of the Empire. Mignet observes that one of his first acts of political opposition was to vote no in the referendum concerning the

³¹Charles Comte, *Histoire de la garde nationale de Paris, depuis sa fondation jusqu'à l'ordonnance du 29 avril 1827* (Paris: A. Sautet, 1827. Publié le 14 juillet 1827, jour anniversaire de la prise de la Bastille).

establishment of the Empire in 1804, thus indicating at a reasonably early age (twenty two years in fact) the opposition to arbitrary state power which was to be the hallmark of his intellectual and political career. According to Mignet, Comte believed that the Consulate was stable politically and that the power of Napoleon as Consul was more than sufficient. Any vote for Napoleon as Emperor, Comte thought, only indicated the political immaturity of the French people and their willingness to enslave themselves to a tyrant. Although Comte's anti-Napoleonic protest was without effect at the time, it shows how early in Napoleon's reign Comte had reservations about his use of state power. He was to give voice to similar reservations ten years later in a quite different context when the liberal Charter was prepared and Napoleon's reign appeared to be at an end. Comte's sentiments towards Napoleon are clearly summed up by the title of one of his pamphlets written at the time of the One Hundred Days: *De l'impossibilité d'établir une monarchie constitutionnelle sous un chef militaire, et particulièrement sous Napoléon*.³²

In 1806 Charles Comte went to Paris in order to study law. He graduated as an advocate but did not go to the bar. Instead he preferred to take part in editing the collection of decrees being published by M. Sirey on the jurisprudence and regulatory powers of the supreme court. In addition to his legal studies and the editing of dry legal documents, Comte tried composing poetry and even a drama. Mignet apparently saw a copy of his play and was not impressed by its style or content. Typically, even in literature, Comte was drawn to political subjects, writing a rather serious work on the expulsion of the Tarquins. It is not surprising that Comte was attracted to the story of the expulsion of King Tarquinius and his family. Tarquinius was a bloody and violent ruler, attributes which were shared by his son Sextus who raped Lucretia. The rape of Lucretia was the excuse for Tarquinius' opponents to expel the entire family from Rome. Given Comte's political views, it would not have been out of character for him to liken Emperor Napoleon to King Tarquinius and

³²Charles Comte, *De l'impossibilité d'établir un gouvernement constitutionnel sous un chef militaire, et particulièrement sous Napoléon*. (Paris: les marchands de nouveautés, 1815).

to imagine the people rising up to expel the dictator. It is a pity that this play was not published and that Mignet dismissed it out of hand with little effort to discuss the political implications of Comte's interest in the comparison between Napoleon and Tarquinius. One is left to speculate about the opera Verdi might have composed if Comte's play had been known to him. More important for Comte's future career than his unsuccessful literary activities was the fact that during his law studies (most probably in 1807) he met Charles Dunoyer, who was also a student at the law school.

CHARLES DUNOYER 1786 TO 1814

Fortunately much more is known about the early life of Dunoyer, who has attracted more scholarly attention than his older friend and colleague. In recent years Leonard Liggio has been the scholar most interested in the life and work of Dunoyer.³³ Like his friend Comte, Dunoyer came from a comfortable background and a family life which should have predisposed him to support the monarchy and to adopt conservative political views. However this course was unlikely given that he grew up with the events of the Revolution as matters of everyday discussion. Barthélemy-Charles-Pierre-Joseph Dunoyer was born at Carennac in the old vicomté of Turenne on 20 May 1786 and died in Paris on 4 December 1862.³⁴ He was descended from an old languedocian family which had owned the

³³Leonard P. Liggio, "Charles Dunoyer and French Classical Liberalism," *Journal of Libertarian Studies*, 1977, vol. 1, no. 3, pp. 153-78. Leonard Liggio has also an unpublished manuscript on Dunoyer: chapter 1 "Dunoyer and the Bourbon Restoration of 1814: The Constitution and Freedom of the Press," pp. 1-40; chapter 2 "Moral Education and the Creation of Public Spirit among the French," pp. 41-84; chapter 3 "International Relations in 1814-1815: Anglophobia, Counter-Revolution and the Congress of Vienna," pp. 85-145; chapter 5 "*Censeur's* futile Struggle for Freedom of the Press: Dunoyer during the Hundred Days and the Second Restoration," pp. 155-82; chapter 5 "Untitled," pp. 1-49.

³⁴Biographical details about Dunoyer have been scattered among the following sources: Ernest Teilhac, "Dunoyer," *Encyclopaedia of the Social Sciences*, ed. Edwin R. Seligman, vol. 5 (New York: Macmillan, 1931), pp. 281-2; Anon., "Dunoyer," *Dictionnaire de l'économie politique*, ed. Charles Coquelin and Guillaumin (Paris: Guillaumin, 1852), vol. 1, pp. 622-3; "E.R." article "Dunoyer," *Nouveau Dictionnaire d'économie politique*, ed. Léon Say and Joseph Chailley (Paris: Guillaumin et Cie, 1891), vol. 1, p. 750; Entry by

seigneurie of Segonzac from the fourteenth until the mid-eighteenth century but had since lost it.³⁵ Since his family still had pretensions of being part of the lower nobility, in spite of the fact that their ancestral family estate had been lost, they chose to use the name "Dunoyer de Segonzac." Charles Dunoyer followed family tradition by using the more aristocratic-sounding name until 1803, after which he took the untitled name of Dunoyer, perhaps an indication of his growing liberal sentiments which spurned such pretensions.

Dunoyer's family intended him to join the order of Malta which had an establishment in the village of Martel, one of the four principal towns of the Turenne. But these plans for his education were upset by the Revolution which closed the old religious schools but was slow in opening new schools to replace them. In place of attending the regular religious school Charles Dunoyer had the dubious pleasure of being taught for a while by two aunts, who were members of the order of St. John of Malta and of the Visitation. In the educational vacuum created by the collapse of the ancien régime Dunoyer, like Comte, was sent to sit at the feet of itinerant priests to learn the classics. After a brief period with his aunts, Dunoyer was instructed in the classics by a Benedictine priest from Carennac who

"A.L." (perhaps Liesse?) in the supplement to the *Nouveau Dictionnaire d'Économie Politique* (1897), vol. 1, pp. 142-44; "Nécrologie. Mort et funérailles de M. Ch. Dunoyer," *Journal des économistes*, oct-dec 1862, vol. 36, series 2, pp. 442-51, including contributions by Joseph Garnier, Lélut president of the Academy of Moral and Political Sciences, Louis Reybaud on behalf of the Moral Science section, Charles Renouard on behalf of the Political Economy Society; Mignet, "Notice historique sur la vie et les travaux de M. Charles Dunoyer," *Journal des économistes*, 15 May 1873, vol. 30, 3rd series, pp. 161-81, a paper read at the annual public meeting of the Academy of Political and Moral Sciences, 3 May 1873; another version of Mignet's eulogy can be found in: "Charles Dunoyer: Notice," *Nouveau Éloges historiques, de Savigny, Alexis de Tocqueville, Victor Cousin, Lord Brougham, Charles Dunoyer, Victor de Broglie, Amédée Thierry* (Paris: Didier et Cie, 1877), pp. 239-84; Roman d'Amat, "3. Dunoyer," *Dictionnaire de Biographie Française*, ed. Roman d'Amat (Paris-IV: Librairie Letouzey et aîné, 1970), vol. 12, pp. 286-88; E.L. Villey-Desmerets, *L'oeuvre économique de Ch. Dunoyer* (Paris, 1899); R. Adenot, *Les idées économiques et politiques de Dunoyer* (Toulouse, 1907); Edgar Allix, "La déformation de l'économie politique libérale après J-B. Say: Charles Dunoyer," *Revue d'histoire économique et sociale*, 4, 1911; Albert Schatz, *L'individualisme économique et sociale: ses origines, son évolution, ses formes contemporaines* (Paris: Armand Collin, 1907).

³⁵Dunoyer's father was Jean-Jacques-Phillippe Dunoyer and his mother Henriette de La Grange de Rouffillac.

was forced by the Revolution to leave his abbey and found a private school in the village of Martel. Like so many of his generation, Dunoyer was next educated in the public central school of Lot in Cahors as soon as the central school system was created. Dunoyer was thought to be bright enough for a career in law by the prefect of his department who nominated him to attend the University of Jurisprudence in 1803, which had just recently been founded in Paris, and then the School of Law in Paris, where he met Charles Comte in 1807. Like so many of his generation, his studies introduced him and his friend Comte to the works of John Locke and the Enlightenment, Condillac, Destutt de Tracy, Jeremy Bentham, and the principles of the Revolution of 1789.

As young law students who had absorbed from their reading the liberal principles of 1789, Charles Dunoyer and Charles Comte reacted strongly to the creation of the Empire under Napoleon. They believed that the Empire established by Napoleon had betrayed the liberal principles of the Enlightenment and 1789 and therefore they soon opposed what they perceived to be a new despotism they believed would lead France into disaster. Dunoyer described the feelings of the two young liberals in the early years of the Empire as one of total aversion and disgust for the militarism and bureaucracy which enabled ambition, vested interest and nepotism to run rampant. They believed, much like Benjamin Constant in 1814, that the noble liberal principles of the revolution were in the process of being overturned by a spirit of "domination" both at home and abroad. A remark by Dunoyer, quoted by Mignet gives a good idea of his opposition to everything Napoleon stood for:

Nous éprouvons l'un et l'autre une aversion vive et solidement motivée pour le pouvoir militaire que ne semblait animer aucune grande idée, qui ne referment qu'une question d'avancement dans les services publics, et qui ne paraissent être de la base au sommet que la mise en régie de toutes les passions cupides et ambitieuses que la révolution avait éveillées. À nos yeux cette domination toute matérielle était au plus haut point digne de haine. Nous étions surtout irrités de l'état d'étouffement où étaient tombées toutes les existences individuelles. Quelque valeur qu'on pût avoir, il était impossible de compter pour rien en dehors de la domination établie, domination qui avait tout absorbé, qu'on voyait chaque jour s'aggraver et s'étendre et qui, sans cesse victorieuse au dehors,

revenait peser sur le pays de tout le poids de l'ascendant qu'elle avait conquis sur les nations étrangères.³⁶

One of the jobs Dunoyer had during the Empire was the translation of the *Nouvelles* of the Byzantine Emperor Leo III into French, but his family was not content with him pursuing such scholarly matters while his older brother was a captain in the Imperial Army. As so often happens, family pressure was applied to force Dunoyer into using his legal training in a more conventional manner. Thus Dunoyer sought a position as an auditor at the Conseil d'État with the expectation (at least on the part of his eager parents) that he would gradually work his way up to a comfortable and respected position. Unfortunately for his family, he was unsuccessful in obtaining a position at the Conseil d'État. However, in 1809 they were able to arrange a place for him as a private secretary to a family friend, the brother of the Maréchal Jean-Baptiste Bessièrès (commander of the French armies in Northern Spain), Julien Bessière, who was the intendant général in Navarre (1810-11) and then intendant in Holland. It was thus in the service of the Empire that Charles Dunoyer observed at first hand the disastrous consequences of Napoleon's domination of Europe and the eventual occupation and humiliation of France. In particular his sympathy for the Spanish liberals, who were opposed on one side by the legitimists and on the other side by the Anglophile constitutionalists, was evident in his later writings on the Spanish problem in *Le Censeur* and *Le Censeur européen*.³⁷ He also witnessed the brutal police methods of

³⁶Mignet "Dunoyer," *Journal des économistes*, pp. 163-4. The words used to describe the spirit of "domination" felt by liberals under Napoleon are very similar to those used by Benjamin Constant in 1814 in his famous anti-Napoleonic pamphlet "De l'esprit de conquête et de l'usurpation dans leurs rapports avec la civilisation européen," in Benjamin Constant, *De la liberté chez les modernes. Écrits politiques*, ed. Marcel Gauchet (Paris: Livre de Poche, 1980). This essential document of anti-Napoleonic liberalism is now available in a modern English translation with a useful introduction: Benjamin Constant, *Political Writings*, ed. Biancamaria Fontana (Cambridge University Press, 1988).

³⁷Leonard P. Liggio, "International Relations in 1814-1815: Anglophobia, Counter-Revolution and the Congress of Vienna," and the series of articles by Éphraïm Harpaz on Comte and Dunoyer's journalism: "Le Censeur, Histoire d'un journal libéral," *Revue des sciences humaines*, Octobre-Décembre 1958, 92, pp. 483-511; "Le Censeur européen, histoire d'un journal industrialiste," *Revue d'histoire économique et sociale*, 1959, vol. 37, no. 2, pp. 185-218 and vol. 37, no. 3, pp. 328-57; "Le Censeur européen: histoire d'un journal quotidien," *Revue des sciences humaines*, 1964, pp. 113-116, pp. 137-259. A good

the Imperial government in repressing dissent in Holland, one of the factors which led him, like many other liberals to turn eventually their back on the Empire as a travesty of the principles of 1789.

When Napoleon's Empire collapsed in 1814 Charles Dunoyer was twenty seven years old. If his family connections should have inclined him towards welcoming the return of the Bourbon monarchy, his legal and political views strongly inclined him towards the opposite of what his family stood for, that is, for liberalism and the rights of man. During the first days of the Restoration Dunoyer dutifully joined a group of young aristocrats who had joined a National Guard cavalry unit which served as a guard of honour for the Comte d'Artois, Lieutenant General of the Kingdom, when he entered Paris ahead of his brother, the restored King Louis XVIII. Unlike his colleagues in the honour guard, who no doubt had been led to expect a political reaction to accompany the Restoration of the monarchy, Dunoyer initially welcomed the new régime with the quite opposite hope that it would introduce a truly liberal constitutional monarchy. Perhaps he dreamed that Louis was really William of Orange and 1814 was in fact 1688. Dunoyer's hopes for the liberal nature of the new régime, based as he and others had hoped on the liberal Charter drawn up by Benjamin Constant, were shattered by Louis' declaration preceding the promulgation of the Charter of 1814. Dunoyer found Louis' declaration insufficiently liberal and responded with a public attack on the weakness of the royal promises in a pamphlet which he had the temerity to distribute even in the Tuileries Palace itself. The principles of liberal constitutionalism expressed in this early pamphlet, *Réponse à quelques pamphlets contre la constitution* (1814), were to become the hallmark of his opposition to the Restoration.³⁸

survey of liberal attitudes to questions of foreign policy, in particular the movements for national independence, is given by Éphraïm Harpaz, "Politique mondiale," *L'école libérale sous la restauration: le "Mercure" et la "Minerve" 1817-1820* (Genève: Droz, 1968), pp. 175-222.

³⁸Charles Dunoyer, *Réponse à quelques pamphlets contre la constitution* (Paris: Dentu, 1814).

COMTE AND DUNOYER AS POLITICAL JOURNALISTS - THE STRUGGLE BETWEEN THE CENSORS
AND *LE CENSEUR* AND *LE CENSEUR EUROPÉEN* 1814-1820

THE FOUNDATION OF *LE CENSEUR*, JUNE 1814

Charles Comte and Charles Dunoyer first came to public attention when they joined the ranks of the opposition liberal press and began publishing critiques of the arbitrary actions of the restored Bourbon monarchy in a weekly magazine they called *Le Censeur*. Comte founded the weekly journal alone on 12 June 1814 during the first Restoration, only three days after the promulgation of the Charter.³⁹ After the appearance of the second issue he welcomed as joint editor his old friend from his law student days, Charles Dunoyer. Comte had two stated purposes in starting a new magazine. The first was to oppose the expected reactionary politics of the Bourbons. The second reason was his disillusionment with the existing newspapers because they refused to treat the important issues of the Restoration with the seriousness he believed they merited. The purpose of *Le Censeur* was to fill the void and to provide the proper, critical and searching analysis of events which Frenchmen needed in these difficult times. Comte summed up his intentions in founding the new journal in the following passage:

Les journaux pourraient être d'une grande utilité; mais la haute importance qu'ils attachent à de simples discussions littéraires, l'indifférence qu'ils ont pour tout ce qui tient à la législation, et l'habitude qu'ils ont contractée de l'adulation, ne permettent pas d'espérer qu'ils s'occuperont d'éclairer les citoyens sur leur véritables intérêts. Ce qu'ils ne font point, j'ose l'entreprendre.⁴⁰

³⁹The first volume of *Le Censeur* carried the date June 12-September 30, 1814 and had the full title of *Le Censeur Ou examen des actes et des ouvrages qui tendent à détruire ou à consolider la constitution de l'état* with a motto taken from Aristotle "Si quos proeesse oportet, ita sunt proefiendi, ut custodes legum atque ministri."

⁴⁰Quoted by Mignet, "Notice historique de M.Comte," *Journal des économistes*, June 1846, vol. XIV, p.271. As Dunoyer put it in somewhat different but still rather high-sounding words, their aim in publishing *Le Censeur* was "le désir de pousser la nation à entrer d'une manière hardie, honnête, sérieuse dans l'examen de ses affaires et la direction de ses propres destinées," in Mignet, "Dunoyer," *Journal des économistes*, p. 165. The most

Like many liberals Comte had little reason to expect that the restored monarchy would abide by the liberal guarantees of the Charter. Human nature and political experience led him to believe that the King and his advisers would attempt to undo the Charter and to return as soon as possible to the practices of the ancien régime. Thus he thought the government needed a "censor" of its own which would expose and condemn any attempt to weaken the provisions of the Charter.⁴¹

The name *Le Censeur* has other meanings which Comte may have been trying to express. It could be a play on words mocking the illiberal censorship laws of the Restoration⁴² or perhaps it could be a reference to Jeremy Bentham's "rational censor" of the laws. Comte much admired the work of Bentham whose works⁴³ he had closely studied whilst a law student in Paris and whom he probably met when he was mixing in Benthamite

comprehensive history of Comte and Dunoyer's journal is by Éphraïm Harpaz in a series of articles, cited in full above in note 13. Harpaz provides much detail about what was written in each volume of *Le Censeur* and *Le Censeur européen* but little real insight into their thought. Robert Warren Brown, "The Political Response: The *Censeur* and the First Restoration," in *The Generation of 1820 During the Bourbon Restoration in France*, pp. 48-116 also recognises the political importance of their journal and the evolution of their ideas expressed in it.

⁴¹A historian of the French press during the Restoration, Eugène Hatin has described the function of *Le Censeur* in similar terms: "The only truly independent journal of the epoch was *Le Censeur*. *Le Censeur* had been created by two of those young men for whom the imperial despotism contradicted all their ideas, revolted all their sentiments, and who despite their patriotism, had seen in the day of March 31 the signal of the universal deliverance. Admitted to the intimacy of the most distinguished members of the liberal minority of the Senate and of the philosophic party, the Tracys, the Lanjuinais, the Lenoir-Laroches, the Lambrechts, the Volneys, and the Cabanis, Comte and Dunoyer had imbibed a horror of tyranny, and it was to prevent its return that they had taken their stand... the ideas which, in its first numbers, *Le Censeur* expressed and developed in a firm and grave tone, contrasted singularly with most of the writings currently published. In sum, it was a support rather than a danger to the constitutional government of June 4, if that government would march directly along its path; but it would encounter in the new paper an inflexible censor everytime that it deviated." Quoted in Liggio, "Charles Dunoyer and French Classical Liberalism," *Journal of Libertarian Studies*, p. 159 from Eugène Hatin, *Histoire politique et littéraire de la presse en France. La press moderne, 1789-1860. La press sous la Restauration* (Geneva: Slatkine Reprints, 1967, original edition Paris: 1859-61), vol. VIII, pp. 82-86.

⁴²This is the opinion of Mignet, "Dunoyer," *Journal des économistes*, p. 165.

⁴³At least the dubious "translations" of Étienne Dumont.

circles when he was in exile in England in the early 1820s. In his *Traité de législation* (1827) Comte acknowledged his debt to Bentham's contribution to analysing and reforming the laws and wished to model his own critique of moral philosophy and legislation on the example provided by Bentham in the area of legal theory and the political economists in the area of the economy. Comte began work on his magnum opus in the last years of the Empire but he set it aside to take up a full-time career as a political journalist during the Restoration. It was not until his exile first in England and then in Switzerland that he was able to finish it and have it published in 1826-7. Comte readily accepted Bentham's method of analysis and rather excitedly compared it to an Archimedeian lever which magnified the power of a weak man to shift heavy stones.

Si je n'avais à compter que sur mes propres forces, je n'aurais pas le courage de former une telle entreprise; mais quoique la législation soit bien loin d'être aussi avancée que les autres sciences, tout n'est cependant pas à faire. Quelques-unes des branches de cette science ont même fait de si grands progrès, qu'il reste peu de chose à y ajouter, et la méthode qui a servi à y porter la lumière, peut aisément éclairer celles qui sont moins avancées. On doit à la réunion de deux savants, dont il n'est pas possible de séparer les noms, Bentham et Dumont, d'avoir tout à la fois donné une meilleure manière de raisonner, et d'en avoir fait souvent l'application avec beaucoup de succès. D'un autre côté, les progrès de l'économie politique, et les recherches faites sur les causes de l'accroissement et du décroissement de la population, dans tous les pays, nous ont donné le moyen de résoudre une foule d'importantes questions. Enfin, une bonne méthode donne à l'esprit une telle puissance, qu'elle peut en quelque sorte remplacer le talent; c'est un levier qui donne à l'homme faible qui l'emploie, une force que ne saurait posséder l'homme le plus fort qui serait privé d'un semblable moyen.⁴⁴

Since Comte had been working on his treatise on legislation for a couple of years before he launched the magazine *Le Censeur*, it may not be too much to expect him to have been familiar with Bentham's distinction between "the censor" and "the anarchist" and

⁴⁴Charles Comte, *Traité de législation, ou exposition des lois générales suivant lesquelles les peuples prospèrent, dépérissent ou restent stationnaire*, 4 vols. (Paris: A. Sautet et Cie, 1827). A second revised edition was published in 1835 by Chamerot, Ducollet of Paris in 4 vols. to coincide with the publication of its sequel, the *Traité de la propriété*. A revised and corrected third edition was published in 1837 by Hauman, Cattoir et Cie of Brussels. All references are to this third edition of 1837. Quote about Bentham's method, p. 6.

to have had this in mind when he named his magazine. Bentham used the distinction in an amusing and scathing attack on natural rights called "Anarchical Fallacies: Being an Examination of the Declaration of Rights issued during the French Revolution."⁴⁵ According to Bentham the "rational censor," wishing to reform the laws, does so only after an exhaustive study and codification of the existing laws, whereas the "anarchist," the "man of violence," like the French revolutionaries, denies the validity and justice of the law in question and calls upon mankind to rise up and to resist or overturn it.⁴⁶ How far Comte agreed with Bentham is hard to say. He would certainly have wished to use the magazine to analyse unjust laws rationally and carefully and to urge their repeal. However, the readiness of both Comte and Dunoyer to challenge the true censors in court and to interpret the law in such a way as to avoid the intention of the lawmakers suggests that they behaved much more like Bentham's "anarchist" than his "censor." Nevertheless, Comte's interest in Bentham's writings on legislation suggests that he might have intended to imply their role as a "rational censor" in the uncertain political climate of the Restoration.

In the first issue of *Le Censeur* Comte challenged two acts of the new government he believed were undermining the liberal intention of the Charter. One concerned some ordinances requiring all citizens to observe certain outward features of the Catholic religion and to respect the Sabbath and religious holidays, a measure which Comte believed contradicted the freedom of religion guaranteed by the Charter. The second concerned freedom of the press. On a technical interpretation of the provisions of the Charter, censorship was close to being reintroduced. Censorship had been reestablished by a royal

⁴⁵Jeremy Bentham, "Anarchical Fallacies: Being an Examination of the Declaration of Rights issued during the French Revolution (1796)," in *The Works of Jeremy Bentham*, ed. Bowring (Edinburgh: William Tait, 1843), vol. 2, pp.491-534.

⁴⁶"For such is the difference - the great and perpetual difference, betwixt the good subject, the rational censor of the laws, and the anarchist - between the moderate man and the man of violence. The rational censor, acknowledging the existence of the law he disapproves, proposes the repeal of it: the anarchist, setting up his will and fancy for a law before which all mankind are called upon to bow down at the first word - the anarchist, trampling on truth and decency, denies the validity of a law, and calls upon all mankind to rise up in a mass, and resist the execution of it," Bentham, "Anarchical Fallacies," p. 498.

ordinance in 1814. Charles Comte proved that the ordinance was illegal and refused to obey it, preferring instead to challenge the state to close his journal down and make a test case of the legality of his actions. He successfully snubbed the authorities until such time as they closed the loophole in the law.⁴⁷ Only after a further ordinance had confirmed the legality of the royal ordinance was *Le Censeur* finally censored. The editors were again able to evade this new development by changing the format of their magazine to a hard bound volume of more than 320 pages (more like a book than a periodical newspaper) which no longer appeared as a weekly. They were thus able to continue to publish their criticism of the régime uncensored.⁴⁸

THE TRIAL OF LIEUTENANT-GENERAL EXCELMANS

In addition to opposing the attempts of the government to reintroduce censorship, Comte was able to use his knowledge as a lawyer to frustrate another aspect of the Restoration régime. In the case of Lieutenant-General Excelmans, the government tried to

⁴⁷According to Mignet, "Pendant plusieurs mois il demeura seul en possession de la liberté de la presse comme d'un privilège de son courage." Quoted by Molinari, "Comte," *Dictionnaire de l'économie politique*, p. 446.

⁴⁸Mignet, "Dunoyer," *Journal des économistes* and Roman d'Amat, "Dunoyer," *Dictionnaire de Biographie Française*, ed. Roman d'Amat (Paris: Letouzey et Ané, 1970), vol. 12, pp. 286-88. Publications less than 320 pages were subject to prior censorship. On censorship in France see Frede Castberg, *Freedom of Speech in the West: A Comparative Study of Public Law in France, the United States and Germany* (Oslo University Press, 1960); Lenore O'Boyle, "The Image of the Journalist in France, Germany and England, 1815-1848," *Comparative Studies in Society and History*, 1968, vol. X, no. 3, pp. 290-317; Irene Collins, *The Government and the Newspaper Press in France, 1814-1888* (Oxford University Press, 1959); *Histoire générale de la presse française*, ed. Claude Bellanger, et al. (Paris: Presses universitaires de France, 1969). Like Comte and Dunoyer during this period Benjamin Constant was a vigorous defender of a free press. Benjamin Constant, "De la liberté de la pensée," in *Les "Principes de politique" de Benjamin Constant*, ed. Étienne Hofmann (Genève: Droz, 1980), vol. 2, pp. 125-54. Also during the first period of publication of *Le Censeur* Charles Comte and Charles Dunoyer found time to publish a pamphlet: Charles Comte and Charles Dunoyer, *Observation sur divers actes de l'autorité et sur des matières de législation, de morale et de politique* (Paris: Marchant, novembre 1814).

force into exile a prominent general associated with the Empire. Excelmans had incurred the wrath of the king by having the impertinence to write a letter to him. For this he was placed on half duties and posted far from Paris. An order for his arrest was issued when the general refused to accept exile as his punishment, and he was convicted to a period of detention by a court martial. Considering this punishment arbitrary and unjust, Excelmans employed Comte to represent him legally. Comte had already discussed Excelmans' case in *Le Censeur* and was quite willing to take on the Excelmans case to test once again the strength of the liberties guaranteed in the Charter. Comte won the case before the court martial of Lille, which unanimously cleared Excelmans' name by acquitting him in January 1815. An unexpected consequence of Comte's legal victory was that it provoked some excitement in the army. It had had to tread gingerly in the early days of the Restored monarchy since many were not sure how the Restored monarchy would treat an army still essentially composed of Napoleon's men.⁴⁹ Supporters of Napoleon in the army might interpret the exoneration of Excelmans as a sign of weakness on the part of the government in its campaign to weed out undesirable and unreliable elements in the army. With a mixture of concern, irony and amusement Comte asked himself if his defence of constitutional liberties (as he perhaps naively interpreted the Excelmans case) was indirectly helping to prepare the ground for the return of an even more famous military person in exile on Elba.⁵⁰

When Napoleon did make his move to return to power Comte without hesitation wrote a scathing attack on Napoleon the dictator who, for fifteen years, had trampled on French liberties. In *De l'impossibilité d'établir une monarchie consitutionnelle sous un chef militaire, et particulièrement sous Napoléon*⁵¹ Comte reminded the public of the

⁴⁹Charles Comte, *Défense de M. le comte Exelmans, lieutenant-général* (Paris: Renaudière, 1815). Signed, Comte, avocat, 2 January 1815.

⁵⁰Mignet, "Comte," p. 272.

⁵¹Charles Comte, *De l'impossibilité d'établir un gouvernement consitutionnel sous un chef militaire* (Paris: les marchands de nouveautés, 1815). Two editions under this title. Third and revised edition, *De l'impossibilité d'établir une monarchie constitutionnelle sous*

overweening ambition of Napoleon and reminded the army of its legal responsibilities under the Charter, in particular its duty to defend constitutional liberties and "la patrie," rather than to swear allegiance to any individual general. In a particularly sharp aside he remarked on the absurdity of Napoleon's aspirations to establish a constitutional régime at the point of a gun.

THE DEFAMATION SUIT AGAINST *LA QUOTIDIENNE*, MARCH 1815

Given the speed with which Napoleon was able to return to the throne in 1815 suspicions were naturally aroused that he must have had an organised conspiracy working on his behalf. Legitimists of course assumed that the most outspoken critics of Louis XVIII and defenders of the unreformed army, which included Comte and Dunoyer, must have been part of this conspiracy. In addition, Comte's successful defence of Excelmans and his ironic remarks about the state of the army and the possibility of a return by Napoleon in his pamphlet fed legitimist fears of a such a conspiracy. Thus a legitimist newspaper, *La Quotidienne*, accused Charles Dunoyer and Charles Comte of collaborating in Napoleon's landing at Cannes (1 March 1815). This assumption was utterly absurd given the tradition of hostility and opposition to Napoleon both Comte and Dunoyer showed throughout the Empire from an early age. Their liberal and constitutional views make it even more unlikely that they would place any faith in a return of Napoleon to the throne.

In order to clear their names of any suspicion of having assisted in Napoleon's return from Elba, Comte and Dunoyer attempted to sue the legitimist paper for libel. They instigated proceedings on 19 March 1815 on the eve of Napoleon's entry into Paris, but their suit was interrupted by the unexpected course of events. The rather timid judges were not willing to accept the case because, in the uncertain situation where it was not clear whether Napoleon or Louis XVIII would win, they did not want to offend either. They

un chef militaire, et particulièrement sous Napoléon (Paris: Renaudière, 1815). Fourth edition 1815.

therefore took the traditional bureaucratic solution to a difficult problem and simply postponed the suit until matters had settled down.

After Napoleon's entry into Paris on 20 March 1815 and the start of the Hundred Days of his Restoration, one of Napoleon's ministers, the duke d'Otrante, attempted to persuade Dunoyer and Comte to support openly the new régime with the rather spurious argument that it had been "transformed by liberty."⁵² Not surprisingly Comte and Dunoyer did not believe that Napoleon had been suddenly transformed into a supporter of liberal freedoms, given Napoleon's previous conduct towards the limited constitutional freedoms of the Empire. Dunoyer and Comte declined the Duke's offer, saying in their provocative style that if the régime were truly liberal they would be free to pursue their independent course as they had done under the Bourbons. The Duke d'Otrante then attempted to intimidate Dunoyer and Comte by seizing the next edition of *Le Censeur*. Dunoyer and Comte were able to use the laws to their own advantage by demanding that the government pay them restitution for their confiscated property as required under the Charter. The next step in the government's attempt to tame the liberal opposition was to force Dunoyer and Comte to revive their libel suit against the *Quotidienne*, which accused them of being accomplices in the revolution of 20 March, in an effort to embarrass them by discrediting their credentials as liberal opponents of Napoleon. However Dunoyer and Comte were still adamant in their wish to continue the libel suit but for reasons quite different to that of the government. They argued before the politically sensitive judges that Napoleon's latest revolution had not changed their opinion of his dictatorial régime and that they still wished to sue those who had falsely accused them of supporting Napoleon's return to power.⁵³

⁵²Mignet, p. 167.

⁵³Mignet describes the difficult situation in which the judges found themselves when confronted on the one hand by the immanent return of Napoleon and on the other hand by the stubbornness of the liberals Comte and Dunoyer: "La position des juges était délicate... placés entre le gouvernement qui existe encore et le gouvernement qui allait exister bientôt, ils devaient éprouver quelque embarras à se prononcer; ce qui était délit aujourd'hui, pouvant être un titre d'honneur demain. La prudence du journaliste accusé les tira de ce pas difficile. Il demanda l'ajournement de la sentence, dans l'espoir qu'il serait plus tard aussi impossible de la provoquer que la rendre; c'était mal connaître MM. Comte et Dunoyer, et

THE FIRST BRUSH WITH THE CENSORS UNDER NAPOLEON

Charles Comte's and Charles Dunoyer's political opposition to Napoleon's monarchical style of rule led to the suppression, on the orders of Fouché, of the fifth issue of *Le Censeur*, which had appeared during the Hundred Days.⁵⁴ The reason why Napoleon and his censors might find Comte and Dunoyer's journal offensive can be found in the strong defence, not so much of the restored Bourbon monarchy per se, but of the possibilities for liberal constitutionalism offered by the Charter (or "la véritable liberté" as they put it) which they supported soon after Napoleon returned to power. Comte and Dunoyer believed that an acceptable constitution recognised by the crown was preferable to a less acceptable constitution imposed by the return of a military dictator, even if the dictator was a popular one. They expressed this opinion in no uncertain terms, thus incurring the wrath of the censors:

Nous croyons qu'un tyran élu par le peuple serait beaucoup moins respectable qu'un bon roi monté sur le trône par la grâce de Dieu; nous croyons qu'une constitution passable, *concedée et octroyée* par le prince, serait tout à fait préférable à une constitution moins bonne, délibérée et acceptée en champ de mai. Nous voudrions, en un mot, tâcher d'empêcher que le peuple ne se laissât éblouir par l'éclat de certaines formes, par le charlatanisme de certains mots, et lui faire comprendre enfin, s'il était possible, en quoi consiste la véritable liberté.⁵⁵

leur opiniâtre intrépide. Appelés devant la justice, lorsque l'empereur fut remonté sur le trône, pour retirer une plainte devenue sans objet, ils y persistèrent, en faisant inscrire sur le registre du greffe que 'si l'imputation d'avoir coopéré au rétablissement du gouvernement impérial ne les exposait à aucune peine, celle d'avoir cherché à renverser le gouvernement établi, les exposerait au mépris public.'" Quoted in Molinari, "Comte," *Dictionnaire de l'économie politique*, p. 446. See also Mignet, "Comte," p. 273.

⁵⁴Five issues had appeared in the last half of 1814 and the first few months of 1815. It was the fifth issue which appeared during the Hundred Days: *Le Censeur*, vol. V, 18 April 1815. The dates of the volumes are as follows: volume 1, 12 June, 1814; vol.2, Nov 15, 1814; vol. 3, Dec 20, 1814; vol. IV, March 1, 1815; vol.V, April 18, 1815; vol. VI, June 1, 1815; vol. VII, Sept 6, 1815.

⁵⁵*Le Censeur*, vol. V, 18 April 1815, pp. 269-270.

When the fifth volume of *Le Censeur* was seized Comte went immediately to the office of the prefect of police to demand the return of the confiscated edition. He stated with some youthful liberal swagger that

Si nous avons mal raisonné il faut nous réfuter; si nous nous sommes rendus coupables, il faut nous punir. Le ministre croit que ses menaces auront plus d'effet sur nous que ses offres; il se trompe. Sous le dernier règne, nous avons ri de leurs poignards. Aujourd'hui, je vous déclare que je me moque également des baïonnettes de Bonaparte. "Ah! vous demandez le martyr, répondit le préfet." Je ne cours pas après, mais je ne le crains pas.⁵⁶

The distribution of the fifth volume was interrupted briefly by this suspension but it proved to be only temporary because Constant, with his courage in facing government officials, and Carnot, with his influence in government circles, were able to persuade Baron Legoux, the procureur général, to withdraw the order banning the issue. Comte's audacity resulted in the return of the seized volume and a renewed determination to continue the criticism of Napoleon's régime in future volumes of *Le Censeur*.⁵⁷

The magazine did not reappear until the return of Louis XVIII,⁵⁸ at which time Charles Dunoyer and Charles Comte were placed on a list of those opponents of the régime who were to be banished. They were saved at the last minute by the intervention of Prince Talleyrand, who was to be a colleague of theirs in the Academy of Moral and Political Sciences some seventeen years later. Although Talleyrand was able to save the two liberal journalists this time, their continued criticism of the régime led to another confrontation

⁵⁶Quoted in Mignet, "Comte," pp. 273-4.

⁵⁷Hatin, without approving of the stand taken by the editors of *Le Censeur*, states that had other newspapers and journals shown the same diligence and courage as Comte and Dunoyer they too might have been able to defeat the censors: "*Le Censeur* was heard every hour to reprimand so vigorously the newspapers on their pusillanimity, and without doubt proved to them how far one was able to be bold. It is said that Fouché, wishing to attach to himself the editors of that paper, had offered to them the editorship of the *Moniteur*; then, on their refusal, had given them the choice of places which would be agreeable to them. But Comte and Dunoyer had rebuffed these offers, and they had remained inflexible in their opposition to the imperial government, an opposition which, it is very necessary to say, was not under the circumstances, very intelligent or very patriotic." Quoted in Liggio, *Journal of Libertarian Studies*, p. 160.

⁵⁸Vol. VII, Sept. 6, 1815.

with the monarchy. The seventh issue was once again censored by Fouché (this time acting on behalf of the restored Bourbon monarchy) in September 1815.⁵⁹ The reason for the censorship of the seventh volume was that it contained a report of the debates in the Chamber of Deputies, including the protest at the closure of the Chamber by Prussian troops and another report on the excesses of the royalist reaction in the south of France. The arbitrary nature of the confiscation led Comte and Dunoyer to conclude that they had exhausted the patience of the régime and should cease their regular publication of *Le Censeur* for a while.⁶⁰

THE DISCOVERY OF JEAN-BAPTISTE SAY AND POLITICAL ECONOMY - SEPTEMBER 1815-
FEBRUARY 1817

Thus ended the first phase of Comte's and Dunoyer's career. The issues which had concerned them had been the traditional, liberal political issues of the proper limits to be placed on arbitrary state power and the struggle for freedom of the press, both of which could be summed up as an attempt to get the state to abide by the provisions of the Charter. The next phase of their careers began during the period of enforced inactivity or "leisure" of nearly eighteen months from their profession as journalist critics of the régime as a result of the harsh censorship. They took advantage of the time to read widely and came across the works of a number of writers who were to alter the very nature of their liberalism, turning them away from strictly political and constitutional matters and introducing them to the

⁵⁹Fouché, whether he was acting for Louis XVIII or Napoleon, would seem to be destined to censor *Le Censeur* no matter for whom he worked. Some 4,500 copies of the seventh volume was seized thus giving some idea of the size of the circulation

⁶⁰Mignet states that Comte wrote a pamphlet in defense of the army which could not be published at this time. He gives no details about this pamphlet except to say that it was written at about this time. He could be referring to two pamphlets Comte wrote in 1815; either the Excelmans pamphlet which could be interpreted by some parties as a defense of the army, or to Comte's attack on Napoleon's claims to establish a constitutional government which could not. Thus Mignet's reference remains mysterious. Mignet, "Comte," p. 274.

economic and social theories which were to occupy them for the rest of their lives. In a revealing essay published in 1827, Dunoyer describes how his reading of Jean-Baptiste Say, Benjamin Constant, and François Montlosier opened up new patterns of thought and analysis, which ultimately resulted in the development of the social theory of "industrialism."⁶¹ A fuller discussion of Dunoyer's essay can be found in chapter three.

Likewise Comte turned to the study of political economy and sought out Jean-Baptiste Say, the leading liberal political economist of the time, as his instructor. Mignet states that Comte's knowledge of political economy before this period of enforced leisure was rather "vague" since his training had been primarily in the classics, the philosophy of the Enlightenment, and the law. It was only after Comte had read closely the latest edition of Say's *Traité d'économie politique*, which appeared in 1817, that he developed a taste for political economy. He was so taken by the new discipline that he approached Say for personal advice and guidance in his reading of the *Traité*, advice and guidance which Say was very willing to give. It was by frequenting the Say household that Comte became familiar with both liberal political economy and Say's daughter, Andrienne, whom he married sometime in 1818. One could not imagine a closer relationship than this. Not only did Comte adopt as his own the economic ideas of the leading laissez-faire liberal economist in France in the early nineteenth century but he also married into his family, thus cementing on a personal level a deep commitment which had already been made on the intellectual level.

An interesting consequence of Comte's reading of Say and the British political economists such as Adam Smith, Thomas Malthus and David Ricardo was that Comte came to view the contribution of the ancient Greeks and Romans to civilisation, upon which he had been brought up as a youth, in a completely new light. Whereas before, as a

⁶¹Charles Dunoyer, "Esquisse historique des doctrines auxquelles on a donné le nom d'industrialisme, c'est-à-dire, des doctrines qui fondent la société sur l'Industrie," *Revue encyclopédique*, février 1827, vol. 33, pp. 368-94. Reprinted in *Notices d'économie politique*, vol. 3 of *Oeuvres*, pp. 173-199.

result of his classical education and legal studies, he had revered all aspects of ancient language, culture and politics, he now saw their considerable social and economic weaknesses. The disdain both he and Dunoyer later expressed for a civilisation based on slavery and conquest was formed under the influence of liberal political economy in the eighteen months between the closure of *Le Censeur* and the opening of the successor journal *Le Censeur européen*. Knowledge of economic science and the practice of commercial values became the hallmark of a civilised society for Comte, and the Romans were found sadly wanting in these important values. His rejection of the ancient world did not take the path of many during the late eighteenth century which had been to reject the values of warlike "Sparta" for those of commercial "Athens."⁶² Rather it was more like Benjamin Constant's complete rejection of "ancient" forms of liberty as a fraudulent form of liberty based upon political participation instead of independence from government control, as the "modern" form of liberty defined it. In Comte's view any society which depended upon slave labour for the surpluses which made their culture possible was a criminal and unworthy one.⁶³ Dunoyer found it odd that ancient Greek and Roman philosophers were so highly regarded in the modern world. They may have been writers of good prose but to him they were no better than the most reactionary feudal lords or the aristocracy of the absolute monarchies in their disdain and hatred for "des classes laborieuses."

⁶²The tendency for liberals to favour Athens over Sparta is discussed in a stimulating article by N. Loraux et P. Vidal-Naquet, "La formation de l'Athènes bourgeoise: Essai d'historiographie 1750-1870," in *Classical Influences on Western Thought A.D. 1650-1870. Proceedings of an International Conference held at King's College, Cambridge March 1977*, ed. R.R. Bolgar (Cambridge University Press), pp. 169-222.

⁶³Dunoyer somewhat later admitted that one of their major sources for rejecting the "ancient" form of liberty and for spurning ancient Greek and Roman militarism and slavery was one of Constant's essays, *De la liberté des anciens comparée à celles des modernes* in Benjamin Constant, *De la liberté des anciens comparée à celles des modernes. Discours prononcé à l'Athénée royal de Paris en 1819*, in *De la liberté chez les modernes. Écrits politiques*, ed. Marcel Gauchet (Paris: Livre de poche, 1980), pp. 491-515. Dunoyer discusses his intellectual debts in Charles Dunoyer, "Esquisse historique des doctrines auxquelles on a donné le nom *industrialisme*, c'est-à-dire, des doctrines qui fondent la société sur l'*Industrie*," *Revue encyclopédique*, février 1827, vol. 33, pp. 368-94.

Rien de si étrange que la faveur dont jouissent auprès des classes *industrielles* de nos sociétés modernes ces fiers républicains de l'antiquité, dont le premier principe politique était qu'il fallait tenir dans l'esclavage tout livré à l'*industrie*. Ces classes ne feraient-elles pas mieux de se passionner pour les seigneurs féodaux du moyen âge? La méprise, à mon avis, serait moins forte. Ces seigneurs, il est vrai, n'étaient pas aussi beaux parleurs que les nobles citoyens d'Athènes au temps de Périclès, ou de Rome à la fin de la république; mais ils ne les tenaient peut-être pas aussi ennemis des classes laborieuses; ils ne les tenaient pas aussi abaissées, ils ne méprisaient pas autant leurs travaux; je ne sais s'ils avaient au même degré les préjugés de la barbarie. Il y a dans la politique du citoyen Aristote et dans la république du philosophe Platon des principes que n'oserait pas avouer l'aristocratie la plus renforcée de nos monarchies les plus absolues.⁶⁴

Comte concluded it was only in the modern world, in which private property, free trade and industry created surpluses, that a truly vibrant and libertarian culture could take root.⁶⁵

THE RETURN TO JOURNALISM - THE FORMATION OF *LE CENSEUR EUROPÉEN*, FEBRUARY 1817
TO JUNE 1820.

In the successor to *Le Censeur*, which had the more cosmopolitan sounding name of *Le censeur européen*, and for the rest of their lives Comte and Dunoyer were to preach the ideals of liberal political economy: free trade, industrialism, the development of banking, the deregulation of labour and commerce, universal peace, reductions in the size of the

⁶⁴ Dunoyer, *L'industrie et la morale*, p. 228, footnote.

⁶⁵The extent of Comte and Dunoyer's rejection of the ancient world can be got from their analyses of slavery which will be discussed in chapter two. In Mignet's opinion Comte "... adopta avec passion et d'une manière fort absolue les principes de cette science, qui lui parut à la fois l'instrument et la mesure de la civilisation des peuples. Elle le brouilla surtout avec les Grecs et les Romains, qui avaient eu jusque-là toute son admiration. Leurs fortes vertus n'obtinrent pas grâce pour leurs imperfections sociales. Ces auteurs admirables de tant d'idées immortelles, ces premiers fondateurs des sciences humaines, ces créateurs incomparables des arts de l'esprit, ces utiles dominateurs du monde, qui lui avaient donné l'unité de la civilisation, et qui lui ont laissée la sagesse de ses meilleurs lois, ne furent plus à ses yeux que des barbares, parce qu'ils avaient eu des esclaves, n'avaient pas pratiqué le travail libre, et n'avaient connu que les procédés de la force et l'industrie de la conquête." Mignet, "Comte," pp. 274-5.

army, and the simplification of the functions of government. They had spent nearly eighteen months away from the hurly-burly of political journalism to study the work of Say, Benjamin Constant and other more obscure writers such as the historian Montlosier on the French monarchy.⁶⁶ Eventually they thought the time was propitious to renew their liberal critique of the régime and the stimulus to their return to journalism was provided in 1817 by the ministry of Decazes whom they thought was more attracted to constitutional government than previous prime ministers had been. The new economic and sociological liberalism forged from the combination of their earlier political liberalism and the new political economy of Say provided the ideological framework for their new magazine. *Le Censeur européen* first appeared in February 1817 with the new motto of "peace and liberty."⁶⁷ One of the themes of the magazine was the idea that civilisation is intimately connected to industrial development and that progress of both civilisation and industry depends upon the degree of liberty which a society permits its citizens. They declared that:

Les efforts qu'on a faits pour conquérir la liberté, ont presque toujours tourné au profit du despotisme. Pour qu'un peuple soit libre, il ne suffit pas qu'il ait une constitution et des lois, il faut qu'il se trouve dans son sein des hommes qui les entendent, d'autres qui veuillent les exécuter, et d'autres qui sachent les faire respecter.⁶⁸

Although some of the ideas were similar to the philosophy of "industrialism" being expounded by Saint-Simon, unlike Saint-Simon and his followers Dunoyer and Comte combined the theory of industrialism with their former political liberalism into a new

⁶⁶A clue to their reading in this period can be got from the books which were reviewed in the first couple of issues of the new journal, *Le Censeur européen*. Harpaz gives a comprehensive list in "Histoire d'un journal industrialiste."

⁶⁷*Le Censeur européen* appeared in 12 volumes. The first volume was published on 16 December 1816, although it appeared somewhat later than the date listed, and the last volume on 16 March 1819. From June 1819 until June 1820 it became a daily newspaper. The full title was *Le Censeur européen, ou examen de diverses questions de droit public, et des divers ouvrages littéraires et scientifiques, considérés dans leurs rapports avec le progrès de la civilisation* and had the motto of "Paix et liberté." Harpaz states that between 2,000 and 4,000 copies of each volume were distributed, "Histoire d'un journal industrialiste" part 2, pp 354-5.

⁶⁸Quoted in Mignet, "Dunoyer," p. 168.

synthesis of economic and political liberalism which Charles Dunoyer came later to call "la liberté du travail." Unfortunately Comte and Dunoyer did not have much time to develop their new form of liberal theory in a comprehensive fashion as they continued to be hounded by the censors, faced two lengthy court cases, and even spent some time in prison. The new magazine only lasted until April 1819 before it finally succumbed to the censors. They would have to wait until a more tranquil period in the late 1820s and early 1830s before they could discuss their ideas in more detail.

IMPRISONMENT IN LA FORCE AND THE RENNES TRIAL

In 1817 Comte and Dunoyer came to the attention of the censors twice more, the first for having printed John Murray's edition of Napoleon's (possibly spurious) memoirs⁶⁹ transcribed on Saint-Hélène, which resulted in their conviction and imprisonment, and the second for criticism of the behaviour of an army officer who shot a young man in Vitré which resulted in a trial at Rennes and the imprisonment of Dunoyer.⁷⁰ As happened with the legal action against *La Quotidienne* in 1815, Comte and Dunoyer were accused by the censors for having appeared to support Napoleon. In the former case they were falsely accused of having prepared the way for Napoleon's return from Elba by Comte's legal defence of General Excelmans and comments about the state of the army. In this case they were condemned for having printed a translation of Napoleon's Saint-Hélène memoirs. This was an unfortunate action on the part of the police and one which resulted in some irony, since they had published alongside the offending Napoleonist tract a lengthy refutation of Napoleon's militarism and dictatorship.

⁶⁹Harpaz believes the true author to be Frédéric Lullin de Châteaueux, "Histoire d'un journal industrialiste" part 2, pp. 340.

⁷⁰Both episodes are discussed by Harpaz, "Histoire d'un journal industrialiste" part 2, pp. 338-44.

All the copies of the third volume of *Le Censeur européen* were seized by the police on 6 June 1817 and Comte and Dunoyer were later brought before judge Reverdin and sent to La Force prison.⁷¹ Bail was refused in spite of the fact that a large number of admittedly liberal guarantors came forward in their defence. The guarantors included such leading liberals as the Duke de Broglie, La Fayette, Destutt de Tracy, Auguste de Staël, Benjamin Constant and Jean-Baptiste Say but, since the censorship was obviously politically motivated, having such guarantors from the liberal opposition would have only proved to the police the wisdom and necessity of their actions in censoring Comte and Dunoyer in the first place.⁷² On 19 August Comte and Dunoyer were convicted and each sentenced to twelve months imprisonment, a fine of F3,000, the loss of all civic rights for five years, and they were obliged to be under police supervision for the same period. The trial lasted six months and provoked a storm of controversy over the press laws. Many saw Comte's and Dunoyer's case as a test case against the hated censorship regulations. Their council Vatimesnil offered his services free of charge (a generous offer declined by the very independent-minded Comte and Dunoyer) and a lobby group the "Société des Amis de la Liberté de la Presse" was formed to support them and to carry the debate to a wider public. Not only were legal arguments presented in the court but numerous pamphlets and the transcriptions of the case proceedings were published to highlight what the defendants considered to be a violation of their rights under the Charter. By November 1817, after a lengthy appeal, the sentence was reduced to three months in prison, a fine of F1,000, and

⁷¹Harpaz argues that Comte and Dunoyer's printer Renaudière, who had printed all their journals from the very beginning, had scrupulously satisfied all the requirements of the press laws before publishing volume three. He had registered the volume with the police on 7 May 1817 and had deposited the required five volumes with them. The seizure of the stock and the actual manuscripts from the printer is a good example of the arbitrary nature of the censorship which critics of the restored monarchy faced.

⁷²Harpaz lists the following liberal luminaries who came forward to act as guarantors for Comte and Dunoyer's bail: le duc de Broglie, Laffitte, Ternaux, La Fayette, Destutt de Tracy, Chaptal fils, Auguste de Staël, Benjamin Constant, d'Argenson, Jean-Baptiste Say, Basterrèche, General Tarayre and "others" unspecified, "Histoire d'un journal industrialiste" part 2, pp. 339, footnote 187.

no loss of civic rights. Although the lobbying and press campaign had reduced their sentence they had not been able to change the law and the press restrictions remained in force.

The next legal conflict concerned the sixth volume of *Le Censeur européen*, in which was published a report of the shooting and beating of a sixteen year old youth by an officer in the French army, Deberrue, which had taken place in Vitré on 29 August 1816. The case had caused a stir at the time as the youth had been wearing a red carnation in his lapel, from which many drew the obvious conclusion that the attack had been politically motivated. Furthermore, the incident had been hushed up and the officer had not been tried by the local prosecutor. After the report of the incident had been discussed in *Le Censeur européen*, a local procureur de roi, Béchu, perhaps acting on behalf of parties which wanted to see Comte and Dunoyer finally silenced for their opposition to the régime,⁷³ sued the journal for libel and was able to have the case heard, not in Paris where the alleged crime had occurred, but in the local court at Rennes. The procureur general at the court of Rennes issued warrants for Dunoyer's and Comte's arrest in June 1818 and ordered that they appear in his local court. Charles Comte was able to escape with the assistance of his young wife, the daughter of Jean-Baptiste Say. When the police surprised them at home one morning, Andrienne Comte had the presence of mind and audacity to lock the gendarmes in a room so Comte could escape down some hidden stairs. Although Charles Comte escaped, unfortunately the fate of his courageous wife is not known. One could imagine the fury of the embarrassed gendarmes at being locked in a room by a woman, especially a woman with liberal political views.⁷⁴ Dunoyer was not as fortunate as his colleague and had to face the charges.

⁷³Harpaz believes this is the case, see the discussion in "Histoire d'un journal industrialiste" part 2, p. 343.

⁷⁴Mignet, "Comte," p. 276. There appears to some confusion about Comte's arrests and imprisonment in 1817. One source says that Comte was forced to spend five months in prison in la Force in 1817 for not having shown sufficient respect to the allied occupation forces. In an article which offended the censors and which I have not been able to find, Comte apparently suggested that there were too many men under arms and not enough

Under the provisions of the Charter dealing with censorship of the press, laws which Comte and Dunoyer knew intimately as practicing journalists who had run afoul of the law before and as trained lawyers, Dunoyer should have been tried in Paris where the article had been published. Instead he was to be taken by force to Rennes. To add insult to injury he was ordered by the procureur to pay the fare of a public carriage from Paris to Rennes, for himself as well as for a police escort, or face the prospect of being taken under armed guard and forced to walk to Rennes like a common criminal. A good feeling for Charles Dunoyer's political and legal liberalism can be had from his arrogant and imperious reply to one of the judges:

Traduit de vive force devant des juges qui ne sont pas les miens, consentirai-je encore à pourvoir aux frais de cette violence et à payer pour être persécuté? Non, monsieur. Vous ordonnerez à cet égard ce qui vous paraître le plus convenable. Les articles 4 et 12 du décret du 18 juin 1811, relatifs à la translation des prisonniers, vous permettent de les faire conduire à pied, à cheval, en diligence, en charrette. Vous choisirez entre ces modes, monsieur... Quant à moi, je n'en préfère aucun; je les repousse également tous. De quelque manière qu'on me conduise à Rennes, on ne m'y conduira que par un horrible abus de pouvoir, contre lequel je proteste de toutes les forces de mon esprit et de mon âme. Après cela, je suis en vos mains, disposez de moi; vous pouvez me considérer comme un corps sans volonté: *materia circa quam*. A Dieu ne plaise que je repousse aucune de vos rigueurs; plus elles seront grandes, plus elles seront instructives. On verra, par tout ce que vous me ferez souffrir, jusqu'à quel point nos lois criminelles peuvent se prêter aux persécutions privées, et peut-être l'excès du mal fera-t-il sentir le besoin du remède.⁷⁵

In spite of (or perhaps because of) his protestation at the manner of his arrest and the competency of the court to try him, Dunoyer was taken forcibly to Rennes to face trial. Not surprisingly he was found guilty and was sentenced to one year imprisonment. Upon his return to Paris, Dunoyer immediately went to the supreme court to denounce the actions of the Rennes court. Unlike in their legal struggle the previous year, this time Comte and Dunoyer were able to have the law changed to protect at least one aspect of the freedom of

school teachers. This appears to conflate the two separate incidents discussed above: a period of imprisonment for printing the Murray edition of Napoleon's "memoirs" and a second episode which did involve criticism of a French officer for shooting a young man but for which Comte was not imprisoned, thanks to the courage of his wife.

⁷⁵Mignet, "Dunoyer," pp. 168-9.

speech, namely that one could only be tried for a press offence in the place where the offending item was published, not anywhere in France where an offended reader or police official resided. On 8 September 1818 the supreme court overturned the Rennes decision and declared in a binding decision that, in future, writers would be tried by a judge in a court in the locality where the alleged crime occurred. Charles Dunoyer defended his actions in this complicated legal matter by claiming the obligation of all citizens to struggle for the rule of law against arbitrary state power:

J'ai protesté avec toute l'énergie dont je suis capable; je l'ai fait parce que tout honnête homme est obligé d'empêcher, par tous les moyens que la loi met à sa disposition, qu'on n'attente dans sa personne à des garanties sur lesquelles repose la sûreté publique; parce que celui qui ne le fait pas me paraît être un mauvais citoyen qui fonde par sa lâcheté la servitude commune; parce qu'enfin ce n'est qu'ainsi qu'on peut mettre un frein aux licenses du pouvoir et maintenir quelque ordre dans la société civile.⁷⁶

⁷⁶In Mignet, "Dunoyer," pp. 169-70. The legal cases in which Comte and Dunoyer were involved resulted in much discussion in their journal as well as the production of numerous pamphlets justifying their actions. The enormous effort which the writing and publication of the following jointly written works helps explain why Comte and Dunoyer were not able to continue their theoretical work as they would like to have done and why they did not regret too much having to give up their daily journalism and related legal and political battles: *Appel à la cour royale de Paris, chambre des appels de police correctionnelle, du jugement rendu le 19 juillet 1817 par la sixième chambre du tribunal de première instance du département de la Seine, sur une demande de mise en liberté* (Paris: Bureau du Censeur européen, 1817); *Dénonciation d'arrestation et de détention arbitraire* (Paris: Au bureau de Censeur européen, 1817); *Mémoire adressé à la chambre d'accusation de la Cour royale de Paris (sur la saisie du 3e vol. du Censeur)* (Paris: Bureau du Censeur européen, 1817); *Mémoire adressé à la chambre du conseil du tribunal de la Seine, sur la saisie de divers écrits, par les auteurs du Censeur* (Paris: Renaudière, 1817); *Observations soumises au tribunal de police correctionnelle du département de la Seine, précédées de l'analyse des moyens préjudiciels, et présentées à la cour royale, chambre des appels de police correctionnelle* (Paris: Au bureau du Censeur européen, 1817); *Conclusions motivées, présentées à la cour royale de Paris, chambre des appels correctionnels, par François-Charles Comte et Charles-Barthélemy Dunoyer, auteurs du Censeur européen, appelans du jugement rendu contre eux, le 19 août dernier, par la 6e chambre du tribunal de première instance du département de la Seine* (Paris: Renaudière, s.d.); *Dernières conclusions de MM. Comte et Dunoyer, suivies de quelques notes importantes. Étrennes à Leurs Excellences MM. le Baron Pasquier, comte de Cazes... et Mirebel... par M. Furet* (Paris, 1818). Charles Comte also wrote alone *De nouveau projet de loi sur la presse* (Paris: Bureau de Censeur européen, Renaudière, 1817); *Lettre à M. le garde des Sceaux, ministre de la justice* (Paris: Au bureau du Censeur, rue Git-le-Coeur, no. 10, Paris, Fain, 1818); *Réflexions sur le projet de loi relatif aux crimes et délits commis par la voie de la presse ou*

In spite of these considerable interruptions, *Le Censeur européen* continued to appear from 15 June 1819 until 23 June 1820, but now as a daily newspaper instead of a bulky periodical. It survived with the support of some influential liberal backers such as the Duke de Broglie, the son of Madame de Staël, Auguste de Staël, and the Marquis d'Argenson.⁷⁷ What prompted them to turn their journal into a daily newspaper was the coming to power of prime minister Dessolles-Decazes. Decazes won the support of the centre left and moderate centre deputies in the Chamber on condition that he break with the extreme right wing. He was thus able to introduce a certain liberalisation of government policy, in particular a weakening of the illiberal press laws. In the spring of 1819 Comte and Dunoyer seized the opportunity presented by the Decazes ministry to have their journal appear on a daily basis.

Unfortunately the liberalisation of the Decazes ministry did not last long. The final straw which ultimately ended their careers as political journalists was the reaction which followed the assassination of the Duke de Berry in February 1820, in particular the reintroduction of strict censorship in March which made their activity impossible even with their connections amongst liberal-leaning aristocrats. In the political climate after 1820, with changes to the laws governing elections, the reestablishment of censorship, and the suspension of individual security from arbitrary arrest, some concerned citizens set up a fund to help those penalised by the new draconian laws to fight their cases in the courts. Comte's career came to an abrupt end when he was arrested for publicising this fund in *Le*

autre moyen de publication (Paris: Fain, 1819), an extract from vol. 12 of *Le Censeur européen*. And by Dunoyer alone *Mémoire à consulter. Quel et le lieu où se commet un délit de la presse?* (Signed: Vatar, avocat, Dunoyer, partie) (Rennes: Chausseblanche, 1818?); *Observations préliminaires, présentées à la seconde chambre du tribunal de première instance de Rennes, à l'audience de 30 mai 1818 par M. Dunoyer* (Rennes, 1818); *Conclusions motivées pour le sieur Charles-Barthélemy Dunoyer... appelant du jugement rendu, le 8 juin 1818, par le 2e chbre du tribunal ... de Rennes* (Rennes: Chaussebalnche, 1818).

⁷⁷A possible reaction to the growing conservative reaction and particularly the press censorship he suffered under was that Charles Dunoyer became involved in radical liberal political activity to have General Lafayette elected to the Chamber of Deputies in the autumn of 1818. Mentioned in Liggio, *Journal of Libertarian Studies*, p. 176, fn 32.

Censeur européen, sentenced to two months imprisonment and fined F2,000. Rather than go to prison Comte chose voluntary exile for the five years it would take to prescribe his conviction.

After nearly six years of critical journalism and relentless persecution by the police and too much time spent in court and in prison, Dunoyer and Comte retired from public activity and *Le Censeur européen* was merged with another liberal paper, the *Courrier français*, to which Charles Dunoyer sometimes contributed. At the time of the suspension of *Le Censeur européen* Comte's and Dunoyer's reputation as a liberal political publicists was at a very high level. Hatin described their reputation some forty years after the event as follows:

We have seen what reproaches had been made against the authors of *Le Censeur*, and which as to basics and which as to form; but they have the incontestable merit of having dared first, since the Restoration, to profess with freedom the constitutional principles in all their integrity, and of having constantly sustained them, without ever making any concession to the military spirit or to bonapartism; they have yet the rare merit of having devoted themselves to proving by experience the vices of the legislation which then regulated the press... *Le Censeur*... was the banner of the stoic school, which wished the complete and immediate application of the principle of political perfectibility, of nearly absolute liberty, without taking enough account of the political difficulties that the Restoration encountered. It was, to tell the truth, a renaissance of the movement of 1789, with that theoretical optimism which took its source in the best intentions, but which did not create in the least any grave perils.⁷⁸

A few years later, with the publication of his first major theoretical work, the *Traité de législation* (1826-7), Comte reflected on the years between 1814 and the final closure of their journal. No doubt he also spoke for Dunoyer in seeing their period of journalism and active opposition to the increasingly reactionary régime of the restored Bourbon monarchy as an integral part of their intellectual evolution. As Comte expressed it, this period had been the "applied" or "practical" part of their study which had enabled him and Dunoyer to apply the legal theory they had studied to questions of practical importance such as constitutional freedoms, electoral representation, opposition to arbitrary state power, and

⁷⁸Quoted in Liggio, *Journal of Libertarian Studies*, pp. 163-4.

especially the censorship of ideas. Interspersed with these journalistic essays of immediate and practical legal concerns were of course a handful of speculative essays in which Comte and Dunoyer continued to pursue their theoretical interests. Comte and Dunoyer entered the thorny field of journalism attracted by the temporary new freedom of publishing in the early years of the Restoration, probably thereby forsaking an academic or legal career which both of them might have pursued had circumstances been different. Apparently for Comte, the fall of Napoleon and the new liberty of the press promised by the Charter provided him with an opportunity to espouse publicly his liberalism which was too good to turn down. As he put it some six years after the final closure of his journal:

La révolution que produisit, en France, la chute du gouvernement impérial, sans rien changer à la direction de mes idées, me détermina à choisir une mode de publication différent de celui que je m'étais d'abord proposé. Il me semble qu'en traitant successivement les questions de politique ou de législation que les circonstances feraient naître, j'arriverais à mon but d'une manière plus sûre et plus prompte. Des observations appliquées à des faits dont on est témoin, frappent beaucoup plus des esprits, que des observations dont l'utilité ne se présente que dans l'éloignement. La liberté de manifester publiquement ses opinions, que la dernière gouvernement avait complètement détruite, venait d'ailleurs d'être proclamée, et il était urgent d'en prendre possession. Car il en est de la liberté comme du pouvoir: on risque fort de la perdre, si on ne sait pas la saisir à l'instant où elle se présente.⁷⁹

But in retrospect Comte concluded that he had been mistaken in believing that by being involved solely in current political controversies he could push forward the frontiers of legislation or the "science of laws." The tumult of journalistic debate, censorship, court trials and imprisonment left little opportunity for the calm and considered reflection needed to see what was theoretically significant from what was of only daily interest. Overall Comte was unhappy with the six years he spent as a journalist from 1814 to 1820 because of the delays to the great project on legislation and property he had set himself to write and which he had begun in the last years of the Empire. He compared his articles in *Le Censeur*, perhaps unfairly to himself, to preliminary sketches an artist makes before embarking on a

⁷⁹Charles Comte, "Préface de la première édition," *Traité de législation*, 3rd ed, p. xiii.

major picture. Thus ironically, in one way, Charles Comte actually welcomed the opportunity provided by the political crackdown in 1820 to retire from public life and work on his *Traité*.⁸⁰

CHARLES COMTE'S CAREER AFTER THE CLOSURE OF *LE CENSEUR EUROPÉEN* - EXILE,
ACADEMIA AND POLITICAL ACTIVITY, 1820-1837

EXILE IN SWITZERLAND, 1820-23 AND ENGLAND 1823-26

Charles Comte sought exile rather than face his conviction. He and his wife fled to Geneva and then Lausanne, spending a total of five years in exile first in Switzerland and then in England. Comte first went to Geneva where he spent fifteen happy and profitable months working on his treatise on legislation. He found Geneva, the city which had been home to Benjamin Constant and Madame de Staël, more conducive to his work and more accepting of his liberal views than the conservative régime in Paris. After the difficulties he had faced in Paris Geneva must have seemed like a breath of fresh air. He described Geneva as

... une ville où tout homme qui veut se livrer à des études utiles, est assuré de trouver des ressources de tous les genres; où l'on rencontre, toute proportion

⁸⁰"Aussi après avoir traité, pendant six ans, une multitude de questions diverses, et les avoir insérées dans des recueils périodiques, ne me suis-je pas trouvé beaucoup plus avancé, relativement au but principal que je m'étais proposé, que je ne l'étais en commençant. Il ne m'eût pas été plus facile d'employer à faire un *Traité de législation*, les écrits que j'avais publiés jusqu'alors, qu'il le serait à un peintre de former un tableau, en réunissant les diverses parties du corps humains, qu'il aurait dessinées dans le cours de ses études. Non-seulement il n'aurait existé aucune liaison dans l'ordre des idées, non-seulement il n'y eût eu aucune proportion entre les parties; mais, ce qui est plus graves, il eût fallu reproduire des théories inexactes, et des vues quelquefois superficielles...Si quelques personnes consultaient encore que j'ai écrit dans *le Censeur*, ce sont, en général, les parties relatives à l'organisation ou à la distribution des pouvoirs politiques, qu'elles devraient consulter avec le moins de confiance," in Charles Comte, "Préface de la première édition," *Traité de législation*, 3rd ed, p. xiv. The last sentence comes from a footnote on the same page.

gardée, plus d'hommes instruits et plus d'activité intellectuelle que dans aucune ville du monde; où l'esprit de partie est presque sans influence dans les discussions, et où je pouvais me flatter d'avoir de nombreux amis...⁸¹

In Geneva Comte got to know Étienne Dumont, the editor and translator of Bentham, Simonde de Sismondi, who had just finished writing his mammoth history of the Italian republics, and the scientist Candolle. After fifteen months in Geneva, Comte was approached by the government of the canton of Vaud with an offer to assume the post of Professor of Natural Law and to teach a course on legislation at the University of Lausanne. Comte was reluctant to leave the pleasant and stimulating city of Geneva after such a short time of peace and contentment but the possibility of teaching what he described as "unprejudiced" young students and the opportunity of clarifying and simplifying his views for a student audience attracted him. With the encouragement of his Genevan friends Comte accepted the offer of a post and spent the next two years teaching and working on his *Traité*. In the introduction to the third edition of his *Traité de législation*, written in 1835 two years before his death, he recalled how excited he had been at the prospect of teaching students who were unspoilt by conservative prejudice and who proved to be receptive to his view of politics. He threw himself with gusto into his teaching duties, taking his responsibilities as a teacher very seriously. Although it slowed his progress on his book he did not regret the time he spent at Lausanne.

But the long arm of the conservative régime in Paris was not content with allowing a liberal like Charles Comte, who had been such a thorn in its side in the early years of the Restoration, to live and work unmolested in Switzerland. Once more he was forced to leave his home and occupation in order to seek refuge in a foreign country, this time in England. The reason for Comte having to leave Switzerland was the invasion of Spain by a French army in April 1823 to support Ferdinand VII against the liberal revolution. Part of the French government's campaign to assist Ferdinand was the exertion of diplomatic pressure by the French ambassador on Switzerland to expel the French and Spanish emigrés who

⁸¹Charles Comte, *Traité de législation*, 3rd ed, p. xiv.

were sympathetic to the Spanish liberal cause. Comte was a close supporter of the liberal cause in Spain and had reported on their activities in *Le Censeur* and *Le Censeur européen*.⁸² Comte feared that if his Swiss hosts did not submit to the French diplomatic pressure they might face more than just threats from the French government. The French ambassador endeavoured to have him extradited, although the Lausanne council rejected its application. Nevertheless Charles Comte felt obliged to resign in 1823 in order to spare his hosts any embarrassment and perhaps even danger from French retribution for their obstinacy. Writing to the landamman and councilors of state of the canton, Comte thanked his hosts for entrusting their law students to his hands and stated that under no circumstances would he allow himself to be the cause of an act of French hostility towards the Swiss people.⁸³ Thus to spare the Swiss government any embarrassment Comte reluctantly handed in his resignation and decided to leave for England of his own accord. Comte described his reasons for leaving Switzerland in the following words:

L'agression qui fut dirigée alors contre le gouvernement constitutionnel d'Espagne, porta l'effroi chez tous ceux dont l'existence était fondée sur l'assentiment des peuples, et non sur le droit divin. Les notes diplomatiques adressées, dans cette circonstance, aux divers gouvernements de la Suisse, au sujet des étrangers qui se trouvaient sur leur territoire, parurent être le prélude d'une attaque plus sérieuse. Sachant combien il est facile à la puissance de couvrir les attentants les plus graves sous les prétextes les plus frivoles et souvent même les plus ridicules, je me démis de mes fonctions et je me retirai en Angleterre.⁸⁴

After leaving Switzerland Comte spent a further two years in England working on the first part of his magnum opus, the *Traité de législation*. The long-awaited work finally

⁸²Harpaz and Liggio have discussed Comte's support for Spanish liberals. See footnote 13 above.

⁸³Comte thanked his hosts and explained his actions as follows: "Je reconnaîtrais mal la confiance dont vous m'avez honoré en m'appelant à donner des leçons à la jeunesse de votre pays, si je souffrais qu'une lutte si pénible se prologéât plus longtemps. À aucun prix je ne consentirais à être le prétexte d'une agression contre la Suisse; vous voudrez bien permettre que je me retire, et que je mette ainsi un terme aux débats dont j'ai été ou dont je pourrais être l'objet." Quoted in Molinari, "Comte," *Dictionnaire de l'économie politique*, p. 446. See also Mignet, "Comte," p. 277.

⁸⁴Charles Comte, "Préface de la première édition," *Traité de législation*, 3rd ed, p. xv.

appeared in 1826. Not a lot is known about Comte's stay in England, although it is clear that he had some contact with the Benthamites (perhaps even meeting Bentham himself) and the liberals associated with the *Edinburgh Review*. It is quite possible that Comte also met the young John Stuart Mill either on a trip to England or perhaps when Mill was visiting France, as Mill's two letters to Comte in 1828 tantalisingly suggest.⁸⁵

THE PUBLICATION OF THE *TRAITÉ DE LÉGISLATION* (1826)

Although Comte enjoyed the more liberal atmosphere he found in both Switzerland and England, he was keen to return to France to continue the struggle for liberal constitutionalism and the free market. This time, though, it would be in a less activist and more scholarly fashion than in the first years of the Restoration. Sometime in 1826, as soon as he was legally able to, he returned to France. This was possible since his conviction and fine from his brush with the censors in 1820 expired after five years. One of his first acts was to attempt to get his name back on the list of advocates, but he was still considered to be an undesirable radical by the government and his application was turned down. As a career in journalism or law was now impossible for him, Comte turned to more scholarly pursuits in order to occupy himself. The *Traité de législation* appeared in print and was well received by the reading public.⁸⁶ In 1828, two years after its publication, his book received the prestigious Montyon Grand Prize from the French Academy for the best work on moral philosophy.

Comte's *Traité de législation* had a considerable impact in liberal circles during the last years of the Restoration and the early years of the July Monarchy. It was still highly

⁸⁵There are two letters to Comte written by Mill in French in *The Earlier Letters of John Stuart Mill, 1812-1848*, ed. Francis E. Mineka (University of Toronto Press, 1963), vol. 1, Letter no. 19, London, 25th January 1828, pp. 21-2 and letter 22, London, 27 June 1828, p.24-5.

⁸⁶The first volume of the four volume *Traité de législation* appeared in 1826, the remaining three appeared the following year in 1827.

regarded by the editors and contributors of the *Dictionnaire de l'économie politique*, the preeminent laissez-faire liberal encyclopaedia, when it appeared in the early 1850s. Gustave de Molinari, who later in the century became one of the most influential liberal political economists in France as editor of the *Journal des Économistes*, was part of the generation of liberals in France who imbibed their liberalism from reading the works of Comte and Dunoyer. In a biographical article on Comte for the *Dictionnaire de l'économie politique* Molinari described Comte's *Traité de législation* as a "véritable monument scientifique" which well deserved the Academy's prize.⁸⁷ The economist Blanqui had equally high praise for Comte's work, describing it in the same article as "un véritable traité d'économie sociale" giving particular praise to the section on slavery, which he thought was the best thing ever written on the subject.⁸⁸ The free trade advocate and politician Frédéric Bastiat confessed that he too owed Comte much in the formulation of his liberal ideas. His enthusiasm was such that he named it as the one book he would take with him if he were ever stranded on a desert island!

Je ne connais aucun livre qui fasse plus penser, qui jette sur l'homme et la société des aperçus plus neufs et plus féconds, qui produise au même degré le sentiment de l'évidence. Sans l'injuste abandon où la jeunesse studieuse semble laisser ce magnifique monument du génie, je n'aurais peut-être pas le courage de me prononcer ainsi, sachant combien je dois me défier de moi-même, si je ne pouvais mettre mon opinion sous le patronage de deux autorités: l'une est celle de l'Académie qui a couronné l'ouvrage de M. Comte; l'autre est celle d'un homme du plus haut mérite, à qui je faisais cette question que les bibliophiles s'adressent souvent: si vous étiez condamné à la solitude, et qu'on ne vous y permit qu'un ouvrage modern, lequel choisiriez-vous? Le *Traité de législation* de M. Comte, me dit-il; car si ce n'est pas le livre qui dit le plus de choses, c'est celui qui fait le plus penser.⁸⁹

⁸⁷Molinari, "Comte," *Dictionnaire de l'économie politique*, p. 446.

⁸⁸Quoted in Molinari, "Comte," *Dictionnaire de l'économie politique*, p. 447.

⁸⁹Quoted from Bastiat's free trade journal, *Le Libre-Échange*, 11 July, 1847 by Molinari, "Comte," *Dictionnaire de l'économie politique*, p. 447. The influence of Comte and Dunoyer on the generation of liberals who came to prominence in the mid-nineteenth century was considerable, no more so than for Frédéric Bastiat a leading journalist and free trade activist in the 1840s. In Bastiat's published correspondence there are scattered references to Comte and Dunoyer, in particular the latter with whom Bastiat met often at meetings of the free trade association and the Society for Political Economy, or came

Bastiat's enthusiasm for Comte's book is only unusual for its intensity, most of the liberals of the July Monarchy period seemed to share it to some extent.

In this work Comte wanted to show how natural laws governed the development of society and what impediments existed to impede its progress. He tried to adopt an "empirical" approach, based upon the example of Jeremy Bentham in the field of legislation and the political economists in the area of economics and social change, rather than the

across his articles in the *Journal des Économistes*. See letters in *Oeuvres complètes de Frédéric Bastiat*, vol. 1 "Correspondance. Mélanges" (Paris: Guillaumin, 1862), pp. 67, 69, 71, 127, 209. Bastiat expresses his profound intellectual debt to the work of Comte and Dunoyer in a couple of letters to his life long friend Félix Courdroy. In a letter of 8 January 1825 Bastiat confesses that he is not well read in the literature of political economy but rather based his ideas on the work of four leading liberals: Adam Smith, Jean-Baptiste Say, Destutt de Tracy, and the essays of Comte and Dunoyer in *Le Censeur*, Bastiat, *Oeuvres*, vol. 1, p. 16. In another letter to Coudroy dated 9 April 1827 Bastiat discusses Dunoyer's essay on the origin of the idea of industrialism which appeared in the *Revue encyclopédique* and cites with apparent approval Dunoyer's expanded use of the term industry to include not just agriculture, commerce, manufacturing and banking, but also lawyers and intellectuals. Bastiat, *Oeuvres*, vol. 1, pp. 18-19. He acknowledges the influence of Dunoyer in a letter to Horace Say (the son of Jean-Baptiste Say) of 24 November 1844, in which Bastiat congratulates Say for having an article of his well thought of by Dunoyer and then proceeds to reminisce about the liberal movement in Say's father's day and Dunoyer's prescience in his opposition to socialism at that time: "Parmi les écrivains de l'école de votre père que la mort a respecté, il en est un surtout dont l'assentiment a pour moi une valeur inappréciable, quoique je n'eusse pas osé le provoquer. Je veux parler de M. Ch. Dunoyer. Ses deux premiers articles du *Censeur européen* (De l'équilibre des nations) ainsi que ceux de M. Comte qui les précèdent, décidèrent, il y a déjà bien longtemps, de la direction de mes idées et même de ma conduite politique." Frédéric Bastiat, *Oeuvres complètes*, vol. 7 "Essais, Ébauches, Correspondance," (Paris: Guillaumin, 1864), p.378. In 1845 when Dunoyer published his magnum opus *De la liberté du travail* he sent Bastiat a copy to which Bastiat replied with a touching letter of thanks on 7 March 1845. Bastiat pays Dunoyer the compliment that he has so completely absorbed Dunoyer's ideas that he is no longer able to distinguish them from his own: "Dans mes extrême jeunesse, Monsieur, un heureux hasard mit dans mes mains le *Censeur européen*; et je dois à cette circonstance la direction de mes études et de mon esprit. A la distance qui nous sépare de cette époque, je ne saurais plus distinguer ce qui est le fruit de mes propres méditations de ce que je dois à vos ouvrages, tant il me semble que l'assimilation a été complète. Mais n'eussiez-vous fait que me montrer dans la *société* et ses vertus, ses vues, ses idées, ses préjugés, ses circonstances extérieures, les vrais éléments des biens dont elle jouit et des maux qu'elle endure; quand vous ne m'auriez appris qu'à ne voir dans les gouvernements et leurs formes que des résultats de l'état physique et moral de la société elle-même; il n'en serait pas moins justes, quelques connaissances accessoires que j'aie pu acquérir depuis, d'en rapporter à vous et à vos collaborateurs la direction et le principe." *Oeuvres*, vol. 7, p. 372.

more customary "theoretical" approach used by most authors of similar universal histories. As he expressed it in the long title to his work, the study of these natural laws revealed the forces which governed the way in which people prospered, declined or remained in equilibrium.⁹⁰ These laws or forces could be discovered, Comte believed, by observing human nature and the milieu in which they live. In addition to being a defence of liberalism and a pioneering work in what would now be called sociology, Comte's *Traité de législation* was also an extended attack on the ideas of Rousseau and his radical democratic and socialist followers. In the preface to the first edition of the *Traité de législation*, written in Paris 28 May 1826, Charles Comte explained the circumstances which led to the *Traité de législation* being written over a period of nearly fifteen years and in three different countries. He began work on it during the last few years of Napoleon's reign, his aim being to combine in one work a theoretical and a practical study of jurisprudence based upon the methodology of the empirical sciences.

Livré fort jeune à l'étude et à la pratique de la jurisprudence, mais en même temps entraîné par un penchant irrésistible vers des études philosophiques, je m'étais occupé, depuis plusieurs années, d'un *Traité de législation*, lorsque le gouvernement impérial fut renversé. Le double but que je me proposais, étais d'appliquer à l'étude des lois la méthode suivie dans les autres sciences, et de porter dans le jugement des théories législatives, les connaissances acquises dans la pratique. Cette manière de vérifier, les unes par les autres, deux choses qui avaient été presque toujours séparées, me plaisait d'autant plus qu'elle était le seul moyen de concilier une profession que j'avais prise par choix, avec un goût qui était devenu une passion.⁹¹

The contents of Comte's *Traité* need more detailed examination than it is possible to give in a dissertation like this one. However, Comte's analysis of slavery which Blanqui so admired, will be discussed in chapter two.

⁹⁰Charles Comte, *Traité de législation, ou exposition des lois générales suivant lesquelles les peuples prospèrent, dépérissent ou restent stationnaire*, 4 vols. (Paris: A. Sautet et Cie, 1827). A second revised edition was published in 1835 by Chamerot, Ducollet of Paris in 4 vols. to coincide with the publication of its sequel, the *Traité de la propriété*. A revised and corrected third edition was published in 1837 by Hauman, Cattoir et Cie of Brussels.

⁹¹Charles Comte, "Préface de la première édition," *Traité de législation*, 3rd ed, p. xiii.

COMTE'S DEFENCE OF THE GARDE NATIONAL AND TRIAL BY JURY

But in spite of his good intentions not to be distracted from completing his theoretical work by issues of the moment (the second part of his magnum opus dealing with property was yet to appear), Comte did not have the character to allow himself to remain aloof from contemporary political matters for too long. Soon after the *Traité de législation* appeared he became involved in three issues of great importance to liberals which occupied his time in 1826 and 1827. The first issue concerned the rôle of the state in assisting industry at taxpayers' expense, in particular public works such as highways and canals. The result was a lengthy pamphlet entitled *Des garanties offertes aux capitaux et aux autres genre de propriétés... dans les entreprises industrielles* (1826).⁹² Comte responded angrily to a foolish scheme proposed by an engineer to turn the city of Paris into an internal port by a programme of massive public works. The aim was to overcome Paris's competitive disadvantage vis-à-vis London, which was claimed to owe its dynamic economy to the fact that it was a port city on the Thames river. Comte scoffed at this proposal and argued that London and Britain generally owed its prosperity and industrial might to other, more subtle institutional and cultural factors which France lacked. No amount of public works schemes, for example, could overcome the barriers to industry posed by French tariffs and regulation.

The second political issue which engaged Comte and prevented him from working on his *Traité de la propriété* was the attempt by the government to suppress the citizen militia or the national guard. In 1827 the government dissolved the Paris National Guard and issued the ordinances of 25 July. Charles Comte reacted to these events by publishing a

⁹²Charles Comte, *Des garanties offertes aux capitaux et autres genres de propriétés par les procédés de chambres législatives, dans les entreprises industrielles, et particulièrement dans la formation des canaux, et de l'influence que peut avoir un canal du Havre à Paris, sur la prospérité des villes commerciales de France* (Paris: Delaforest, 1826). Molinari describes it as a criticism of a work by M. Derbigny, *Paris, port de mer* (n.d.).

work on the *Histoire de la garde national de Paris* (1827), reminding the French people of the active role the guard had played in the French Revolution of 1789 and how attacks on the institution of the National Guard had always been immediately followed by attacks on the people's liberty.

Interestingly, Comte's book on the National Guard had sufficiently impressed John Stuart Mill, who read it soon after it was published, to write to Comte twice in 1828 asking for assistance in a review Mill was writing for the *Westminster Review* on the French Revolution.⁹³ In the letter of 25th January, 1828 Mill asks Comte for more information on the National Guard to assist him in writing a review of Sir Walter Scott's *Life of Napoleon* and for advice on what to read for his proposed history of the French Revolution.⁹⁴ Mill concluded his friendly letter with a request for Comte to pass on his regards to Comte's wife as well as Monsieur and Madame Say, whom Mill also probably had met at some time. In June Mill sent Comte copies of his completed review of Scott's book with the hope that Comte would give Say and other leading French liberals some copies and thus prove that some one in England at least (Mill presumably) had "rendered justice to the revolution."⁹⁵ In his scathingly critical review of Sir Walter Scott's *Life of Napoleon* Mill refers admiringly to Comte's opposition to Napoleon. Mill takes Scott to task for perpetuating the conservative critique of French liberalism, that it was a dangerous offshoot of Jacobinism. Mill also scolded Scott for treating "the *libéraux* of the present day... with greater asperity and unfairness than is shewn towards the revolutionists themselves." In a

⁹³Mill's letters to Comte are in *The Earlier Letters of John Stuart Mill, 1812-1848*, ed. Francis E. Mineka (University of Toronto Press, 1963), vol. 1, Letter no. 19, London, 25th January 1828, pp. 21-2 and letter 22, London, 27 June 1828, p.24-5, in which which appeared as "Scott's Life of Napoleon," *Westminster Review*, IX (April 1828), pp. 251-313, reprinted in *Essays on French History and Historians*, ed. John M. Robson (University of Toronto Press, 1985), vol. 20 of the *Collected Works of John Stuart Mill*, pp. 53-110.

⁹⁴Unfortunatley Mill never wrote a history of the French Revolution but he did give his notes and references to Thomas Carlyle to assit him in preparing *The French Revolution* (1837).

⁹⁵ *The Earlier Letters of John Stuart Mill, 1812-1848*, ed. Francis E. Mineka (University of Toronto Press, 1963), vol. 1, letter 22, London, 27 June 1828, p. 25.

long and sometimes angry footnote devoted entirely to Comte, Mill reveals his sympathy for Comte in particular and the more radical French liberals in general. It is worth quoting in full:

Every one who knows what the *libéraux* of the present century are, is aware that they comprise every shade of political opinion from Mounier to Carnot. Our author, however, industriously identifies all of them with the extinct, and now universally detested, sect of Jacobins. As an example of his mode of dealing with individuals, we may instance his treatment of Comte, known to all of Europe as the intrepid writer who, at great personal risk, vindicated the principles of constitutional reform in the *Censeur Européen*, at a time when there were few to aid him in the glorious conflict; and who has suffered five years exile, and the mean-spirited persecution of the Holy Alliance, in consequence of his manly and steadfast adherence to liberal opinions. This individual, of whom Sir Walter Scott is so consummately ignorant as to have discovered the correct orthography of his name only time enough to insert it in the Errata, he does not scruple to accuse of having been "a promoter of Bonaparte's return." Will it be believed, that when Napoleon was in full march towards Paris, M. Comte published a pamphlet, which went through three editions in an many days, denouncing the imperial government as tyrannical, and calling upon the French people to resist the usurper! This work (of which we possess a copy) was translated and widely circulated in Germany, as a proof that the enlightened portion of the French people were hostile to Bonaparte. Let the reader give credit after this to our author's imputations against men of whom he knows nothing.⁹⁶

As a trained lawyer Charles Comte was concerned also with the abuse of judicial power under the restored monarchy. This was the third issue he was concerned with before the 1830 revolution opened up an entirely new career for him as a government official under the July Monarchy. He was particularly worried by the way in which judges were chosen, which he believed showed partiality on the part of the government. The state naturally preferred to select judges who were most amenable to being political instruments of the reaction and Comte accused the government of abuse of power and partiality.

⁹⁶Charles Comte, *Histoire de la garde nationale de Paris, depuis sa fondation jusqu'à l'ordonnance du 29 avril 1827* (Paris: A. Sautelet, 1827. Publié le 14 juillet 1827, jour anniversaire de la prise de la Bastille). For Mill's comments see his *Essays on French History and Historians*, ed. John M. Robson (University of Toronto Press, 1985), vol. 20 of the *Collected Works of John Stuart Mill*, p. 109.

Quelques-uns des ministres de Louis XVIII et de Charles X avaient tellement abusé du pouvoir que la charte donnait au roi de nommer les juges; ils avaient montré, dans quelques-uns de leur choix, tant de partialité en faveur des hommes les plus disposés à être les instruments de leurs passions politiques, qu'ils avaient fait sentir à beaucoup de personnes la nécessité d'une organisation judiciaire moins propre que celle de l'empire à seconder les vues ou à servir les passions des agens du pouvoir exécutif.

As a liberal and as an advocate of the independence of the judiciary, Comte considered the behaviour of the government to be intolerable. He and other concerned individuals were prompted to establish a group to monitor the activities of these government-appointed, politically partial judges.⁹⁷

Comte had taken an interest in judicial politics and the need for an independent judiciary, whose rôle it was to limit arbitrary state power, since his early days as a law student. One way in which the partiality of the judges might be overcome, he argued, was through the use of juries, the hope being that juries selected from the public would be more likely to support the Charter than the judges appointed by the conservative government. If the state continued to arrest people in violation of the principles of the Charter and found support in sentencing from the judges, then there was the hope that a jury might exercise their right to bring in a verdict of not guilty and thus frustrate the government. As in so many areas for Restoration liberals, the model of proper constitutional and judicial practice came from England and America, in this instance their practice of using juries in criminal cases. In that hectic year of 1817 Comte had published a translation of a book on the institution of trial by jury by an Englishman, Sir Richard Phillips, with an introduction of his own on the situation of the French judiciary, or as he phrased it "a critical examination of our judicial system."⁹⁸ The basis of his criticism of the French judiciary was that the guarantees created by the Charter were so easily overcome or ignored by a compliant judicial system at the tremendous cost of civil liberties. Comte declared in some

⁹⁷Charles Comte, *Traité de la propriété*, 2 vols. (Paris: Chamerot et Ducollet, 1834), vol. 1, pp. iv-v.

⁹⁸Comte, Charles, Review of Sir Richard Phillips, *Des pouvoirs et des obligations des Jurys*, *Le Censeur européen*, 1819, vol. 11, pp. 354-56.

exasperation "combien sont faibles les garanties qu'elles offrent contres les intérêts et les passions politiques du pouvoirs exécutif et de ses agens."⁹⁹ When the British government in 1825 codified and reformed the laws relating to juries, Comte translated these acts of the British Parliament in a second edition of the 1817 book on juries which he published in 1828, which included a revised introductory essay on the French judiciary with derogatory comparisons with the freer British system.¹⁰⁰

CHARLES COMTE'S CAREER AFTER THE RESTORATION

POLITICAL OFFICE IN THE JULY MONARCHY

Work on the sequel to the *Traité de législation*, the *Traité de la propriété*, was yet again suspended following the 1830 Revolution. Charles Comte now began an uncertain career as a government official. On 18 September 1830 Comte was nominated by the more liberal-minded July Monarchy to the post of councillor of the Seine prefecture, which for some reason he did not take up. Only a few days later, on 28 September, he was also appointed to the position of procureur du roi at the Seine tribunal, but was apparently sacked some six months later for what one writer described as "indiscipline." Perhaps it was more a question of Comte attempting to continue his scholarly interests at the same time as the new régime placed demands on his time, or his continual practice of trying to thwart the government, even the more liberal-minded July Monarchy, each time it transgressed his rather strict view of individual liberties. He had another chance to run for office the following year and he was successful, being elected on 5 July 1831 as a deputy

⁹⁹Charles Comte, *Traité de la propriété*, p. v.

¹⁰⁰Sir Richard Phillips, *Des pouvoirs et des obligations des jurys par Sir Richard Phillips, traduit et précédé de "Considérations sur le pouvoir judiciaire et l'institution du jury en France, en Angleterre et aux États-Unis d'Amérique, par Charles Comte* 2nd edition (Paris: Rapilly, 1828)

from La Sarthe and later deputy for Mamers in 1831, to which he was successfully reelected for second term on 21 June 1834.¹⁰¹

Comte soon became disillusioned with working for the state and decided to retire in order to at last complete his life's work. He described his growing disillusionment with government and the mad times in which he was living:

Après le révolution de 1830, ayant été appelé à divers fonctions publiques, et m'étant imaginé qu'il ne me serait pas impossible d'être quelque utilité pour le public dans le pratique des affaires... L'expérience a bientôt dissipé l'illusion que je m'étais faite; elle m'a convaincu qu'il est des époques facheuses où tout homme qui prétend faire usage de sa raison et conserver la liberté de sa conscience, doit savoir se résigner à ne pas prendre part à des affaires de gouvernement.¹⁰²

It should not be surprising that Comte found political life irksome and tiring. His independence of spirit and his anti-statist liberal sentiments did not naturally incline him to a life in the Chamber of Deputies. Fortunately there was an academic alternative to political life in the form of his membership of the Academy of Moral Sciences, to which he had been elected in 1832 soon after his first foray into politics. When he was made the Academy's permanent secretary in 1834 with the completion of the *Traité de la propriété*, it was probably the excuse he was looking for to withdraw completely from elected office.

As an academician Comte was able to devote himself to his work. From 1833 to his death in 1837 it involved the publication of the second part of his magnum opus, the *Traité de la propriété*, and editing the works of the two great influences on his intellectual life, his father-in-law the economist Jean-Baptiste Say and Thomas Malthus. This was Comte's

¹⁰¹The historian Edgard Allix curiously claims that Comte soon lost his seat as a result of his "independence" but was able to find another seat again very quickly. Unfortunately Allix does not elaborate any further. Edgard Allix, "La déformation de l'économie politique libérale après J.-B. Say: Charles Dunoyer," *Revue d'histoire des doctrines économiques et sociales*, 1911, vol. 4, p. 9-10, fn 3. Allix describes Comte's political career, beginning with the nomination as councillor of the Seine prefecture, as follows: "Il n'occupa d'ailleurs point ce poste et fut nommé quelques jours après (28 7bre 1830) procureur du roi. Destitué pour son indépendance en 1831, il fut élu député de Mamers en 1831 et 1834 et siégea au parlement dans les rangs de l'opposition dynastique."

¹⁰²Charles Comte, *Traité de la propriété*, pp. vi-vii.

opportunity to pay homage to two of the three influences on the development of his social theory. He acknowledged the importance of Jeremy Bentham for the area of legislation, the political economists beginning with Say for economic and social change, and Thomas Malthus on population. For the liberal publishing firm of Guillaumin Comte edited all the major and minor works of his mentor Jean-Baptiste Say and wrote an important assessment of his life and contribution to liberal economic and social theory.¹⁰³ He also did the same for Thomas Malthus. One of his tasks as permanent secretary of the Academy was to present eulogies which were more like biographical essays of leading intellectual figures. The task of assessing the life and work of Malthus, who died in 1834, fell to Comte. His eulogy was given in December 1836 and versions of this appeared as introductions to Malthus's major work on *The Principles of Population*, which remained the edition used by French political economists for decades.¹⁰⁴

THE CULMINATION OF A LIFE'S WORK - THE PUBLICATION OF THE *TRAITÉ DE LA PROPRIÉTÉ* (1834)

Finally in 1834 the long-awaited sequel to his *Traité de législation*, the *Traité de la propriété*, appeared. Molinari quite accurately described Comte's elaborate defence of

¹⁰³J.B. Say, *Catéchisme d'économie politique... Revue et augmentée de notes et d'une préface par M. C. Comte* (Paris, 1834). J.B. Say, *Cours complet d'économie politique pratique*, edited with a life of the author by C. Comte (1837). Bruxelles edition, Société typographique belge, 1844. J.B. Say, *Oeuvres diverses contenant: Catéchisme d'économie politique, fragments et opuscules inédits, correspondance générale, Olbie, Petit Volume, Mélanges de morale et de littérature' précédées d'une Notice historique sur la vie et les travaux de l'auteur, Avec des notes par Ch. Comte, E. Daire et Horace Say* (Paris: Guillaumin, 1848). Charles Comte, "Notice historique sur la vie et les ouvrages de J.-B. Say," in *Mélanges et correspondance d'économie politique, ouvrage posthume de J.-B. Say* (Paris: Chamerot, 1833), pp. i-xxviii. He also wrote a review of Say's *Cours complet* for the *Revue encyclopédique*, "Cours de Say."

¹⁰⁴Charles Comte, *Notice historique sur la vie et les travaux de M. Thomas Robert Malthus* (Académie des sciences morales et politiques. Recueil des lectures... du mercredi 28 décembre 1836). Another edition 1845. Reprinted in Malthus, *Essai sur le principe de population*, in *Collection des principaux économistes*, vol. 7 (Paris, 1852, 2e edition).

property rights as "un arsenal rempli de toutes les armes nécessaires pour combattre les errements rétrogrades du communisme."¹⁰⁵ Charles Comte had originally intended to publish the *Traité de la propriété* along with the *Traité de législation* in 1826, since both works were part of the same project. As he put it in 1834, the treatise on property was only a "continuation" of the treatise on legislation which together composed a study of theoretical and practical jurisprudence based upon an "empirical" method derived from Bentham, Say and Malthus. In the preface to the *Traité de la propriété*, written in Paris on 30 March 1834, Comte took the opportunity to remind his readers of his aims in writing both the *Traité de législation* and *Traité de la propriété*. He wanted to do this because he believed that the intervening years, with its revolution of 1830, had raised a whole series of new issues and had clouded those which had preoccupied the French in the late 1820s. He also wanted to remind his readers that the two works were intimately connected and that they could not understand his new work on property unless they had read and understood the previous work on legislation.¹⁰⁶

Although Comte's original plan had been to publish both the *Traité de législation* and *Traité de la propriété* together, his publisher was unwilling to publish such a large work at one go. There was the added problem that Comte probably had not finished work on the second part and thus had some idea of publishing the work in serial form. His publisher had reservations about "serialising" the project over a period of years and persuaded a reluctant Comte not to proceed with the publication of *Traité de la propriété* immediately.¹⁰⁷ Any

¹⁰⁵Molinari, "Comte," *Dictionnaire de l'économie politique*, p. 447.

¹⁰⁶Charles Comte, *Traité de la propriété*, 2 vols. (Paris: Chamerot, Ducollet, 1834). Bruxelles edition, H. Tarlier, 1835.

¹⁰⁷Comte was concerned that his reading public had been led to believe that the massive project had in fact been finished although, as Charles Comte claimed in the preface to *Traité de la propriété*, that the most interesting parts were yet to appear. He also wanted to dispel the misunderstandings which had arisen after the publication of the *Traité de législation* since the full title of the work had promised to deal with matters which were only covered in the volumes known as the *Traité de la propriété*. He recognised the validity of some contemporary critiques of the *Traité de législation* and admitted that it was more like a prolegomena than a finished work. Charles Comte, "Préface," *Traité de la propriété*, vol. 1, p.ii-iii.

intention of having the remaining volumes published were foiled by the events of 1830 and, as Charles Comte wryly noted, he had "more urgent matters" to attend to.¹⁰⁸ Thus it was not until 1834 that Comte finally saw his life's work in print.

A source of frustration to Comte, which came about because the two parts of his work were not published together, was that he was accused of allowing his political activities to intrude into a work of scholarship. The readers of the *Traité de la propriété* naturally read it as the work of a committed liberal journalist, pamphleteer and serving politician. Some readers apparently interpreted Comte's discussion of the measures taken in the ancient world to discourage slaves from associating with each other as a reference to contemporary French laws banning meetings of more than twenty people. These infringements on the freedom of association had been ridiculed by Comte and other liberal journalists in the 1820s and the matter had been discussed in the Chamber of Deputies. Comte was stung by these criticisms and vehemently denied that he was making allusions to contemporary affairs in what he considered to be a work of pure theory. It was an understandable assumption made by some of his readers, given the way in which Comte in his own life had mixed periods of intense political activity with periods of withdrawal or retirement for more academic work. Nevertheless Comte had the hope that his empirical method of analysis and his careful reading of anthropological, historical, legal and economic theory would result in a major theoretical work, a work of "science" as he termed it, which was unsullied by party political point-scoring.¹⁰⁹ In order to show that political point-scoring had not been his purpose he claimed he wrote the section on the freedom of association in the ancient world several years before and that the work was being printed several months before the discussion in the Chamber of Deputies had taken place.

Yet in a very typical aside of about seven pages Comte launched into a spirited defence of the freedom to associate with whomever one pleases so long as the rights of

¹⁰⁸Charles Comte, "Préface," *Traité de la propriété*, p. iv.

¹⁰⁹Charles Comte, *Traité de la propriété* p. xiv.

others are not harmed.¹¹⁰ Although he had purged the main body of the text of any references to contemporary party political matters, the political implications of his magnum opus are made obvious in the preface where he was less reluctant to be impartial. He asserts that the faculty of associating with others, like the faculty of expressing one's opinions or undertaking a particular kind of work, was inherent in our nature and any law which attempted to interfere with the exercise of our natural faculties was an act of tyranny.

Une mesure qui déclare punissable l'exercice innocent ou honorable de quelqu'une de nos facultés, est un acte de tyrannie, quels qu'en soient les auteurs; une mesure qui assure l'impunité à des actes ou à des actions propres à porter atteinte à la sécurité publique ou à troubler la société, est un acte non moins condamnable: sous l'un et l'autre de ces deux rapports, le projet de loi contre les associations méritait d'être repoussé.¹¹¹

Without leaving it to the imagination of his readers Comte himself drew the connection between the absurdity of the new law preventing more than twenty people associating freely together and the futile and unjust attempts by the restored monarchy to impose arbitrary and prior censorship on its critics.

Il est ... impossible d'admettre, d'un autre côté, que toute association devienne criminelle du moment qu'elle compte plus de vingt membres, et qu'il soit impossible de garantir la sécurité publique, sans livrer à l'arbitraire de la police toute association qui excède ce nombre; il serait impossible de soutenir un tel système, sans reproduire tous les sophismes qu'on a faits, sous la restauration, pour prouver que la censure préalable et arbitraire était le seul moyen d'empêcher les abus de la presse.¹¹²

In spite of the continued battle for constitutional freedoms which Comte waged in the preface, the main issue of the *Traité de la propriété* was nothing less than the theoretical basis of liberalism, namely to analyse in considerable detail the theoretical and historical foundations of his liberalism. Naturally, a vital part of this formulation had to deal with the idea of property, why it was legitimate, how it arose historically, how different concepts of property emerged in different communities, how communal property became legitimately

¹¹⁰Charles Comte, *Traité de la propriété* pp. xv-xxii.

¹¹¹Charles Comte, *Traité de la propriété* p. xix.

¹¹²Charles Comte, *Traité de la propriété* p. xx.

owned private individual property, and how property might appear in a modern industrial society. Some of the issues Comte dealt with in the *Traité de la propriété* included the rejection of the Roman legal tradition, with its toleration of slavery, as a basis for a sound theory of property law, the legitimacy of original appropriation of property, the problem of the land claims of original inhabitants, the emergence of private property out of communal "national" property so that no one else is harmed, and the emergence of wage labour in a similar non-coercive manner. Comte's treatment of property is a complex combination of legal, economic, sociological and historical insights each component of which needs to be appreciated. In particular, the historical and evolutionary aspects of his arguments are interesting. His concept of property changes from the early communal property of the hunter-gatherer stage of production, to the private property in land of settled agriculture, and to the complex and varied nature of private property in industrial society. At each stage of economic and social evolution Comte puts forward slightly different legal and economic arguments in favour of the kind of property suited to individuals living under a particular mode of production. It is an argument which nineteenth century Marxists would find familiar even though the perspective was very much a liberal one in favour of increasing amounts of private property.

The question of property became an issue in the Restoration period for a variety of reasons. It was discussed partly as the general process of evaluation of the meaning and consequences of the French Revolution, Napoleon's Empire and the Restoration of the Bourbon monarchy which was taking place at this time. Ownership had undergone great changes in the previous forty years at the hands of various revolutionary governments.¹¹³

¹¹³A good discussion of the idea of property and the changes in its meaning under the ancien régime and in the Revolution is provided by William H. Sewell, Jr., *Work and Revolution in France: The Language of Labor from the Old Regime to 1848* (Cambridge University Press, 1980), "A Revolution in Property," pp. 114-42. Unfortunately Sewell terminates his discussion at the time of Napoleon's rise to power and says virtually nothing about the important debates taking place during the Restoration and early July Monarchy. He jumps straight to the 1848 revolution with little attempt to deal with the contribution of the French political economists and jurists. The former still awaits their historian, the latter has been discussed by Donald R. Kelley and Bonnie G. Smith, "What was Property? Legal

New property owners had emerged from the sale of national property and the confiscated church and emigré land. New forms of government regulation of property had emerged with policies like the Maximum price controls of the Jacobins and requisitioning and confiscation for the army. Napoleon's efforts to impose a continental blockade on British imports also impinged on property. And of course, with the restoration of the Bourbons, there was the threat that property acquired from the sale of emigré and church land would be returned to its original owners. In addition, post-revolutionary liberalism was in a considerable state of flux as it attempted to come to terms with the political and economic consequences of the French Revolution, Napoleon and the Restoration to learn to deal with other problems which cannot be dealt with here, such as the decline of Enlightened ideas of natural rights and the rise of Benthamite utilitarianism, the problems posed by the development of manufacturing and the factory system, and the real possibility of seeing liberal ideas adopted by governments seeking political reform. With such turmoil in the minds of Frenchman in the 1820s and 1830s it is not surprising that the nature of property would be discussed and that liberals would take a leading rôle in this discussion.

Another reason for the question of property becoming a serious issue in the Restoration and July Monarchy periods is partly a result of the rethinking of Adam Smith's ideas in the light of the Industrial Revolution currently underway with some vigour in Great Britain and which was to begin in earnest in France considerably later in the 1840s - the decisive years of economic "takeoff" according to David Pinkney.¹¹⁴ Nevertheless the

Dimensions of the Social Question in France (1789-1848)," *Proceedings of the American Philosophical Society*, 1984, vol. 128, no. 3, pp. 200-30.

¹¹⁴David H. Pinkney, *Decisive Years in France 1840-1847* (Princeton University Press, 1986). Not only did industrialisation begin in earnest in France in the 1840s but also the professionalisation of the discipline of political economy. In 1842 the Société d'Économie Politique was formed, comprising the leading lights of the political economy movement, and soon afterwards the founding of the *Journal des Économistes*, the main organ of laissez-faire liberalism in France, and the establishment of the liberal publishing firm Guillaumin, which published an extraordinary quantity of statistical, historical, economic and theoretical material. Thus, overall the 1840s are crucial for both the theory and practice of industrial political economy.

implications of industrialisation were obvious to those who observed what was going on across the channel or who were aware of the faltering and uncertain French experiments with factory production, railway building and so on. The chief exponent and reformulator of Smithian economics in France was Jean-Baptiste Say whose many editions of the *Treatise on Political Economy* (first edition 1803)¹¹⁵ did much to introduce the new political economy, with its underlying assumptions about the legitimacy of private ownership and the benefits it would bring in terms of greatly increased productivity, to a new generation of Frenchmen (Comte and Dunoyer being typical of those who discovered Say and political economy in the immediate post-1815 years) and which became the virtual bible of the economic liberals in France. Say continued to influence people, this time a much broader audience of businessmen, intellectuals and land owners, with his lectures at

¹¹⁵Jean-Baptiste Say, *Traité d'économie politique, ou simple exposition de la manière dont se forment, se distribuent et se consomment les richesses* (1st edition 1803, Paris: Deterville). 4th edition, Paris: Deterville, 1819. The last edition of the *Traité* which appeared during Say's life was the 5th in 1826 by Rapilly and included *Augmenté d'un volume, et à laquelle se trouvent joints Un Épitome des principes fondamentaux de l'économie politique, et un index raisonné des matières*. A widely used edition of the *Traité* was the 6th edition which incorporated Say's final revisions and edited by his son Horace Say. It was reprinted in a series of major economic works by the liberal publishing firm of Guillaumin. I was volume 9 of the *Collection des principaux économistes*, ed. Horace Say (Paris: Guillaumin, 1841. Reprinted Osnabrück: Otto Zeller, 1966). On Say's life and works see E. Dubois de l'Estang, "Say (Jean-Baptiste) (1767-1832)," *Nouveau dictionnaire d'économie politique*, vol. 2, pp. 783-91; "Notice sur la vie et les ouvrages de Jean-Baptiste Say," *Oeuvres diverses de J.-B. Say, contenant: Catéchisme d'économie politique, Fragments et opuscules inédits, Correspondance générale, Olbie, Petit volume, Mélanges de morale et de littérature...*, ed. Charles Comte, E. Daire, et Horace Say (Paris: Guillaumin, 1848), pp. i-vxiii; Gaston Leduc, "Say, Jean Baptiste," *International Encyclopedia of the Social Sciences*, (1968), pp. 23-25; Meitzel, "Say, Jean Baptiste," *Handwörterbuch der Staatswissenschaften*, ed. J. Conrad et al. (Jena: Gustave Fischer, 1911), vol. 7, pp. 191-93; Edgard Allix, "La méthode et la conception de l'économie politique dans l'oeuvre de J.-B. Say," *Revue d'histoire économique et sociale*, 1911, vol. IV, pp. 321-60; Georges Michel, "Une dynastie d'économistes," *Journal des économistes*, Mai 1898, no. 2, pp. 170-91; Alfred Amonn, "Say, Jean Baptiste," *Handwörterbuch der Staatswissenschaften*, ed. Erwin von Berkerath et al. (Stuttgart: Gustav Fischer, 1956), vol. 9, pp. 93-95; Ernest Teilhac, "Say, Jean-Baptiste (1767-1832)," *Encyclopedia of the Social Sciences* (1936?), pp. 559; Edgar Allix, "J.-B. Say et les origines de l'industrialisme," *Revue d'économie politique*, 1910, vol. XXIV, pp. 303-13 and 341-63; Charles Comte, "Notice historique sur la vie et les ouvrages de J.-B. Say," *Mélanges et correspondance d'économie politique. Oeuvre posthume de J.-B. Say*, ed. Charles Comte (Paris: Chamerot, 1833), pp. i-xxviii.

the Athénée during the 1820s, which were well attended by young liberals, and the book based on those lectures, the *Complete Course of Practical Political Economy* (1828-30).¹¹⁶

The chief innovation of Say was to realise the vital importance of manufacturing (or "industry" as he preferred to call it) and the wealth-creating ability of entrepreneurs in the economy of post-revolutionary Europe. Fundamental to any discussion of the economic contribution of manufacturing and entrepreneurs was the assumption that property rights in capital invested in and earned from factories were legitimate. Similarly the legitimacy of wage labour in the manufacturing system was not questioned. Yet, as Say was to say on several occasions, his work was not a work of jurisprudence or philosophy, thus he was under no obligation to provide the theoretical foundation for his political economy, in particular a defence of property rights. It was not the province of the political economist to do such a thing, which was best left to the "speculative philosopher," as Say put it in a small chapter "Of the Right of Property" in his *Traité de l'économie politique*.

It is the province of speculative philosophy to trace the origin of the right of property; of legislation to regulate its transfer; and of political science to devise the surest means of protecting that right. Political economy views the right of property solely as the most powerful of all encouragements to the multiplication of wealth, and is satisfied with its actual stability, without inquiring about its origin or safeguards.¹¹⁷

Say goes on to discuss the various ways in which the state transgresses the right to property through taxation, regulation, slavery, or by incompetently protecting property owners from theft or fraud. But it is clear that Say refuses, as an economist, to offer a theoretical defence of the legitimacy of property rights (the task of the speculative philosophers) or to state how the law might be best used to protect property (the task of the

¹¹⁶Jean-Baptiste Say, *Cours complet d'économie politique pratique. Ouvrage destiné à mettre sous les yeux des hommes d'état, des propriétaires fonciers et des capitalistes, des savans, des agriculteurs, des manufacturiers, des négocians, et en général de tous les citoyens, l'économie des sociétés*, (Paris: Rapilly, 1828-9). A second revised edition edited by his son Horace Say (Paris: Guillaumin, 1840).

¹¹⁷Jean-Baptiste Say, *A Treatise on Political Economy; or the production, distribution, and consumption of wealth*, trans. C.R. Princep (Philadelphia: Grigg and Elliott, 1832. 5th American edition), Book 1, chapter XIV "Of the Right of Property," pp. 72-76. Quotation taken from p. 72.

legislator). The closest Say comes to overstepping his self-defined boundary as a pure political economist is his use of interesting historical asides in many of his chapters to trace the historical development of the institution or practice under discussion. For example, he assumes the mantle of an historian of property in his asides dealing with money, slavery, colonisation, regulation of industry, tariffs and so on. Thus Say is willing to be an historian occasionally but not the jurist, the legislator or the philosopher.

If Say was willing to accept blithely the legitimacy of property and wage labour in the industrial system, the critics of economic liberalism were of course not so disposed. Not surprisingly socialists quickly identified the key issue of dispute with liberals as the distribution of land and other property, the legitimacy of interest on capital invested in factories, the profit drawn by owners, managers and entrepreneurs, and the wages paid to manual labourers. It is this rejection of the property rights and productive economic rôle of the capitalist entrepreneur and the justice of wage labour especially which gives continuity to early socialism, so divided as it was by other issues. It was also the foundation upon which Karl Marx was to build his self-proclaimed "scientific" socialist critique of liberal capitalism.

The task to defend property on a theoretical and historical basis, which was refused by Say and the political economists, is the task Charles Comte wanted to achieve in his magnum opus on legislation and property. As Comte no doubt realised, liberal political economy was in an extremely vulnerable position if it lacked such a defence of property upon which so much depended. All the achievements of economic theory concerning the productivity of the division of labour, the factory system, the key rôle of the entrepreneur, the warnings about economic regulations hindering innovation and productivity would be for naught if socialist and conservative critics were correct in their reservations about the legitimacy of property rights. Without a secure theoretical footing in property rights critics of liberal political economy might have a case for rejecting laissez-faire and the factory system in the name of justice and morality. A reasonable person might, after all, consider rejecting economic liberalism and forgo the benefits of greater productivity in the name of

justice for those who have been deprived of the fruits of the labour. The task of Comte in the *Traité de législation* and the *Traité de la propriété* was to short circuit this possibility by demonstrating three things: firstly, that interference by the state over the centuries in property ownership has had dire consequences for justice as well as for economic productivity; secondly, that property is legitimate when it emerges in such a way as not to harm anyone; and thirdly, that historically some, but by no means all, property which has evolved has done so legitimately, with the implication that the present distribution of property is a complex mixture of legitimately and illegitimately held titles.

The latter point is of great importance as it goes part of the way to meeting the socialist critique of liberal property rights yet at the same time providing a theoretical underpinning to protect political economy and the legitimacy of the industrial system. Comte's theory can achieve this remarkable feat because of his theory of legitimate property rights which involves a two-step process. Previously unowned property, or property collectively owned by the tribe or "nation," only becomes legitimately owned property if it is acquired in a way that harms no one else in the process. This can be done by a Lockean process of mixing one's labour in some way with the object to be acquired, thus acquiring title to it, or it can be done, as in the case of land being enclosed for private use, only if those being excluded are not left worse off. Both methods, in Comte's view, create an original just title to the property.

The second step in the process towards the legitimacy of presently held property is that of transmission. Once property has been acquired originally it can be exchanged or bequeathed to others by the legitimate owner. So long as coercion is not involved, this process will result in a distribution of just property titles. However, as soon as force intrudes, whether by conquest, theft, enslavement, extortion and so on, the cycle is broken and what was once legitimate property becomes illegitimate. Comte does not spend a great of time discussing the transmission of property since he believes that existing legal conventions have worked out quite adequate methods of passing property in a non-coercive manner from one owner to another. What is lacking, in his view, is a satisfactory method of

distinguishing between property which can demonstrate an unbroken line of legitimate transmission from an original legitimate acquisition some time in the past from property which cannot do so. The political problem of the present, after the confusion caused by the Revolution and the sale of biens nationaux and the Restoration threat to return land to its previous owners, namely the church and the landed nobility, was that a great deal of property was of a "mixed" nature. Some property, especially the landed estates of the old nobility, had not been acquired in the manner laid down by Comte and was hence illegitimately owned. Other property was a mixture of legitimate and illegitimate components, some having been acquired justly and others through coercion. On the other hand some forms of property were completely just and legitimate and the possession of them could not be faulted. The difficult question was to be able to separate the justly from the unjustly acquired property, to return the unjustly acquired property to its original owners, and to create a legal system which would prevent such problems from occurring again.

So where liberals like Comte came part of the way to answering the socialist critique of property, especially in landed property, was the agreement that much land ownership in the present was the result of past acts of violence and hence was illegitimate. This was a view held by radical liberals such as Thomas Hodgskin and Herbert Spencer in Britain and Augustin Thierry and Frédéric Bastiat in France.¹¹⁸ Where they parted company with the

¹¹⁸Thomas Hodgskin makes the important distinction between "natural" and "artificial" rights to property and concludes that much of the landed wealth of Europe fell into the latter category, i.e. it had been acquired unjustly. Herbert Spencer for slightly different reasons thought it immoral to own land, though he changed his mind later in life. Augustin Thierry based his entire theory of history on the idea of racial conquest where one race invaded and stole the land of another racial group. Frédéric Bastiat defended the liberal idea of private property in land but attributed poverty and the condition of the working class to "disturbing factors" which upset economic harmony. One of the disturbing factors was continued presence of unjustly held land titles in Europe carried over from feudal times. See Thomas Hodgskin, *The Natural and Artificial Right of Property Contrasted...* (London: B. Steil, 1832) reprinted (Clifton, New Jersey: Augustus M. Kelley, 1973); Herbert Spencer, *Social Statics: The Conditions essential to Human Happiness specified, and the First of them developed* (New York: Robert Schalkenbach Foundation, 1970) first published 1851, "IX. The Right to the Use of the Earth," pp. 103-113; see any of Thierry's

socialists was their belief that not all property had been or would be of necessity acquired unjustly. For example, the liberals believed that the new forms of wealth or property being created every day by the industrial system were perfectly legitimate and could not be attacked without causing injustice to the owners and widespread poverty and disruption to others. Comte's theory of property therefore should be viewed as an attempt to plug an important gap left by the refusal of the political economists like Say to provide an adequate foundation in property rights for their economic theory. His theory should also be seen as an attempt to answer the objections of critics (mostly socialist but also some conservatives) who argued that because some property titles were illegitimately acquired that this implied or meant that all property rights per se were illegitimate. Comte's solution provides a stimulating defence of property with interesting implications for the rights of native inhabitants to their traditional land, an innovative use of the Lockean proviso in the original acquisition of property, and a defence of the factory system and wage labour with obvious contemporary relevance.

The importance of Comte as one of the few liberals to offer a comprehensive defence of property was quickly recognised by one of the leading socialist critics of property, Pierre-Joseph Proudhon.¹¹⁹ Well before Marx became the leading critic of liberal notions of property and wage labour, the most searching and well-known critic of property was Pierre-Joseph Proudhon. His criticism of property and the legitimacy of wage labour is well known, but what is unfortunately less well known is the focus of Proudhon's attack on liberal property theory, namely leading liberal figures such as Destutt de Tracy, Jean

works but especially Augustin Thierry, *Histoire de la Conquête de l'Angleterre par les Normands* (Paris: Didot, 1825); Frédéric Bastiat, "Property and the Law," "Property and Plunder," in *Selected Essays on Political Economy*, trans. Seymour Cain and ed. George B. de Huszar (Irvington-on-Hudson: Foundation for Economic Education, 1975), pp. 97-115, 152-193 and "Disturbing Factors," in *Economic Harmonies*, trans. W. Hayden Boyers and ed. George B. de Huszar (Irvington-on-Hudson: Foundation for Economic Education, 1968), pp. 466-74.

¹¹⁹On Proudhon see: Pierre Haubtmann, *Pierre-Joseph Proudhon: Sa vie et sa pensée* (Paris: Beauchesne, 1982) and Robert L. Hoffman, *Revolutionary Justice: The Social and Political Thought of P.-J. Proudhon* (Urbana: University of Illinois Press, 1972).

Baptiste Say, Pellegrino Rossi; the philosopher Victor Cousin; jurists such as Joseph Dutens and Charles Toullier.¹²⁰ But above all Proudhon's prime focus of attack was the extensive defence of property made by Charles Comte. This is revealed in the important place Charles Comte had in Proudhon's attack on property in the two *Mémoires sur la propriété* especially the first memoir, printed in 1840 and better known as *Qu'est-ce que c'est la propriété?*¹²¹ Thus an understanding of the legal, philosophical and economic defence of property constructed by Comte not only helps to understand the deficiencies of liberal political economy in the early nineteenth century, it also illuminates an important branch of French liberalism in the first half of the nineteenth century, as well as providing important background material for a better understanding of Proudhon's criticism of property

On another level, the debate about the nature of property which Comte's work provoked occurred at a crucial moment in the intellectual development of these two political traditions. Although Comte died three years before Proudhon wrote his memoirs on property and a debate in the true sense of the word never took place between the two, they both represented the strengths and weaknesses of their respective traditions of thought. Liberalism was rapidly becoming influential among political and economic elites and the effects of liberal reforms were to be felt most in the middle decades of the nineteenth century, especially in the area of free trade. The period from the end of the Napoleon's Empire to the early years of the July monarchy were the years when liberal ideas were in the process of being formed into a new orthodoxy and Comte's rôle in this was considerable. Likewise with Proudhon. His relationship to pre-Marxist socialism is a vital one, especially in France, and he was instrumental in the discovery of the "social question"

¹²⁰On the importance of lawyers in the theoretical debate on property see Donald R. Kelley and Bonnie G. Smith, "What was Property? Legal Dimensions of the Social Question in France (1789-1848)."

¹²¹Proudhon's memoirs can be found in the *Oeuvres complètes de P.-J. Proudhon. Nouvelle édition publiée avec les notes et les documents inédits sous la direction de MM. C. Bouglé et H. Moysset* (Paris: Macel Ravière, 1926).

in France in the 1840s. In terms of influence and originality the conflict between Comte and Proudhon is most instructive and revealing of the future development of both liberalism and socialism in the nineteenth century.

The central position of Comte and Proudhon in the formation of mid-nineteenth century property theory was clearly understood by the writers and editors of the influential *Dictionnaire de l'économie politique* (1852) which encapsulated and epitomised the thinking of economic liberals in the mid-nineteenth century. In the article on property Léon Faucher acknowledged the fact that French liberalism owed its economic theory to Jean-Baptiste Say and its philosophy of property (as well as much of its theory of history) to Charles Comte.¹²² In particular it would be Gustave de Molinari, one of the leading theorists of French liberalism in the late nineteenth century, who would continue to work out the implications of Charles Comte's theory of property and economic development. Faucher also correctly identified Proudhon's critique of Comte's property theory as the major source of opposition to liberal views of property, although of course he was not to realise what new directions Karl Marx would take the critique of liberal property theory begun by Proudhon. Therefore Charles Comte's theory of property assumed considerable importance in the development of nineteenth century French liberal thought and provided the provocation for Proudhon's highly influential critique of property.

Charles Comte did not live long after the publication of his magnum opus. He died in Paris on 13 April 1837 at the age of 55 after an illness lasting some ten months. Molinari attributed his death to the exhaustion brought on at an early age, due to his arduous political battles and the demands of his academic work. Molinari's diagnosis may not be medically sound but he is correct to emphasise the commitment Comte showed throughout his life to the cause of liberalism in France. He refused to compromise or submit to oppression no matter what its source. Whether under Napoleon, Louis XVIII or Louis Philippe, Comte was

¹²²Léon Faucher, "Propriété," *Dictionnaire de l'économie politique*, ed. Charles Coquelin and Guillaumin (Paris: Guillaumin, 1853), vol. 2, pp. 460-473.

prepared to criticise and expose any restriction on individual activity in the area of political, social or economic life.

CHARLES DUNOYER'S CAREER AFTER THE CLOSURE OF *LE CENSEUR EUROPÉEN* - ACADEMIC, APOSTLE OF INDUSTRIALISM AND POLITICAL ACTIVITY 1820-1862

Whilst Comte was forced into exile to escape paying a hefty fine and serving a prison term, Dunoyer also had to give up his career as an opposition journalist and seek an alternative occupation. The path he chose was strikingly similar to that chosen by Comte and even after they went their separate ways after 1820 their lives were very much in parallel. Both returned to scholarly work, Comte teaching law in Lausanne while Dunoyer lectured on moral philosophy and industry in Paris. Both held a variety of political posts under the July Monarchy and, in the case of Dunoyer who survived into the Second Empire, also under Napoleon III. Both became disillusioned with political office and resigned or retired. Both were appointed members of the Academy of Moral and Political Sciences and both continued to work on their magnum opus. Yet, in spite of their scholarly activity, they both continued to write pamphlets on matters of current political concern, thus linking their academic tomes with their liberal activism.

DUNOYER'S LECTURES AT THE ATHÉNÉE IN PARIS - THE IDEA OF INDUSTRIALISM, 1824-5

Comte's choice of subject matter, as we have already seen, was a two part work dealing with "legislation" (or as Comte put it, with societies based on force and class domination) and "property" (with societies based on private property and peace). Dunoyer turned to an elaboration of how societies, based on a particular mode of production, evolved from one stage to another, the first version of which appeared in 1825 as

L'industrie et la morale considérées dans leurs rapports avec la liberté.¹²³ Dunoyer wanted to examine the interaction between the mode of production (or "industry" as he termed it) and that society's political structure and culture (or "morals") at each stage of evolution. Instead of having a four-stage system of evolution as was common in the eighteenth century,¹²⁴ Dunoyer, under the influence of the political philosophy of Benjamin Constant, the history of the French monarchy by Montlosier and the political economy of Jean-Baptiste Say, expanded the traditional theory into a six-stage system of economic evolution.¹²⁵ His six stages, each with their own mode of production, class structure and political culture or "morals," were the states of savagery, nomadism, settled agriculture using slave labour, feudalism, political place-seeking under the ancien régime, and the final stage - industrialism.¹²⁶ What was different about Dunoyer's version of the "four-stage theory" was his use of the new political economy, which now included an "industrial" component. Like other contemporaries, Dunoyer was in the process of developing a new branch of study, the "science of societies," which would now be termed sociology. Saint-Simon and Auguste Comte were writing material of a very similar kind, although they were moving in an increasingly illiberal direction with their call for the rule of society by a technocratic élite.

¹²³Charles Dunoyer, *L'industrie et la morale considérées dans leurs rapports avec la liberté* (Paris: Sautet et Cie, 1825).

¹²⁴The standard account of the history of the four-stage theory in the eighteenth century is Ronald L. Meek, *Social Science and the Ignoble Savage* (Cambridge University Press, 1976).

¹²⁵Charles Dunoyer, "Esquisse historique des doctrines auxquelles on a donné le nom *industrialisme*, c'est-à-dire, des doctrines qui fondent la société sur l'*Industrie*," *Revue encyclopédique*, février 1827, vol. 33, pp. 368-94.

¹²⁶In a later version of his theory (1830) there were eight stages beginning with savagery, nomadism, settled agriculture, ancient domestic slavery, servitude during the middle ages, the "régime of privileges", the "industry of places", and industrialism. Charles Dunoyer, *Nouveau traité d'économie social, ou simple exposition des causes sous l'influence desquelles les hommes parviennent à user de leurs forces avec le plus de LIBERTÉ, c'est-à-dire avec le plus FACILITÉ et de PUISSANCE* (Paris: Sautet, 1830), 2 vols, vol. 2, p. 2. The stage theory of Dunoyer's first work, *L'industrie et la morale* (1825) is the subject of chapter three.

Dunoyer's ideas on the relationship between the mode of production (industry) and political culture (morals) were based upon a series of lectures at the Athénée in Paris given in the winter of 1825. Fortunately Dunoyer had been able to secure a teaching position (one of the few available at that time) at the Athénée Saint-Germain in Paris, a unique institution which had been founded at the end of the previous century and had a tradition of teaching liberal and Enlightened subjects ranging from literature, philosophy, and history, to politics, physics and economics. Some of the illustrious men who had taught there included La Harpe on literature, Benjamin Constant who gave lectures on constitutional theory, and Jean-Baptiste Say who lectured on political economy.¹²⁷ Dunoyer's lectures had been broadly titled "Économie et Morale" but he felt that the title did not give an accurate description of their contents. A better description of the matters under discussion in both the lectures and the resulting book, as he admitted in the preface to *L'Industrie et la morale*, would have included a third item, "liberty." Dunoyer was concerned with the interrelationship of the mode of production, political culture and individual liberty from the earliest forms of human society up to the present. As he expressed it, his true aim had been a consideration of "ces deux choses moins en elles-mêmes que dans leur application à une troisième, à la Liberté, et que celle-ci serait le véritable et unique objet de mon étude."¹²⁸

The publication of Dunoyer's book of lectures sparked off a heated debate concerning the matter of priority. Since the Saint-Simonians had also developed a similar theory of industrialism, Dunoyer had to face some criticism over the originality of his ideas. He responded to this criticism by showing how his version of industrialism emerged from his reading of Constant, Roederer and Say over the previous ten years. Dunoyer also had to face some hostile reviews from fellow liberals, in particular the novelist Stendhal and

¹²⁷Say's lectures were published as the *Cours complet d'économie politique pratique; ouvrage destiné à mettre sous les yeux des hommes d'état, des propriétaires fonciers et les capitalistes, des savans, des agriculteurs, des manufacturiers, des négocians, et en général de tous les citoyens, l'économie des sociétés* (Paris: Rاپilly, 1828).

¹²⁸Charles Dunoyer, "Préface," *L'industrie et la morale considérées dans leurs rapports avec la liberté* (Paris: Sautélet et Cie, 1825), p. i.

Benjamin Constant. Both thought the advocates of industrialism were claiming far too much for the men of industry. Stendhal ridiculed the idea that industrialists were "heroic" and thought the rôle of intellectuals had been forgotten.¹²⁹ Constant had reservations about the predominant influence given to economic factors in Dunoyer's theory.¹³⁰

Just as Comte had struggled to have the two parts of his magnum opus published together but was thwarted by the outbreak of the 1830 revolution, political events also interrupted Dunoyer's publishing plans. In the years between first giving his lectures in 1825 and 1830 he had expanded his "science of society" into a book nearly twice as long as *L'industrie at la morale*. By the time the revolution broke out Dunoyer had copies of a new work printed, a *Nouveau traité d'économie sociale*, but they had not yet been distributed to the bookshops and were sitting in his publisher's warehouse. Having been named prefect under the new régime, Dunoyer postponed the publication of his work, perhaps thinking, like Comte, that it was somehow inappropriate for a serving state official to publish a work of theory. Or perhaps it was out of fear that an academic work would not be taken seriously by the reviewers if it was seen to be written by someone with partisan interests. Whatever the reason may be, Dunoyer did not allow his publisher to release the book and sometime later a fire swept through the warehouse destroying almost all copies of the *Nouveau*

¹²⁹Stendhal, *D'un nouveau complot contre les industriels*, ed. P. Chartier et al. (Paris: Flammarion, 1972).

¹³⁰Benjamin Constant, "De M. Dunoyer et de quelques-uns de ses ouvrages," in the collection of articles and essays *Mélanges de littérature et de politique* (1829), originally published in the *Revue encyclopédique*, février 1826, vol. 29.

traité.¹³¹ Only a handful survived, probably copies given to the author by the publisher for private distribution to friends.¹³²

The complete and final version of his work, the magnum opus *De la liberté du travail*, did not appear for another fifteen years. In addition to containing yet another expansion of his theory of social and economic evolution, the book also included Dunoyer's attack on socialism, with the very title referring to a debate between liberals and socialists on the right to a job (*liberté au travail*) versus the right to seek labour or enter any occupation without restrictions (*liberté du travail*). The new ideology of socialism was becoming a force to be reckoned with in the 1840s, which it had not been in the 1820s when Comte and Dunoyer had other concerns, most notably opposing the reaction of the Restored monarchy.

¹³¹Concerning this setback Charles Dunoyer himself says: "Cinq ans plus tard, j'avais entrepris l'impression de l'ouvrage entier, sous le titre de *Nouveau Traité d'économie sociale*, etc., et deux volumes étaient déjà imprimés quand éclata la Révolution de 1830, qui m'obligea de tout ajourner. Plus tard l'ouvrage, qui n'avait point être mis en vente, se trouva compris dans l'incendie de la rue du Pot-de-Fer, et fut consumé sans avoir été rendu public. Un petit nombre d'exemplaires seulement en avait été par moi distribué aux membres de l'Académie des sciences morales et politiques et à quelques amis. Ce n'est donc qu'aujourd'hui (January 1845), et pour la première fois, qu'il paraît entier." Charles Dunoyer, "Préface de l'auteur," *Oeuvres*, vol. 1, p. 12, footnote. 1.

¹³²In a hand written note on the title page of one of the few copies of the *Nouveau traité* to survive and which is held by the Goldsmiths' Library of Economic Literature at the University of London, Dunoyer explains the circumstances of the fire, the loss of his work and his hope to republish it in the future: "This work ...(word illegible) in the fire at the Rue du Pot de Fer has been burned before having been published. Only about fifty copies were distributed, mainly by myself at the time of my election and first presentation to the Institute (of Moral and Political Sciences) towards the end of 1832. There no longer exist any copies for sale. The printing of the third and final volume, which has already appeared in fragments in various reviews, had been begun in 1830 when I was appointed Prefect of Allier. I hope to ...(illegible) publish the complete work in the future..." Translated and deciphered with the help of the librarian at the Goldsmiths' Library. Charles Dunoyer, *Nouveau traité d'économie sociale, ou simple exposition des causes sous l'influence desquelles les hommes parviennent à user de leurs forces avec le plus de LIBERTÉ, c'est-à-dire avec le plus FACILITÉ et de PUISSANCE* (Paris: Sautet, 1830), 2 vols.

CHARLES DUNOYER'S POLITICAL ACTIVITY - HIS GROWING RESISTANCE TO THE RESTORATION

Charles Dunoyer, like Comte, continued to be active in politics in spite of his "retirement" from journalism and beginning an academic career at the Athénée. He retained ties with important members of the liberal opposition such as Lafayette, the Duc de Broglie and Auguste de Staël. In fact his association was quite explicit as he and Comte were members of a liberal political group known as "la Société des sciences morales et politiques," which they had joined in February 1826. The group took its lead from the ideas of Benjamin Constant and included among its members Barrot, Mérilhou, Mauguin, the duc de Broglie, Auguste de Staël and Guizot. The society was the forerunner of a more influential group, the society "Aide-toi et le Ciel t'aidera" which was to be instrumental in the 1830 Revolution. Leonard Liggio has described quite accurately Charles Dunoyer's importance to the liberal movement of the Restoration as an ideological leader, strategist and gadfly of the régime with his numerous trials over censorship:

Dunoyer's political role during the Restoration can best be described as that of ideological leadership and of strategist and adviser, rather than political leadership *per se*, despite the prominence he achieved from his several political trials in the courts and his well-publicised political imprisonments... But, the center of Dunoyer's intellectual contribution was the continuity and organization of the ideas, especially *Industrialisme*, which had been conceived and developed in the *Censeur* and the *Censeur européen*.¹³³

The occasion for his return to political agitation was a series of pamphlets addressed to electors and written in the hope of swinging them more towards the liberal position. The first pamphlet, *Lettre à un électeur de département*, appeared during the election of 1822 and the second pamphlet, *Du droit de pétition à l'occasion des élections*, was written at the time of the election of 1824, which saw the Chamber of Deputies up for reelection.¹³⁴

¹³³Liggio, *Journal of Libertarian Studies*, p. 164.

¹³⁴Charles Dunoyer, *Lettre à un électeur de département...* (Paris: A. Corréard, 1822). Second edition in 1822. Charles Dunoyer, *Du droit de pétition à l'occasion des élections* (Paris: Chez les marchands des nouveautés, 1824).

Dunoyer hoped that the electors would return a majority more interested in defending the liberal principles of the Charter and avoiding the class conflict engendered by the aristocratic law of 1820. However, Dunoyer's appeals to the exceptionally small class of voters eligible to vote during the Restoration not surprisingly fell on deaf ears. His aim to encourage the development of a more liberal membership of the Chamber was frustrated as the conservative electors returned Deputies who continued to support the aristocratic reaction. Only twelve members of the opposition were elected and not all of them were sympathetic to the liberals. Greater success came in the elections of 1827 with the quite remarkable election of two hundred and twenty one members of the opposition. This reversal of political fortune led to the fall of the Villèle ministry and the coming to power of Martignac.

It was Dunoyer's hope that some sort of compromise could be reached between the conservative monarchy and what he optimistically called the liberal "people." Showing the same disdain as Benjamin Constant to the outward political form of a régime, a satisfactory result in his eyes would have been a government with the outward form of conservative monarchism but with the policies of a truly liberal régime. The monarchical structure would, he hoped, reassure the conservative country and the aristocracy, while its liberal policies would satisfy the liberal urban and professional classes and stave off the threat of further revolution with the prospect of widespread political liberty and economic prosperity. When Charles X abruptly sacked the Martignac government and replaced it with the arch-reactionary government of Polignac, Dunoyer's hopes for a liberal Bourbon régime faded for good. The last straw for Dunoyer was the assumption of near dictatorial powers and the end of the flimsy liberties so precariously protected by the Charter. Dunoyer expressed his disappointment at the two missed opportunities for a historic compromise between conservatism and liberalism, the first in 1819 with de Serre and the second in 1828 with Martignac.

On a pu espérer deux fois, en 1819 avec M. de Serre et en 1828 avec M. de Martignac, que le gouvernement aurait su entrer avec intelligence et fermeté

dans un système d'améliorations progressives, réprimer vigoureusement l'esprit de faction, résister aux demandes trop hâtives, mais se prêter de bonne grâce aux demandes raisonnables.¹³⁵

Dunoyer was stung by the reactionary and oppressive nature of the new Polignac government and immediately joined those who opposed the government. What particularly offended Dunoyer were the ordinances of 26 July 1830, which reintroduced rigid control of the press, dissolved the Chamber of Deputies, and changed the electoral system in order to ensure an Ultra majority. He considered these ordinances to be a violation of the law and a return to the worst practices of Louis XVIII. In his recollection of the events of July 1830 written after the Revolution of 1848,¹³⁶ Dunoyer noted that a friend had tipped him off about a proposed coup against the Polignac government. As a result, Charles Dunoyer left his wife, children, treasured books and comfortable existence and went temporarily underground in order to place an announcement in various journals. At some personal risk to himself he campaigned in the press for the removal of what he called "the monstrous ordinances" which he believed were both "subversives de nos lois les plus fondamentales et violemment attentatoires à l'honneur du roi et à la sûreté du trône." In a way that recalled his activities against the censor twelve years before, Dunoyer wrote a bold letter to *Le National* on 26 July in which he publicly declared that he would refuse to pay his taxes until the ordinances had been rescinded and constitutional liberties had been reinstated.¹³⁷

¹³⁵Charles Dunoyer, *Mémoire à consulter sur quelques-unes des principales questions que la Révolution de juillet a fait naître* (Paris: Delaunay, 1835), Signed Ch. Dunoyer, 10 May 1834), p. 39, quoted in Allix, p. 7.

¹³⁶Charles Dunoyer, *La Révolution du 24 Février* (Paris: Guillaumin, 1849 and Bruxelles, Méline, Cans et Cie, 1849), "Preface", p. ix, possibly written June 1849.

¹³⁷Dunoyer, *La Révolution du 24 Février*, p. ix. Dunoyer's emphasis. Another statement by Dunoyer giving reasons for his refusal to pay taxes is: "Ayant fait en maintes occasions, et deux fois notamment aux élections dernières, serment de fidélité au roi et d'obéissance à la charte constitutionnelle et aux lois du royaume, je jure sur ma vie de ne payer aucune contribution jusqu'à ce que j'aie vue rapporter les ordonnances subversives de nos lois les plus fondamentales et violemment attentatoires à l'honneur du roi et à la sûreté du trône," quoted in Mignet, "Dunoyer," *Journal des économistes*, p. 174. A more extended analysis of the revolution of 1830 appeared in 1835 when Dunoyer was a prefect under the new régime and able to devote time to reflection on his rôle and the implications of the revolution for French politics. Charles Dunoyer, *Mémoire à consulter sur quelques-*

CHARLES DUNOYER'S CAREER AFTER THE RESTORATION

POLITICAL AND ADMINISTRATIVE DUTIES UNDER THE JULY MONARCHY

Dunoyer did not have to stay underground for long as Charles X's government collapsed quickly and was replaced by Louis Philippe's. Dunoyer was rewarded for his opposition to the previous régime with the offer of the post of prefect in Allier on 14 August 1830. He was recommended by one of his mentors, le comte Destutt de Tracy, who had been an elected member of the Chamber of Deputies during the Restoration. As a prefect Charles Dunoyer tried to put his liberal theories into practice, taking an interest in local affairs, attempting to improve local public education, to increase agricultural development and to try to overcome the apathy of the local people by involving them in political affairs. His next postings were in Mayenne, which he took up in 13 October 1832, and then the Somme on 23 November 1833.

When he was prefect of the Somme Dunoyer was an outspoken advocate of birth control. He saw limiting the size of families as the best way in which the poor could hope to improve their economic condition. His Malthusian advice to the poorer classes of his department was to avoid both having too many children and seeking public welfare, advice which did not go unnoticed.¹³⁸ Both the church and the Parisian press were hostile to these suggestions and inevitably Dunoyer felt obliged to respond to his critics with a pamphlet published in 1835.¹³⁹ Against the arguments of the church Dunoyer reminded them that well before Malthus wrote the early church fathers and Lactame had recommended restraint

unes des principales questions que la Révolution de juillet a fait naître (Paris: Delaunay, 1835. Signed Ch. Dunoyer, 10 May, 1834).

¹³⁸The source of Dunoyer's interest in Malthus is most likely Charles Comte, who had recently given Malthus' eulogy at the Institute of Moral and Political Sciences of which Dunoyer was now also a member.

¹³⁹I have not been able to find a copy of this pamphlet by Dunoyer.

in marriage. Against his socialist critics in the Parisian press he pointed out that primitive communist societies practised the cruel form of birth control known as infanticide. To both, he argued that his concern for the material well-being of the inhabitants of his prefecture overrode the sensibilities of outraged churchmen and the hypocrisy of the socialists.

CHARLES DUNOYER'S CAREER AFTER 1837

Dunoyer's career after the death of Comte in 1837 takes us beyond the scope of this dissertation and can therefore only be sketched in the briefest of outlines. In 1837 Dunoyer decided to end his political career as a prefect. Instead of accepting another appointment as prefect of l'Ille-et-Vilaine on 23 July 1837 he preferred to retire. Since his retirement in July came so soon after Comte's death in April, the events may be connected. Perhaps the loss of his friend and colleague prompted him to leave. Another possibility is that he retired as prefect in order to take up a position as a councillor of state in August 1837. On 22 August Dunoyer became a member of the Conseil d'État, serving in an extraordinary capacity at first and in an ordinary capacity from the end of 1838 where he remained until the coup d'état of 1851 forced him to resign. Once more Dunoyer tried to implement his liberal views, and although his opinions were not always accepted by the council, he hoped he might weaken the bonds of what he termed "administrative tutelage" by permitting as much as possible the free exercise of individual and local government activity.

In February 1839 he accepted a position as administrator general of the Bibliothèque du Roi but did not last long in the job because of the opposition (presumably political) of his subordinates.¹⁴⁰ He was able to return to academic life as an economist with his election to the Academy of Moral and Political Sciences, possibly in 1832, after being nominated by

¹⁴⁰In typical fashion Dunoyer felt obliged to defend himself in print with Charles Dunoyer, *La Bibliothèque du roi* (Paris: H. Fournier et Cie, 1839). Second revised edition 1847, *La Bibliothèque du roi, note publié en 1839 par M. Ch. Dunoyer, nommé administrateur général par l'ordonnance royale du 22 février, démissionnaire le 29 juin, Nouvelle édition* (Paris: Lacrampe fils, 1847).

Guizot. He was active in the Academy for nearly forty years until shortly before his death, and debated and wrote on such issues as economic theory, the "social question," and the challenge of socialism.¹⁴¹ Dunoyer was an important founding member of the Society of Political Economy in 1842, which was modeled on the British Political Economy Club founded by James Mill and other leading liberals, and contributed numerous essays and reviews to the new *Journal des Économistes*, the *Journal des Débats*, and the *Dictionnaire d'économie politique*.¹⁴²

In 1845 appeared the third and final revision and expansion of Dunoyer's work on moral philosophy and industry begun in 1825 with *L'Industrie et la morale*. The first expansion had occurred in 1830 with the *Nouveau traité d'économie sociale*, which as we have seen did not get the circulation the author would have liked because of a fire in the publisher's warehouse. Not until fifteen years after the fire destroyed the second version of his work did Dunoyer see the complete form of his work in print. Not only did it contain all the material of the *Nouveau traité* but also additional material dealing with new issues which had arisen in the 1840s, the most important of which was his response to the socialist criticism of liberalism. However, by the time this lengthy work appeared conditions had changed dramatically. Since the first appearance of his ideas in 1825, the opposition had changed from the counter-revolutionary conservatives of the Restoration to the new

¹⁴¹One of his first economic works in this period dealt with the very different ways in which British and French railways were funded and constructed - one essentially privately, the other publicly. Charles Dunoyer, *Esprit et méthodes comparés de l'Angleterre et de la France dans les entreprises des travaux publics et en particulier des chemins de fer; conséquences pratiques tirées pour notre pays de ce rapprochement* (Paris: Carilian-Goeury et Dalment, 1840). Dunoyer's essay is reprinted in volume 3 of his *Oeuvres* edited by his son Anatole. *Oeuvres de Charles Dunoyer. Revue sur les manuscrits de l'auteur*, ed. Anatole Dunoyer (Paris: Guillaumin, 1879), *Notices d'économie sociale*, pp. 305-364.

¹⁴²Some of these articles were republished by his son Anatole in the *Oeuvres*, the volume entitled *Notices d'économie sociale*, although it is far from being a collected works. A better idea of Dunoyer's considerable output on economic matters can be had by viewing the entry under his name in the index to the *Journal des Économistes*. See the *Table alphabétique générale des matières contenues dans les deux premières séries (Années 1841-1865) du Journal des Économistes (décembre 1841 à décembre 1865 inclusivement)*, pp. 71-72.

advocates of working class socialism of the 1840s. Because the intellectual and political context had changed so much by 1845 it is not appropriate to discuss Dunoyer's *De la liberté du travail* here.

When the 1848 Revolution broke out Dunoyer was in the Chamber of Deputies and made known his opposition to the revolution.¹⁴³ As a liberal he objected to its policies of economic intervention which in his view bordered dangerously on socialism. Just as he had opposed Napoleon Bonaparte during the Empire and the One Hundred Days, he also opposed Napoleon's nephew in 1851. Surprisingly Dunoyer was not sacked from his post as a member of the Conseil d'État in 1848 but he did resign after the coup d'état of 2 December because it violated the constitution as he saw it. He went into retirement to write an attack on Napoleon III on which he was still working when he died in Paris on 4 December 1862 after a lengthy illness.¹⁴⁴ He was seventy six years old.

CONCLUSION

The careers of Comte and Dunoyer reveal an important aspect of the development of liberalism in the Restoration period. They both began as liberal constitutionalists, defending the right to free speech and attacking the arbitrary power of both Napoleon and the restored Bourbon monarchy on essentially legalistic and political grounds. When the censors forced their journal, *Le Censeur*, to close temporarily at the end of 1815 they took advantage of their free time to read widely. In the process they discovered political economy and what one might today call sociology. The political economy of Jean-Baptiste Say, and the ideas on class and history of Benjamin Constant and François Montlosier stimulated Comte and Dunoyer into a reassessment of their liberalism. In their new journal, *Le Censeur européen*,

¹⁴³He expressed the reasons for his opposition in *La Révolution du 24 février* which appeared in 1849.

¹⁴⁴Dunoyer, *Le Second Empire et une nouvelle restauration* 2 vols (London: Tafery, 1864), ed. by his son Anatole Dunoyer. Second edition 1871. It was published after being completed by his son Anatole who also edited his father's complete works in 1870.

they tentatively explored the nature of political power, the ability of one class of people to extract economic surpluses from another, the nature of political revolutions, the importance of the commercial and industrial revolutions, and the impact they would have on the development of French and European society in the post-revolutionary period.

The full impact of these ideas was not felt until their journal was closed down again and Comte and Dunoyer had found alternative careers after 1820 as academics in Paris or Switzerland. Their discovery of the social dimension to liberalism resulted in a series of works which explored a number of important issues. Comte produced a bulky book, the *Traité de législation* (1826), in which he explored the complex relationships between the economy, climate, the power of classes, law and ideas. He concluded that political change could not take place unless the underlying economic, legal and social structures had altered. In the sequel, the *Traité de la propriété* (1834), Comte concentrated on the type of property relations which were suitable for each stage of economic development. What was suitable for hunters and gathers was not suitable for herders or agriculturalists because the mode of production was different. He also predicted what kinds of property were required for the fully free market which he believed was in the process of emerging. Dunoyer too developed similar ideas in *L'industrie et la morale* (1825), the main difference to Comte's work was his concentration on the economic stages through which societies evolved and the connection between the mode of production and political culture. Like Comte, Dunoyer showed how each stage produced its own class of exploiters who lived off the productive labour of the industrious class. Although the revolution and Empire had produced a small setback, the future looked hopeful for the eventual abolition of the parasitic political class which would leave the industrial class completely free to live and prosper unmolested.

Alongside their theory of class, exploitation, and the economic evolution of societies, Comte and Dunoyer continued to defend the political and constitutional liberties which they had fought for in the earliest years of the Restoration. Their interest in social theory did not mean that they had abandoned their liberalism, as their activity in the fight against censorship and the political appointment of judges, the defence of the garde national and

trial by jury, and their willingness to serve in political office in the July Monarchy show clearly. What they had achieved was a new kind of liberalism in which constitutionalism could exist side-by-side with a passionate interest in class analysis and the transition of one mode of production to another. In other words, they had expanded their liberalism to include a social dimension.

In the following two chapters I will discuss two of the most important aspects of Comte's and Dunoyer's social theory. In chapter two I will examine the views of Comte, Dunoyer and some of the leading French political economists on the economics of slave labour and the class structure of slave societies. In chapter three the discussion will concentrate on Dunoyer's schema of economic evolution, based upon a theory of history and class, which resulted in the pure liberal society of "industrialism."

CHAPTER 2 - COMTE, DUNOYER, AND THE POLITICAL ECONOMISTS ON SLAVERY: THE CLASS STRUCTURE OF SLAVE SOCIETIES AND THE DEBATE ABOUT THE PROFITABILITY OF SLAVE LABOUR¹⁴⁵

THE PROBLEM OF SLAVERY AND EXPLOITATION

The study of slavery was important to Comte and Dunoyer because, like the liberal Guizot and the socialist Marx, they traced the development of western European societies back to the fall of the Roman Empire. They believed that a large part of the class structure and the political and legal values of the modern European world were the historical result of the evolution of two systems of coerced labour: the institution of slavery in the ancient world and the institution of serfdom which emerged during the feudal period. They believed that the breakdown of the ancient slave economies had exerted a determining influence over what was to follow in European history, in particular with legal theory, political culture and impediments to the emergence of a liberal industrial economic system.

In so many respects slavery typified the very opposite of what they were struggling to achieve in the Restoration, that is, to create a legal system which protected individual liberty and property and an economic system in which labour was completely free of the restrictions and burdens which had hampered economic development in the ancient and medieval world.¹⁴⁶ The persistence of slave societies in the eighteenth and nineteenth

¹⁴⁵Parts of this chapter were presented as a paper at a meeting of the History of Economic Thought Society of Australasia, July 1989, in Canberra.

¹⁴⁶The formation of Comte's theory of exploitation and historical development can be gauged from his lengthy discussion in Book 5 of his *Traité de législation, ou exposition des lois générales suivant lesquelles les peuples prospèrent, dépérissent ou restent stationnaire*, 4 vols (Paris: A. Sautet, 1827). Here he provides a sophisticated and detailed sociological and economic analysis of slave societies in both the ancient world and the contemporary empires of England, Holland, Spain, and the Southern States of the United States of America. The nature of the exploitation of slaves by the unproductive aristocratic class, the way in which the form of plantation production determines the degree of slave exploitation, the relationship between slave owners and the protection of their property by

centuries indicated to them the barriers which still remained to the universalisation of the liberal industrial ideal. Apart from the historical interest Comte and Dunoyer showed in the slavery problem, it also provided them with a means of defining what they meant by exploitation and productive labour. Slavery in its pure and ancient form was the definitive case of exploited labour, the slave owners that of the parasitic unproductive class. Slaves at the one extreme and independent artisans and entrepreneurs (or the class of "industrials" as they termed it) at the other were the two end-points of the spectrum of exploitation and freedom and these two ideal types were the basic elements in Comte's and Dunoyer's interpretation of history.¹⁴⁷ According to their theory of history, in the evolution of society from ancient slavery, to tribal conquest, feudalism, and mercantilism the specifics of exploitation might gradually change, becoming quite complex at times, but they were still essentially the same as that which existed between a chattel slave and its master. Modern taxation, tariffs, guild and professional restrictions were all interpreted as complex and

the state, the reasons for the decline of the Roman empire, the nature of obedience to authority, the reasons for the oppressed classes to seek a "usurper" like Marius or, as Comte seems to hint at, Napoleon to overcome their distress and exploitation, and the relative efficiency and profitability of slave labour are questions to which Comte devotes considerable attention. It is remarkable how Marxist Comte's analysis at times seems and a comparison with G.E.M. de Ste Croix's work on *The Class Struggle in the Ancient Greek World from the Archaic Age to the Arab Conquests* (London: Duckworth, 1983) confirms this impression. In fact, some of the problems which de Ste Croix identifies in the traditional Marxist interpretation of slavery are avoided by Comte's more "political" theory of exploitation. Dunoyer dealt with the problems of free and unfree labour throughout his magnum opus, *De la liberté du travail, ou simple exposé des conditions dans lesquelles les forces humaines s'exercent avec le plus de puissance* (Paris: Guillaumin, 1845).

¹⁴⁷Slavery also formed an important part in Dunoyer's theory of economic evolution. Well before Marx formed his own theory of history, Dunoyer was arguing that societies evolved from one stage to another by changes in the mode of production. Beginning with hunter-gatherer societies his schema included nomadism, settled agriculture, slavery, serfdom, the political privileges of mercantilism, and finally the ultimate stage of "industrialism." The different modes of production in each stage of society's evolution also influenced that society's moral and political attitudes and this was as true for slave societies as any other. The earliest complete formulation of Dunoyer's theory of history appears in Charles Dunoyer, *L'Industrie et la morale considérées dans leurs rapports avec la liberté* (Paris: A. Sautet, 1825). Dunoyer's theory of history and industrialism will be discussed in more detail in chapter three.

refined examples of exploitation which were nothing but unfortunate variations on an ancient theme. The essence of exploitation in Comte's and Dunoyer's view was the systematic violation of property rights of one class by another, usually achieved by means of the coercive taking of the fruits of one's labour either directly, as was the case in ancient slavery, or indirectly by taxation or tariffs in the modern world.

THE DISCUSSION OF SLAVERY IN *LE CENSEUR*

The earliest statements we have of the views of Comte and Dunoyer on slavery are from their magazine *Le Censeur*, in which Dunoyer in particular discussed slavery in connection with the issue of British foreign policy.¹⁴⁸ His interest in the issue of slavery and the slave trade came about from the reviews he did of French translations of pamphlets published by the British abolitionists and reports of debates in the House of Commons. At the time the negotiations for the Treaty of Paris in May 1814 were taking place, the House of Commons was debating the suppression of the slave trade and the handing back of French colonies taken in the war against Napoleon. Like the French abolitionists of the 1820s active in the Society for Christian Morality, Dunoyer was puzzled by the lack of interest shown by the French public in the question of slavery.¹⁴⁹ The answer lay partly in the activity of the British government. Since the suppression of the slave trade was official British policy, French patriots felt obliged to oppose whatever was in the interests of the British Empire. French cynics might argue the British supported or at best tolerated the trade in slaves for centuries while it was in their interests and now that they perceived their

¹⁴⁸The attitude of Dunoyer to slavery has been discussed by Leonard P. Liggio in an unpublished manuscript dealing with Dunoyer's political philosophy and I would like to thank him for making his manuscript available to me. The section dealing with Dunoyer's attitude to slavery comes from chapter 3 "International Relations in 1814-1815: Anglophobia, Counter-Revolution and the Congress of Vienna," pp 114 ff.

¹⁴⁹See the discussion in Seymour Drescher, "The Abolition of Slavery," in *Dilemmas of Democracy: Tocqueville and Modernization* (University of Pittsburgh Press, 1968), pp. 151-195.

interests in a different way the British wanted to impose a similar view on the French. Dunoyer was critical of the oscillations in the French attitude towards the British which made a considered reaction to the slave trade difficult. From an attitude which Dunoyer described as "the ridiculous infatuation which we had for them before the revolution" the French public now went to the opposite extreme of opposing a particular policy merely because their recent enemy supported it. Another reason for the French public to doubt the motives and humanitarianism of the British in wanting to end the slave trade was their memory of the behaviour of the British army in the treatment of French prisoners of war. Dunoyer believed that the poor treatment given to French prisoners in the frightful conditions of the convict ships led many to question the humanitarian credentials of the British with respect to the blacks.¹⁵⁰

One of the more important British abolitionist pamphlets to be reviewed by Dunoyer in *Le Censeur* was Thomas Clarkson's *Essay on the Impolicy of the Slave Trade*.¹⁵¹ According to Leonard Liggio, Clarkson had some contact with French liberals and Dunoyer was influenced by him only indirectly through their friendship with the leading French abolitionist, the Abbé Grégoire. Clarkson had come to Paris in the summer of 1789 to assist the Société des Amis des Noirs in their work on behalf of the abolitionist cause, whose French supporters included Lafayette and Condorcet. Clarkson's major works on the slave trade had been translated into French and he spent time speaking with Deputies. He was so successful that he was able to convert Grégoire to a more radical abolitionist position. He later returned to Paris in August 1814 to attempt to help remedy the lack of interest expressed by the French public in the issue of slavery. Clarkson met with Grégoire again in order to arrange for the translation of more British abolitionist pamphlets and Liggio suggests that this is when Dunoyer may have met Clarkson. Grégoire had other important

¹⁵⁰Dunoyer, *Bulletin du Censeur*, vol. 1, no. 10, 12-22 September, p.71; quoted in Liggio, pp. 115-6.

¹⁵¹Dunoyer, review of Thomas Clarkson, *Essai sur les désavantages politiques de la traité des Nègres... Traduit de l'anglais sur la dernière édition qui a paru à Londres en 1789* (Paris, 1814), in *Le Censeur*, vol. 2, pp. 156-75; discussed by Liggio, pp.116-16A.

contacts with radical liberals who had a considerable influence on Comte and Dunoyer. For example, Jean-Baptiste Say (an important mentor of Dunoyer and the father-in-law of Comte) was an active member of the Société des Amis des Noirs, founded by Grégoire in March 1796. Say reviewed and announced the Société's publication in the *Décade philosophique* (the journal of the Ideologues which Say edited) and spoke at society meetings. Thus it can be seen that Comte and Dunoyer had access to several sources of anti-slavery thought, including Clarkson and the radical British abolitionists (via Grégoire); the philosophe tradition of Condorcet and Denis Diderot; the Coppet circle of Benjamin Constant, Madame de Staël, and Simonde de Sismondi;¹⁵² and the political economists such as Adam Smith, Destutt de Tracy and Jean-Baptiste Say.

In his long review of Clarkson's book Dunoyer expressed horror that anyone professing to be rational could defend the existence of slavery and then proceeded to attack some of the common arguments put forward by defenders of slavery. In an emotional passage he exclaimed:

What! You see men violently torn away from their country, from their family, from their habits, from their affections; packed like animals, chained together in irons, in horrible prisons; in this state, and nearly deprived of air and of food, they are forced to undertake a voyage of several months; sold to colonists sometimes more barbarous than their ravishers; condemned to work all their

¹⁵²Any history of the abolitionist movement in France must include Madame de Staël and Simonde de Sismondi. Madame de Staël wrote an influential introduction to a French translation of William Wilberforce, "Préface pour la traduction d'un ouvrage de M. Wilberforce, sur la traite des nègres," (1814) in Madame de Staël, *Oeuvres complètes*, ed. Auguste de Staël (Paris, 1817), vol. 17. Her son, Auguste, was one of the leading members of the liberal abolitionist movement during the Restoration period. Sismondi while at Coppet under the influence of Madame de Staël developed a life-long interest in all forms of coerced labour, in particular slavery and serfdom. See Simonde de Sismondi, *De l'intérêt de la France à l'égard de la traite des nègres* (Genève: 1814); and the following essays: "Des effets de l'esclavage sur la race humaine," and "De la marche à suivre pour retirer les cultivateurs nègres de l'esclavage," "Des colonies" in volume 1 of *Études sur l'économie politique* (Paris: Treuttel et Würtz, 1837) and "De la condition des cultivateurs dans la compagne de Rome," in vol. 2. See also Alfred Berchtold, "Sismondi et le groupe de Coppet face à l'esclavage et au colonialisme," in *Sismondi européen. Actes du Colloque international tenu à Genève les 14 et 15 septembre 1973*, ed. Sven Stelling-Michaud (Genève: Slatkine, 1976), pp. 169-98.

lives harder than our galley-slaves, without any wages but whip blows, without consolation except contempt, without hope (other) than of a quick death, and you ask if humanity suffers from this kind of unhappiness! What! the laws divine and human proscribe slavery in metropolitan France, and you doubt if it ought to be allowed in the colonies! Our laws punish the Frenchman who voluntarily alienates his liberty, and you do not know if it ought to support the burden of ending it among Africans.¹⁵³

Following this characteristic outburst, Dunoyer attacked some of the most common arguments put forward by defenders of slavery. It should be remembered that at this time Comte and Dunoyer had not yet fully digested the significance of Say's political economy. Their liberalism was still primarily moral and political rather than economic (or industrial as they liked to term it) as it was to become increasingly after 1817. Thus Dunoyer's arguments against slavery do not yet include any discussion of the relative profitability of slave and free labour which was to dominate their later work, although he is certainly aware of some economic arguments against slavery. To those who argued that the Europeans were doing the blacks a favour by removing them from a worse form of servitude in Africa, Dunoyer dismissively responded with the question "Why does not one see in Europe nor in any colonies anyone who voluntarily left Africa?"¹⁵⁴ To those who argued that slavery was the normal result of internal African wars and that the Europeans merely purchased the tragic results of these conflicts, Dunoyer responded by saying that the reverse was the case: the African princes engaged in wars precisely in order to acquire slaves for the European traders. "Truly do you purchase only the men destined to death or condemned to slavery? How many free men do you not receive from the hands of violence or of avarice?"¹⁵⁵ Those who argued that the Europeans exercised a civilising function on barbaric savages, Dunoyer also summarily dismissed as hypocrites. The very process of acquiring slaves brutalised the

¹⁵³Dunoyer, review of Clarkson, *Le Censeur*, vol. 2, pp 156-9; quoted and translated by Liggio, p. 117. The expression "wages of whip blows" used by Dunoyer in this passage is one Charles Comte liked to use in his discussion of slavery in the *Traité de législation* some ten years later. Comte cynically called "les coups de fouet" a new form of money which the slave owners used to pay their slaves for labouring in their fields. See below for a discussion of this.

¹⁵⁴Dunoyer, *Le Censeur*, pp. 160-62; quoted in Liggio, p. 118.

¹⁵⁵Dunoyer, *Le Censeur*, pp. 162-3; quoted and translated by Liggio, p. 118.

Europeans and was certainly no example to set "uncivilised" Africans. To those who drew upon the precedent of the ancient Greek and Roman slave societies, what Dunoyer called disparagingly the so-called "civilisation" of the Romans, he reminded his readers that the ancestors of the ancient Greeks had at one time been more barbarous than the blacks of Senegal, yet they had been able to develop a wonderfully developed and civilised culture in spite of being conquered and enslaved by the Romans. What might the blacks in West Africa have achieved, Dunoyer asked, if they had been left in peace in their own homeland by the Europeans, whom he compared with "ravaging wolves" and "Ferocious beasts."¹⁵⁶

Although Dunoyer was impressed and influenced by the abolitionist pamphlets coming out of Britain, he was aware that not all their arguments were applicable to the French situation. Clarkson's view that England would not benefit from the slave trade as much as it could from trading in African natural resources was an argument Dunoyer thought the French abolitionists could not use in their campaign. England was in a position to expand trade with West Africa since it had many trading posts in Africa, whereas the French had lost all theirs during the revolutionary war. Furthermore, whilst the British Caribbean colonies had a plentiful supply of slave labour (and could thus afford to forgo the trade in slaves), the French colonies suffered from a shortage of labour which the advocates of slavery argued could only be supplied by blacks from Africa. In terms of the total importance of the respective colonies to the metropole the British Caribbean colonies were less important than India, whereas the French had little other than their slave colonies to call their own. Thus the arguments of the cynics and Anglophobes had some plausibility. Dunoyer, although admiring the belief in liberty of the British people, shared some of the Anglophobia of late Imperial and early Restoration France, even if his version of Anglophobia was limited to attacking the activity of the British state and navy rather than its people.¹⁵⁷

¹⁵⁶Dunoyer, *Le Censeur*, pp. 162-3; quoted and translated by Liggio, p. 118.

¹⁵⁷A good example of Dunoyer's Anglophobia can be found in Dunoyer, *Le Censeur*, pp.168-73; quoted and translated by Liggio, p 119.

Dunoyer concluded that the British change of heart on the slave trade was a combination of the influence of abolitionist humanitarianism and imperial self-interest. He thought that England "gives the world without it costing it anything" and that its greater imperial interests would be served by forcing France and the other European nations to abandon the slave trade, irrespective of the morality of doing so. It was a mistake, Dunoyer believed, for the defenders of slavery to advocate the continued transportation of expensive slaves across the Atlantic. With the British able to seize easily the French colonies at any time, it was foolish to continue to "invest" in them in this manner. If France wished to retain the colonies Dunoyer's solution was to free the slaves so as to give them a personal stake in defending the islands from the British Navy.¹⁵⁸

Dunoyer's next opportunity to discuss the problem of slavery enabled him to respond to some of the economic issues of coerced labour, whether of serfs or black slaves. In a review of Grégoire's book *De la traite et de l'esclavage des noirs et des blancs; par un ami des hommes de toutes les couleurs*,¹⁵⁹ Dunoyer noted that one of the key arguments of the defenders of slavery was that Europeans could not physically cope with labouring in the tropics and that therefore blacks from Africa were needed if the colonies were to have a labour force at all. Dunoyer rejected this argument for a variety of reasons which reveal an interesting divergence from the views of his mentor Jean-Baptiste Say who, although he rejected slavery, subscribed to this particular argument.¹⁶⁰ Dunoyer began by reminding his readers that the slaves' physical condition was actually very poor because of the trauma of the "Middle Passage" and the bad food and conditions to which they were subjected on the plantations. They could not compare, he thought, in physical stamina to the healthy and vigorous European farmers. He cited the evidence of a planter who argued that the

¹⁵⁸Dunoyer, *Le Censeur*, pp.174-5; quoted and translated by Liggio, p. 121. I have altered the tense of the verbs in one sentence.

¹⁵⁹Comte Henri Grégoire, *De la traite et de l'esclavage des noirs et des blancs; par un ami des hommes de toutes les couleurs* (Paris, 1815); reviewed in *Le Censeur*, vol. 4, pp. 210-30.

¹⁶⁰See the discussion of Say's views of slavery below.

enthusiasm of the white farmers caused them to exhaust themselves in the heat of the tropics, whereas the blacks only worked as little as possible thus conserving their strength. This a curious defence for a planter to use since it was one of the main arguments of the abolitionists that slave labour was less productive than free labour for this very same reason - the greater capacity for work of free labourers, whether white or black, who spur themselves on in the expectation of reaping the financial rewards of their hard work. However, at this stage of the argument the question has more to do with racial characteristics than with the relative efficiency of free or slave labour. Dunoyer easily was able to find reports, such as Drouin de Bercy's, which dealt with the use of European labour in Santo Domingo and suggested the opposite, that a white farmer with motivation and the correct tools could outperform a black forced to labour for the plantation owner. Bercy discussed the capacity of the whites to work in the tropics where it was claimed that settlers

indentured for thirty-six months, who were whites, did, in the origin of the establishment of Saint-Domingue, what today the Blacks do; even in our days, nearly all the inhabitants of the dependency of Grand-Anse, who in general are soldiers, workers or poor Basques, cultivate their farms with their own hands. Yes, I sustain it, and I had the experience: the whites are able to labour in the plains from six in the morning until nine, and from four in the afternoon until the sun set(s). A white with his plough will do more work in one day than fifty Blacks with the hoe, and the earth will be better worked.¹⁶¹

Dunoyer was also keen to point out that it was not just Europeans who had the capacity for industrious labour. Not only did all mankind have this capacity for work if only they were free to exercise it, but socially useful free labour was in fact the basis for social relations per se. Slavery had two serious negative effects in Dunoyer's view: it had the damaging social consequence of inhibiting much useful industrious activity and secondly, on a personal level it prevented the slave from being truly human. Slavery turned autonomous and potentially useful men and women into machines directed by the hand of another. Freedom was vital if men and women were to be completely human.

Forbid a man this premier quality (the right to labour freely), he is forbidden the

¹⁶¹Dunoyer, *Le Censeur*, vol. 4, pp. 210-13; quoted and translated by Liggio, p. 122.

principle which constitutes man, and which is so necessary to his existence that, when he is deprived of it, he declines, he is effaced; he is no more than a machine moved by an impulsion which is not his own.¹⁶²

Even if slavery continued for centuries it could not totally expunge "the sacred fire which sparks all the active faculties of the soul," but it would have the effect of making all those enslaved hate their masters and act in such a way as to minimise the burden placed upon them. Slaves would quite naturally behave in a deceitful, treacherous, spiteful, vindictive, lazy and slothful manner partly out of hatred for their oppressors and partly to try to alleviate some aspect of their dreadful lives. The tragedy of slavery, Dunoyer thought, was that the slaves came to adopt the "vices" which the Europeans used to justify their enslavement, namely by arguing that only a period of enslavement would equip the blacks with the correct morals and work habits for them to become "civilised." The example of the free blacks in Haiti was instructive for Dunoyer. Once freed from the burden of coerced labour yet still threatened with internal divisions and invasion,

these former slaves, metamorphosed by liberty, into energetic men, vigorous and disciplined, have presented at the present time the aspect of a flourishing people who had known how to defend its liberty against the efforts of Bonaparte...¹⁶³

Many of the characteristics which Europeans attributed to blacks were also exhibited by enslaved whites, thus supporting Dunoyer's view that it was the institution of slavery and not the inherent characteristics of blacks themselves which gave rise to them. One example he used (which was in keeping with his general Anglophobia) was that of the Irish peasants under the yoke of English government. This was another reason to doubt the sincerity of the British government in their crusade to force the other European powers to give up the slave trade. The British were now keen to end black slavery but they maintained

¹⁶²Dunoyer, *Le Censeur*, vol. 4, p. 214; quoted and translated by Liggio, pp. 122-3. The Russian political economist Henri Storch also described enslaved labourers as machines. For a discussion of Storch's important views of the economics of serf and slave labour see below.

¹⁶³Dunoyer, *Le Censeur*, vol. 4, pp. 215-22; quoted and trans. by Liggio, p. 123.

a system of white slavery in Ireland at the same time.¹⁶⁴ A more general example was the attitude of the government towards the soil and the peasants who worked it. Much like the plantation owners in the Caribbean who claimed exclusive control over the soil and the product of the slave's labour, the European governments claimed similar rights over the supposedly "free" land owners and labourers by means of taxes and other claims on their labour and property. Napoleon especially was compared to the plantation owners in his propensity to judge his wealth in terms of how many soldiers-slaves he controlled. Dunoyer believed that at times Napoleon, "this extravagant colonist" as he dismissively called him, went so far as to consider all citizens of France and even all of Europe as soldiers at his disposal, with their lives, liberty and property also at the complete disposal of the government, thereby behaving much like a typical slave owner in the colonies.

He (Napoleon) wished in France that there be only soldiers, and he sought that all the work of the nation have for its ulterior end, war. He wished them to ravish from man his faculty to act wholly and entirely by his own will in order to make him the instrument of his will. He wished then to reduce the French and Europe to the last degree of servitude. Also he scorned fundamentally the human species; man was in his eyes only a vile cattle destined to be devoured in order to enslave new victims. But this extravagant colonist ended by ruining and losing his plantation in his wish to extend the number of the slaves that worked for him.¹⁶⁵

What is intriguing about this passage is the way in which Dunoyer used a discussion about slavery in the Caribbean (launched as a review of a book by Grégoire on the slave trade) to make more general points about the nature of freedom and the power of the state in both Europe and the New World. This is just one example of many which could be produced to show how the debate about slavery raised issues which were central to the development of Comte's and Dunoyer's liberalism during the Restoration.

¹⁶⁴There were other examples Dunoyer cited of the behaviour of "enslaved" or coerced whites behaving much like enslaved blacks, for example whites who were kidnapped to form gangs of soldiers (in other words armies composed of conscripted or press-ganged men).

¹⁶⁵Dunoyer, *Le Censeur*, vol. 4, pp.223-6; quoted and trans. by Liggio, p. 124. Liggio makes the interesting point that Diderot also compared the situation of European workers with the black slaves in the New World.

Another general political conclusion which Dunoyer drew from the problem of slavery was that to some extent the people must accept some of the blame for their enslavement.¹⁶⁶ By "the people" Dunoyer is referring more to the European "slaves" than to the black slaves in the Caribbean. The Europeans are enslaved because they have not resisted sufficiently the tendency of governments to expand their power and authority. In only a few countries have the people been able to erect some institutional restrictions to government power in the form of representative bodies and constitutions and these successful cases of popular resistance to the power of the states were often a result of violent revolution, as the English and French experience demonstrated. Despotism was made possible, Dunoyer argued, by the existence of slavery and the absence of opposition to government power. Despotism was in fact a system based upon a hierarchy of slaves, with those at the top exercising power over a system of subordinate slaves who in turn exercised power of the next level of slaves, until the bottom level of farm labourer, conscripted soldier, and ordinary tax payer was reached.¹⁶⁷ In the absence of any resistance to government power, as was the case in feudal Europe and in the colonies, the entire

¹⁶⁶This is a theme Dunoyer returns to in *L'industrie et la morale*, namely that to a large extent individuals are to blame for their own continued enslavement by not sufficiently resisting tyrannous governments.

¹⁶⁷Dunoyer is using an analysis of power based on an hierarchical or pyramidal structure which was elaborated by the 16th century writer and friend of Montaigne, Étienne de la Boétie. He too believed that to some extent slavery is voluntary in that many put up with exploitation in the hope that they can pass it on to others further below them in the pyramid. In addition, those at the very bottom who cannot pass it on to anyone else, do not realise that their strength lies in their very numbers. See Étienne de la Boétie, *Discours de la servitude volontaire* (circa 1552), ed. Simone Goyard-Fabre (Paris: Flammarion, 1983) and Étienne de la Boétie, *Le Discours de la servitude volontaire*, ed. P. Léonard (Paris: Payot, 1978). Similarly, Dunoyer's discussion of "despotism" has some similarities to the English radical minister, Vicesimus Knox, in whose *Spirit of Despotism* (1795) it is argued that the privileged aristocratic classes used war to whip up popular enthusiasms and thus distract attention away from domestic problems. Furthermore, these privileged classes used the prospect of spoils from the system to buy off dissent: Vicesimus Knox, *The Spirit of Despotism*, in *The Works*, vol. 5 (London: J. Mawman, 1824), pp. 137-403 reprinted (Hildesheim and New York: Georg Olms Verlag, 1970). Although the parallels with Dunoyer's analysis of Napoleon and despotism in general are striking there is no evidence that Dunoyer was aware of either Boétie or Knox.

society was "in a state of servility, immobility and torpor." Historical experience (especially recent experience) had given reason for optimism, as Dunoyer believed that the natural impulse of those enslaved was to resist those who governed and enslaved them.¹⁶⁸

Since Comte and Dunoyer were involved in so many issues of political and economic liberty during the early years of the Restoration their discussion of slavery was not long nor was it fully worked out and incorporated into their social theory. However, the brief reviews of abolitionist literature done by Dunoyer reveal some of the concerns which both authors were to return to later. The years of *Le Censeur* and *Le Censeur européen* were important as a formative period, revealing sources of influence which were to be reworked during the 1820s.¹⁶⁹

THE DEBATE ABOUT THE ECONOMICS AND CLASS STRUCTURE OF SLAVERY IN FRENCH POLITICAL ECONOMY IN THE 1820S

Before turning to an analysis of Comte's and Dunoyer's later views on slavery, the broader debate about the economic and "moral" effects of slavery which occupied liberal political economists and abolitionists (who were often one and the same people) during the Restoration period needs to be examined. Any reading of Comte's and Dunoyer's works on slavery presupposes an awareness of a debate which had taken place in the early 1820s, after Comte and Dunoyer had ended their period of active political journalism but before the appearance of their large printed works. Though important in its own right, this debate about the economic profitability of slave labour compared to free wage labour was also very important in the development of Comte's and Dunoyer's view of slavery. This

¹⁶⁸Liggio, pp. 124-5.

¹⁶⁹It would be interesting to know why the task of reviewing the material on slavery fell to Dunoyer rather than Comte. As their later work reveals they were both extremely interested in the problem of slavery and slavery formed a vital component in their social theory. One might have expected them to share their reviews. However this was not the case.

happened both because it served to confirm their beliefs that something immoral could not be also profitable in the long run and that industry would inevitably prevail over other less economically efficient systems of labour, and because their mentor Say was involved in the dispute. The issue of free and productive versus coerced and unproductive labour was vital to the liberals' belief that a "true fit" existed between economics and morality. The liberal abolitionists in London and Liverpool were convinced that something as immoral and unchristian as slavery could not be profitable and they came up with some ingenious theoretical and historical arguments to argue their case. Say and Comte were impressed by these arguments and the wealth of detailed economic and historical information about conditions in the British and American slave colonies which the British abolitionists published as part of their campaign against slavery.

Adam Smith can be credited for initiating the modern debate among political economists about the relative profitability of free and slave labour. In Book I, chapter viii, paragraph 41 of the *Wealth of Nations*, Adam Smith discusses the problem of the comparative cost of "the wear and tear" of free labourers and slaves. He believed the latter's "wear and tear" was borne directly by the slave master and that this cost was not kept to a minimum because of the bad management practices of "a negligent master or careless overseer." The "wear and tear" of the former was borne partly by the employer who, by paying subsistence or above subsistence wages, covered some of this cost. However, what tipped the balance in favour of free wage labour over slave labour was the capacity of wage labourers to manage better and hence keep to a minimum the cost of maintaining themselves. In Smith's words "the strict frugality and parsimonious attention of the poor" meant, in the last analysis, "that the work done by freemen comes cheaper in the end than that performed by slaves."¹⁷⁰ The debate between the British abolitionists and the French political economists had followed the precedent set by Smith in phrasing the question in the

¹⁷⁰Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of nations*, ed. R.H. Campbell and A.S. Skinner (The Glasgow Edition of the Works and Correspondence of Adam Smith reprinted Indianapolis: Liberty Classics, 1981), vol. I, pp. 98-99.

following manner: is the labour performed by slaves less costly than the labour performed by free men? This was the question the early Say, Hodgson and Storch were trying to answer. Comte and the later Say rejected this question as too narrowly defined, or "peu philosophique" as Comte put it.¹⁷¹

The most important figure after Smith was Jean-Baptiste Say whose economic and sociological writings were to influence Comte and Dunoyer so profoundly. In the early editions of the *Traité d'économie politique* Say had argued that slavery, though immoral, was in fact very profitable. Even as late as 1819, when the fourth edition of his *Traité* appeared, Say was arguing that slave labour was considerably cheaper than free labour. In a chapter on the economic consequences of colonies Say discusses the arguments of Steuart, Adam Smith and Turgot (all of whom believed free labour was cheaper and more productive than slave labour), but he ultimately rejects their authority in favour of information he has about the price of slave labour in the Antilles which he believes shows that a slave is F1300 per annum cheaper than a free labourer.¹⁷² The exception to this rule is the highly skilled labour of clockmakers or tailors, but for simple hand labour slavery appears to be cheaper than free labour. Say explains this phenomenon by the fact that black slaves can survive with only the clothes on their backs, the simplest of food and meanest lodgings, whereas free labourers need to earn enough to support their wives and children at a much higher standard of living. Whatever the economic needs and desires of the black slaves may be, it is the master who is able to enforce savings upon them and keep the cost

¹⁷¹Comte, *Traité de législation*, p. 415.

¹⁷²The information he has on the relative rates of free and slave labour is that the annual cost of upkeep of a black slave in the most humanely run plantations is 300 francs. When this figure is added to the interest on the purchase price (The figures Say use are a purchase price of 2,000 francs and an interest rate of 10%, thus giving an interest cost of 200 francs per annum) a total figure of 500 francs per annum is reached. On the other hand the cost of a free labourer in the Antilles is, according to Say (the source of this price information is not given), between 5 and 7 francs per day, although this can even be higher. Say takes the middle figure of 6 to work his calculation and the number of working days in the year to be 300. The total cost for a free labourer is 1,800 francs per annum, some 1,300 francs higher than the cost of a slave. Jean-Baptiste Say, *Traité d'économie politique* (Paris: Deterville, 1819, 4th edition), Livre 1, chapitre 19, pp. 298-302.

of their labour to a bare minimum. Thus plantations in Santo Domingo are so profitable that they can repay their purchase price in six years, whilst farms in Europe require twenty five or thirty years in which to repay their purchase price. Although, according to Say, slavery is enormously profitable for the plantation owners, it is not because they are industrious or provide a service to the consumers in the metropole. They are profitable because they are exploitative. They exploit the black slaves by forcing them to work for little or no return. They also exploit the consumers in Europe by their monopoly of the home market or high tariffs which artificially raise the price of their goods.¹⁷³

Unfortunately for Say's liberalism his assessment of the extraordinary profitability of slave labour led him into a contradiction. On the one hand, he was confident that further economic development in the Americas was unlikely "as long as they were infested with slavery."¹⁷⁴ The southern states might be able to grow cotton profitably but they lacked the industrial spirit which a free work force would provide to process the raw cotton into high value added products, as was done in New York. Thus he thought the slave states were economically "punished" for their immoral system of labour. The contradiction arose because he failed to realise that a system as profitable as he thought slavery to be could afford to send its products elsewhere to be processed. By a division of labour the Southern States and the West Indies could specialise in the production of certain crops grown by slave labour and the industrial cities of the North or England could specialise in the sweatshops and factories which used poorly paid free labour. Just how the plantation

¹⁷³"Mais ces profits mêmes que prouvent-ils? Que si le travail de l'esclave n'est pas cher, l'industrie du maître l'est prodigieusement. Le consommateur n'y gagne rien. Les produits n'en sont pas à meilleur marché. L'un des producteurs s'engraisse aux dépens de l'autre, voilà tout; ou plutôt ce n'est pas tout; il en résulte un système vicieux de production qui s'oppose aux plus beaux développemens de l'industrie. Un esclave est un être dépravé, et son maître ne l'est pas moins; ni l'un ni l'autre ne peuvent devenir complètement industriels, et ils dépravent l'homme libre qui n'a point d'esclaves. Le travail ne peut être en honneur dans les mêmes lieux où il est une flétrissure. On ne peut maintenir que par des airs d'indolence et d'oisiveté, cette suprématie forcée et contre nature, qui est le fondement de l'esclavage. L'inactivité de l'esprit est la conséquence de celle du corps; le fouet à la main, on est dispensé d'intelligence." Say, *Traité* 4th edition, pp. 301-2.

¹⁷⁴Say, *Traité*, 4th edition, p. 302.

owners were "punished" by not having factories and the other aspects of industrial society in their midst is not made clear by Say. The high profits Say thought they had from slave labour provided them with more than enough resources to preserve their way of life, as Hodgson noted in his critique of Say.

An explanation for the disagreements between Say and his critics Hodgson and Storch is that there really are two different questions being considered. The first question is whether or not the price of slave labour is higher or lower than the price of free wage labour, which is the argument Say preferred to use at least initially. In other words, how much would it cost for a planter to hire a gang of slaves to do a particular job compared to hiring free labourers to do the same job? The second question concerns the overall economic efficiency of slavery as a labour system, how productive is slave labour in the long run, what incentives do slaves have to work well and efficiently, etc, which is the argument the British abolitionists liked to use. There seems to be little understanding that there are two different arguments involved. The confusion seems to go back to Adam Smith who used both arguments at times. The change which Say and Comte brought to the debate was to reject the former argument as irrelevant and to stress the latter as both more morally sound and more insightful into the exploitative nature of slavery.

ADAM HODGSON'S LETTER TO SAY *ON THE COMPARATIVE EXPENSE OF SLAVE AND FREE
LABOUR* (1823)

Four years after the fourth edition of Say's *Traité* appeared, Say's view of the enormous profitability of slavery was subjected to a searching criticism by Adam Hodgson, writing on behalf of the Liverpool branch of the Society for Mitigating and Gradually Abolishing Slavery.¹⁷⁵ Adam Hodgson readily admitted the important contributions Say

¹⁷⁵Adam Hodgson, *A Letter to M. Jean-Baptiste Say on the Comparative Expense of Slave and Free Labour* (Liverpool: James Smith and London: Hatchard and Son, 1823, second edition). The pamphlet was written as a letter addressed to William Roscoe,

had made to the liberal cause but regretted Say's belief that slave labour was profitable. This belief, Hodgson remarked, made the activities of the Society that much harder, since one of the Society's main strategies was the campaign to show plantation owners that it was in their best economic interests to abandon slave labour and gradually adopt free wage labour. That one of the leading liberal political economists took the opposite view was a handicap to the abolitionist cause.

Hodgson began his letter with the following remarks:

It is with much concern that I observe, in your excellent and popular work on Political Economy, the sentiments you express on the subject of the comparative expense of free and slave labour. Accustomed to respect you highly, as an enlightened advocate of liberal principles, and to admire the philanthropic spirit which pervades your writings, I cannot but regret deeply, that opinions so much calculated to perpetuate slavery should have the sanction of your authority; and that, while you denounce the slave-system as unjustifiable, you admit that in a pecuniary point of view it may be the most profitable.¹⁷⁶

The key calculation in any assessment of the profitability of slave labour, Hodgson maintained, was the relationship between the annual expenditure needed to maintain the slave and the "annual sum which, in the average term of the productive years of a slave's life, will liquidate the cost of purchase or rearing, and support in old age, if he attain it, with interest..."¹⁷⁷ A similar calculation was possible for free labour, "since the wages paid to free labourers of every kind, must be such as to enable them, one with another, to bring up a family, and continue the race."¹⁷⁸ Hodgson rejected Say's main arguments about the profitability of slavery. The first argument Say used was that the high price of free labour in the Antilles could be universalised into an economic principle concerning the relationship between free and slave labour. The second was that the reluctance of the slave owners to free their slaves was proof of the profitability of the slave-system. Hodgson rejected the

President, and to other members of the Liverpool branch of the Society for the Mitigation and Gradual Abolition of Slavery.

¹⁷⁶Hodgson, p.1.

¹⁷⁷Hodgson, p. 2.

¹⁷⁸Hodgson, p. 2.

first argument with the claim that, while in some places free labour might be more expensive than slave labour (in the case of the Antilles there were few free workers and labour was considered to be degrading), the general principle to be kept in mind was:

not, whether at a given time and place, free or slave labour is the highest, but whether both are not higher than labour would be if all the community were free, and the principle of population were allowed to produce its natural effect on the price of labour, by maintaining the supply and competition of free labourers.¹⁷⁹

The second argument was rejected on the grounds that prejudice and passion blinded the planters' conception of their own true interest. Hodgson was convinced that, once the planters began to view their property in a truly commercial light rather than as a way of life, they would gradually recognise that their true interests would be best served by freeing their slaves and re-employing them as wage labourers.

To support his claim of the unprofitability of slave labour Hodgson draws upon Adam Smith, David Hume, Henri Storch, Brougham, and various memoirs written by slave owners and travellers. In his "Letter to Say" Hodgson developed a series of economic, historical and political arguments to support his case that, in fact, slave labour was vastly inferior to free wage labour in terms of its cost to the plantation owners and general levels of productivity. One of the main economic arguments he used depends upon the incentives and disincentives slaves faced to work productively. Citing the experience of a Joshua Steele of Barbados, Hodgson argues that in the cultivation of food crops the slaves have little incentive to be productive. They perform their work negligently and steal whatever they can get away with, which results in an overall rate of productivity which Steele estimates to be about one third the rate of free labourers.¹⁸⁰

¹⁷⁹Hodgson, p. 26.

¹⁸⁰Other accounts written by slave owners themselves or observers come to similar conclusions. Another commentator Hodgson uses is Dr Beattie, who notes that in the West Indies the same amount of work can be done by half the number of paid free labourers than slaves. In the French colonies an observer (Coulomb) states that slaves can only do one third to one half of the work done by what he admits are reluctant French soldiers and not freely paid wage labourers. These very rough proportions of half to a third are shared by other commentators Hodgson cites in his letter.

The argument about the economic incentives faced by slave and free labourers is probably the most important argument used by the abolitionists. For this reason Hodgson endeavours to base his case on directly reported experience and concrete examples rather than on pure theory. Some commentators liked to compare the price of sugar and other products produced on plantations which use either slave or free labour. Hodgson draws upon two examples to make his point: Dr Beattie claims that the price of products grown in Cochin China by free labour are lower than the price of the same goods grown by slave labour in the West Indies, an argument to be taken up by Comte in *Traité de législation* (see below); Botham claims that in the Dutch East Indies sugar is produced by free labour (what he calls the "East India mode") more cheaply than in the British colonies. The weakness of this way of arguing is that no attempt is made to separate the various factors which may influence the price in very different localities, such as differences in soil fertility, differences in plant types and so. Hodgson attributes the lower price of the goods in Cochin China and the Dutch East Indies solely to the fact that "free" labour is used. This is understandable given the political purposes of his task, which is to present free labour in the best possible light in order to persuade the slave owners in the Caribbean that it is their economic interests to give up slavery and use free wage labour in its place. Hodgson concludes this part of his case by quoting with approval the Russian political economist Henri Storch, who held the view that slaves are virtual unthinking "machines" who require constant supervision to do even the most menial task. The incompetence of the slaves requires overseers and managers, who in their turn can deliberately exploit the owner or raise costs through their indifference. Thus, in the absence of economic incentives for the slaves to work more productively and with some intelligence, the slave owner must resort to expensive forms of supervision which Hodgson believed was absent when free wage labourers were employed. The British abolitionist Lord Brougham concurs in this view and adds that slaves without economic incentives to work need the threat of violence or punishment, or as Brougham put it "the perpetual terror of the lash."

Some slave owners and plantation managers had realised this fact and had introduced

experiments in order to provide the slaves with some economic incentive to be more productive. Joshua Steele had tried paying his slaves for the work they did in an attempt to mimic the incentive effects of free labour. Steele reported that after four years of trying such an experiment his economic return was increased threefold. Costs of supervision dropped and the care and diligence of the slaves in their work increased. Steele's experiment was very important to the cause of the British abolitionists and they used it repeatedly to drive home the point to slave owners that it was in their economic interests to abandon or at least reform the system of slave labour. In later editions of his *Traité* Say disputed the success of Steel's experiment and its usefulness as a model for other slave owners. Nevertheless, Steele provided an example of what an enlightened slave owner might do to increase the productivity of his slaves. Brougham suggested that it might prove to be a way in which slavery could gradually be done away with. In the transition period before the complete abolition of slavery, slaves might pay a tax or tribute to their master for the right to work on their own account or at market wage rates in his fields. This was also the view of Henri Storch whose work on the Russian serfs provided perhaps the best example of such a halfway house between slavery and free labour. Storch's important analysis will be discussed in more detail below. Hodgson concluded that the transition to free labour might be made via a two stage reform: the first introducing piece work to increase the productivity of slave labour; the second a system of profit sharing with the master via some kind of tax or tribute on their work.¹⁸¹

Hodgson used another tack in making his case, this time in asking what might happen if slavery were more profitable and productive than free labour. The example of the United States of America was instructive in this regard. With two clearly delineated zones in which slavery and free labour operated, the comparative effects of the two systems of labour could be observed. Hodgson compared the price of land in slave and non-slave regions with the assumption that, if slave labour were more productive, the price of land where slaves were

¹⁸¹Hodgson, p. 22.

used would be higher than land where free labour was used. The state of Maryland provided the best example with one region permitting slavery and another not. He found no difference in land prices in Maryland or in a comparison between prices in the states of Virginia (slave) and Pennsylvania (free). America also provided advocates of free labour with the example of a rapidly industrialising North using free wage labour and welcoming innovation and entrepreneurial activity and a South which changed very little and which was forced to seek new land as old land was exhausted by the method of cultivation. Many commentators viewed the difference between the North and the South as conclusive proof that the future lay with industrialism based upon free wage labour and not agriculture based upon slaves. Hodgson believed that the days of the South and slavery were numbered for a number of reasons. The South could not compete economically, its real labour costs were high, the workers had no incentive to be productive, innovation was not encouraged and the slave owners lacked an entrepreneurial attitude to production. There was also a political reason for the ultimate failure of the slave South. Nothing, Hodgson thought, could resist the spread of "republicanism," by which he meant the values of "1776" and "1789," in other words respect for the moral and legal equality of the individual, private property, the free market, and democracy. Even if slavery was not doomed for economic reasons it would soon be swept aside by the political imperative of republicanism which was even at that time spreading to Latin America with its waves of wars of liberation.¹⁸²

Before concluding his case against slave labour, Hodgson had to explain why slavery had persisted for so long and appeared, at least, to be profitable. The best known example of a slave society which had existed for centuries was the Roman empire. Although it eventually grew "decadent" and declined, the fact that slavery existed for so long needed to be explained. Hodgson does not devote much attention to the case of ancient Roman slavery except to say that it ruined the small private farmer and prospered only as long as fresh sources of cheap slaves were available from the regular wars against non-Roman

¹⁸²Hodgson, pp. 35 ff.

societies. When the source of cheap slaves dried up it was not long before the pernicious economic effects of slavery were felt. If the success of Roman slavery depended upon constant wars of conquest, the apparent success of slavery in the modern world owed much to the protective system of tariffs and exclusive trading zones. High cost slave labour, Hodgson argued, could only survive because it had a guaranteed market in the metropole where the high costs of production could be passed on to the consumer. Since the consumers of sugar, tobacco, indigo and cotton could not buy from alternative sources, they had to buy from the protected slave plantations. This system could not survive if a policy of free trade put an end to tariffs and exclusive trading zones. Interestingly, it was latter argument which Comte was to use in the *Traité de législation* (1827) and which Say was to adopt in his reformulation of the critique of slave labour in the *Cours complet* of 1828. Overall, Hodgson was convinced that the examples and arguments he had presented refuted Say's argument of the high profitability of slave labour on the Caribbean plantations. Now surely, Say must agree that not only was slavery immoral but also uneconomic. Hodgson concluded by summarising his case against arguments supporting the profitability of slave labour:

If then, it has appeared that we should be naturally led to infer, from the very constitution of human nature, that slave labour is more expensive than the labour of free men; if it has appeared that such has been the opinion of the most eminent philosophers and enlightened travellers in different ages and countries; if it has appeared that in a state where slavery is allowed, land is most valuable in those districts where the slave system prevails the least, notwithstanding great disadvantages of locality; and that in adjoining states, with precisely the same soil and climate, in the one of which slavery is allowed, and in the other prohibited, land is most valuable in that state in which it is proscribed; if it has appeared that slave labour has never been able to maintain its ground in competition with free labour, except where monopoly has secured high profits, or protecting duties afforded artificial support; if it has appeared that, in every quarter of the globe, in proportion as the planter rendered attention to economy more indispensable, the harsher features of the slave-system have disappeared, and the condition of the slave has been gradually assimilated to that of the free labourer; and if it has been found, by experience, to substitute the alacrity of voluntary labour, for the reluctance of compulsory toil; and that emancipation has rendered the estates on which it has taken place, greatly and rapidly more productive - I need not, I think, adduce additional proofs of the truth of the general proposition, that slave labour is more expensive than the labour of free

men.¹⁸³

SAY'S FIRST RESPONSE TO CRITICISM

Say responded to Hodgson's argument in a letter to the author, dated Paris 25 March 1823, which was published in the second edition of Hodgson's pamphlet which also appeared in 1823.¹⁸⁴ In the letter Say said he agreed with Hodgson on all the main issues and acknowledged that "You have collected, in a small space, an accumulation of facts and arguments which it appears to me impossible to refute."¹⁸⁵ Say attributed their difference of opinion to the fact that Hodgson most probably had read only the earlier editions of Say's *Traité*. Say claimed that in the later editions he had altered his views concerning the profitability of slave labour "so as to arrive nearly at the same conclusion as you."¹⁸⁶ He also claimed that he was expanding his remarks on slavery in a book on which he was currently working. As Say put it "I approach still nearer to your sentiments in the works I am preparing." Unfortunately, the precise work Say is referring to is not clear and the exact chronology of Say's change of opinion is very difficult to determine. All that one can say is that sometime between the publication of the fourth edition of Say's *Traité* and his reading of Hodgson's pamphlet Say had come to question the profitability of slavery. Confusion arises because Say could be referring to one of three works with which he was occupied at this time. There are indications of his change of heart in the all three works he published in the early 1820s, most notably his comments in his edition of Henri Storch's *Cours d'économie politique* (1823),¹⁸⁷ the lectures he gave at the Athénée which became the

¹⁸³Hodgson, pp. 25-6.

¹⁸⁴Say states that Hodgson's letter had been passed on to him by the Baron de Staël, one of the leading figures in the Society for Christian Morality, the major abolitionist group in France.

¹⁸⁵*Letter from J.B. Say to the Author*, Paris, 25th March, 1823 in Hodgson, pp. 59-60.

¹⁸⁶Hodgson, p. 60.

¹⁸⁷Henri Storch, *Cours d'économie politique, ou exposition des principes qui déterminent la prospérité des nations. Ouvrage qui a servi à l'instruction de LL. AA. II. les*

Cours complet d'économie politique pratique (1828),¹⁸⁸ and the fifth edition of the *Traité*. The sections of these works dealing with slavery and colonies, in conjunction with Say's reply to Hodgson's letter, provide the main source of information on Say's thinking in the early and mid 1820s. However, as of March 1823 when he responded to Hodgson's criticisms, his view of slavery was that it is

incompatible with productive industry, in a state of society moderately advanced. It is already verging towards its termination among all people of European origin; and as the restlessness and intelligence of Europe will ultimately pervade the globe, we may affirm that slavery will one day be extinguished everywhere.¹⁸⁹

HENRI FRÉDÉRIC STORCH ON SLAVERY AND SERFDOM IN EASTERN EUROPE - *COURS D'ÉCONOMIE POLITIQUE* (1823)

In the same year as Say responded to Hodgson's letter challenging his view of the profitability of slave labour he also had to come to terms with a leading Russian economist's analysis of the economics of serfdom and slavery in Eastern Europe. Henri Storch¹⁹⁰ was a member of the St. Petersburg Academy of Sciences and a pioneer in the

grand -ducs Nicolas et Michel, by Henri Storch with explicatory and critical notes by Jean-Baptiste Say (Paris: J-P. Aillaud, 1823).

¹⁸⁸Jean-Baptiste Say, *Cours complet d'économie politique pratique; ouvrage destiné à mettre sous les yeux des hommes d'état, des propriétaires fonciers et les capitalistes, des savans, des agriculteurs, des manufacturiers, des négocians, et en général de tous les citoyens, l'économie des sociétés*, (Paris: Rapilly, 1828).

¹⁸⁹Hodgson, p. 60.

¹⁹⁰Henri-Frédéric Storch (1766-1835), a Russian economist noted for his work on the economics of unfree labour, particularly that of serfdom, was born on 15 February 1766 in Riga and died on 13 November 1835 in Saint Petersburg. Storch studied at the universities of Jena and Heidelberg before returning to Russia where he taught belles-lettres from 1787 in Saint Petersburg and exercised various positions in education and government administration. In 1790 he worked for the office of Count Berborodko, the minister for foreign affairs. In 1796 he was elected a corresponding member of the Saint Petersburg Academy of sciences after the publication of the first volume of *Tableau historique et statistique de l'empire de Russie*. In 1799 he was appointed tutor to the daughters of Tsar Paul I and shortly afterwards Storch was made a councilor of the court and an hereditary noble. He became a state councillor in 1804 and head of the Academy's statistical section.

collection of economic statistics. He was a fairly orthodox member of the Smithian school of political economy and had the dubious pleasure of teaching the grand dukes (one was to become the Tsar) the principles of political economy. His lectures to the dukes were published in 1815 as the *Cours d'économie politique* and contain much of interest on the economics of serfdom and slavery in Russia and Eastern Europe. Jean-Baptiste Say was interested enough to edit a second, apparently unauthorised French edition in 1823 with extensive notes and comments by him. Say was not shy to criticise Storch quite severely. Storch was stung into publishing a fifth and supplementary volume to the new French

He was also appointed to teach political economy by Alexander I to the grand dukes Nicholas and Michael. In 1828 he was promoted to the rank of private councillor and appointed vice-president of the Academy of Sciences, offices which he held until his death. His major theoretical work was the *Cours d'économie politique* which was based upon the lectures he gave to the grand dukes. Blanqui described Storch's economic theories as eclectic but considered his empirical work of great value. In terms of school affiliation he followed closely the writings of Say and Smith. The main issues which occupied him include the distinction between free and unfree labour, the contribution which unfree serf labour made to the national wealth of the Russian empire, the importance of moral (or rather "human") capital to national wealth, comparative banking, and the greater wealth producing capacity of industry and commerce compared to agriculture. Perhaps his greatest contributions to economics were his analysis of serf labour in Eastern Europe and his theory of "nonmaterial production", the latter influencing Dunoyer who used it in his *De la liberté du travail*. The debate between Storch and Say on the issue of immaterial production was conducted in Say's footnotes to the second edition of the *Cours* and in Storch's response *Considérations sur la nature du revenu national* (1824). His major writings include: *Gemälde von St. Petersburg* (Riga, 1793); *Statistische Übersicht der Statthalterschaften des russischen Reiches* (St. Petersburg, 1795); *Tableau historique et statistique de l'empire de Russie à la fin du dix-huitième siècle* (Riga and Leipzig, 1797-1803. French translation 1801, 2 vols); *Cours d'économie politique, ou exposition des principes qui déterminent la prospérité des nations* 6 vols (St. Petersburg: A. Pluchart et comp., 1815) based upon the course he gave to the grand dukes Nicholas and Michael; unauthorized second edition of *Cours d'économie politique* 4 vols. (Paris, 1823) edited by Jean-Baptiste Say with extensive notes and critical commentaries; *Considération sur la nature du revenu national* (Paris, 1824) 5th volume of the *Cours* and a repudiation of Say's unauthorized edition; *Zur Kritik des Begriffs Nationaleinkommens* (St. Petersburg, 1827); *Esquisses, scènes et observations recueillies pendant son voyage en France* (Heidelberg, 1790); *Principes généraux de belles-lettres* (Saint-Petersberg); numerous articles in the *Mémoires* of the Saint Petersburg academy of sciences. Source: article by J.L. in *Nouveau Dictionnaire d'Économie Politique* vol 2, pp. 925-26.

edition in order to respond to some of his editor's critical remarks.¹⁹¹

There is much of interest in Storch's work, but what concerns us here are his detailed discussions of the economics of forced labour, about which Say had nothing but praise, describing him as a "publiciste éclairé" and a "véritable philanthrope." Say concluded with the highest accolade an empirical political economist could bestow on another, that "sur tout ce qu'il dit de l'esclavage...(i)l parle de ce qu'il a vu."¹⁹² As an acute observer of the economic and social conditions in Russia, Henri Storch was well placed to present to the French-speaking world detailed information about the situation of slaves and serfs in Russia. Sometime before he had published a monumental work on economic statistics called the *Tableau historique et statistique de l'empire de Russie à la fin du dix-huitième siècle* (1797-1803),¹⁹³ the success of which got him appointed head of the statistical section of the St. Petersburg Academy of Sciences. But it was the French edition of the *Cours* which made the situation of the Russian slaves and serfs known to a broader reading public. In Storch's conclusion to volume three Say found a summary of the nature of slavery which he thought to be the best he had ever seen. In a discussion of the ways in which the state could hinder the development of industry and individual prosperity by favouring one class over another, Storch turned to a special case of class privilege, that of slavery:

Dans l'autres États, les lois tolèrent la servitude, c'est-à-dire excluent la classe la plus nombreuse d'habitans de cette protection dont les autres citoyens jouissent: les membres de cette classe se trouvent exposés, non pas à la vérité, comme les sauvages, à la rapacité de tous ceux avec lesquels ils vivent, mais aux violences de leurs maîtres; et la crainte seule de ces violences suffit pour étouffer en eux l'envie de travailler et le désir d'accumuler, même quand ils ont le loisir et les

¹⁹¹Henri Frédéric Storch, *Cours d'économie politique, ou exposition des principes qui déterminent la prospérité des nations. Ouvrage qui a servi à l'instruction de LL. AA. II. les grands-ducs Nicolas et Michel*, ed. J.-B. Say (Paris: J.-P. Aillaud, 1823), 4 vols. Storch's sometimes angry response to Say's editorial comments was published as a fifth volume, *Considérations sur la nature du revenu national* (1824).

¹⁹²Storch, *Cours*, vol. 3, Chapter 9 "Influence de l'esclavage sur la civilisation," Say's footnote on pp. 439-90.

¹⁹³Henri Storch, *Tableau historique et statistique de l'empire de Russie à la fin du dix-huitième siècle*, 8 volumes (1797-1803), 8 vols. (Riga and Leipzig) two volumes of which were translated into French in 1801.

moyens de se livrer à un travail profitable pour eux.¹⁹⁴

Storch's understanding of slave labour was a complex one. Like Comte and Dunoyer were to do in their works on slavery, Storch viewed it firstly in historical terms, as an important part of the gradual evolution of societies in which chattel slavery played a vital role, to feudal societies in which slavery was moderated in various ways, to the present, in which societies at different levels of development coexisted with different degrees of forced labour. Since he passionately believed in the idea of progress, the highest stage of human historical development was where individual liberty was fully realised and this meant of course a society in which slave labour in any form played no part. The particular historical moment in which he was writing was a crucial one because Europe had paved the way for the liberation of all mankind with the success of the French Revolution. The ideas of English and French liberty were now impossible to contain geographically and it would not be long before the remnants of slavery disappeared in Eastern Europe and Russia. Part of the intention of his *Cours* was to prepare the grand dukes for this eventuality, which Storch thought would occur sometime during their lifetime. Storch's confident prediction was that within one hundred years all vestiges of slavery in the European dominated world would have disappeared.

A second way in which Storch viewed slavery was in sociological terms, as a form of class exploitation, which the above quotation so admired by Say clearly shows. He believed that slavery had a dire effect on population growth and perpetuated an unequal division of property ownership.¹⁹⁵ Storch argued that, in both the ancient world and the modern slave colonies, population growth was hindered by the existence of slavery, which thus created a need for continual injections of new slaves to maintain the labour supply. In comparison with free societies "jamais une population composée d'esclaves n'augmente dans la même

¹⁹⁴Storch, *Cours*, tome 3, pp. 504-5.

¹⁹⁵Most of his remarks on the sociological effects of slavery can be found in a chapter called "Influence de l'esclavage sur la civilisation" in *Cours*, vol. 3, chapter 9, pp. 439-66. Storch deals with population on pages 439-50 and with the middle class on pages 450-7.

proportion qu'une autre composée d'hommes libres."¹⁹⁶ This was also true he thought for European societies in which serfdom still existed. Using his favorite examples of the liberation of the serfs in the Danish king's domains in Holstein and the activities of the reform-minded Polish Count Zamoiski, he compared the rate of population growth before and after the liberation of the serfs and found that population growth took off only after liberation.¹⁹⁷ In a poetic analogy Storch compared the growth in population of the freed serfs to the spurt in growth of a young tree after pruning away branches which are impeding its development.¹⁹⁸

Another sociological consequence of slavery was the lack of development of a middle class or "tiers-état." This had the consequence of preventing the formation of a class of prosperous consumers who could create the demand required for industrialisation to occur. Furthermore, the absence of a middle class meant that the spread of "enlightenment" did not occur, the middle class, Storch believed, being the mechanism by which "enlightenment" was transmitted. Storch shared Say's view of the importance of the middle class to the industrial economy and in turn quoted him with approval:

C'est dans cette classe mitoyenne, loin des soucis et des plaisirs de la grandeur, loin des angoisses de la misère; c'est dans la classe où se rencontre les fortunes honnêtes, les loisirs mêlés à l'habitude du travail, les libres communications de l'amitié, le goût de la lecture et des voyages: c'est dans cette classe, dis-je, que naissent les lumières, et c'est de là qu'elles se répandent chez les grands et chez le peuple; car les grands et le peuple n'ont pas le temps de méditer; ils n'adoptent les vérités que lorsque elles leur parviennent sous la forme d'axiomes et qu'elles n'ont plus besoin de preuves.¹⁹⁹

The reason a middle class did not develop in slave societies was because the recruiting mechanism was absent. In free societies the middle class is recruited out of the more ambitious or hardworking lower class. The existing middle class acts as both a teacher and a model to which the lower class can aspire. In a slave society there is no way

¹⁹⁶Storch, *Cours*, vol. 3, p. 444.

¹⁹⁷Storch, *Cours*, vol. 3, p. 448.

¹⁹⁸Storch, *Cours*, vol. 3, p. 448.

¹⁹⁹Jean-Baptiste Say quoted by Storch but no reference is given, *Cours*, vol. 3, p. 451.

in which ambitious or hardworking slaves can leave their legally determined class position and "rise" into the class above. Also, if a slave society does have a middle class it is likely to be very rudimentary and weak, thus not strong enough to transform society as Storch and Say would like. In fact in slave societies the social forces act in the opposite way. Instead of influencing both "les grands" and "le peuple" with their industrious habits and their enlightenment, the middle class is attracted upwards to the nobility (or slave owners). Storch described this phenomenon as a "mania" for the trappings of the aristocracy, which existed to the detriment of industry and enlightenment in slave societies and in Europe of the ancien régime.²⁰⁰ Instead of growing as it should and influencing society, the middle class tries to steer their children into careers which will ennoble them and divert their wealth (which should be invested in industrial enterprises) into investments in land and buildings in an attempt to ape the behaviour of the aristocracy. Thus the reproduction of the middle class and its "industrious" values does not occur and the society remains in a state of economic underdevelopment.²⁰¹ A further consequence of the lack of a middle class in slave societies was the domination of the "civil functions" of the state by the aristocracy, who were hostile to industry and who very much favoured the military. It was dangerous, Storch believed, to allow the military-minded aristocracy to monopolise the positions in law, politics, internal administration of the state, science, and the arts. Only a strong middle class, which believed in the usefulness of what Storch called "la division du travail immatériel" and devoted themselves to it as a lifetime career, could fulfil these tasks adequately.²⁰²

The third dimension to slavery was a moral one, dealing with the corruption of morals of both the slave owner and the slave. This is an aspect which Say did not pick up to the

²⁰⁰Storch, *Cours*, vol. 3, p. 454 on the "manie nobilitaire" for political privileges rather than for the fruits of "industry." Compare Storch's view with Dunoyer's discussion of the stage of economic development known as "privilege" in chapter three.

²⁰¹Storch, *Cours*, vol. 3, pp. 452-3.

²⁰²Once again Storch quotes Robertson's *History of Charles V* on the danger of the feudalisation of the state, *Cours*, vol. 3, pp. 454-5.

same extent as Charles Comte and Charles Dunoyer, who made it a central concern of their analyses of slavery in their respective *Traité de législation* and *L'Industrie et la Morale*. Thus it is more likely that Comte and Dunoyer were influenced by Storch than by Say in the matter of the moral corruption of slavery on both the slave and the slave-owner. This moral problem of slavery was the topic of the third part of Storch's chapter on the influence of slavery on "civilisation."²⁰³ Storch begins by making the point that, without any security with which to enjoy their liberty or any property they might acquire, slaves naturally become "paresseux, insouciant, voleur, dissipateur, ivrogne."²⁰⁴ Behind this shiftless exterior lies a deeply felt hatred towards the master, "un coeur ulcéré de l'injustice de sa situation," which leads the slave when circumstances permit to rebellion, revenge and violence, as was the case with the slave uprising in Santo Domingo. The social consequences of slavery also impinge upon the family and public security. Like individual slaves, slave families cannot enjoy the security necessary to bring up children and to plan for the future. It is in the family that the slave's hatred for the master is strengthened and it is this underlying hatred which places the public security in jeopardy.²⁰⁵ The feelings of hostility between master and slave mean that the master, being so outnumbered by his slaves, lives in a state of constant fear of an uprising.²⁰⁶ Historically there had been many examples of isolated outbreaks of disgruntled slaves and serfs, ranging from Spartacus to Pugachev to Santo Domingo. Storch implies that unless the situation of the slaves is improved through amelioration schemes or abolition itself, the state will always face the

²⁰³"Influence de l'esclavage sur la civilisation" in *Cours*, vol. 3, chapter 9, pp. 457-66.

²⁰⁴Storch, *Cours*, vol. 3, p. 457.

²⁰⁵Storch, *Cours*, vol. 3, pp. 458-9.

²⁰⁶Ancient authors such as Aristotle recommended that slave owners try to forestall disturbances by breaking down communication between their slaves. This could be achieved by purchasing slaves from a variety of sources in order to make sure that the slaves had as little as possible in common between themselves. Nevertheless slave owners often talked of being murdered by their slaves and Storch quotes Catherine II from her *Instruction pour le code des lois* on the need to understand the underlying social and economic causes of serf revolts since it was impossible to prevent them through legislation alone. Storch, *Cours*, vol. 3, pp. 462-3, footnote a).

prospect of recurring rebellion on the part of the slave population.

The fourth level of his analysis is economic and it is the aspect of slavery in which Say was most interested, as it was most directly relevant to his debates with Hodgson on the profitability of slave labour. Storch's contribution was unusual and perhaps quite original in that he stressed the modifications and ameliorations which slave labour had undergone in different parts of the world. Not all slaves were treated like the chattel slaves of antiquity or the Caribbean. He thought it was a mistake to base any economic analysis of slave labour on only these two extreme forms, without taking into account the more moderate slave systems of the Middle Ages and the eastern parts of Europe. Even within the Caribbean system of slavery there were important distinctions to be made between the relatively "unproductive" domestic slaves, who waited at table for the master's personal benefit, and the "productive" slaves, who toiled in the fields growing sugar for the export market.²⁰⁷

As an expert on economic conditions in Russia, Storch was in a position of authority to discuss the variation in slavery which existed there. In particular, he focused upon two special types of forced labour - the modification of slavery which allowed the individual serf to work for himself, free of direct supervision by the master in return for a payment known as the "obroc," and the special class of serfs known as the "peasants of the royal domain" or "crown peasants." In both these cases Storch believed the Russian experience showed both the complexity of the nature of slave labour and a means of gradually abolishing its stricter forms in the Caribbean by following the Russian example of obroc or the institution of crown peasants. It will become clear that his scheme for improving the condition of the black slaves is similar to the experiments of "humane" slave owners which were much admired by Clarkson, Hodgson and other abolitionists and rejected by Say as not suited to the tropics.

²⁰⁷Storch, *Cours*, tome 3, chapter 8 "Continuation: De l'esclave à corvées," p. 141.

In a "Note" in the fourth volume of his *Cours*,²⁰⁸ Storch gave a detailed description of the class system in Russia, in which he described the different types of servitude. Of the three kinds of productive labouring classes two were coerced, the serfs and the slaves, and a third group was free. The "free class, (which) engaged in industrial work," included those nobles who worked their land for the purposes of agriculture, mining, forestry, fishing or manufacturing; "merchants of the three guilds," who engaged in commerce; the bourgeois or free artisans, who lived in towns (numbering 3,000,000 according to the census of 1782); and free agricultural workers. Included in the latter category were military colonists and the new class of "free cultivators" created by Tsar Alexander in 1803, who numbered only about 13,000 in 1810 and who had been liberated by being bought from their masters.

Under the class of serfs Storch included all "crown peasants," who numbered some 4,675,000 males in 1782. The crown peasants could be divided into two groups, a small group of peasants used in the crown's mines and factories and a much larger group of peasants tied to the glebe. The crown peasants tied to the glebe provided Storch with the example of a "halfway house" between slavery and free labour. They were allowed to pay a tax ("cens" or obroc) to the crown, which was determined by the fertility of the soil and to which Storch likened to a form of land rent. Like the other peasants, the crown peasants were also obliged to pay the capitation tax and to serve in the military, but what interested Storch most was that these serfs were allowed to keep whatever surplus they produced after having paid their taxes. Furthermore, they enjoyed the protection of the law and the property they were able to acquire could not be repossessed by their lord. Crown peasants had the right to leave their village upon receiving a passport which was valid for one, two or three years and, with the permission of the commune in which they lived, could move to a free town and engage in free labour there. Although they enjoyed some freedoms and perhaps could be classified as a free labourer, Storch preferred to classify the crown peasants as a kind of serf, since the crown could still force them to work in the mines or the

²⁰⁸Storch, Note XIX, "Sur la condition des serfs et des esclaves en Russie," *Cours*, vol. 4, pp. 248-58

government factories, to rent them out to others, or even to sell them. Storch quite correctly says these powers over their future meant they continued to behave economically more like slaves than free labourers.

The third class were the slaves proper who were the peasants owned by individual members of the nobility and they numbered some 6,678,000 in the 1782 census. In law their situation appeared to be worse than it actually was in practice, according to Storch, since a combination of a softening in attitudes and the economic self-interest of the masters meant they were better treated than previously. Slaves owned by nobles could be rented out to others, forced to labour in the master's own fields, workshops or house, or they could be charged the obroc with the right to work elsewhere. In the latter case, the economics of their situation was similar to the more fortunate crown peasants.

According to Storch, any assessment of the economic efficiency of slave labour had to include all aspects of the slave system not just those slaves working in the fields. The use of domestic slaves by the plantation owner was just as much a part of the slave system as those of prime working age whose labour was usually compared to that of free wage labourers. Storch considered slaves as just another part of the master's total wealth which could be used for consumption or for productive purposes. Those slaves used for domestic purposes, as cooks and valets and housekeepers, Storch believed, were part of the master's expenditure on consumption.²⁰⁹ As one might expect, Storch takes a dim view of the usefulness of the "unproductive" domestic slave as he calls them. Whereas a wealthy merchant or capitalist might have two or three domestic servants in Europe, in the colonies the slave owner indulged in half a dozen, the upkeep of which sorely taxed the overall productivity of the plantation. But whereas the industrial capitalist or merchant had acquired his wealth through hard work, economising and the careful supervision of his assets and could thus keep his indulgence in servants to a rational limit, the plantation owner did not have these industrious habits and was thus in a very weak position when

²⁰⁹He termed it "fonds de consommation." Storch, *Cours*, tome 3, p. 141.

tempted by the luxury or the "vice très grave" of plentiful slave servants. The unproductive use of potentially productive domestic servants, Storch concluded, had a deleterious effect on the overall productivity and efficiency of slave labour.²¹⁰ The other slaves who worked to produce saleable crops were part of the master's capital stock. Both types of slaves had to be assessed for their economic productivity in order to assess the overall efficiency of the slave system.

Storch, however, was more interested in the use of slaves as a capital asset which could be used to bring in revenue to the owner. He distinguished between three ways in which slave labour could be used: firstly, he could employ them himself on his plantation; secondly, he could rent them out to other plantation owners; and thirdly, he could "les louer à eux-mêmes" by charging them a "cens" or tax for the privilege of working for themselves. The first two methods of disposing of slaves as a capital asset involved supervised and forced labour or "corvées," whereas the latter method had more in common with free labour that was taxed. The third form of slave labour was common in Russia and Storch considered this to be the least oppressive system for the slaves and the most productive and economically efficient form of slavery.²¹¹ When considered as a form of fixed capital, a kind of "human machine" which could earn a rent, it became possible to compare the returns of slave labour with more traditional income earning capital assets. For example, the annual rent from slave labour (irrespective of which of the three different ways a slave could be used) had to cover the interest on the purchase price or the amount spent to raise and train a slave to work; the cost of daily maintenance; the cost of capital depreciation over the slave's working life; the cost of life insurance premiums; and the costs of supervising the slave while he worked.²¹² The rent earned by the slave's labour must be sufficient to cover these capital costs, otherwise the slave owner is faced with a capital loss rather than a profit. Each slave owner must be able to calculate these amounts and compare

²¹⁰Storch, *Cours*, tome 3, pp. 141-2.

²¹¹Storch, *Cours*, tome 3, p. 142.

²¹²Storch, *Cours*, tome 3, pp. 143-4.

them with the market price for free labour, which is determined purely by the forces of supply and demand for labour in each locality. In Storch's view, the answer to the question, which form of labour was the most profitable, free or slave labour? could only be found by comparing the rent earned by a slave with the wages of a free worker.²¹³

Storch's comparison of the costs of free and slave labour revealed that, in some areas of Russia slave labour was cheaper than free labour, in some cases the costs were the same (for example the cost of paying for food or raising a family), but that in most areas the reverse held true. On the demand side the forces acting to set the level of rent for slaves or wages for free labourers should have been the same, but Storch believes that this was not so. The free worker has to sell his labour, whereas the slave owner is not forced to rent out his slaves for hire. They could instead work on the owner's plantation. In addition, whereas anyone with sufficient funds could hire a free labourer, not just anyone could hire a slave gang. In many slave societies there were restrictions on who was entitled to use slave labour. It was usually reserved for a particular and rather small class of privileged individuals. Thus Storch concluded that slave owners exercised a kind of monopoly over the supply of labour which inevitably raised its price in comparison to free labour. The only exception to this rule were societies in which a sufficiently large number of free labourers existed side-by-side with slaves to compete with them and thus drive the price of labour down to a common level. This latter situation certainly did not exist in the Caribbean colonies (from which most of the English abolitionists and Say also got their historical examples) where the dominant form of labour was slave labour, but it did exist in the interior of Russia. In the provincial capitals of the Russian Empire the competition between slave and free labour was intense, unlike in the hinterland where slave labour had a virtual monopoly and where the cost of labour was much higher than in the towns. Storch cites the example, perhaps from personal experience, of the reluctance of rural slaves who came to work as labourers or domestics in St. Petersburg to accept the lower rates of pay brought

²¹³Storch, *Cours*, tome 3, p.144.

about by the competition of crown serfs and free labourers. The cheaper cost of labour in the cities meant that it was here that industrialists preferred to set up new factories rather than in the countryside (as in England).²¹⁴ What made the difference between the two forms of labour were the economic incentives which existed to encourage efficient, productive and intelligent work. Basically, the costs of maintaining a slave in good health were higher than the equivalent costs of maintaining a free labourer. This was because the free labourer looked after himself and his family directly and had an obvious incentive to do this as economically and efficiently as possible. Slaves, on the other hand, were more likely to be poorly supervised and looked after, either because the master was distracted by his sumptuous existence or because he had delegated this responsibility to a negligent overseer. A second incentive which made slave labour less useful than free labour was the attitude of the slaves to their work. Slaves were more likely than free labourers to steal, to waste or damage materials and to be generally less than economical in their activity. Since the slave had no direct incentive to work well (other than to avoid punishment), he naturally did not.²¹⁵

This unproductive attitude raised the level of rent which was required for the slave owner to break even on his investment. Slave labour was less productive because slaves both produced less in terms of quantity and what they did produce was of lower quality than free labourers. Storch described slave workers as "une mauvaise machine" which was stubborn and very difficult to operate.²¹⁶ Greater skill or dexterity was not rewarded, slaves felt no shame in doing a job poorly, they had no feeling of security that what extra they might be able to produce they would be allowed to keep, and the threat of physical

²¹⁴Storch, *Cours*, tome 3, pp. 147-8, footnote.

²¹⁵Storch cites an example from antiquity in order to demonstrate that complaints about the negligence and untrustworthiness of slaves is as ancient as slavery itself. Columella's complaints apparently sounded much like the grumblings of modern slave owners whom Storch personally had heard: "J'ai entendu mille fois les mêmes plaintes de la bouche des propriétaires Livoniens, comme on les entend répéter aux Antilles, en Hongrie et dans l'intérieur de la Russie." Storch, *Cours*, tome 3, p. 146, footnote.

²¹⁶Storch, *Cours*, tome 3, pp. 150, 156.

punishment made them even less likely to cooperate. Perhaps the most damning criticism of the productivity of slavery Storch was able to come up with was the Smithian argument about the absence of incentives to innovate. Under the threat of force and with the insecurity of property they felt, slaves had no reason to think about how they might improve their work practices or to think up new methods of doing things. It is for this reason, the lack of incentives in slave labour, that Storch believed the economy of the ancient world had stagnated and was unable to begin the process of industrialisation.²¹⁷ Say, in one of his many critical notes to Storch's work, agreed with his assessment about the lack of industrial progress in the ancient world, but attributed it to reasons other than purely the existence of slave labour. Say believed the single most important handicap for industrial development in the ancient world was the prevalence of warfare. Like Benjamin Constant, Say argued that the political and economic structure of the ancient world was militaristic in nature. Military service was the most highly respected occupation and the accumulation of capital was made almost impossible with the constant "wars of extermination." What capital the Romans had been able to accumulate was the booty taken from those they had conquered.²¹⁸

Not only is industry hit hard by the existence of slave labour, but also capital accumulation is hindered. This was a topic close to Storch's heart and a source of conflict with Say. One of Storch's main concerns was to discuss the problem of "national income," what was it composed of and how could it be maximised.²¹⁹ The difficulty with slave labour was that it did not encourage the slaves to contribute to the accumulation of "national income."²²⁰ They had no interest or incentive to accumulate anything and what

²¹⁷Storch, *Cours*, tome 3, pp. 153-4.

²¹⁸Say's note in Storch, *Cours*, tome 3, pp. 154-5.

²¹⁹His dispute with Say led him to publish a supplementary volume to the second French edition of the *Cours*, entitled *Considérations sur la nature du revenu national* (1824), which dealt with this thorny issue.

²²⁰By "national income" Storch did not mean the wealth of a few enormously wealthy individuals or the well-being of a particular class within the national economy. He was concerned with the problem of trying to assign a value to every component of the economy from landowners and slave owners down to serfs, slaves and hand workers.

little they did have was held very insecurely since their master or his overseers could take it with impunity. This was another "cost" of the slave system when compared with the free labour system. Storch asks how slaves could contribute to the important task of adding to the national wealth when their security of possession was subject to the whim of their master, who could at any time deprive them of the fruits of their labour. He concludes, of course, that they cannot.²²¹ Thus Storch thought it was a mistake to view the ancient Romans as a wealthy nation, since only a very small group of land and slave owners controlled most of society's wealth, whilst the vast bulk of the population, the "nation," was in dire poverty. Storch considered this to be another severe criticism of the slave system, that it perpetuated such an unequal share of wealth.²²²

The innovation Storch brought to the debate on the economics of slavery was the discussion of what he called the "esclaves censitaires" or slaves who engage in freely paid work with the permission of their masters, on payment of a fee or "cens."²²³ In addition to establishing a fixed fee or tax for the right of the slave to work independently of the master, the slave owner could also allow the slave to use part of his land, or he might provide the slave with some capital to begin a small business in manufacturing or commerce. In the latter cases there would also be a charge for rent or interest in addition to the fee or tax paid by the slave to his master. Storch was interested in this more moderate form of slavery, partly because of its widespread use in Russia, partly because he considered it to be an efficient way of ameliorating the worst economic consequences of forced labour, and partly because he thought it could be the best method of gradually abolishing slavery throughout the Western world.

Storch had four reasons why the "esclave censitaire" was a better and more efficient worker than the chattel slave. Firstly, the slave's labour is not as closely supervised and thus

²²¹Storch, *Cours*, tome 3, pp. 155-6.

²²²Storch, *Cours*, vol. 3, p. 185.

²²³Storch, *Cours*, vol. 3, book 8, chapter 10, "Des esclaves censitaires et des serfs," pp. 163-69.

the slave's attitudes and behaviour more closely approach that of a free labourer or "du moins lui en laisse l'illusion" of being a free labourer.²²⁴ Secondly, the *esclave censitaire* is able to engage in free labour, that is, he is able to choose his work and to carry it out according to his own interests. With the incentive of self interest now operating the slave can work hard and be inventive. Thirdly, now that the slave is in control of his work he has the incentive and the means to economise or cut costs and thus improve the efficiency of labour. Fourthly, in societies where there are few free labourers, such as Russia or the Caribbean colonies, the *censitaire* system provides an important source of labour for manufacturing or commercial enterprises which could not be done by chattel slaves. One of the assumptions behind Storch's advocacy of the *censitaire* slave system is that the rights and obligations of both parties must be recognised in law in order to protect the property produced by the slave from arbitrary seizure by the master. With some guarantee of security for the slave's property enough incentives are in place for the slave to begin the slow economic process of self-improvement.²²⁵

The situation of these kind of slaves in Russia was often better than that of many crown serfs, which lead some commentators to argue that perhaps it was better to be a slave than to be a serf. Storch explained this anomalous situation in terms of the economic incentives created by the various types of coerced labour which existed in Russia. Although nominally slaves of large landed proprietors, many "*esclaves censitaires*" lived a reasonably prosperous life in towns and villages pursuing their own trades. This arrangement was very good for the slave owner who benefitted considerably from the "taxes" being paid by the slaves as a result of their relative economic freedom. By managing his slave's payments carefully he could maximise his return. On the other hand, the crown owned millions of serfs who were theoretically better off than many other serfs in Russia. However, Storch argued, they were exploited in a quite arbitrary way by petty government officials. Since the Tsar could not personally manage his slaves as many landowners could and did, the

²²⁴Storch, *Cours*, vol. 3, p. 164.

²²⁵Storch, *Cours*, Vol. 3, p. 166.

crown serfs were illegally at the mercy of the government officials put in charge of their welfare but who tricked and robbed the serfs of their rightful earnings.²²⁶ But in those parts of Russia where the law protected the property rights of the censitaire slaves and where the depredations of government officials could be kept to a minimum, Storch believed the economic benefits of liberty, even within the institution of slavery, were to be seen.²²⁷

Turning to the situation in other parts of Europe, Storch was convinced of the superiority of free labour over slave labour. Russia was not a special case even though its variety of forms of slavery and coerced labour was greater than in any other country. Storch assembled a large number of examples of reforms which moderated the institution of slavery or serfdom and thus led to improvements in agricultural output as a result.²²⁸ After having established to his satisfaction the inefficiency of slave labour in agriculture, Storch then turned to show how much more inefficient slave labour was in the area of manufacturing. Basically, Storch accused slavery of preventing the proper development of the division of labour which was so necessary, as Smith and Say argued, for the emergence of manufacturing. Some slave owners may introduce a rudimentary division of labour on the plantation and the result, Storch believed, might be a "feeble" increase in productivity.

²²⁶Storch, *Cours*, vol. 3, pp. 166-7.

²²⁷Apart from his own research and experience Storch relied upon the work of a M. Jacob who won a prize from the Economic Society of Saint Petersburg (no date given) on the following question: "Déterminer d'après un calcul exact du temps, de la qualité et du prix du travail, laquelle des deux manières de cultiver les terres est plus profitable pour le propriétaire, celle qui se fait par des esclaves, ou celle qui emploie des ouvriers libres?" Storch believed this work proved definitively that forced labour of various kinds was less productive than free labour. Another source was the work of Young who was invited in 1807 by the Moscow government (at the request of the Tsar) to write a report on Russian agriculture for the minister of the interior. See the footnote on pp. 174-5 of *Cours*, vol. 3.

²²⁸ He discusses the case of Count Bernstorff who freed his peasants and witnessed an improvement in agricultural output. Storch cites *Landliches Denkmal dem Grafen von Bernstorff von seinen Bauern errichtet* (Kopenhagen, 1734), *Cours*, vol. 3, p. 173. William Coxe discusses Count Zamoiski in Poland who did the same and saw a tripling of output. *Travels through Poland, Russia, etc by William Coxe*, cited by Storch, *Cours*, vol. 3, p. 173. The example of the royal domain in Denmark, when in 1765 in Holstein the royal lands were sold off, some to freed peasants. Storch cites Thearup, *Statistik der Dan. Monarch*, in *Cours*, vol. 3, p. 174.

However this was impossible to achieve in industry because, unlike agriculture which to some extent was a result of the work of nature, industry was almost entirely the result of human ingenuity. Any improvements in industrial production had to come from the application of human intelligence and hard work, which Storch thought was entirely lacking in slave systems. He believed that free wage labourers showed their superiority over slaves most clearly in the modern industrial system and thus as industrialisation proceeded this difference would gradually become more obvious to all.²²⁹

Proof of this claim was provided by comparing the sophistication of the modern economy with that of slave societies, in particular the economies of the ancient world. This, of course, is an unfair comparison since the absence of various consumer goods such as clocks, glasses, paper and books or the high price of woven fabrics is not due to the existence of slavery as Storch argued. Yet it is important to his attack on slavery to maintain that the ancient Roman economy was backward or underdeveloped precisely because the existence of slavery prevented the division of labour from going past a certain primitive level and prevented the formation of a prosperous middle class to buy the goods made in the factories.²³⁰ Storch dismissed the supposed wealth of the ancient world by claiming that a comfortably well-off inhabitant of a European town in the 1820s was much better off than most in the ancient world, bar the richest of the aristocrats. Whereas the wealth of modern Europe was the result of trade and industry, the narrowly based wealth of the Roman empire was less the result of industry than the product of war, the pillaging that war made possible, and of course slave labour. Not only were the benefits of industry beyond the reach of the Romans, but also commerce, and for much the same reasons. Expressing a critical attitude to the ancient world very similar to that of other liberals such as Comte, Dunoyer, Say and Constant, Storch believed that the ancient world should be condemned for stifling economic development for the benefit of a small minority of aristocratic slave owners. He argued that if war had not been so profitable the ancient

²²⁹Storch, *Cours*, vol. 3, p. 176.

²³⁰Storch, *Cours*, vol. 3, pp. 178-9.

Romans would have remained an impoverished nation, since they lacked "les arts industriels" which were making modern European nations and America so prosperous.²³¹

Storch's philosophy of history placed great importance on the relationship between the decline of slavery and the rise of economic activity. In the feudal period the reasons for poor economic activity were similar to the problems faced by the ancient Romans. It was not until the "affranchissement des esclaves," as he termed it, that the economic situation of the average person began to improve.²³² The great takeoff in European economic development did not occur until the complete abolition of serfdom and slavery. Storch described this as a "grande et bienfaisante révolution," as the "dawn" of all the great inventions and economic developments which have made life easier and more tolerable for all. The destructive effects of slavery were no longer widespread, but limited to only a few places such as the colonies in America and Eastern Europe. Like Say, Storch was optimistic for the future since he believed that the proximity of free societies would gradually undermine the stability of the few remaining slave societies. Already he thought slavery was less harsh and slaves in some societies had some, although certainly inadequate, legal protection from the arbitrary actions of their masters. But the greatest threat to slave societies was the much greater productive power of free labour in free societies. In comparing the relative economic strength of a selection of free and slave societies, Storch came to the not surprising conclusion that, compared to the United States and Ireland (a curious choice if we recall Dunoyer's attack on British policy towards the Irish peasants mentioned above), the economies of Russia, Poland, Hungary and Denmark had made feeble progress in industrial development. In all the economic categories he chose Storch found the slave/serf societies wanting, in population growth, level of exports, and per capita

²³¹Storch, *Cours*, vol. 3, pp. 178-9.

²³²Storch based his view on the work of Robertson, in particular his *History of Charles the Fifth* and quoted him at some length. Robertson's views on the incentives of free labour and the rise of a middle class were very close to Storch's views on the problem of slave labour in the colonies and serfdom in Russia. See the lengthy quote from Robertson in Storch, *Cours*, vol 3, pp. 179-80.

wealth.²³³ He was particularly scathing about the lack of progress in Russia in spite of nearly one hundred and fifty years of state support and assistance. He found the level of the division of labour, investment in tools and equipment, and the quality of manufactured goods quite inadequate and he laid the blame at the feet of the slave system, concluding in fact that a sophisticated division of labour was incompatible with slave labour.²³⁴ Storch had a high opinion of the potential of the Russian people and predicted great things for the Russian economy if slavery could be finally abolished.

The solution to the problem of slavery, Storch believed, could be found in the study of European history over the previous two or three centuries. Europe, according to the philosophy of history developed by Robertson and Smith, had evolved from a slave society into one based upon serfdom, and from there into a relatively free society in which labour was freely paid for. As discussed above, Storch believed that the "revolution" which had liberated the "tiers-état" in Europe could be repeated elsewhere, in Russia or in the Caribbean, without bloodshed. Storch called his chapter on the end of slavery "Comment l'esclavage s'abolit insensiblement dans l'Europe occidentale" and the key word in the title is "insensiblement." By this he meant the abolition of slavery and serfdom without too much disruption to life, liberty and property. It was possible, he thought, to persuade the more open-minded slave owners that it was in their interest to introduce free labour for the greater productivity this would create. However, this would be possible only if those slave owners were also convinced that abolition would take place in such a way that their situation and their fortune were left intact and their personal security was not harmed. It was in order to persuade the open-minded slave owner (one must include the two crown princes to whom Storch was teaching economics, with their vast land holdings which included serfs and slaves, in this group) that Storch used his historical example of the peaceful transition to free labour which he observed in western European history since the

²³³Storch, *Cours*, vol. 3, pp. 182-3.

²³⁴Storch, *Cours*, vol. 3, p 184.

middle ages.²³⁵

Although historically "this great revolution"²³⁶ had been restricted to the western part of Europe, Storch was optimistic that it could and would be extended to the Americas and to eastern Europe. Storch is supremely confident that this will inevitably happen as individual liberty becomes entrenched in European and North American society and exerts its inexorable and irresistible influence on neighbouring and less economically developed societies. He confidently predicted that

... les causes qui ont accéléré l'extension de la liberté individuelle dans l'Europe occidentale ne manqueront pas de produire tôt ou tard le même effet dans les pays où l'esclavage subsiste encore. Ces liens que la barbarie des siècles passés a formés, le progrès naturel de la prospérité les dissout peu à peu; et la marche de la liberté, pour être lente, n'en est moins pas sûre.²³⁷

To support his optimistic perception of the future Storch gives a long list of reforms of labour practices in Europe and America since the end of the eighteenth century. Slavery had been practically abolished in most of the provinces of the Austrian monarchy, the royal domains of Holstein and Denmark, Swedish Pomerania, the Prussian states, and the Grand Duchy of Warsaw. Slavery had been limited and manumission made easier in Hungary, Denmark, and Russia. The slave trade had been prohibited or restricted by the Spanish, Danish, Swedish, American, and British governments. Storch was impressed that so much progress had been made in such a short time and confidently predicted that by the end of the nineteenth century slavery would have disappeared entirely from the continent of

²³⁵Storch, *Cours*, vol. 3, book 2, chapter 10, "Comment l'esclavage s'abolit insensiblement dans l'Europe occidentale," pp. 466-80.

²³⁶"... cette grande révolution, la plus importante qui se soit faite dans toute le cours des siècles, celle qui donne un caractère particulier à la civilisation de l'Europe, et d'où datent les progrès étonnants que cette partie du monde a faits dans tous ce qui ennoblit l'existence de l'homme et dans tout ce qui la rend agréable." Storch, *Cours*, vol. 3, p. 478. This quote brings to mind François Guizot's concept of "civilisation" by which is meant the belief that Europe has uniquely developed an understanding of individual and economic freedom which has raised it above all other societies, past or present. See Pierre Rosanvallon, *Le moment Guizot* (Paris: Gallimard, 1985) and Guizot's *Histoire de la civilisation en Europe* (Paris: Hachette, 1985), ed. Pierre Rosanvallon for a discussion of this extreme Eurocentric view.

²³⁷Storch, *Cours*, vol. 3, p. 479.

Europe and the societies settled by Europeans.²³⁸ Furthermore, in the societies just mentioned the process of abolition had not caused serious disruption to the social fabric, but had in fact led to all the salutary results of liberty: increase in population, industry, wealth and individual well-being. Storch concluded his lecture on slavery to the grand dukes by saying:

Ce témoignage rendu par l'expérience de nos jours et dans un si grand nombre de pays, en faveur de la cause de l'humanité et de la justice, devrait suffire pour rassurer les propriétaires, et pour calmer leurs alarmes. Nulle part l'ordre public n'a été troublé, même par l'abolition prompte et générale de la servitude; nulle part les propriétaires n'ont été lésés dans leurs intérêts pécuniaires; au contraire leurs revenus se sont accrus; ils se voient débarrassés de tous les soins et désagréments qui sont inséparables de la régie des esclaves, et de maîtres craints ils sont devenus des seigneurs respectés.²³⁹

JEAN-BAPTISTE SAY'S COMMENTS ON SLAVERY IN THE FIFTH EDITION OF THE *TRAITÉ D'ÉCONOMIE POLITIQUE* (1826)

Say rewrote the section dealing with the profitability of slave labour and doubled it in size from four to eight pages. His rewriting reveals how much of the arguments of Storch and Hodgson he had accepted and how much he had rejected. Interestingly, he continues to concentrate on the narrower argument about the level of payments for free and slave labour (using the example of the Antilles with the total cost of F500 as the annual cost to the owner of keeping a slave) rather than the systemic approach of Storch. But his reading of

²³⁸Storch, *Cours*, vol. 3, pp. 479-80. Storch repeated his prediction in the detailed appendix "Sur les progrès de la liberté individuelle en Europe et dans les colonies européennes depuis le milieu du dix-huitième siècle, Note XXIV, *Cours*, vol. 4, pp. 288-96. After discussing the legal reforms in Denmark, Austria, Prussia, Germany, Sweden, the Grand Duchy of Warsaw, Russia, the United States of America, the Danish, English, Spanish and French colonies he concluded the Note with "C'est ainsi que l'empire de l'humanité et de la justice s'étend d'année en année. Quand on réfléchit que les progrès de la liberté personnelle que nous venons d'énumérer ne datent que de cinquante ans tout au plus, n'est-il pas permis d'espérer qu'un espace de temps double de celui-ci suffira pour faire disparaître l'esclavage et la servitude, non-seulement en Europe, mais dans toutes les contrées du monde que peut influencer sa législation et sa civilisation," p. 296.

²³⁹Storch, *Cours*, vol. 3, p. 480.

the literature of the "Society for Mitigating and Gradually Abolishing the State of Slavery" had led to doubts about the overall profitability of slave plantations. Whereas earlier he had confidently asserted that plantations in Santo Domingo were so profitable that they repaid their cost price within six years, he now argued that "(c)'est ainsi probablement que les profits d'une sucrerie étaient tellement exagérés."²⁴⁰

But the greatest change in Say's thought was to dismiss the Smithian argument about the profitability of slave labour as the most important factor working to protect or weaken the slave system in the colonies. Other external economic and moral factors intruded to undermine the viability of slavery. As he put it "tout est changé"²⁴¹ and to discuss the morality and economic efficiency of slave labour in the colonies was less relevant than he had thought in his earlier editions of the *Traité*. He still condemned the morality of owning slaves, the way in which slavery depraved both the owner and the slave, and corrupted the virtues of "véritable industrie," but he now expanded an economic argument which he had used only sketchily in previous editions of the *Traité*. He now believed the most compelling fact was that the French slave colonies could not compete economically with other sugar producers in a state of free trade. If it were not for the protection offered by the almost exclusive monopoly the French sugar producers enjoyed in the metropolitan market, slavery would collapse regardless of the comparative profitability of slave labour compared to free labour.²⁴² Say did not discuss an obvious counter-argument to his change of emphasis in discussing the slave question. Even if the accounts of the profitability of slave labour were exaggerated, the profits might be high enough to enable the plantation owners to mount a formidable political campaign within metropolitan France to maintain the extensive system of tariff protection which alone made slave-produced sugar competitive

²⁴⁰Jean-Baptiste Say, *Traité d'économie politique, ou simple exposition de la manière dont se forment, se distribuent et se consomment les richesses; Cinquième Edition, augmenté d'un volume, et à laquelle se trouvent joints un Épitome des principes fondamentaux de l'économie politique, et un index raisonné des matières* (Paris: Rapilly, 1826), p. 359.

²⁴¹Say, *Traité* 5th edition, p. 360.

²⁴²Say, *Traité*, 5th edition, pp. 360-1.

with other suppliers.

Say also scoffed at the experiments made by "humanitarian" planters, such as Steele and Nottingham and touted by the "Society for Mitigating and Gradually Abolishing the State of Slavery" (as in Hodgson's Letter to Say), to improve the profitability of slavery by introducing some form of wage labour. Say argued that Steele's experiments were short-lived and not universally adopted and that the British slave colonies also faced formidable economic competition. Like their French counterparts, the British plantation owners also needed tariff protection to survive. Their behaviour in Parliament to maintain this protection was proof to Say of the economic vulnerability of slave-produced colonial products.

The argument used by Hodgson and Storch of the gradual evolution in Europe away from serf labour towards paid free labour was rejected by Say because he thought the European experience was not applicable in the tropics. The climate was too harsh and the cultivation of sugar too back-breaking to enable free European labour to flourish. Black workers, on the other hand, were not ambitious enough and had too few "needs" to be satisfied to make freely paid labour viable. The example of free black labour in Haiti suggested to Say that there were serious problems to be faced by emancipation. Labour continued to be forced in Haiti even after abolition, with blacks required by law to be supervised and severe penalties for poor work were imposed. The result was that the production of sugar in Haiti cost more than in neighbouring islands, the proof of which was the extensive smuggling that went on because of the disparities in prices for these commodities.²⁴³

Ultimately however, Say reverts to moral and political arguments with which to condemn slavery, thus side-stepping to some extent the debate begun by Hodgson about the economics of slave labour vis-à-vis free wage labour. He thought it was more important to discuss another question concerning the longer-term moral and political consequences of

²⁴³Say, *Traité*, 5th edition, p, 362.

slavery (as he phrased it "pour quel prix on peut le (un homme) faire travailler sans blesser la justice et l'humanité"), than to debate the issue raised by Hodgson.²⁴⁴ Perhaps recognising the fact that Hodgson had, to all intents and purposes, won the debate, Say was forced into general moral protestations about slavery which no liberal or abolitionist would have contested. Rather feebly himself, he accused his opponents of being "faibles calculateurs" for placing so much emphasis on force rather than on the issue of equity. However, it can be seen that Hodgson and Storch had had some effect on Say's thinking, forcing him to confront the problem of the economics of slave labour, to reject his simplistic approach of using only the case of very high prices for free labour in the French Antilles upon which to base his entire argument, to force him to resort to the quite powerful "external" argument about the necessity of slave societies of relying upon tariff protection to maintain their markets in the metropole, and to develop the sociological distinction between the two quite different methods of acquiring wealth (by force or by trade) which Comte and Dunoyer were to take up as a major plank of their social theory in the mid and late 1820s. On the one hand, there was the wealth produced by industrious activity through the market which Say described as the sole legitimate means of wealth acquisition.²⁴⁵ On the other hand, there was the acquisition of wealth by force, whether by enslavement, feudal obligations, taxation or tariffs. With respect to the acquisition of wealth by means of slave labour, Say concluded his discussion by likening slave owners to a band of Bedouin robbers who seize a caravan of goods with little cost to themselves. This was a comparison which Comte was to adopt as the central issue in his analysis of slavery in the *Traité de législation*, where Comte was to repeat Say almost word for word in his rejection of the traditional Smithian formulation of the problem of slave labour.²⁴⁶

²⁴⁴Say, *Traité*, 5th ed., p. 363.

²⁴⁵Say, *Traité*, 5th ed., pp. 363-4.

²⁴⁶Comte, *Traité de législation*, p. 415. See discussion of this below.

COMTE'S VIEWS ON SLAVERY IN THE *TRAITÉ DE LÉGISLATION* (1827) AND THE *TRAITÉ DE LA PROPRIÉTÉ* (1834)

Comte and Dunoyer returned to the issue of slavery in their major published works of the mid and late 1820s. This was a time when they both had academic posts (Comte in exile in Lausanne, Switzerland and Dunoyer at the Athénée Saint-Germain in Paris) and were able to develop the ideas they had first put forward as essays and reviews in *Le Censeur européen*, before they were forced to shut it down in the political repression which followed the assassination of the Duke de Berry in 1820.²⁴⁷

When Comte was forced to flee France in order to avoid incarceration he was fortunate to find a welcoming home in Switzerland, where he was able to work on his *Traité de législation*. In Geneva he was able to work on it undisturbed for about fifteen months, before he accepted a teaching post in 1821 to lecture on natural law in Lausanne. He was forced reluctantly to leave Switzerland in 1823 after the French government put enormous pressure on the Swiss to have him extradited for his support of the Spanish liberal cause. From 1823 to 1826 Comte spent time in England still working on his treatise, which finally was published in late 1826 and 1827 in four volumes.²⁴⁸ It is apparent that the years Comte spent writing the *Traité de législation* were the years when the debate amongst

²⁴⁷Dunoyer's lectures at the Athénée became *L'Industrie et la morale* (1825) and his views on slavery will be presented in the context of the discussion in chapter three of his theory of the formation of class and the economic evolution of various modes of production culminating in the totally free labour system of pure "industrialism." At this point it perhaps worth noting that at times Dunoyer seems to side with Adam Hodgson and Henri Storch on the matter of improving slave productivity by giving them some economic incentive to work. He also shares their view that the payment of wages to slaves might provide a useful "half-way house" on the road to the complete abolition of slavery. See Charles Dunoyer, *L'industrie et la morale considérées dans leurs rapports avec la liberté* (Paris: Sautet et Cie, 1825). Chapters VI and VII deal with slave labour and serfdom, VI "Du degré de liberté qui est compatible avec la vie des peuples sédentaires qui se font entretenir par des esclaves," pp. 189-237; VII "Du degré de liberté qui est compatible avec la manière de vivre des peuples qui n'ont pas d'esclaves, mais chez qui tout est privilège," pp. 238-77 and the discussion of this in the following chapter.

²⁴⁸See chapter one for more details about Comte and Dunoyer's career at this time.

abolitionists and political economists was at its peak. A quick perusal of Comte's footnotes reveals the names of the main protagonists of this contemporary debate (Say, Sismondi, Storch and the many pamphlets of the Society for Mitigating and Gradually Abolishing Slavery) scattered among the more traditional authorities on ancient and modern slave societies such as the Roman historians, Montesquieu, Volney, Robertson, Alexander von Humboldt and so on. An entire thesis could be dedicated to analysing Comte's theory of slavery, its emergence and the rôle it has played in history, and the sources upon which he based his arguments. However, the discussion that follows will be limited to the sections of Comte's *Traité de législation* which deal with the question of the economics of slavery and Comte's place in the debate.²⁴⁹

²⁴⁹Charles Comte, *Traité de législation, ou exposition des lois générales suivant lesquelles les peuples prospèrent, dépérissent ou restent stationnaire*, 4 vols. (Paris: A. Sautet et Cie, 1827). A second revised edition was published in 1835 by Chamerot, Ducollet of Paris in 4 vols. to coincide with the publication of its sequel, the *Traité de la propriété*. A revised and corrected third edition was published in 1837 by Hauman, Cattoir et Cie of Brussels. All references are to this third edition of 1837. Comte's book of some 500 very dense pages with two closely printed columns per page is divided up into five "livres" the first of which deals with theoretical questions of law, sociological analysis, and previous all-encompassing social theories which have been used to explain social structure and evolution, pp. 1-69. Book two deals with the nature of law, in particular natural law, and the various schools of legal thinking, pp. 70-127. Book three concerns the different races of mankind, anthropology, and the influence of these factors on the evolution of culture and civilisation, pp. 128-297. Book four deals with theories of climate and its influence on civilisation, pp. 298-358. Book five deals almost exclusively with slavery, its origin, influence on political culture, the economy and the prospects for its abolition, pp. 359-496. The chapters dealing with the economics of slavery are the following: V "De l'influence de l'esclavage sur les facultés industrielle des maîtres et des esclaves," pp. 370-76; VI "De l'influence de l'esclavage sur la partie de la population qui tient le milieu entre les maîtres et les esclaves," pp. 376-79; XV "De l'influence de l'esclavage domestique sur la production et l'accroissement des richesses," pp. 415-18; XVI "De l'influence de l'esclavage sur les arts industriels et sur le prix de la manoeuvre - suite du précédent," pp. 418-25; XVII "De l'influence de l'esclavage sur la distribution des richesses entre les diverse classes de la population," pp. 425-28; XXVI "De l'influence qu'exercent, sur l'industrie et le commerce des nations libres, les privilèges commerciaux qu'elles accordent à des possesseurs d'esclaves - Du système colonial," pp. 462-68; XXVII "Des privilèges commerciaux accordés aux possesseurs d'esclaves des colonies - Suite du précédent," pp. 468-72. Comte's section on slavery in the *Traité de législation* was highly regarded by many French liberals. For example, Simonde de Sismondi described it as this "excellent livre" and "Nous le regardons, en effet, comme le traité le plus complet, le plus savant, le plus philosophique

Say had a profound impact on Comte's theory of slavery as the following discussion will show. Comte readily accepted Say's arguments about the inappropriateness of a narrowly based comparison between the costs of slave and free wage labourers. As Say suspected and asserted but did not elaborate upon, Comte developed at some length the idea that the slave system could only survive economically because it had the protection of tariffs in the home market and subsidies from the home government funded by the metropolitan taxpayers. If it had to compete in a fully free market, slavery's economic inefficiencies would be quickly exposed and the system would collapse, thus rendering the argument about the relative cost of slave labour versus free wage labour irrelevant. Comte developed Say's insights on the economics of slavery and combined them with his own ideas on the social, class and legal structure of slavery in the *Traité de législation* which appeared in late 1826 and 1827.

In Book Five of the *Traité de législation* Comte distinguished between two historical forms of slavery which have existed since the earliest stages of human development. "Political slavery" was the first form and arose when an organised band of warriors invaded a land peopled by an "industrious population," then settled among them after subduing them by force and exploited them in common as a subject race, much like the "conquest theory" of class which Augustin Thierry developed in his histories of France at this time.²⁵⁰ Comte's analysis of political slavery appears to owe a great deal to Thierry's conquest theory of history, in which the origin of class itself was thought to come from the conquest of one "nation" or racial group by another. The prime example of this, and one which Thierry wrote on at some length in *Le Censeur européen* before expanding his analysis into

qui ait jamais été écrit sur l'esclavage et sur ses désastreux effets." In Simonde de Sismondi "Des effets de l'esclavage sur la race humaine," *Études sur l'économie politique*, vol. 2 (Paris: Treuttel et Würtz, 1837) p. 382. Likewise Molinari held Comte's work on slavery as a key text: Molinari, Gustave de, "Esclavage," *Dictionnaire de l'économie politique...*, eds. Charles Coquelin and Guillaumin (Paris: Guillaumin, 1852), vol. 1, pp. 712-731.

²⁵⁰See Augustin Thierry, "Vues des révolutions d'Angleterre," *Le Censeur européen*, in three parts, vol. 5, 1817, pp. 1-80; vol. 8, 1818, pp. 1-106; vol. 11, 1819, pp. 1-74; Augustin Thierry, *Histoire de la conquête de l'Angleterre par les Normands* (Paris: Didot, 1825); Augustin Thierry, *Lettres sur l'histoire de France* (Paris: Sautet, 1827).

a book-length history, was the Norman conquest of England. Another example which was a favourite of Thierry was the relationship between the Gauls and the Franks in French history. According to Thierry's view of class, post-conquest society was one divided into "two castes," with the conquering class having a monopoly of political power and ownership of land and the other more populous "working class" being forced to labour for the former in carefully controlled occupations which would not allow them any chance of enriching themselves or liberating themselves from their oppressors. The similarity of Comte's theory can be seen from the following passage:

Nous avons ainsi été conduits à observer la nature, les causes et les effets de l'esclavage politique; nous avons vu des armées de barbares s'organiser pour envahir des pays occupés par des populations industrieuses, se partager, après la victoire, les terres et les hommes conquis, les exploiter en commun, vivre dans l'abondance et le luxe, s'abandonner à l'oisiveté, ou ne se livrer qu'aux exercices propres à perpétuer leur domination, ne laisser aux vaincus que ce qui leur est rigoureusement nécessaire pour travailler, et leur interdire toute occupation qui pourrait favoriser leur affranchissement.

Partout où deux peuples se sont ainsi trouvés sur le même sol, ils sont restés divisés en deux castes, même lorsqu'ils ont fini par n'avoir qu'un langage. Les conquérants se sont emparés du monopole des pouvoirs, en même temps que la possession du sol; les vaincus, condamnés à travailler au profit des premiers, sont devenus la classe ouvrière et ont formé la masse de la population.²⁵¹

What distinguishes political slavery from the second form of "domestic slavery," in Comte's view, is the manner in which the slave labour is exploited. In the former, it is as a conquered people who are exploited "en masse" as a group and who are forced to provide food, taxes and other goods to the ruling class. In the latter form of slavery, the slaves are divided up and owned and exploited individually and are forced to work for their individual master (in his household, so to speak) by means of "active and continuous" control and supervision.²⁵² If the method of exploitation has changed for "domestic slaves" then so too has the nature of the ruling class. In a society based upon the forced labour of domestic slaves, Comte argues, the owners of the slaves form an "aristocracy" or an "aristocratic class" as he chose to call it. Aristocracy was a term which Comte chose deliberately and

²⁵¹Comte, *Traité de législation*, p. 359.

²⁵²Comte, *Traité de législation*, p. 359-60.

defined carefully. By it he meant a class of people, usually family based, who possessed a monopoly of political power which had been seized by force and who treated their position as a form of personal property, even to the extent of being able to pass it on to their heirs. Comte contrasted this form of aristocracy, which he believed was a central aspect of all slave societies, with "les classes supérieures" with which it was often confused. The latter, Comte believed, was the "natural" result of any peaceable human endeavour and arose because of the inherent differences in skills, knowledge, and application between individuals.²⁵³ But whatever the particular form of slavery, whether "political" or "domestic," according to Comte there were three features all forms of slavery shared: it was a way of exploiting the labour of some for the material benefit of a few, it gave rise to a definite class structure of the few exploiters and the many exploited, and resulted in a legal system which classified men as either property owners or the property of someone else. The former enjoyed the full protection of the law, whilst Comte likened the latter, the slaves, to "a piece of furniture" with all the legal rights of such an object.²⁵⁴

Comte did allow for the existence of a third or "middle" class in his scheme. The middle class varied in size from country to country and, where it was substantial, there was an inevitable and bitter conflict or struggle ("lutte") with the aristocratic class. However, the middle class was not of uniform composition and did not have a single class interest (as Marx might phrase it) since it was made up of at least three groups: those who lived in the privileged medieval towns; those who enriched themselves in service to the aristocracy; and those who were the true "industrials," who rose up from the working class by dint of hard work. According to Comte, since the second and third factions of the middle class acquired their wealth in quite different ways, they would by necessity have very different and opposed class interests.²⁵⁵

A considerable proportion of Book Five of the *Traité de législation* is devoted to an

²⁵³Comte, *Traité de législation*, pp. 359-60, footnote.

²⁵⁴Comte, *Traité de législation*, p. 361.

²⁵⁵Comte, *Traité de législation*, p. 360.

exhaustive historical and sociological analysis of the three great periods of slavery: ancient Rome up to the fall of the Empire; the feudal period; and the establishment of European colonies in the New World. Comte's interest extends to the effect of slavery on a variety of aspects of the various classes which make up slave societies, including physical characteristics, intellectual achievements, "morals,"²⁵⁶ personal security, interclass relationships, the nature of government, nationalism, religion, as well as the economic issues mentioned above. Naturally, it is impossible to do justice to all this here, but a brief discussion of Comte's attitudes towards the economics of slavery is both appropriate and necessary for the purposes of this chapter. The first purely economic problem Comte turns to is the effect slavery has on what he calls "les facultés industrielles" of the three classes which make up slave societies, namely the slave owners, the slaves, and the middle class, in the three great periods of slavery (ancient Greece and Rome, the feudal period, and modern European colonies).²⁵⁷ Since the slave owners are able to avoid all productive labour whatsoever, an inevitable consequence is that the slave owning class comes to disdain such work and this attitude is expressed in works of political philosophy (such as Aristotle and Plato) and history (such as Plutarch and Dionysius of Halicarnassus). The underlying purpose of the disdain for useful labour, according to Comte, is an economic one. The aristocratic class had amassed vast tracts of land and used slave labour to cultivate it and to engage in commerce and industry on their behalf. By encouraging the view that productive labour was somehow beneath the dignity of a truly free man and only the province of a slave, Comte believed the aristocratic class was merely trying to establish a monopoly of these economic activities, especially that of the sale of grain.²⁵⁸

Nevertheless, there are three exceptions to this general rule of aristocratic disdain for

²⁵⁶By the term "morals" both Comte and Dunoyer mean a combination of moral attitudes as well as political culture.

²⁵⁷See V "De l'influence de l'esclavage sur les facultés industrielle des maîtres et des esclaves," pp. 370-76; VI "De l'influence de l'esclavage sur la partie de la population qui tient le milieu entre les maîtres et les esclaves," pp. 376-79 in Comte, *Traité de législation*.

²⁵⁸Comte, *Traité de législation*, p. 371. See also footnote p. 378.

labour. The aristocratic class considers only two occupations to be worthy of nobles, that of the warrior and that of the statesman, with a possible third occupation which Comte sarcastically discusses, that of buying and selling slaves. The first two occupations were acceptable to slave owners because they did not involve the voluntary exchange of one value for another, which was the hallmark of any productive activity as defined by Jean-Baptiste Say and as adopted by Comte and Dunoyer in their social theory. Citing Plutarch's "Life of Cato," Comte makes the following biting remarks which also reveal his strong anti-classical posture:

Il est cependant une industrie que l'esclavage n'avalissait point aux yeux des membres de l'aristocratie, c'est l'industrie qui consistait à dresser, à louer, à acheter et à vendre des hommes. Le même personnage qui craignait de s'avilir en appliquant ses nobles mains à la culture d'un champ ou à l'exercice d'une profession, ne croyait pas déroger en dressant lui-même ses esclaves à faire des métiers qu'il jugeait les plus vils, mêmes celui de gladiateurs. Un citoyen eût été d'infamie s'il se fût fait louer de chevaux; mais un sénateur ou un consul pouvait être loueur d'hommes sans déroger à sa dignité. Un des ancêtres d'Octave avait, disait-on, déshonoré sa postérité en faisant la banque; mais Caton achetait et vendait des êtres humains; il vendait particulièrement les vieux, qui ne lui rapportaient que peu de profit et qui pouvaient devenir inutiles, et Caton était le gardien des mœurs.²⁵⁹

Referring to the period of European feudalism Comte asserted that the warrior made a living by means of violent pillage, whilst the public official or statesman lived off forced contributions such as taxes, tithes and requisitions. What was significant to Comte was that these occupations were attractive to the aristocratic class precisely because they were not industrial occupations, but in fact their very opposite.²⁶⁰

The ultimate economic consequences of slavery was economic collapse and "decadence." This came about because whatever talents the aristocratic class had they were not used in improving the methods of production and the occupations they did follow, such as war, public service, and slave owning, were a net drain on productive activity. In fact, Comte considered the class of slave owners to be a parasitic class whose miraculous

²⁵⁹Comte, *Traité de législation*, pp. 371-2.

²⁶⁰Comte, *Traité de législation*, pp. 372.

disappearance would leave the total industrial capacity of the world untouched, much like Saint-Simon's famous political parable of 1819 which might well have been known to Comte. In the "political parable" Saint-Simon poses the question, what would happen if France suddenly lost three thousand of its best scientists, artists, artisans, bankers and so on? His answer is economic chaos and collapse, "the nation would become a lifeless corpse." On the other hand, if France lost thirty thousand from the royal family, cabinet officials, ministers, marshalls, clergy, noble landowners and so on, "it would not result in any political harm to the state."²⁶¹ Concerning slavery, Comte posed a very similar question:

Si, par quelque grande catastrophe, la race des maîtres disparaissait tout à coup d'un pays où l'esclavage est admis, il n'est aucun genre de travail qui demeurât suspendu, aucune richesse dont on eût à déplorer la perte. Les travaux prendraient une direction plus utile au genre humain; les intervalles de repos seraient mieux ménagés: mais le travail gagnerait en énergie et en intelligence beaucoup plus qu'il perdrait en durée.²⁶²

The slave class had no economic incentive to work hard, preferring to do the barest minimum of labour required to avoid physical punishment from their masters. The slave owners had a vested interest in keeping their slaves as ignorant as possible (with the unfortunate economic side-effect of keeping their labour unskilled) in order to prevent rebellion. The middle class in slave societies finds itself in a similar situation to that of the slaves. Middle class artisans and farmers have to compete with the slaves doing the same kind of work, but they lack the capital resources of the slave owners. If they can get regular work, it is poorly paid and lacks the dignity which free labour should have because of the stigma attached to productive work by the aristocratic class. In ancient Rome, Comte

²⁶¹Saint-Simon, "A Political Parable: Premier extrait de *L'Organisateur*," in *Henri Saint-Simon: Selected Writings in Science, Industry and Social Organisation*, ed. Keith Taylor (London: Croom Helm, 1975), pp. 194-5. Saint-Simon's political parable might have been known to Comte as it was written in 1819 and appeared in Saint-Simon's journal *L'Organisateur*. The relationship between Saint-Simon and Comte and Dunoyer was strained, in spite of the similarities in their ideas, partly because of Saint-Simon's rather odd personality and partly because Saint-Simon's interest in political activism and popularisation clashed with Comte and Dunoyer's more scholarly approach.

²⁶²Comte, *Traité de législation*, pp. 372.

argues, free industrial workers were reduced to a state of indigence and free farmers virtually driven off the land. In the slave states of the United States Comte observed a polarisation of class structure as the free workers "deserted" the south to find employment in the North. In both cases, the existence of slavery made it almost impossible for free labour to exist side-by-side. Comte concluded that, unless all members of a society are active in productive industrial occupations, the necessary skills for economic improvement are gradually lost and the burdens on what productive activity there is become so great that economic decline is an inevitable consequence of slavery.²⁶³

The economic decline brought about by slavery also has an effect on cultural activities. Comte expresses surprise that traditional explanations of the decadence of ancient Roman technology, taste, morals and language by writers as diverse as Machiavelli, Montesquieu, and Rousseau did not attribute it to the pernicious influence of slavery. These political philosophers preferred to develop elaborate theories about the life-cycle of all states, which went through a progression from childhood, manhood, old age and then death. They thus missed the most important cause, namely the anti-industrial economic effects of using slave labour on a wide scale.²⁶⁴

Comte then turns to the central question of the profitability of slave labour in three important chapters.²⁶⁵ Perhaps the most startling conclusion Comte comes to, after having read Smith, Say, Hodgson, Storch and Sismondi on the profitability of slave labour, is that the very question first asked by Smith in *The Wealth of Nations* is mistaken. When the question is phrased in the way Smith chose to, namely to place oneself in the shoes of the slave owner and ask whether the costs of labour ("wear and tear" as Smith called them) were more or less for free or slave labour, Comte believed the unspoken assumption behind

²⁶³Comte, *Traité de législation*, pp. 374.

²⁶⁴Comte, *Traité de législation*, pp. 374, footnote.

²⁶⁵XV "De l'influence de l'esclavage domestique sur la production et l'accroissement des richesses," pp. 415-18; XVI "De l'influence de l'esclavage sur les arts industriels et sur le prix de la manoeuvre - suite du précédent," pp. 418-25; XVII "De l'influence de l'esclavage sur la distribution des richesses entre les diverses classes de la population, pp. 425-28 in Comte, *Traité de législation*.

the question was that individual labourers, whether slave or free, were nothing more than machines whose movement could be arbitrarily directed, accelerated or slowed down. Comte rejected this approach as not one which a true philosophe, a true moralist, or a true legislator should take since it was partisan. It took the perspective of the slave owner at the literal expense of the slave labourer. By not asking about the morality and justice of slave labour in the first place, economists who argued purely about the relative costs of the two different forms of labour were like the pirates or highway robbers who weighed up the costs and benefits of a new raid against travellers. With evident approval Comte cites a passage from Say's fifth edition of the *Traité d'économie politique* (1826) in which Say describes as "feeble calculators" those economists who consider that force counts for everything and justice for nothing when adding up the costs and benefits of a given distribution of property.

Ce sont de faibles calculateurs que ceux qui comptent la force pour tout et l'équité pour rien. Cela conduit au système d'exploitation des Arabes bédouins qui arrêtent une caravane, et s'emparent des marchandises qu'elle transporte, sans qu'il leur en coûte autre chose, disent-ils, que quelques jours d'ambuscade, et quelques livres de poudre à tirer. Il n'y a de manière durable et sûre de produire que celle qui est légitime, et il n'y a de manière légitime que celle où les avantages de l'une ne sont point acquis aux dépens de l'autre.²⁶⁶

Comte expressed the same idea and laid the blame for the prevalence of naked economic calculation over moral questions of property and justice at the feet of Adam Smith.

Que des pirates ou des voleurs de grand chemin discutent entre eux, si les biens qu'ils acquièrent en rançonnant les voyageurs, leur coûtent plus cher que ceux qu'ils acquerraient en exerçant quelque branche d'industrie, je le conçois; pour eux, la question peut ne pas être éclaircie, et ils n'ont pas la prétention de la discuter, ni comme moralistes, ni comme législateurs. Mais élever une question analogue chez des peuples policés, et en traitant une science, c'est, à ce qu'il me semble, renoncer à l'impartialité qui doit présider à toute recherche scientifique, et rétrograder vers la barbarie. Adam Smith, dont l'esprit était d'ailleurs si juste, a mal posé la question, et il a entraîné dans l'erreur presque tous ceux qui l'ont

²⁶⁶Comte quotes Say's *Traité*, fifth edition, book 1, chapter 19 in Comte, *Traité de législation*, p. 416, footnote.

traitée après lui.²⁶⁷

Amore honest way of expressing the same question, Comte thought, was:

...de savoir si le travail qu'un homme obtient d'un grand nombre d'autres en leur déchirant la peau à coups de fouet, lui coûte plus que le travail qu'il obtiendrait d'eux en leur payant un juste salaire.²⁶⁸

Not surprisingly few if any of the political economists contributing to the debate expressed the question in this way, even though most of them would have agreed with Comte's sentiments. To Comte the phrasing of the question in the way made popular by Smith was "unscientific" because it was so value-laden and was therefore not likely to lead to a "good solution" to the problem. It seemed to view the problem exclusively from the perspective of the slave owner, who asked himself how he could minimise his labour costs. In fact, Comte surmised that the way the question was phrased suggested that the first writers on the subject must have been slave owners and that it was to further their own interests that they investigated the problem of the economics of slave labour. A fairer and more general question would be to ask all parties to the transaction for an assessment of their perception of the costs and benefits involved. And this, of course, would involve the slaves as participants rather than as objects or "machines." Comte asks rhetorically why the slaves' costs have never been included in any economic calculation:

Jamais des hommes asservis ne se fussent avisés de mettre en question, si la chétive subsistance qu'ils obtiennent pour prix de leurs travaux leur coûte moins de souffrances et de fatigues que n'en coûte à des ouvriers libres le salaire qu'ils obtiennent de leur travail. Cette question est cependant la même que la précédente; il n'y a de différence entre l'une et l'autre, qu'en ce que, dans la première, ce sont les maîtres qui examinent s'il leur convient de payer leurs ouvriers en coups de fouets ou en bonne monnaie, tandis que dans la seconde ce sont les esclaves qui se demandent quel est entre ces deux modes de paiement, celui qui leur convient le mieux.²⁶⁹

A valid scientific inquiry into the problem had to be impartial and could not assume the position of one of the parties at the expense of the other. Thus Comte refused to take the

²⁶⁷Comte, *Traité de législation*, p. 415.

²⁶⁸Comte, *Traité de législation*, p. 415.

²⁶⁹Comte, *Traité de législation*, p. 415-16.

perspective of either master or slave, king or subject, citizen or foreigner in what he wanted and expected to be a scientific analysis of the problem of slavery.²⁷⁰

Of course Comte knew very well that, by rejecting the traditional Smithian approach to the problem and introducing the issue of the perception of costs and benefits of the slave, he was going to the heart of the contradiction and injustice of slavery, namely that a human being could be a form of property and thus be the mute object of a transaction. Comte granted that many slave owners behaved exactly like this, treating their slaves like so many English post-horses whose owners drove to death, since it was cheaper to replace them with fresh horses than to care for them in the long term. In a discussion of the Dutch colony in Guyana Comte concluded pessimistically that

Des maîtres de poste anglais trouvent qu'il est plus économique d'épuiser en peu d'années un bon cheval et de le remplacer, que de n'en exiger qu'un travail modéré et de le bien nourrir pour le faire durer plus long-temps: c'est le calcul que font les possesseurs d'hommes dans les colonies.²⁷¹

Interestingly, Dunoyer had a different explanation for the brutal treatment of slaves by their masters. He argued that the owner of a horse will treat it "humanely" because he has no fear of it rising up in revolt against him. He will treat a slave harshly precisely because he is a fellow human being who might do what a horse will not. Thus the slave needs to be kept in a constant state of submission.

La cruauté des traitements qu'on a toujours fait subir aux hommes asservis tient à la nature particulière de cette espèce de serfs, beaucoup plus généreux et plus difficile à soumettre que les autres animaux voués à la servitude domestique. A la rigueur, un maître peut traiter humainement son cheval, son chien, son âne: il n'a pas à craindre que ses esclaves-là se concertent et se révoltent; mais il ne saurait être aussi tranquille sur la soumission des êtres semblables à lui qu'il tient dans l'asservissement; comme leur nature est plus noble, il sent qu'il a plus à faire pour les subjuger, et il les traite avec inhumanité précisément parce qu'ils sont des hommes. Il est tel propriétaire d'esclaves qui passerait avec raison pour un fou furieux, digne d'être à jamais interdit, s'il s'avisait de traiter ses bêtes comme il lui arrive traiter ses gens.²⁷²

²⁷⁰Comte, *Traité de législation*, p. 415.

²⁷¹Comte, *Traité de législation*, p. 389, footnote.

²⁷²Dunoyer, *L'industrie et la morale*, pp. 232-3, footnote.

A slave owner or a pirate might be able and willing to make a calculation such as Smith had in mind, but the independent thinking social theorist was not in such a position. As Comte put it with considerable passion:

... mais nous, qui n'avons aucun tarif pour fixer la valeur de nos semblables; nous, qui ne savons pas quel est le prix légitime auquel on achète le pouvoir de faire violence à des hommes, à des enfants, à des femmes; nous, qui n'admettons pas que la partie la plus considérables du genre humain ait été créée pour les plaisirs des membres d'une aristocratie; nous, qui ne pouvons voir dans les relations qui ont lieu entre un maître et ses esclaves, que l'action de la force et de la brutalité sur la faiblesse et sur l'ignorance; nous, aux yeux de qui les esclaves sont des hommes aussi bien que les maîtres, et qui devons calculer ce que coûte un produit, non pas à tels ou tels hommes, mais au genre humain tout entier; nous enfin, qui ne pouvons pas ne compter pour rien les violences et les misères auxquelles des populations sont assujetties pour les plaisirs d'une aristocratie plus ou moins nombreuses, nous devons raisonner autrement que des possesseurs d'esclaves.²⁷³

But this outburst did not mean that Comte was not interested in the economic consequences of slavery. His concern, like Henri Storch's, was the overall economic, moral, religious, social and political consequences of slavery - a systemic interest, as it were, rather than an interest in the peculiar problems of the slave owner in balancing his plantation account books by weighing the pros and cons of using slaves or free wage labourers. However unlike Storch, Comte was unwilling to countenance the possibility of paying slaves for their labour as a kind of half-way house between slavery and free labour. The moral imperatives of abolition were too strong for him to accept any form of coerced labour as coolly as Storch, perhaps more realistically, was able to do. Nevertheless, Comte's interest in slavery as a system of organising labour led to the asking of a set of economic questions similar to those put forward by Hodgson and Storch, about how slavery affected the total amount of wealth created in society, how it affected the way in which that wealth was distributed and consumed, and how it affected the costs of producing that wealth.²⁷⁴

We have already mentioned Comte's answer to the first question: he believed that societies dependent on slave labour stagnated economically and, like the fall of the Roman

²⁷³Comte, *Traité de législation*, p. 416.

²⁷⁴Comte, *Traité de législation*, p. 417.

Empire, became both economically and politically "decadent." Furthermore, slave societies lacked the incentives for innovation and technical improvements. Comte argued that

Deux des principales causes des progrès qu'ont faits les arts et les sciences chez les modernes, sont la division des occupations, et l'usage des machines: or, l'esclavage domestique met un obstacle invincible à l'usage des machines et à la division des occupations.²⁷⁵

Yet, although Comte rejected the traditional Smithian formulation of the question about the profitability of slave labour as one designed to take the side of the slave owners, much of his analysis, as was Say's and Storch's, was still taken from Smith. One need only compare the above mentioned passage with the following from Smith's *Wealth of Nations* concerning the use of slaves in ancient Athens and Rome to see this fact.

Slaves, however, are very seldom inventive; and all the most important improvements, either in machinery, or in the arrangement and distribution of work which facilitate and abridge labour, have been the discoveries of freemen. Should a slave propose any improvement of this kind, his master would be very apt to consider the proposal as the suggestion of laziness, and a desire to save his own labour at the master's expense. The poor slave, instead of a reward, would probably meet with much abuse, perhaps with some punishment.²⁷⁶

The slave owners disdained all industrial activity, whilst the slaves were not encouraged to improve their skills or develop new methods of production as they were not rewarded for their effort and had no security of person or property. As far as the contribution of the slave owners to national wealth, Comte dismisses their activity as "complètement perdue pour la production des richesses."²⁷⁷ Lacking technical innovators and an ever increasing division of labour, slave economies remained locked into agriculture as their sole means of wealth production. One of Comte's observations which most attracted Say's attention in editions of his *Traité d'économie politique* after 1827 was that a considerable number of plantation owners were highly indebted. In spite of their

²⁷⁵Comte, *Traité de législation*, p. 424.

²⁷⁶Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of nations*, ed. R.H. Campbell and A.S. Skinner (The Glasgow Edition of the Works and Correspondence of Adam Smith reprinted Indianapolis: Liberty Classics, 1981), vol. II, pp. 684.

²⁷⁷Comte, *Traité de législation*, p. 417.

exploitation of slave labour and the tariffs which guaranteed a market for their produce in their home countries, many plantation owners in the British and French colonies were close to bankruptcy, thus prompting a considerable pamphlet literature on their predicament.²⁷⁸ In other sectors of the economy slave societies were extremely backward and impoverished. Comte cites the examples given by French travellers' accounts in the United States of supposedly wealthy slave societies being unable to exploit local resources, such as forests, because of the lack of skilled labour. Without local masons, carpenters, market gardeners and ship-builders, plantation owners had to spend vast sums purchasing material from the northern cities or even from as far away as England.²⁷⁹ Comte blamed the slave system for preventing the natural development of job skills and the division of labour and thus hampering growth in an important part of the southern economy. If the economy was lacking on the supply side, it was also lacking on the demand side. Without a prosperous and free working and middle class there was no market for the services of masons, carpenters and market gardeners, even if they had existed.²⁸⁰

As for the second question, Comte seemed to borrow Storch's concept of "national wealth" and concluded that slave economies made little contribution to any increase in overall national wealth. However, Comte's innovation was to go beyond Storch and to inquire into the redistribution of wealth from one class to another within slave societies. He observed that slave owners were very successful at redistributing existing wealth away from the slaves and the consumers and taxpayers of the metropole. In fact, the slave owners were consummate exploiters, directly exploiting their slave workers by forcing them to work in their plantations and homes, and indirectly exploiting the consumers and taxpayers of the metropole by their exclusive access to the home market by means of tariffs and other protective measures.

²⁷⁸Comte, *Traité de législation*, p. 420.

²⁷⁹Michaux, *Voyage à l'ouest des monts Alleghanys* and Larochevoucauld, *Voyage aux États-Unis* cited in Comte, *Traité de législation*, p. 421.

²⁸⁰Comte, *Traité de législation*, p. 422.

Extorquer les capitaux du riche par des violences, ce n'est pas accroître la somme des richesses, c'est déplacer des richesses déjà produites; de mêmes, extorquer le travail du pauvre par des coups de fouet ou par les moyens analogues, ce n'est pas diminuer les frais de production, c'est ravir à la masse de la population ses moyens d'existence, pour engraisser les membres d'une aristocratie. Ce qui est vrai pour des individus comparés à des individus, est vrai pour des nations comparées à d'autres nations; il n'y a de différence entre le premier cas et le second, qu'en ce que, dans celui-ci, le brigandage est établi sur une base plus large, et produit des conséquences plus désastreuses.²⁸¹

Therefore, an important social consequence of slavery was the concentration of wealth in the hands of a few wealthy slave owners. Comte describes the development of a highly unequal class structure in ancient Rome, Attica and contemporary British and French colonies in some detail. He concluded that the vast bulk of property and wealth was concentrated in a small number of British plantation owners, perhaps as few as seventeen or eighteen hundred by Comte's estimate, who controlled the lives and fate of more than 800,000 slaves.²⁸² A similar calculation put the number of French sugar plantation owners at about thirteen hundred and the number of slaves at approximately 284,400.²⁸³

The other important source of exploitation for the slave owning "aristocracy" were the consumers and taxpayers of the metropole. This is an argument which Say had made in the third and fourth editions of his *Traité* before his contact with Hodgson and Storch, but which he had not developed at any length. What had been an off-the-cuff remark by Say was now turned into the lynch-pin of Comte's analysis of the entire modern slave system. Whereas in the ancient world slavery was made possible by the supply of cheap slaves made possible by war, in the modern world Comte believed that without the financial "support" provided by the metropole the slave system would sink into bankruptcy and economic collapse. In both cases the economic inefficiencies of slave labour were kept hidden by actions of the state. A clear example of this was provided by the British planters

²⁸¹Comte, *Traité de législation*, p. 416.

²⁸²"Dans les colonies anglaises, le nombre des esclaves s'élève à plus de huit cent mille; les personnes de cette classe sont plus misérables que ne le sont chez nous les ouvriers les plus pauvres; ils n'ont ni terres, ni maisons, ni vêtements. La partie la plus considérable des richesses est concentrée dans les mains des familles aristocratiques, dont le nombre ne s'élève qu'à dix-sept ou dix-huit cents." Comte, *Traité de législation*, p. 427.

²⁸³Comte, *Traité de législation*, p. 427.

in the Caribbean who, each year it seemed, appealed to Parliament to relieve their economic "distress" by maintaining the lucrative monopoly for their goods in the British market. The monopoly profits which they derived from this exclusive access to the British market made up a considerable proportion of their income over and above the profits they were able to extort from their slaves' labour in the fields.²⁸⁴ A similar situation existed in the French slave colonies. When Martinique, Guadeloupe, and Bourbon were returned after 1814, the slave owning class was near bankruptcy and thus sought and got exclusive trading rights in France to enable them to repay their considerable debts. Comte estimated this privilege cost French consumers some F20-30 million per annum in extra costs for sugar alone in the mid 1820s.²⁸⁵

The monopoly profits from the exclusive trading rights with the metropole were not the only economic benefits to be had. Another source of subsidy to the slave system were the costs of administration and defence which were borne by the metropolitan taxpayers. Comte estimated that up to one half of the cost of administering the colonies was a direct subsidy from the taxpayers. In addition to this administrative cost there were the costs of stationing troops on the islands to prevent slave revolts and maintaining naval protection for the traders bringing their produce to France.²⁸⁶ When all the subsidies to the slave colonies were added up, Comte believed the annual amount reached F50 million in the late 1820s. Thus the slave owners have a lucrative source of income in addition to the use of

²⁸⁴Referring to the British planters Comte argued that "La plupart des propriétaires peuvent à peine payer leurs dettes, et fournir aux frais d'exploitation; presque toutes les années, ils sont obligés de faire au parlement anglais l'*exposition de leurs détresse*, et de solliciter des monopoles, c'est-à-dire des impôts en leur faveur, sur la population libre d'Angleterre. Les contributions qu'ils perçoivent sur les Anglais, au moyens de monopoles qui leur ont accordés, sont la partie la plus claire de leurs revenus." Comte, *Traité de législation*, p. 427.

²⁸⁵Comte, *Traité de législation*, p. 428.

²⁸⁶Comte uses budget papers written by Charles Dupin for all these figures. One example from the ministre de la marine was for the administration of the Antilles in 1820 which cost some F11.8 million but only raised from local sources only F5.7 million. Thus the French taxpayers were subsidising the slave owners to the tune of F6 million. In all, Comte believed that the cost of administering France's three remaining colonies was the same as when it had ten. Comte, *Traité de législation*, pp. 465-6.

slaves directly on their plantations. For example, the sugar growers who numbered some 318 directly benefited from the F20-30 million per annum extorted from the French consumers and this was proof enough to Comte that the slave system was an efficient system of class exploitation by a small number of "aristocratic" beneficiaries.²⁸⁷ Comte concluded his analysis of the exploitation which the colonial system made possible with the observation that the exploitation of the slaves was like employers who paid a portion of their wage in kind and the rest in a new form of money, the strokes of the whip. On the other hand, the exploitation of the metropolitan consumers by means of the exclusive trading rights and tariffs on cheaper non-French sources was like a man who refuses to buy his supplies from the manufacturer, but prefers to sell stolen goods. To add insult to injury, these stolen goods are not sold more cheaply but at a much higher price - surely a clever form of extortion if it could be maintained.

J'ai fait observer précédemment que, pour obtenir le travail d'un esclave, un maître lui en paie une petite partie en denrées ou en vêtements, et l'autre partie en coups de fouet. Nous ne pouvons considérer ce qui est acquis avec ce dernier genre de monnaie, autrement que nous considérons les bénéfices faits par les individus qui vont rançonner les voyageurs sur les grands chemins. Ainsi, quand nous accordons un monopole aux denrées vendues par des propriétaires qui n'obtiennent le travail de leurs ouvriers qu'à coups de fouet, au préjudice de ceux qui obtiennent le travail en payant un just salaire, nous sommes dans le cas d'un homme qui refuserait d'acheter les produits d'un manufacturier et qui voudrait n'acheter que les marchandises volées. Un tel commerce, fait par un malhonnête homme, serait naturel, si les objets volés étaient livrés au-dessous du prix courant; mais, si les voleurs, considérant les dangers de leur profession, en demandaient un prix plus haut que le prix du commerce, que penserions-nous de celui qui leur donnerait la préférence?²⁸⁸

Since it is the slave owner who has stolen from the slave by not paying him or her "a just wage," it follows that it is not theft if the slave takes property from the slave owner, but merely an effort to redress the balance.²⁸⁹

The third economic question Comte posed is how slavery affected the costs of

²⁸⁷Comte, *Traité de législation*, p. 467.

²⁸⁸Comte, *Traité de législation*, p. 470.

²⁸⁹Comte, *Traité de législation*, p. 418.

producing wealth. He argued that most of the surplus the slave owners were able to "extort" from the slave was dissipated by the high cost of living in a distorted and inefficient economy. Thus their much vaunted wealth, attributed to the cheapness of coerced slave labour, was in fact an illusion.²⁹⁰ Unlike Storch, Comte did not limit his analysis to the drain on net productivity caused by the unproductive use of large numbers of domestic slaves in the slave owner's household, but extended it to include the effect on the entire economy. Comte uses examples of the great disparities in wages between low priced rented slave labour and high priced free wage labour in South Africa, the American slave states, and the French Caribbean, to make the point that, if the cost of plantation labour by slaves was cheap, the rest of the economy was plagued by labour shortages, especially of skilled artisans, which kept the slave economy in an overall backward and undeveloped state. The northern American states could cope with high wage levels for two reasons. The output of these highly paid and highly skilled workers was considerable and the value of the resources being transformed into saleable products by them provided an excellent return on one's investment, in spite of the high level of wages paid. In the slave owning South the opposite was the case. The low wages for slaves reflected low productivity and under utilised resources. As Comte put it, "les frais d'exploitation égalent ou surpassent la valeur des produits," which explained the high level of indebtedness of many slave owners.²⁹¹ Once again the source of Comte's argument appears to come from Smith. In an interesting comparison between slave labour in Turkish mines and free wage labour in Hungarian mines, Smith comes to the conclusion that although slave labour is cheap, it is inefficient, and conversely, that whilst free labour is expensive, it is highly productive and profitable to the mine owner.

In the manufactures carried on by slaves, therefore, more labour must generally have been employed to execute the same quantity of work, than in those carried on by freemen. The work of the former must, upon that account, generally have been dearer than that of the latter. The Hungarian mines, it is remarked by Mr.

²⁹⁰Comte, *Traité de législation*, p. 422.

²⁹¹Comte, *Traité de législation*, p. 423.

Montesquieu, though not richer, have always been wrought with less expense, and therefore with more profit, than the Turkish mines in their neighbourhood. The Turkish mines are wrought by slaves; and the arms of those slaves are the only machines which the Turks have ever thought of employing. The Hungarian mines are wrought by freemen, who employ a great deal of machinery, by which they facilitate and abridge their own labour.²⁹²

Comte next turned to an analysis of the costs of production in the colonies for the so-called "colonial wares" of sugar, indigo, coffee and such like. Here he found more proof for his claim that the total costs of production of slave labour were far higher than for free wage labour, thus leading to the lower prices for goods produced by free labour. The examples Comte uses to make his case come from two sources. The first are those colonies such as Cuba, where the ratio of slave to free labour is much less than in the French colonies, and the second are those sugar producers where no slaves at all are used in production, namely India and Cochin China. In the former example, the assumption Comte makes is that, since the high cost of producing sugar is almost exclusively due to the presence of slave labour (with other local factors such as soil fertility and climate discounted for his polemical purposes), the greater the proportion of slaves used in production, the greater will be the costs of production. Hence, the final sale price to consumers will be high. Using Jean-Baptiste as his authority, Comte claims that the slave colonies with the least number of slaves can produce sugar up to one third more cheaply than the other slave colonies.²⁹³

The second source of examples provide a much sounder basis for argument than the rather weak one of Cuba. In spite of using very primitive methods, lacking any labour-

²⁹²Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of nations*, ed. R.H. Campbell and A.S. Skinner (The Glasgow Edition of the Works and Correspondence of Adam Smith reprinted Indianapolis: Liberty Classics, 1981), vol. II, pp. 684. See the all too brief discussion of this issue in Samuel Hollander, *The Economics of Adam Smith* (University of Toronto Press, 1973), p. 211, footnote 11.

²⁹³Comte makes this rather weak argument in a lengthy footnote and dismisses other more likely factors for this difference preferring to lay all the blame upon slavery itself. "La différence était donc de près d'un tiers en faveur du pays qui, comparativement à la population libre, possède le moins d'esclaves. Il est vrai que quelques autres circonstances locales ont influé sur cette différence; mais l'esclavage est cependant la cause la plus influente." Comte, *Traité de législation*, p. 464.

saving machines or modern processes, and facing the higher costs of shipping to Britain, the (East) Indian sugar producers were much more competitive than their West Indian counterparts. Comte ascribed this to the fact that they only used free wage labour and not slaves. Likewise with the sugar producers of Cochin China. Both producers were, for all intents and purposes, kept out of the British and French markets by hefty taxes which raised the internal domestic sale price of foreign imported sugar to the much higher level of slave produced sugar. Comte calculated the extra cost to French consumers of these taxes and trade restrictions in 1826 to be more than F30 million per annum. He regarded this cost as both an unnecessary burden on consumers as well as a direct subsidy to the French slave owners.²⁹⁴ Comte reminded his readers that the benefits of free trade in sugar and other colonial products would not only be felt by existing consumers of sugar. The lower price would enable large numbers of other people, who were prevented from consuming it at all because of the high price, to purchase sugar, with benefits to themselves and to the producers which an expanded market would create.²⁹⁵ Comte summed up his analysis of the economic consequences of slavery as an "invincible obstacle" to the formation and accumulation of wealth and a serious handicap to any increase in the productivity of labour. The result was a social system with a highly inequitable distribution of wealth, which was against all principles of equality, morality, and justice.²⁹⁶

Although Comte had certainly read Hodgson and Storch and quoted from them several times, he virtually ignores their arguments about how to make slave labour more productive. The reason Comte does this is twofold. Firstly, it must be remembered that he is an "immediatist" in his demand for the termination of slavery. In his eyes slavery is so

²⁹⁴In 1826 France consumed 64.6 million kilogrammes of sugar at a cost of F7.30 per kilogramme for a total cost of F69.3 million. If France had been able to buy all its sugar from slave colonies with only half the proportion of slave labour the cost would have been F49.96 million, a saving of about F20 million. If the source had been Indian or Vietnamese sugar the savings would have been F30 million. Comte uses French budget papers for his figures. Comte, *Traité de législation*, p. 465.

²⁹⁵Comte, *Traité de législation*, p. 465.

²⁹⁶Comte, *Traité de législation*, p. 428.

immoral, such an evil, that anything which might prolong it by giving the slave owners an economic incentive to keep it, even in an altered and perhaps ameliorated form, should be avoided. Secondly, Comte had deliberately changed the focus of the debate away from the "peu philosophique" concern with labour profitability to what he considered to be the deeper, institutional and legal underpinnings of slavery, namely protective tariffs, exclusive access to the metropolitan market, tax subsidies for administration and defence, and a legal system which made ownership of others possible. When compared to these matters the experiments of a few planters seemed to pale into insignificance. Steele might have been able to get better productivity from his slaves by paying them a small wage but, in one of the few passages where this issue of paying slaves a wage is addressed, Comte concludes that, without a legal system which could guarantee the slaves that their earnings could be kept in security from their master, they were still slaves at the mercy of their master's whim. What guarantee was there, after their progressive master had died, that any property they had accumulated would not be confiscated by the new slave owner? Comte comes to the interesting conclusion that, if it could somehow come to pass that slaves could enjoy with some security the wages they earned, they would in fact be better off than most so-called free taxpayers, who see their taxes increase every year. Furthermore, if this security of enjoyment of their property continued long enough the slaves would eventually accumulate enough capital to purchase their freedom from their master, thus bringing to an end the entire system of slave exploitation - something the cynical Comte doubted would be in the slave owners' long-term interest and therefore something they, as a class, or the legal system itself, would not allow to happen (even though the occasional individual slave owner might do so).

Il est, dans quelques pays, et particulièrement au cap de Bonne-Espérance, des esclaves qui doivent être un peu moins mal habiles que les autres; ce sont ceux qui paient par semaine, à leurs maîtres, une somme déterminée, et qui jouissent, sous cette condition, de la faculté d'employer leur temps comme il leur plaît. Ceux-là doivent être moins misérables que les autres; on peut dire même que si un tel état leur était garanti, et si la somme qu'on exige d'eux était invariable pour eux et pour leur postérité, en peu de temps la position de la plupart d'entre eux serait de beaucoup préférable à celle des peuples qui se croient

libres et qui se voient arracher annuellement, sous le nom d'impôts, la moitié de leurs revenus. Si Guillaume-le-Conquérant, par exemple, s'était déclaré propriétaire légitime de tous les hommes qui habitaient le sol d'Angleterre; s'il les avait soumis à la même obligation à laquelle plusieurs colons soumettent leurs noirs, et si lui ni ses successeurs n'avaient jamais augmenté cette obligation, n'est-il pas évident que les plus pauvres seraient aujourd'hui moins imposés qu'ils ne le sont; que la plus grande partie de la population serait depuis long-temps devenue assez riche pour se racheter, et qu'elle n'appartiendrait plus qu'à elle-même? mais les domaines de la couronne sont inaliénables.²⁹⁷

As long as protective tariffs, metropolitan subsidies and a cheap source of slaves made exploitation even slightly profitable, Comte thought the slave system would continue.

Storch's aim of abolishing slavery "insensiblement," by persuading the slave owners that it was in their economic interest to pay slaves wages in order to increase their productivity, was rejected by Comte as insufficiently sensitive to the injustices being committed against both the slaves and the metropolitan consumers and taxpayers. Comte had another solution to the problem of slavery which he thought would be just as non-violent and "insensiblement" felt as Storch's. The abolition of "cet horrible système," as Comte called it, follows quite logically from his views on the economic viability of the slave system and the nature of what the legal system should be.²⁹⁸ He believed slavery could be ended by a combination of "negative" and "positive" steps which would be in keeping with liberal principles. The negative step involved immediately withdrawing economic privileges granted by the state to the slave owners and thus forcing them to confront market forces. Without the monopoly profits from their exclusive access to the home market and the subsidies paid by the metropolitan taxpayers for administration and defence, the slave owners would not be able to maintain their system of labour. Cheaper goods grown by producers who did not use slave labour, the prospect of higher local taxes to pay for local administration, and the threat of slave uprisings without the comforting presence of French soldiers and sailors, the slave owners would be forced to free their slaves and introduce wages in order to compete. If they could not compete because of their

²⁹⁷Comte, *Traité de législation*, p. 376, footnote.

²⁹⁸Comte, *Traité de législation*, p. 468.

lack of management skills and "industrial" values necessary to be an efficient producer, then Comte was happy to see them go bankrupt and be replaced perhaps by free and independent black producers using land that once belonged to their masters for more productive purposes. To overcome the resistance of the slave owners and to avoid bloodshed Comte recommended two steps to force them to end slavery:

Il en est deux bien simples: le premier (moyen) et le plus efficace serait l'abolition du privilège accordé aux possesseurs d'esclaves pour la vente de leurs denrées; le second serait le rappel des troupes envoyées chez eux pour seconder l'action qu'ils exercent sur les esclaves. ... Si les premiers (les possesseurs d'esclaves) n'avaient la jouissance d'aucun privilège, ils seraient donc obligés, pour vendre leurs denrées, d'employer les mêmes moyens de culture que les seconds (ceux qui font exécuter leurs travaux par des hommes libres); c'est-à-dire qu'ils seraient obligés, sous peine de périr de misère, d'affranchir leurs esclaves.²⁹⁹

Comte found that future quite an enticing one, if it could be achieved immediately before the slaves lost their patience. Not only would the slaves be freed, but the burden on the metropolitan consumers and taxpayers would be lifted if colonial tariffs and other subsidies could be eliminated.

The positive step to end slavery involved the extension of the protection offered by the legal system to include blacks as well as whites. Slavery to Comte was much more than an economic system for the exploitation of the numerous "working class" by the minority "aristocratic class." One of its essential features was a legal system and the property rights which derived from this legal system, which favoured the class of slave owners at the expense of those who were owned. At the core of this legalistic view of slavery was the idea that slavery was a legal privilege accorded to those who were considered to have full rights acknowledged by the law. A slave on the other hand, either had no rights as a person at all or had very limited rights (such as some restrictions as to the kind of punishment which a slave owner could inflict on him or her) which were very difficult to enforce in a society where most of the public officials, including the judges, were either slave owners

²⁹⁹Comte, *Traité de législation*, p. 468.

themselves or relatives of slave owners. Ultimately, the legal difference between a slave and a slave owner was that the latter had the right in law to own another human being, whereas the former was in fact that type of property. Comte's third way to end slavery was to end this discrimination in law between slave owners and slaves by making all human beings equal under the law. Only in this way could blacks enjoy the benefits of property ownership themselves and the tranquility and repose the rule of law should make possible to all. Comte's legalistic view of slavery and how the liberation of the slaves could be achieved comes across clearly in the following passage:

Qu'est-ce qu'affranchir un homme asservi? c'est tout simplement le soustraire aux violences et aux caprices d'un ou de plusieurs individus, pour le soumettre à l'action régulière de l'autorité publique; c'est, en d'autres termes, empêcher un homme qu'on appelle un maître, de se livrer impunément envers d'autres qu'on appelle des esclaves, à des extortions, à des violences, à des cruautés. Affranchir des hommes, ce n'est pas ouvrir la port au trouble, au désordre, c'est les réprimer; car le désordre existe partout où la violence, la cruauté, la débauche n'ont point de frein. Le plus effroyable des désordres règne partout où la partie la plus nombreuse de la population est livrée sans défense à quelques hommes, qui peuvent s'abandonner sans réserve à tous les vices et à tous les crimes, c'est-à-dire partout où l'esclavage existe. L'ordre règne, au contraire, partout où nul ne peut se livrer impunément à des extorsions, à des injures, à des violences, partout où nul ne peut manquer à ses obligations sans s'exposer à des châtiments, partout où chacun peut remplir ses devoirs sans encourir aucune peine; l'ordre, c'est la liberté.³⁰⁰

Comte's analysis of slavery in the *Traité de législation* had considerable impact on Jean-Baptiste Say's *Cours complet d'économie politique* which appeared in 1828. Say strengthened his argument that the issue of tariff protection for the slave economies was more important than the problem of the comparative costs of free and slave labour.

³⁰⁰Comte, *Traité de législation*, p. 479. Comte gives another definition of enslavement along similar lines: "L'asservissement d'un homme à un autre n'étant autre chose qu'un privilège d'impunité accordé au premier pour les crimes dont il peut se rendre coupable à l'égard du second, l'affranchissement n'est pas autre chose que la révocation de ce privilège. Déclarer que, dans tel pays, l'esclavage est aboli, c'est déclarer tout simplement que les délits seront punis sans acception de personnes; établir ou maintenir l'esclavage, c'est accorder ou garantir des privilèges de malfaiteur. Cela est si évident, que, pour abolir complètement la servitude dans tous les lieux où elle existe, il suffirait de juger tous les faits de même nature, d'après les dispositions des mêmes lois." Comte, *Traité de législation*, p. 480.

Furthermore, the discussion of the nature of class exploitation in the colonies and the problem of the growing indebtedness of many plantations owed much to Comte's pioneering work, whilst Say's confidence in the spread of "republicanism" weakening the political power of the slave states obviously drew upon Storch for its support. For reasons of space it is impossible to go into any details about Say's final word on the question of slavery, except to say that the debate among the abolitionists and the political economists had raised many problems which Say had not discussed in his earlier works. He had been forced to confront these problems with the result that he had drifted much closer into the position of his son-in-law, Charles Comte, with his class analysis of slavery.

In the sequel to the *Traité de législation*, the *Traité de la propriété*, which was probably written at the same time but which for various reasons did not appear until 1834, Comte again took up the problem of slavery and law. Here he developed the argument that French property law had a fatal weakness at its very heart because it owed so much to Roman law concepts of property and ownership. It was inconceivable to him that a modern, industrial, free market economy could use a legal system designed by and for slave owners. Thus the purpose of the *Traité de la propriété* was to provide a theory of property and legislation which would be free of such burdens and thus more suitable for a free market, industrial society.³⁰¹ Comte believed that any theory of property suitable for industrial society needed to be based upon the universal principles of man's nature, thus avoiding what he thought were the "barbarisms" remaining in the French legal tradition inherited from the Romans. These legal "barbarisms" needed to be purged from the Civil Code and only once this had been achieved could the law of property appropriate to a market society be developed.

From the very beginning of the *Traité de la propriété* Comte's fascination with slavery and its deleterious consequences for social progress, which had been such an important theme in the previous volumes of the *Traité de législation*, was revealed again.

³⁰¹Charles Comte, *Traité de la propriété* (Paris: Chamerot and Ducollet, 1834), 2 vols. Vol. 1, p. 3.

The dead hand of the past, in the form of continued respect for legislative theory and practice based upon Roman law, gave Comte an explanation for the sorry state of property theory in post-revolutionary France. Comte believed the methodology of the scientific revolution of the sixteenth and seventeenth centuries had not yet penetrated as far as the study of law and moral philosophy or "morals." Whereas the authority of Aristotle in the fields of biology and astronomy had been long ago challenged, the "authority of books" from the Greek and Roman period still held sway in nineteenth century French legal theory and practice.³⁰² In his opinion, the theories of property developed by men who were themselves slave owners and only barely out of the stage of economic barbarism³⁰³ contained within them a prejudice in favour of servitude in general and chattel slavery in particular. This pro-slavery bias completely contaminated the tradition of Roman property law and rendered it unsuitable for use in modern market societies. Comte believed that the Greek and Roman assumption of the legitimacy of slavery made it impossible for them to admit the existence of universal principles of human rights based upon human nature. Not only did this prejudice mean that the ancient jurists tolerated the existence of force in labour relations but also within the family between husband and wife and father and child. Comte believed that, as long as Roman concepts continued to influence French law, violence in the market and in the family would continue.

What made modern, i.e. post-revolutionary, society different from the ancient world was the attitude towards the satisfaction of needs. This is a variation of the liberal theme of the fundamental difference between the ancient and modern worlds and their concept of liberty, which had been developed by Benjamin Constant. According to Constant, the liberty of the ancient world was the right to participate in the political life of the city-state with little concern for the "content" of that political activity.³⁰⁴ Modern liberty, on the other

³⁰²*Traité de propriété*, p. 3.

³⁰³Charles Comte mentions by name Aristotle, Plato, Cicero, Papinian, Paul and Ulpian, *Traité de la propriété*, p. 5.

³⁰⁴Although Benjamin Constant developed his well-known distinction in relation to political rather than economic liberty Comte believed it was just as applicable here as

hand, was explicitly concerned with the protection of individual rights and the circumscribing of state power as the most dangerous violator of individual rights. The outward form of political power (whether monarchical, aristocratic or democratic) was far less important than the protection of the individual's legal rights. Both Comte and Dunoyer absorbed Benjamin Constant's hostility towards the ancient world and extended it into the economic sphere, in particular the vital importance of slavery to the economy and the legal system.³⁰⁵ Unlike many, Comte and Dunoyer did not seem to favour commercial "Athens" over militaristic "Rome." They appeared to condemn ancient Greek and Roman society about equally because both were slave societies.³⁰⁶

With the emergence of market society the "natural" tendency was to use and appropriate material things to satisfy our needs and to free ourselves from the violent acts of our fellows or, in other words, to pursue the liberal agenda of the Enlightenment and early nineteenth century liberalism. The ancient Greek and Roman attitude towards the satisfaction of needs was so different that it made it impossible to use their legal concepts in post-revolutionary society. According to Comte, the classical view was to satisfy needs through what he called "the intermediary of other men"³⁰⁷ who were the property and the

elsewhere. Benjamin Constant, *De la liberté des anciens comparée à celles des modernes. Discours prononcé à l'Athénée royal de Paris en 1819*, in *De la liberté chez les modernes. Écrits politiques*, ed. Marcel Gauchet (Paris: Livre de poche, 1980), pp. 491-515. A modern translation with useful introduction is now available by by Biancamaria Fontana, Benjamin Constant, *Political Writings* (Cambridge University Press, 1988).

³⁰⁵Dunoyer singles Constant out as one the three most important influences on his thought which contributed to the evolution of his liberalism away from constitutional and towards social and economic liberalism. See Dunoyer, Charles, "Esquisse historique des doctrines auxquelles on a donné le nom industrialisme, c'est-à-dire, des doctrines qui fondent la société sur l'Industrie," *Revue encyclopédique*, février 1827, vol. 33, pp. 368-94. Reprinted in *Notices d'économie politique*, vol. 2 of *Oeuvres*, pp. 173-199. The other influences were the economics of Jean-Baptiste Say and the history of François Montlosier. See the discussion of this in chapter four.

³⁰⁶N. Loraux et P. Vidal-Naquet, "La formation de l'Athènes bourgeoise: Essai d'historiographie 1750-1870," in *Classical Influences on Western Thought A.D. 1650-1870. Proceedings of an International Conference held at King's College, Cambridge March 1977*, ed. R.R. Bolgar (Cambridge University Press) pp. 169-222.

³⁰⁷*Traité de la propriété*, p. 4.

"tools" of their masters. Whereas the struggle in the modern world was against the physical world to get the resources to satisfy our needs, in the ancient world the struggle to get resources had been between men - primarily between slave owners and their slaves, but also between Roman and barbarian and conqueror and conquered.

However there exists almost no comparison between the social state in which we live and the social state of those whose ideas we borrow to form our sciences. Our natural inclination leads us to act directly on things in order to appropriate them for our needs and to free ourselves from the violent actions that our fellows would like to subject us in order to force us to become the instruments of their pleasures or their caprices. On the other hand, the men from whom we borrow our ideas only acted on things through the intermediary of other men whom they had appropriated and whom they made the instruments of their labour. Amongst civilised people of our time man struggles constantly against the physical world to control its forces for their own purposes. This struggle also existed in the ancient world but it was more a continual struggle of man against man.³⁰⁸

Of course, Proudhon and other socialist critics of liberalism would argue that there was little difference between being an "intermediary" or "tool" of a factory owner and being an "intermediary" or "tool" of a Roman slave owner. But this missed the point of Comte's observation of the profound differences between the ancient and the modern world, which accorded equal legal and civil rights to all individuals, whether labourers or capitalists. No one in law was to be treated as a thing. Marx may have railed against the reification of labour as a mere commodity to the disadvantage of the labourer as an autonomous and free individual, but Comte's and Dunoyer's ideal of free labour was quite different from Karl Marx's caricature. The reason why Comte despised the heritage of the ancient world as much as he did was precisely because it treated the labourer as a thing and not as an autonomous individual with legal rights. By contrast, in a market economy labourers were the legal "owners" of their labour, which was contracted for by capitalists and could not be legally coerced.

In his brief survey of the history of Roman property theory Comte argues that the legal prejudice in favour of slavery was used by numerous Roman and Byzantine Emperors

³⁰⁸Comte, *Traité de la propriété*, p. 4.

in their codifications of the law to maintain the subjection of individuals as well as entire nations. Similarly, the legal code of the feudal regime borrowed heavily from Roman precedent in order to maintain serfs in a state of subjection. In the modern era a consequence of the "Roman" concept of owning other individuals is revealed in the widespread practice of the ruling families of Europe, who exchange territory and entire peoples among themselves by means of international treaties (perhaps a reference to the Concert of Europe after the fall of Napoleon). Comte couldn't think of a better modern example of the disastrous consequences of basing modern law on the ancient Roman precedent of treating some individuals as mere "things," than this diplomatic convention.

Comte believed that the market system required that all the vestiges of legal servitude be finally removed by a combination of political and legal revolution or reform, which would lead to the rewriting of the legal codes through which servitude was defined and protected. The French Revolution partly achieved the former with the abolition of feudalism at home and slavery in the colonies, but the liberal impulse of the revolution had suffered partial reversals under Napoleon and the Restoration. Comte and Dunoyer were confident the break with history had been made and that it was only a matter of time before the economic absurdities and injustices of servitude were completely eliminated. The belief that slave systems based on compulsory coerced labour would inevitably collapse, as a result of both economic and "moral" pressures, is crucial to understanding the liberal political economists and the abolitionist movement. America and to some extent Great Britain had gone further than France in this process of individual liberation, although the process was far from complete. Slavery continued to be a problem in the Southern States and political privileges which protected the powerful aristocracy in Britain continued to exist. Nevertheless, one area in which France was well behind Britain and America was in the field of law. Because of the strength of Roman law on the Continent with its pro-slavery bias, France could not create a legal system which fully protected individual rights and property.

Now that the physical domination of the patrician slave owners and the feudal lords

had ended, Comte considered it was also time to end the intellectual domination of their legal codes which persisted in the French law schools. Rather than beginning their studies with an analysis of the ancient texts and codifications, Comte thought that modern law students should instead study human nature and the social conditions present in modern market societies, a fundamental assumption of which was the concept of self-ownership and the right to own the fruits of one's labour. A modernised course in legal studies would also include the study of history and what we would call sociology, in order to understand the development of modern market society and its institutions. Economics would also form an important part of legal study since the role of property is vital to both economic and legal theory. Without a suitable legal system which protected property national prosperity would not be possible. The study of a combination of law and economics would enable jurists, bureaucrats and politicians to understand the "natural laws" which made national prosperity possible, something which was impossible to the slave owners of the ancient world.³⁰⁹

What Comte was in fact proposing was that all law students should undergo the same transformation he and Dunoyer had experienced in the hiatus between the suspension of *Le Censeur* and the founding of *Le Censeur européen*, when they discovered the political economy of Jean-Baptiste Say and the sociological history of Benjamin Constant and François Montlosier. The problem of slavery shows clearly the inadequacy of a purely political and constitutional approach to liberalism. Without the insights provided by political economy and a theory of class, the true strengths and weaknesses of slavery could

³⁰⁹Comte's hopes for reform of French legal study were partly realised in the course of the nineteenth century. With strong state opposition to liberal political economy being taught in special economics faculties the study of economics was done primarily in the law faculties or privately with the assistance of the economic press such as the *Journal des économistes*. This situation existed well into the late nineteenth century. Lucette le Van-Lemesle, "La promotion de l'économie politique en France au XIXe siècle jusqu'à son introduction dans les facultés (1815-1881)," *Revue d' Histoire Moderne et Contemporaine*, April 1980, pp. 270-94 and Alain Alcouffe, "The Institutionalization of Political Economy in French Universities: 1819-1896," *History of Political Economy*, Summer 1989, vol. 21, no. 2, pp. 313-44.

not be understood. Economic analysis showed how dependent the slave system was on tariff protection and subsidies from the metropole for its survival. Economics and class analysis showed how a small group of slave owners could manipulate the metropolitan legislatures and exploit the slave class on the plantations and the consumers in the metropolitan market. The new social dimension to Comte's liberalism showed how the power of the slave owners might be broken. Free trade would remove one pillar of support for the slave system, while a revolution in legal thinking would destroy another.

**CHAPTER 3 - THE INDUSTRIALIST THEORY OF CLASS, HISTORY AND ECONOMIC
DEVELOPMENT: CHARLES DUNOYER'S *L'INDUSTRIE ET LA MORALE* (1825)**

It was claimed in the introduction that historians have misunderstood the nature of nineteenth century liberalism by not appreciating the "social dimension" which some liberals added to the traditional political, constitutional, and economic aspects of liberal thought. One of the few historians to note the social dimension to liberalism is Larry Siedentop, who sees the French liberals as forming a second "tradition" of liberalism distinct from the British tradition. He has argued that the distinguishing feature of French liberalism, which marks it off from British liberal thought, is its interest in "social" matters such as class, power relationships, and exploitation. Not surprisingly, the French liberals are more sympathetic to the Enlightenment than their British cousins and this, he argues, predisposed them towards an interest in "the changing forms of property rights, the social classes which such property rights created, and the conflict between classes," especially as these conflicts were manifested in the changing structures of state power.³¹⁰

However, in spite of Siedentop's important insight into the nature of French liberalism he is not aware of the branch of French liberal thought which best demonstrates his hypothesis. He restricts his remarks to the thought of Madame de Staël, Benjamin Constant, François Guizot, and Alexis de Tocqueville, all of whom are vitally important, but none of whom used economic theory as an integral part of their social analysis. The absence of an economic theory means that, however rich and insightful their historical, sociological and political analyses might be, an important aspect of liberal social theory is missing. The group of liberals to which Siedentop should have referred when making his assessment of "the two traditions" is that group which was influenced by the economist Jean-Baptiste Say, in particular his son-in-law Charles Comte and Comte's colleague

³¹⁰Larry Siedentop, "The Two Liberal Traditions," *The Idea of Freedom: Essays in Honour of Isaiah Berlin*, ed. Alan Ryan (Oxford University Press, 1979), p.156.

Charles Dunoyer. Until a proper assessment of Say's thought is made any account of Restoration social theory will only be a partial account. Since reasons of space prevent that task from being attempted here I have limited the discussion in this dissertation to two of Say's most stimulating disciples.

Although both Comte and Dunoyer shared much the same experience, read much the same books and in the period from 1814 to the mid-1820s developed their ideas in a complementary and often parallel direction, Dunoyer was the one to seize upon class analysis and the theory of history to develop at some length. While Comte was working on his project on legislation and property (in which much thought was given to questions of class, the mode of production, and historical development), Dunoyer was at work on a slightly different task - the creation of a liberal theory of "industrialism" (the name he gave to his theory of class and the evolution of different modes of production through history). The purpose of this chapter is to discuss Charles Dunoyer's contribution to the development of a liberal social theory, which included a sophisticated class analysis based upon Say's ideas of productive and unproductive labour, and a theory of history which attempted to explain historical change in terms of the change taking place in the mode of production. At least twenty years before Marx made a similar attempt liberal writers were exploring much the same territory, albeit with a vastly different purpose in mind.

In order to appreciate the liberal contribution to social theory it is necessary first to discuss briefly the eighteenth century origins of liberal class analysis, before turning to the immediate predecessors of Comte's and Dunoyer's theory in the early years of the nineteenth century. As Dunoyer clearly acknowledged in 1827, he and Comte owed much to the writings of three men in particular, who acted as a catalyst in the evolution of their own views, which they called the theory of "industrialism."³¹¹ The three figures who most influenced Comte and Dunoyer's social theory of industrialism were Jean-Baptiste Say,

³¹¹Charles Dunoyer, "Esquisse historique des doctrines auxquelles on a donné le nom d'*Industrialisme*, c'est-à-dire, des doctrines qui fondent la société sur l'*Industrie*," *Revue encyclopédique*, février 1827, vol. XXXIII, pp. 368-394.

Benjamin Constant and François Montlosier, each of whom will be briefly discussed.³¹² Having learnt from these three theorists the economics, history, and politics which, when brought together made up the theory of "industrialism," Comte and Dunoyer proceeded to apply these ideas in their articles in *Le Censeur européen*. One historian has accurately described their journal as "un journal industrialiste," where the new theory was tested for its explanatory power against the political events of the late 1810s and as a theory of history in numerous speculative and interpretative articles dealing with French, British, and European history.³¹³

The next stage in the development of the theory of industrialism occurred in the mid 1820s after Comte and Dunoyer were forced to give up their careers as journalists by the oppressive censors. Dunoyer presented the first comprehensive outline of an "industrialist" theory of class and a theory of history based upon it in *L'Industrie et la morale considérées dans leurs rapports avec la liberté* which appeared in 1825.³¹⁴ He presented a schema of economic evolution from one stage of production to another, each stage having a peculiar class structure and method of exploitation which depended upon the mode of production specific to that society. His analysis began with the state of savagery, then progressed through nomadism, slavery, feudalism, what he called political "place-seeking" under the ancien régime, and ended with the ultimate stage of industrialism. The various stages of Dunoyer's schema will be discussed later in this chapter.

³¹²A curious omission from this list of influences is Augustin Thierry. Although he contributed important historical essays to *Le Censeur européen* and with Saint-Simon was one of the founders of the doctrine of industrialism Dunoyer refuses to acknowledge his contribution in the "Esquisse historique." The explanation may lie with personal reasons, perhaps a falling out or rivalry between the Saint-Simonians and the liberals for priority.

³¹³Ephraïm Harpaz, "Le Censeur européen: Histoire d'un journal industrialiste," *Revue d'histoire économique et sociale*, 37, 1959, pp. 185-218.

³¹⁴Charles Dunoyer, *L'Industrie et la morale considérées dans leurs rapports avec la liberté* (Paris: A. Sautet, 1825).

THE HISTORICAL ORIGINS OF INDUSTRIALISM AND LIBERAL CLASS THEORY

Before turning to Comte and Dunoyer's theory of class and historical evolution it should be noted that there were important pre-nineteenth century influences on the development of their social theory. Given the constraints of this dissertation it is unfortunately impossible to do more than state what they were. At least five schools of thought contributed in some way to Comte's and Dunoyer's theory of class and industry, although the precise degree of influence is often difficult to gauge in some instances.³¹⁵ These schools of thought include Grotius and Pufendorf, the Physiocrats, the Scottish Enlightenment, the philosophes, and the Idéologues who bridged the gap between the eighteenth and nineteenth centuries. Any discussion of these important antecedents would require a substantial volume to them justice.³¹⁶ The more immediate early nineteenth

³¹⁵For some stimulating comments on the source of Comte and Dunoyer's theory of industrialism and liberal class theory in general see Leonard P. Liggio, "Charles Dunoyer and French Classical Liberalism," *Journal of Libertarian Studies*, 1977, vol. 1, no. 3, pp. 153-78.

³¹⁶Having been trained as lawyers in the early years of the nineteenth century Comte and Dunoyer no doubt read the works of Hugo Grotius and Samuel von Pufendorf on natural law. The influence of these seventeenth century philosophers on early nineteenth century French attitudes to legal theory, property rights, social and economic structure and evolution has yet to be determined. Comte and Dunoyer, in addition to their own legal training, may have indirectly come across the Grotian tradition either by reading the works of Condorcet or by their personal contact with radical liberals in the Condorcet camp. One historian who has written on Condorcet believes that Grotius and Pufendorf influenced Condorcet's social theory, perhaps via Montesquieu, and provided him with grounds for rejecting the Hobbesian and Rousseauian tradition of natural jurisprudence. Franck Alengry, *Condorcet: Guide de la Révolution Française. Théoricien du Droit constitutionnel et Précurseur de la Science sociale* (Paris: V. Giard et E. Brière, 1904), pp.372-76. On Condorcet see Keith Michael Baker, *Condorcet: From Natural Philosophy to Social Mathematics* (University of Chicago Press, 1975); Rolf Reichardt, *Reform und Revolution bei Condorcet: Ein Beitrag zur späten Aufklärung in Frankreich* (Bonn: Ludwig Röhrscheid, 1973); Léon Cahen, *Condorcet et la Révolution Française* (Paris: Félix Alcan, 1904). More direct evidence of an influence of Grotius on Comte comes from occasional direct references to Grotius and other members of the school of natural law in his magnum opus, the *Traité de législation*, in which Comte explicitly mentions Wolff, Burlamanqui, Guillaume Pestel, and Grotius. Charles Comte, *Traité de législation*, (Bruxelles: Hauman, Cattoir et comp., 2nd ed. 1837), book 1, chapter 14, pp. 59-65. In part two of his magnum opus, the *Traité de la propriété*, Comte also directly cites Pufendorf and Blackstone in his

discussion on the origin of property. Overall, Comte prefers the approach of Bentham to "les juriconsultes" in legislation but nevertheless his concept of natural law and property owes something to the Grotian tradition. On the Grotian tradition of natural law see Peter Stein, *Legal Evolution: The Story of an Idea* (Cambridge University Press, 1980); Richard Tuck, *Natural Rights Theories: Their Origin and Development* (Cambridge University Press, 1979); Franco Venturi, *Utopia and Reform in the Enlightenment* (Cambridge University Press, 1971); *The Politics of Johannes Althusius* (London: Eyre and Spottiswoode, 1964), trans. Frederick S. Carney; John Neville Figgis, *Political Thought from Gerson to Grotius* (Cambridge University Press, 1956); and Otto Gierke, *The Development of Political Theory* (New York: Bernard Freyd, 1939).

A more direct source of influence on Comte and Dunoyer's idea of class than the school of natural jurisprudence are the Physiocrats. There is a striking similarity between the industrialist distinction between the productive class of the "industrials" and the unproductive, exploitative class of the politically privileged and the Physiocratic notion of the productive and sterile classes. Quesnay and Mirabeau developed the view that agriculturalists comprised a "classe productive" whilst all other participants in the market economy (manufacturers, merchants, and all those making up the secondary and service sectors) comprised the "classe sterile". François Quesnay et la Physiocratie, 2 vols (Paris: Institut national d'études démographiques, 1958); Gustave Schelle, "Physiocrates," in *Nouveau dictionnaire d'économie politique*, ed. Léon Say and Joseph Cailley, 2 volumes (Paris, 1891-92), pp. 476-86; Gustave Schelle, *Du Pont de Nemours et l'école physiocrate* (Paris, 1888); Elisabeth Fox-Genovese, *The Origins of Physiocracy: Economic Revolution and Social Order in Eighteenth Century France* (Cornell University Press, 1976); and the series of volumes by Georges Weulersse, *Le mouvement physiocratique en France de 1756 à 1770* (Paris, 1910); *La Physiocratie à la fin du règne de Louis XV, 1770-1774* (Paris: 1959); *La Physiocratie sous les ministère de Turgot et de Necker, 1774-1781* (Paris, 1950); and *La Physiocratie à l'aube de la Révolution, 1781-1792*, ed. Corinne Beutler (Paris: Éditions de l'école des hautes études en sciences sociales, 1985). If one replaced the word "industry" with "agriculture" Dunoyer's claim that "industry is the vital principle and ought to be the end of the activity of society" (Dunoyer, "Esquisse," *Revue encyclopédique*, p. 369) could have been the slogan of the Physiocrats. Like the nineteenth-century liberal political economists the Physiocrats advocated minimal government interference in the economy, even coining the term laissez-faire, and realised the central importance of the leading economic sector, agriculture, to the structure of government. Where they differed from the "industrialists" were in two essential areas: their one-sided view of the importance of agriculture at the expense of the manufacturing and tertiary sectors, and their belief (perhaps tactical and understandable given the nature of ancien régime society) in enlightened despotism. In spite of the common ground between Comte and Dunoyer and the Physiocratic school on so many issues such as laissez-faire, the importance of the mode of production to political structure, class analysis (productive class versus the sterile class) neither Comte nor Dunoyer claimed them as intellectual forebears. The Physiocrats are notable for their absence in Dunoyer's essay on the history of the industrialist ideal. The most likely reason for this might be that Dunoyer's discovery of economics via the writings of Jean-Baptiste Say and perhaps Adam Smith who believed that economic science had moved beyond the limited horizons of Physiocracy. Under the influence of Jean-Baptiste Say's economic writings Comte and Dunoyer realised the importance and productivity of the new manufacturers, entrepreneurs, and technologists (engineers) yet their definition of

the productive class has much in common with that of the Physiocrats. One might say that their view is merely an enlarged form of the Physiocratic notion only slightly modified to include manufacturers and members of the "service" class of intellectuals, professionals and engineers as members of the productive class. Some of the Physiocrats tried to apply their class theory to an analysis of French history in an attempt to understand the origins of the problems in the French economy. One of the more interesting attempts at a physiocratic interpretation of history is provided by G-F Letrosne who deals with the class nature of feudalism in a *Dissertation sur la féodalité* which appeared in 1779. Mackrell describes Letronse's three stage account of the history of feudalism beginning with its usefulness as a means of administration in an era when military service to the king was required. In the second stage feudalism became corrupted when fiefs took on a life of their own independent of the crown. In the third stage feudalism no longer served any political function but was merely a mechanism for economic exploitation of one class by another. Mackrell also discusses the writings of S.N.H. Linguet on the origins of class society in the conquest of agriculturalists by hunters. See Letrosne's *Dissertation sur la féodalité* published with *De l'Administration provinciale, et de la réforme de l'impôt* (Paris: Duplain, 1779) and Linguet's *Théorie des lois civiles, ou principes fondamentaux de la société* (London: 1767) discussed in J.Q.C. Mackrell, *The Attack on 'Feudalism' in Eighteenth-Century France* (London: Routledge and Kegan Paul, 1973), pp. 35-6. Generally Mackrell's book is informative and useful in tracking down the eighteenth century origins of liberal class analysis. There are aspects of this class analysis which are similar to that of Augustin Thierry's history of the middle ages and the third estate (Thierry was a collaborator on *Le Censeur européen*) which strongly suggest some connection between Physiocratic ideas and historical analysis and Comte and Dunoyer.

A figure closer to Comte and Dunoyer's view of the productiveness of industry and the service industry is Turgot who challenged the physiocratic theory of the sterility of industry and commerce from within the physiocratic movement itself. He and his mentor Vincent de Gournay attacked the orthodox view of Quesnay and Mirabeau and argued that all endeavours which satisfied the needs of consumers were "productive," a view which is much closer to that of Say and his followers. G. Schelle, "Gournay," and "Turgot" in *Nouveau dictionnaire, op cit.*, pp.1105-8, 1122-35; G. Schelle, *Vincent de Gournay* (Paris,1897); G. Schelle, *Turgot* (Paris, 1909). On Turgot, Steven L. Kaplan, *Bread, Politics and Political Economy in the Reign of Louis XV* (The Hague: Martinus Nijhoff, 1976). Turgot also contributed to the formation of the so-called "four stage theory" of social evolution which more than likely contributed to the development of Dunoyer's more elaborate six-stage theory culminating in "industrial" society. On the intellectual history of the four-stage theory see Ronald L. Meek, *Social Science and the Ignoble Savage* (Cambridge University Press, 1976). Dunoyer's stages were savagery, nomadism, slavery, privilege, place-seeking, pure industrialism. Although there is an interesting similarity between the physiocratic notion of class and that of Comte and Dunoyer there is little direct evidence to link the two groups. It is possible that they might have absorbed some Physiocratic ideas indirectly through Say but this is difficult to establish. The Physiocrats were not rediscovered until some scholars associated with the Society of Political Economy, the *Journal des Économistes* and the publishing firm Guillaumin began to republish the works of Du Pont de Nemours, Turgot and others with lengthy introductions in the 1840s, a little late to have influenced Comte and Dunoyer. Nevertheless the similarities between the two schools are so great that one suspects some influence even if it

is not yet possible to prove it directly. *Oeuvres de Turgot, nouvelle édition classée par ordre de matières avec les notes de Dupont de Nemours, augmentée de lettres inédites, des questions sur le commerce, et d'observations et de notes nouvelles par MM. Eugène Daire et Hyppolyte Dussard et précédée d'une notice sur la vie et les ouvrages de Turgot par M. Eugène Daire*, 2 vols (Paris: Guillaumin, 1844); *Physiocrates. Quesnay, Dupont de Nemours, Mercier de la Rivière, l'Abbé Baudeau, Le Trosne, avec une introduction sur la doctrine des physiocrates, des commentaires et des notices historiques, par M. Eugène Daire* (Paris: Guillaumin, 1846).

The Scottish Enlightenment is probably a more fruitful direction in which to look to find direct influences on Comte and Dunoyer's theory of class. Both referred to William Robertson's *History of America* (1777) for their knowledge of the social and economic structure of the North American Indians and the early European settlers in North and Central America. They also occasionally referred to his *History of the Reign of the Emperor Charles V, with a view of the progress of society in Europe* (1769) on more general matters dealing with the emergence of modern economic and political institutions. Other members of the Scottish Enlightenment they directly used in their works include Adam Ferguson, especially his *Essay on the History of Civil Society* (1767) and Adam Smith's *Wealth of Nations* (1776). What is perhaps more important than any single member of the Scottish Enlightenment is the general social, economic and historical perspective absorbed by reading the main works of the Scots. Scottish notions of "class" and the recognition of the significance of the newly emerging commercial or even industrial society were absorbed by Comte and Dunoyer in a general way without them having to cite any particular author as a source. On the sociology of the Scottish Enlightenment see, R. Meek, "The Scottish Contribution to Marxist Sociology," in *Economics, Ideology and Other Essays* (London, 1967); W. C. Lehmann, *Adam Ferguson and the Beginnings of Modern Sociology* (New York, 1930); A. Swingewood, "Origins of Sociology: The Case of the Scottish Enlightenment," *British Journal of Sociology*, 21, 1970, pp. 64-80; W. C. Lehmann, *John Millar of Glasgow, 1735, 1801, his life and thought, and his contribution to sociological analysis* (Cambridge, 1960); D. Reisman, *Adam Smith's Sociological Economics* (London, 1976); A. Skinner, "Economics and History: The Scottish Enlightenment," *Scottish Journal of Political Economy*, 12, 1965, pp. 1-22; Donald Winch, *Adam Smith's Politics: An Essay in Historiographic revision* (Cambridge University Press, 1979); *Wealth and Virtue: The Shaping of Political Economy in the Scottish Enlightenment*, ed. Istvan Hont and Michael Ignatieff (Cambridge University Press, 1983). If a more direct link is required it may be provided by Benjamin Constant who spent some time in Scotland studying at the University of Edinburgh during 1783-4 before returning to France to make his enormous contribution to the development of liberal political and social theory in the late Imperial and early Restoration periods.

Another important source of Comte and Dunoyer's theory of class and historical development is the Philosophe tradition and its carry-over into the Revolutionary and Imperial period - the school of thought known as the Idéologues. It is quite possible that Diderot, Volny, Raynal and Condorcet, to mention only the most important, influenced Comte and Dunoyer. In particular Diderot and Raynal's work on slavery in the colonies; Volny's histories of the middle east, and Condorcet's optimistic picture of the future contributed to Comte and Dunoyer's concept of historical change, their hostility to slavery and their view of the future liberal society. Michèle Duchet, *Anthropologie et histoire au siècle des lumières: Buffon, Voltaire, Rousseau, Helvétius, Diderot* (Paris: Flammarion,

century influences on Comte and Dunoyer's theory of class and history can be seen in the books they reviewed in their journal or in the sources they used in their essays and books. These influences include the three explicitly acknowledged by Dunoyer in an essay on the origins of the industrialist theory, namely Jean-Baptiste Say, Benjamin Constant and François Montlosier, and two others not mentioned by Dunoyer, Augustin Thierry and Pierre-Louis Roederer.

The sudden discovery of the ideas of Jean-Baptiste Say, Benjamin Constant, and François Montlosier and their incorporation into Comte's and Dunoyer's social theory can be traced in the pages of their journal *Le Censeur* and more importantly *Le Censeur européen*. The catalyst which brought these disparate elements together was the discovery of Say's economic thought during the period of enforced "leisure" in the period from September 1815 to February 1817. The censors had forced the closure of *Le Censeur* and, in the interval before they were able to reopen their magazine under the new title of *Le Censeur européen*, Comte and Dunoyer closely read the latest edition of Say's *Traité d'économie politique*. It was subsequently reviewed there in a lengthy article by Comte. The insights they found in Say's book on the nature of market society, property, the

1977); Yves Benot, *Diderot: De l'athéisme à l'anticolonialisme* (Paris: François Maspero, 1981); G. Th. Raynal, *Histoire philosophique et politique des Deux Indes*, ed. Yves Benot (Paris: François Maspero, 1981); Condorcet, *Esquisse d'un tableau historique des progrès de l'esprit humain*, ed. O.H. Prior (Paris: Boivin, 1933. In a negative sense so much of what Rousseau wrote and thought repelled Comte and Dunoyer that he too is important as a source. Other philosophes who might have influenced Comte and Dunoyer include Barnave and Sieyès. *Power, Property, and History: Barnave's Introduction to the French Revolution and Other Writings*, ed. Emanuel Chill (New York: Harper and Row, 1971); Jean-Jacques Chevallier, *Barnave ou les deux faces de la Révolution* (Presses Universitaires de Grenoble, 1979); Emmanuel Sieyès, *Qu'est-ce que le Tiers état?*, ed. Roberto Zapperi (Genève: Droz, 1970).

The Idéologues too are important for providing the link between the eighteenth century Philosophes and the early nineteenth century liberals. We have already seen how important Jean-Baptiste Say was to the development of Comte and Dunoyer's ideas and Say was linked directly to the Idéologues through his participation in the journal *La Décade*. Destutt de Tracy could also be mentioned in this regard. Cheryl B. Welch, *Liberty and Utility: The French Idéologues and the Transformation of Liberalism* (New York: Columbia University Press, 1984).

evolution of the institutions of the free market, as well as Say's numerous historical and sociological asides, provided the theoretical framework for a new social theory with a theory of class, a theory of history, and a vision of the future industrial society in which the state would virtually disappear and the free market would predominate. In other words, Say provided them with a social and economic dimension to their hitherto primarily political liberalism which they had expressed in their political pamphlets and *Le Censeur*.

In addition to the evidence provided by the essays and book reviews in *Le Censeur européen* on the sources which influenced the development of their social theory, there is also an important article by Dunoyer written some ten years after his initial discovery of Say in which he discussed the evolution of his ideas. In this article he acknowledged some intellectual debts, in particular he acknowledged explicitly a debt to Jean-Baptiste Say, Benjamin Constant and François Montlosier.³¹⁷ He avoided any mention of the contribution of Augustin Thierry, which is surprising because Thierry had been an editor and major contributor to *Le censeur européen* after his split with Saint-Simon and had written path-breaking essays on an "industrialist" interpretation of history for Comte's and Dunoyer's magazine. Dunoyer must have been aware of Thierry's important essay "Des nations et de leurs rapports mutuels," one of the first explicit liberal accounts of an industrial interpretation of history.³¹⁸ Thus, any assessment of the origin of Comte's and Dunoyer's

³¹⁷Charles Dunoyer, "Esquisse des doctrines auxquelles on a donné le nom d'*industrialisme*, c'est-à-dire, des doctrines qui fondent la société sur l'*industrie*," *Revue encyclopédique*, février 1827, vol. 33, pp. 368-94. In addition to the works of Say already mentioned, Dunoyer refers directly to François Montlosier, *De la Monarchie française depuis son établissement jusqu'à nos jours* (Paris, 1814); Benjamin Constant, "De l'esprit de conquête et de l'usurpation" (1814) in *De la liberté chez les modernes: Écrits politiques*, ed. Marcel Gauchet (Paris: Livre de poche, 1980). Dunoyer described the years from 1814 to 1817 when Say, Montlosier, and Constant's works appeared as "l'époque où paraissaient ces précieuses productions." Dunoyer, "Esquisse," *Revue encyclopédique*, p. 372.

³¹⁸Augustin Thierry, "Des nations et de leurs rapports mutuels; ce que ces rapports ont été aux diverse époques de la civilisation; ce qu'ils sont aujourd'hui, et quels principes de conduite en dérivent," *Seconde partie: Politique*, vol. 1, pp. 19-127 of Saint-Simon's *L'Industrie ou discussions politiques, morales et philosophiques dans l'intérêt de tous les hommes livrés à des travaux utiles et indépendants* (Mai, 1817), reprinted in *Oeuvres de Claude-Henri de Saint-Simon* (Paris: Editions anthropos, 1966), vol. 1.

social theory must take into account the explicitly acknowledged intellectual debts, as well as others, who influenced Comte and Dunoyer but, for whatever reason, did not receive due recognition by them.³¹⁹

THE INFLUENCE OF JEAN-BAPTISTE SAY

The most important influence (of both an intellectual and personal nature)³²⁰ on Comte's and Dunoyer's social theory was undoubtedly the work of Jean-Baptiste Say, especially his *Traité d'économie politique*, the third edition of which Comte reviewed enthusiastically in *Le Censeur européen* in 1817.³²¹ As far as the development of liberal

³¹⁹The theory of industrialism and the contribution of the liberals to its formation has been discussed by Michael James, "Pierre-Louis Roederer, Jean-Baptiste Say, and the concept of *industrie*," *History of Political Economy*, 9, 1977; Leonard P. Liggio, "Charles Dunoyer and French Classical Liberalism," 1977, vol. 9, no. 4, pp. 455-75; Mark Weinburg, "The Social Analysis of three early nineteenth century French liberals: Say, Comte, and Dunoyer," *Journal of Libertarian Studies*, 1978, vol. 2, no. 1, pp. 45-63; Henri Gouhier, *La jeunesse d'Auguste Comte et la formation du positivisme*, tome III, *Auguste Comte et Saint-Simon* (Paris: Librairie philosophique J. Vrin, 1941); and Elie Halévy, "Saint-Simonian Economic Doctrine," *The Era Of Tyrannies: Essays on Socialism and War*, trans. R.K. Webb (London: Allen Lane, 1967), pp.17-81; and *Henri Saint-Simon, 1760-1825: Selected Writings on Science, Industry and Social Organization*, ed. Keith Taylor (London: Croom Helm, 1975); Edgar Allix, "La rivalité entre la propriété foncière et la fortune mobilière sous la Révolution," *Revue d'histoire économique et sociale*, 6, 1913; Edgar Allix, "J-B Say et les origines de l'industrialisme," *Revue d'économie politique*, 1910, vol. XXIV, pp. 303-13, 341-63; Shirley M. Gruner, "Forerunners of Industrialism," *Economic Materialism and Social Moralism: A Study in the History of Ideas in France from the latter part of the 18th century to the middle of the 19th century* (The Hague, 1973).

³²⁰Both Comte and Dunoyer knew Say personally and it is possible that Comte at least read the *Traité* under Say's personal supervision. It was at Say's house that Comte first met his daughter Andrienne whom he married a short time later.

³²¹Charles Comte, Review of the third edition of Say's *Traité d'économie politique*, *Le Censeur européen*, 1817, vol. 1, pp. 159-227 and vol. 2, pp. 169-221. The first edition of Say's *Traité* appeared in 1803 and the edition which Comte and Dunoyer read was the third revised edition of 1817. A thorough analysis of Say's life and work is urgently needed if his contribution to Restoration social theory and French political economy is to be fully appreciated. Say was active during the Directory as one of the principle editors of the journal, *La Décade philosophique* from 1794 to 1800, in which he developed many of his economic and social ideas, and used the journal as a forum for the introduction of Adam Smith's ideas to France during the 1790s. Having read Smith Say combined many of his

class theory is concerned, the additions and changes which Say made between the first edition in 1803 and the third edition of 1817 of the *Traité* are of great importance. In the intervening decade and a half Say had witnessed the massive economic interventionism and reckless militarism of Napoleon, as well as the acceleration of industrialisation in the north east of France. As an erstwhile cotton spinning manufacturer who had suffered under the uncertainties of Napoleon's continental blockade, Say was able to combine the theory he drew from Adam Smith with the practical knowledge he had gained as a business man during the upheavals of the revolution. He also witnessed the terrible recession which hit all of continental Europe and Great Britain as the economy slowly adjusted to the demands of peace-time and the absence of war inflation.³²²

Two of Say's ideas particularly struck Comte and Dunoyer as significant and original. The first was the perception that a new sector of the economy, the service sector, also created economic value and thus contributed to industrial growth. "Immaterial" goods, as Say called them, were goods provided by the provision of services or the transmission of information such as legal, medical, or even religious services.³²³ By their very nature they

economic insights with the French philosophe and revolutionary liberal traditions as well as his own experience as a cotton manufacturer. He established his reputation as the leading French political economist of the early nineteenth century with the publication of the first edition of his influential *Traité d'économie politique* (1803). He also wrote for the Saint-Simonian journal *Le Producteur* during the 1820s. On Say, see Joanna Kitchen, *La Décade, 1794-1807. Un journal "philosophique"* (Paris, 1965); Ernest Teilhac, *L'oeuvre économique de Jean-Baptiste Say* (Paris, 1927); Charles Comte, "Notice historique sur la vie et les ouvrages de J.-B. Say," *Mélanges... de J.-B. Say*, (Paris, 1833); Edgar Allix, "J.-B. Say et les origines de l'industrialisme," *Revue d'économie politique*, 24, 1910; idem, "La méthode et la conception de l'économie politique dans l'oeuvre de J.-B. Say," *Revue d'histoire économique et sociale*, 4, 1911; André Liesse, "Un professeur d'économie politique sous la Restauration...", *Journal des économistes*, 46, 1901. See also the dissertation by the Dutch historian Evert Schoorl, *Jean-Baptiste Say*, (Dissertation, Amsterdam, 1980).

³²²Say had been sent by the French government in 1814 to assess the strength of the British economy and his report discussed the terrible impact of the war on the standard of living of the average Englishmen. Say's report was published as "De l'Angleterre et des anglais," (1815) reprinted in *Oeuvres diverses...* (Paris: Guillaumin, 1848), pp. 205-231.

³²³Say called this value "immaterial" to distinguish it from the traditional eighteenth century view (which persisted into nineteenth century socialism as well as some classical political economists) that only labour which resulted in "material" goods created true value. Say's influence on French political economy in general and on Dunoyer in particular on the

were not of a physical kind, but they were equally the product of human "industry" and equally useful and productive as the material goods traditionally discussed by the political economists. Dunoyer took up Say's interest in "immaterial" goods and incorporated it into his theory of class, based upon the distinction between productive and non-productive activities. The tertiary sector activities which Dunoyer thought were essential to an industrial society included lawyers, judges, researchers and so on. This led to the discussion of what was productive and what was unproductive labour, and ultimately to a theory of class in which an "unproductive class" which lived off the productive efforts of others.

Related to the idea of the value of "immaterial goods" was Say's view of the "entrepreneur" as an economic actor as productive as any other in the manufacturing process.³²⁴ This view of the productivity of the entrepreneur finally put an end to the lingering influence of the Physiocratic school, with their one-sided view of the importance of agriculture. A consequence of Say's view is that there were many productive contributors to the new industrialism, including factory owners, entrepreneurs, engineers and other technologists as well as those in the knowledge industry such as teachers, scientists and other "savants" or intellectuals. At the heart of Restoration liberal class analysis lies the idea that the exploitive class was that group of people who did not engage in mutually beneficial exchanges.³²⁵ The conclusions drawn from this by liberal historians and

doctrine of "immaterial" goods is discussed by A. Clément, "Produits immatériels," *Dictionnaire de l'économie politique*, vol. 2, pp. 450-52. See Say's discussion of immaterial goods and the productivity of the industrial entrepreneur in "Analogie des produits immatériels, avec tous les autres" and "De quoi se composent les travaux de l'industrie" chapters V and VI of Part One of the *Cours complet d'économie politique pratique...* (Paris: Guillaumin, 1840), vol. 1, pp. 89-102.

³²⁴It is widely recognized by historians of economic thought that Say played a key role in defending the productive activity of the entrepreneur in organizing economic production. Perhaps because of his own experience in such a role Say was able to go beyond the narrower outlook of the Physiocrats and their hostility towards commercial and industrial middlemen.

³²⁵As Say put it in his last major work, the *Cours complet* published in 1828: "On the other hand, if we consider wealth in the interest of society we should devote particular attention to individual wealth because individual wealth ensures the well-being of the individuals who compose society. But we regard the goods acquired by an individual as a gain only to the extent that it is not achieved by means of an equivalent loss for another

sociologists is that there existed an expanded class of "industrials" (which included manual labourers and the above mentioned entrepreneurs and savants) who struggled against others who wished to hinder their activity or live unproductively off it. The theorists of industrialism concluded from their theory of production that it was the state and the privileged classes allied to or making up the state, rather than all non-agricultural activity, which were essentially nonproductive. They also believed that throughout history there had been conflict between these two antagonistic classes which could only be brought to end with the radical separation of peaceful and productive civil society from the inefficiencies and privileges of the state and its favorites.

But Dunoyer did not believe that Jean-Baptiste Say's view of industrialism, however innovative and stimulating it might be, was a complete one. The major weaknesses was that Say acknowledged the role of "industrial" activity which created immaterial value, but did not draw the necessary political and sociological conclusions from this. Say did not use this distinction between the productive "industrial" class (which produced both material and immaterial value) and the unproductive, parasitic classes (such as the nobility, state employed bureaucrats, the military) to develop a theory of class and history as Comte, Dunoyer and the other theorists of industrialism were in the process of doing. As long as Jean-Baptiste Say was content to deal only with the traditional topics of political economy, "the production, distribution and consumption of wealth" and not with "industry in the broadest definition" (including the industry of the nonmaterial tertiary sector) the broader political and social implications of the industrial perspective would escape him.³²⁶

individual. Society has gained nothing when one man's loss is another's gain. Individuals can believe that the most important thing is to acquire wealth without concerning themselves with its origin. This narrow economic calculation will not satisfy serious investigators or liberally minded individuals. The latter want to know the source of wealth which must be continually produced if constantly changing needs are to be provided for." Say, "Considérations générales", p. 18 of vol. 1 of the *Cours complet*.

³²⁶Dunoyer blamed Say for not seeing the radical political implications of his own economic work. Say, he thought, could have risen above the prevailing "superficial" political debate in the new edition of his *Treatise* but instead he preferred to argue, following Smith, that politics was the science of the organisation of society and that wealth-

Nevertheless Dunoyer still acknowledged his enormous debt to Say for contributing to his development of the theory of industrialism and claimed him as one of the three pioneers of the new "economic" or "industrial" interpretation of politics.³²⁷

THE INFLUENCE OF BENJAMIN CONSTANT

Benjamin Constant's contribution to the development of Dunoyer's theory of industrialism was the idea that the post-revolutionary world had left the "era of war" and entered a new "era of commerce." Benjamin Constant developed this idea in a polemical work on conquest and usurpation, which was a scathing attack on Napoleon Bonaparte's militarism as well as a pioneering attempt at "industrial" class analysis, according to Dunoyer. He considered Constant to have been the first writer to appreciate the true end of social activity in the post-revolutionary world and the first published statement of this view

creation was independent of this organisation. On the other hand, Dunoyer was convinced that Say's own work showed the very opposite. Say's efforts, along with most of the liberal political economists of the nineteenth century, to make economics a "science" independent of the political structure of society was entirely in vain according to Dunoyer. The science of political economy was "value laden" as we might say and implied quite specific policies on property, government intervention in the economy and individual liberty, something Say did not appreciate but which Dunoyer and Comte incorporated into their work. Dunoyer challenged Say's view that: "simplement *la science de l'organisation des sociétés*, sans dire pour quel genre de vie société devait être organisée, quel but il fallait assigner à son organisation, ni même si cette organisation devait être avoir un but; et il en faisait ainsi une chose tellement vaine, qu'à ses yeux mêmes et de son aveu, elle n'influe en rien sur la prospérité publique, et que *Les richesses sont essentiellement indépendante de l'orgainsation de la société*." Say, *Traité d'économie politique*, "Discours préliminaire," p. 1. Dunoyer, "Esquisse," *Revue encyclopédique*, p. 374. Dunoyer also criticised traditional political philosophy for neglecting the relationship between what he termed "the science of *industry* and the science of society; that is to say, (the relationship) between the knowledge of the laws according to which *all the useful professions* develop and the knowledge of the laws according to which society itself is perfected." Dunoyer, "Esquisse," *Revue encyclopédique*, p. 368.

³²⁷It was Jean-Baptiste Say who led Dunoyer to the important conclusion that: "l'industrie, envisagée sous un point de vue plus large, c'est-à-dire l'activité humaine considérée dans toutes ces applications utiles, comme l'objet fondamental de la société." Dunoyer, "Esquisse," *Revue encyclopédique*, p. 373

was the pamphlet *De l'esprit de conquête et de l'usurpation dans leurs rapports avec la civilisation européenne* (1814).³²⁸ What caught Dunoyer's imagination was Constant's claim that "modern" European societies were fundamentally different from "ancient" societies. What distinguished ancient from modern society was their different concept of liberty and their different concept of what was the purpose of society. Crudely, Constant believed ancient society was warlike with a political system which granted individuals the freedom to participate as citizens in choosing their leaders and in making major decisions. Modern nations, in contrast, were peaceful and commercial and had a political system which corresponded to these needs. Liberty was not seen as being just the right to choose one's rulers and participate in decision-making, but to be free from rulers, free to participate unmolested in one's private commercial or industrial activities. Constant believed the defeat of Napoleon had marked the dividing line between ancient and modern societies. Europe, he thought, had left the "epoch of war" and had now entered a new epoch, "the epoch of commerce" or industry as Dunoyer would have put it. In particular, Dunoyer was interested in the sentence "(l)e but unique des nations modernes, c'est le repos, avec le repos l'aisance, et comme source de l'aisance, l'industrie,"³²⁹ which nicely summed up his own thoughts on the true aim of social organisation.

Dunoyer did not agree entirely with Constant's claim that the modern era had already become the age of commerce rather than war. It would be an exaggeration, Dunoyer

³²⁸Benjamin Constant, *De l'esprit de conquête et de l'usurpation dans leurs rapports avec la civilisation européenne* (1814), in *De la liberté chez les modernes. Ecrits politiques*, ed. Marcel Gauchet (Paris: Livre de poche, 1980), pp. 105-261. An English translation is now available by Biancamaria Fontana, Benjamin Constant, *Political Writings*, ed. Biancamaria Fontana (Cambridge University Press, 1988).

³²⁹"Le but des nations modernes est l'aisance; avec l'aisance, la dignité, la considération, la gloire, l'illustration; et, comme source de tous ces biens, l'exercice moral et éclairé de toutes les professions utiles, ou, comme s'exprime M. Benjamin Constant, l'*industrie*, qui embrasse en effet toutes les professions utiles à la société." Dunoyer, "Esquisse," *Revue encyclopédique*, p. 371. See also Gauchet, p. 118. Dunoyer quibbled with Constant over the use of the word "unique" and reminded him that far from believing that man's sole interest in life were material and physical needs Constant had written a *Traité sur la Religion* in which the spiritual needs of mankind were discussed at considerable length.

thought, to claim this much. Rather it should be the end towards which society should aspire. In the immediate post-1815 period, France was far from being a society in which the peaceful and non-violent pursuit of commerce was the rule. Too many "passions dominatrices" still ruled the nobility, the church and even the merchant classes. Constant was completely wrong to assert that people had yet realised the new possibilities made possible by the pursuit of industry rather than war. Dunoyer preferred to view industry as the principle around which society ought to be organised, rather than the prevailing reality.³³⁰ As with Say, Dunoyer claimed that Constant's contribution to industrialism was only a partial one, as he did not return to the important economic questions raised in *Esprit de conquête* in any of his later writings. The most serious failing was that Constant did not try to incorporate his insights into industry into his broader political philosophy, preferring instead to stick with the "metaphysical" side of politics (as Dunoyer disparagingly put it). In other words, Constant retained a concern for the traditional preoccupation of the problem of the external form of a political system, which Dunoyer had criticised in the first part of his "Sketch".³³¹

³³⁰Referring to himself and Comte in the third person Dunoyer stated: "Ils ne dirent pas, avec M. B. Constant, que l'industrie était l'objet unique des nations modernes: trop de passions dominatrices (nobiliaires, sacerdotales, mercantiles) occupaient encore la scène pour qu'on pût aisément reconnaître dans les peuples cette honorable disposition à ne prospérer que par le travail paisible et les échanges réguliers. mais ce que M. B. Constant mettait en fait, ils le posèrent en principe. Ils reconnurent, non que l'industrie était, mais qu'elle devait être, qu'elle était destinée à devenir, qu'elle devenait de plus en plus le but des nations modernes, et que l'objet de la politique était à la fois de constater ce but et de rechercher comment la société pouvait l'attendre." Dunoyer, "Esquisse," *Revue encyclopédique*, p. 375. As we will see later, Dunoyer was of the opinion that France in the mid-1820s was at a crossroad in the mode of production known as political place-seeking. It could either go back towards the privilege of the ancien régime or go forward to the new age of industry. Dunoyer was certain that France had not yet reached the stage of industry as Constant apparently did. See below for a discussion.

³³¹Dunoyer, "Esquisse," *Revue encyclopédique*, pp. 373-4. These criticisms of Constant are somewhat unfair since Constant did discuss "industrial" matters, admittedly briefly, in four other places after his essay on the "Spirit of Conquest" appeared in 1814. References to industry and class occur in Constant, "De la liberté d'industrie" in the "Annexes aux principes de politiques," in Gauchet, pp. 456-70. *Principes de Politique*; in a review of Dunoyer's *De l'Industrie et la morale*, in Benjamin Constant, "De M. Dunoyer et de quelques-uns de ses ouvrages," in the collection of articles and essays *Mélanges de*

THE INFLUENCE OF FRANÇOIS MONTLOSIER

Montlosier's history of the French monarchy was the next step in the development of Dunoyer's discovery of industrialism. It provided the important historical framework.³³² Montlosier was a strange choice for a founding-father of Dunoyer's theory of industrialism because of his aristocratic inclinations. In his history of the French monarchy, he

littérature et de politique (1829), originally published as Dunoyer would have known in the *Revue encyclopédique*, février 1826, vol. 2; in the scattered but nevertheless extremely radical laissez-faire observations in Constant, *Commentaire sur l'ouvrage de Filangieri* (Paris: P. Dufart, 1822) and Benjamin Constant, *Mémoires sur les Cent Jours* (Paris: Pichon et Didier, 1829). Constant first presented what might be called a theory of class in a little known work, *Mémoires sur les Cent Jours* (1819-20), in which Constant examines the class structure, political privileges and influence of the new nobility created under Napoleon. To my knowledge, only Rudolf Herrnstadt has recognized the importance of Constant's ideas on class, set forth rather tentatively in *Mémoires sur les Cent Jours* (1819-20) where he examines the nature of the Bonapartist nobility. Herrnstadt's analysis can be found in *Die Entdeckung der Klassen. Die Geschichte des Begriffs Klasse von der Anfängen bis zum Vorabend der Pariser Julirevolution 1830* (Berlin: Deutscher Verlag der Wissenschaften, 1965), pp. 285-305. These works by Constant show that he continued his interest in liberal political economy and ably defended deregulation of the economy and legal protection of property rights. However, as Dunoyer pointed out, Constant did not develop a comprehensive theory of "industrialism" which encompassed class analysis, the historical evolution of economic modes of production and prophecies of the coming radical depoliticisation of society, as Dunoyer and Comte did. On Constant's political thought see *De la Liberté chez les Modernes: Ecrits politiques*, ed. Marcel Gauchet (Paris, 1980); Guy H. Dodge, *Benjamin Constant's Philosophy of Liberalism: A Study in Politics and Religion* (University of North Carolina Press, 1980); Benjamin Constant, *Ecrits et Discours politiques*, ed. O. Pozzo di Borgo (Paris, 1964); Benjamin Constant, *Recueil d'articles: Le Mercure, La Minerve et la Renommée*, ed. Ephraim Harpaz (Geneva, 1972); Benjamin Constant, *Recueil d'articles 1795-1817*, ed. Ephraim Harpaz (Geneva, 1978).

³³²François Montlosier, *De la Monarchie française, depuis son établissement jusqu'à nos jours, ou Recherches sur les anciennes institutions françaises et sur les causes qui ont amené la Révolution et ses diverses phases jusqu'à la déclaration d'empire, avec un supplément sur le gouvernement de Bonaparte... et sur le retour de la Maison de Bourbon* (Paris: Gide et fils, 1814), 3 vols. On Montlosier see P. Cella, "'Pouvoir civil' e 'pouvoir politique' nel pensiero di Montlosier," *Il pensiero politico*, 1983, vol. 16, no. 2, pp. 189-214. Dunoyer reviewed it twice in *Le Censeur européen*, once briefly and then a little later in more detail: Brief review of Montlosier, *De la monarchie française*, in *Le Censeur européen*, 1818, vol. 8, pp. 386-88; and in more detail in Review of Montlosier, *De la monarchie française*, in *Le Censeur européen*, 1818, vol. 9, pp. 108-55.

demonstrated a strong prejudice against the rise of the "Third Estate," an historical event which he disliked as it challenged the authority of the crown and upset the traditional balance of power between the classes.³³³ In spite of Montlosier's political views, Dunoyer was impressed with his class interpretation of French history, in which "the industrious classes liberated themselves and developed" often in opposition to the crown and the nobility.³³⁴ Montlosier argued with some regret that the industrious classes developed as a virtual state within a state. He believed, in a quite Marxian fashion, that the industrious class existed as a social group living in parallel with the traditional noble landed elite, until a point was reached when it was strong enough to challenge the traditional feudal élites for the dominant position within French society.³³⁵ Dunoyer, of course, rejected Montlosier's aristocratic disdain for the occupations of the industrious classes. There was nothing "vile" about the sciences, commerce and industry in Dunoyer's view and he saw nothing sacred in the traditional rights of birth. What prevented Montlosier from seeing the implications of his "industrial" theory of class and his interpretation of French history was his regret at the decline of the aristocratic class and his corresponding bitterness at the rise of the industrial classes. Had he been able to, as Dunoyer rather naively believed he should, he would have

³³³Quite unlike Augustin Thierry whose interpretation of the Third Estate was one of near exaltation. See his *Essai sur l'histoire de la formation et des progrès du Tiers État* (Paris: Furne, 1853).

³³⁴Dunoyer, "Esquisse," *Revue encyclopédique*, p. 372.

³³⁵Dunoyer quoted at length a series of passages from *De la Monarchie française* which summarised Montlosier's class analysis: "Nous allons voir s'élever au milieu de l'ancien état un nouvel état, au milieu de l'ancien peuple un nouveau peuple. Nous allons voir un état double, un peuple double, un ordre social double marcher pendant long-tems parallèlement l'un à l'autre, s'attaquer ensuite et se combattre avec acharnement... Les propriétés mobilières se balancent avec les propriétés immobilières, l'argent avec la terre, les villes avec les châteaux. La science, de son côté s'élève pour rivaliser avec le courage, l'esprit avec l'honneur, le commerce et l'industrie avec les armes. Le nouveau peuple, s'élevant de plus en plus, se montre partout triomphant. Il défait les anciennes formes ou s'en empare; rompt tous les anciens rangs ou les occupe; domine les villes sous le nom de municipalités; les châteaux sous le nom, de baillages; les esprits sous le nom d'universités; chasse bientôt l'ancien peuple de toutes ses places, de toutes ces fonctions, de tous ses postes; finit par s'asseoir au conseil du monarque, et de là impose à tout son esprit nouveau, ses lois et ses institutions nouvelles." *De la Monarchie française*, vol. 1, pp. 135-6, 175, quoted in Dunoyer, "Esquisse," *Revue encyclopédique*, p. 372.

realised that industry was the "natural" end" of society and thus used his insights to work towards advancing the cause of the rising industrial classes, something which Comte and Dunoyer now dedicated themselves to doing.³³⁶

THE THEORY OF INDUSTRIALISM IN *LE CENSEUR EUROPÉEN*

Dunoyer described the effect of the works of Constant, Montlosier and Jean-Baptiste Say on him and Comte as a veritable intellectual "revolution." Having absorbed the ideas of Say, Constant and Montlosier (as well as Thierry and Roederer who were not officially anointed as having contributed to the formulation of the theory of industrialism),³³⁷ Comte

³³⁶Dunoyer, "Esquisse," *Revue encyclopédique*, p. 373.

³³⁷Two other sources of influence which Dunoyer does not acknowledge in his 1827 essay are Augustin Thierry and Pierre-Louis Roederer. There are two explanations for Dunoyer's neglect of Thierry: either it was a deliberate slight on the part of Dunoyer as Thierry was well known to him and had in fact collaborated in editing *Le Censeur européen* or Thierry's work was written too late to have had the same impact as Montlosier's book published in 1814. Nevertheless Thierry may well have been as important as Montlosier in providing Dunoyer with an historical perspective on the rise of the industrial class and its conflicts with the state. Eventually Thierry became one of the leading exponents of liberal class analysis in the study of history, especially in his multi-volume studies of the Norman Conquest, the English Revolution, and the rise of the Third Estate. In Thierry's histories the productive "industrial" class is identified with the "third estate" and its gradual emergence in the twelfth century and its struggle for liberation from exploitation by the unproductive "feudal" class is the key event in modern European history. His earliest attempts to develop a liberal theory of class and history appeared for the first time in the liberal journal *Le censeur européen* and must have had a significant influence on the development of Comte and Dunoyer's own theory of class and history, although they did not acknowledge this. Unfortunately this is not the place to discuss in any detail Thierry and Roederer's influence on Dunoyer except to just take note of it. On Thierry see Robert Fossaert, "La théorie des classes chez Guizot et Thierry," *La Pensée*, January-February 1955, no. 59, pp. 59-69; Dietrich Gerhard, "Guizot, Augustin Thierry und die Rolle des Tiers État in der französische Geschichte," *Historische Zeitschrift*, 1960, pp. 290-310; Ephraïm Harpaz, "Sur un écrit de jeunesse d'Augustin Thierry," *Revue littéraire de la France*, 1959, no. 59, pp. 342-64; Stanley Mellon, *The Political Uses of History: A Study of Historians in the French Restoration* (Stanford University Press, 1958); Charles Rearick, "Thierry's New History," *Beyond the Enlightenment: Historians and Folklore in Nineteenth Century France* (Bloomington, Indiana: Indiana University Press, 1974); Kieran Joseph Carroll, *Some Aspects of the Historical Thought of Augustin Thierry (1795-1856)* (Washington, D.C.: The Catholic University of America Press, 1951); Rulon Nephi Smithson, *Augustin Thierry:*

and Dunoyer proceeded to use them to analyse the recent tumultuous events in French history in order to make sense of them. The issue which particularly concerned them was the very nature of liberalism itself and the strategy of the liberal opposition in the Restoration period. They asked themselves whether or not the liberal opposition had in fact a clear conception of what it was trying to achieve. The main aim of the liberals, under the influence of Constant, had been to create a version of British constitutional monarchism in France with Constant's Constitutional Charter of 1814 being the means to achieve this.

This was good as far as it went, but Comte and Dunoyer now believed that political and constitutional reform was not enough to bring about the kind of liberal society they wanted. There were more powerful and important forces at work, such as the exploitation of one class by another, the class structure to which this exploitation gave rise, and the relationship between the mode of production and the political ideas and culture of a society, which traditional liberal theory did not fully appreciate. Unless liberalism could come to terms with these forces, it would be impossible to change French society in a lasting manner. What good would it be to change the constitution if the underlying mode of

Social and Political Consciousness in the Evolution of a Historical Method (Genève: Droz, 1972), in particular on Thierry's relationship with Comte and Dunoyer see chapter 3 "With the *Censeur Européen* (1817-1819)," pp. 51-62 and chapter 4 "With the *Censeur Européen* Daily (1819-1820)," pp. 63-75. Most of Thierry's articles which were first published in *Le Censeur européen* between 1817-1820 were later republished in Augustin Thierry, *Dix ans d'études historique* (Paris: Just Tessier, 1842, first published 1835), a full list of Thierry's articles in Comte and Dunoyer's journal can be found on pp. 308-9 of Smithson; his other major works are *Essai sur l'histoire de la formation et des progrès du Tiers État* (Paris: Furne, 1853); *Histoire de la Conquête de l'Angleterre par les Normands* (Paris: Didot, 1825); *Lettres sur l'histoire de France* (Paris: Sautelet, 1827). Thierry's important articles in Comte and Dunoyer's journal include Augustin Thierry, "Vues des révolutions Angleterre," in *Le Censeur européen*, vols. IV-XI, 1817; and "Des nations et de leurs rapports mutuels: ce que ces rapports ont été aux diverses époques de la civilisation; ce qu'ils sont; quels principes de conduites en dérivent," *Le Censeur européen*, 1817, vol. 2, pp. 222-245. On Roederer see Pierre-Louis Roederer, "Mémoires sur quelques points d'économie politique," in *Oeuvres du Comte P.-L. Roederer*, ed. A.-M. Roederer (Paris, 1859); Michael James, "Pierre-Louis Roederer, Jean-Baptiste Say, and the concept of *industrie*," *History of Political Economy*, 1977, vol. 9, no. 4, pp. 455-75; Edgar Allix, "La rivalité entre la propriété foncière et la fortune mobilière sous la Révolution," *Revue d'histoire économique et sociale*, 6, 1913.

production (at the time of the late 1810s it was the stage of "political place-seeking" according to Dunoyer's theory of class) created a class structure and a political culture which was illiberal? No amount of mere paper reforms would alter this fact. Until there was a large class of "industrials," who were interested in limiting the power of the state and in ending the privileges of the political class of "place-seekers," and upon whom a new political culture could be based, there could be no permanent change in the nature of French politics and society.

Thus, in the light of these serious deficiencies in liberal theory, Dunoyer and Comte came to the unhappy conclusion that liberalism, with its stress on constitutionalism and the outward form of political institutions, had very little idea of its ultimate aims, in what direction French society ought to be moving, how French society ought to be arranged in order to achieve this goal, and the powerful social structures and culture which lay in its path.³³⁸ After reading Benjamin Constant, François Montlosier and Jean-Baptiste Say, Comte and Dunoyer came to the conclusion that the liberal program was useless if it did not understand the political culture and class structure to which exploitation gave rise, both historically and at the present time. Only when the nature of the forces which were opposed to liberal reform were understood and when the present stage of economic evolution had been determined for its proximity to the final stage of "industrialism," could the chances for liberal reform be assessed. The task they set themselves was to develop the political implications of the theory of industrialism to "un ordre infiniment plus scientifique et plus élevé"³³⁹ than anything hitherto expressed in the work of the three pioneers of

³³⁸"Ces écrivains avaient été forcés par la réaction de 1815 de suspendre le cours de leurs publications. Cette interruption violente de leurs travaux, qui dura pendant plus d'années, leur permit d'examiner à loisir la direction qu'ils avaient suivie jusqu'alors. Ils se demandèrent si l'opposition libérale, si la politique constitutionnelle, avaient un objet bien déterminé; et, sans nier que les efforts qu'on faisait pour l'établissement de certaines institutions ne pussent avoir un haut degré d'utilité, ils furent obligés de s'avouer qu'en général on ne savait pas, et que même on ne se demandait pas où la société devait tendre et en vue de quel objet général d'activité elle devait être constituée." Dunoyer, "Esquisse," *Revue encyclopédique*, p. 374.

³³⁹Dunoyer, "Esquisse," *Revue encyclopédique*, p. 375.

industrialism. This was to be the guiding spirit of the new magazine, *Le Censeur européen*, which Comte and Dunoyer established to replace the defunct and censored *Le Censeur*, and which would continue over into their theoretical writings in the 1820s.

Comte and Dunoyer (and Thierry as well) began to develop the new liberal social theory in a series of important articles in their journal *Le censeur européen*.³⁴⁰ In the second volume of their newly relaunched journal Comte began the task of writing a magisterial interpretation of European development from the ancient Greeks to post-revolutionary society in an article called "De l'organisation sociale considérée dans ses rapports avec les moyens de subsistance des peuples."³⁴¹ Comte began his essay with an obvious borrowing from Say. He distinguished between three different ways in which wealth could be acquired: either one could use the fruits of nature, one could steal from one's fellows, or one could produce one's own goods by industry. Comte then proceeded to analyse European development, using a modified four stage theory which had been used by Turgot and Millar in the previous century.³⁴² Unlike Marxian theories of societal development based upon a single mode of production, Comte readily admitted that a mixture of these three modes could exist side by side. What he did observe, and which was the prime aim of his work, was to identify the gradual transformation of the economy from various class dominated and unproductive societies to one where pure industry predominated. The main

³⁴⁰The earliest attempt at a "industrial" interpretation of history was presented in articles in *Le Censeur européen*. See Comte, "Considérations sur l'état moral de la nation française, et sur les causes de l'instabilité de ses institutions," *Le censeur européen*, 1817, vol. 1, pp. 1-92; and "De l'organisation sociale considérée dans ses rapports avec les moyens de subsistance des peuples," *Le Censeur européen*, 1817, vol. 2, pp. 1-66; and Dunoyer, "Considérations sur l'état présent de l'Europe, sur les dangers de cet état, et sur les moyens d'en sortir," *Le censeur européen*, 1817, vol. 2, pp. 67-106. The differences between these essays and the theory of industrialism which emerged in Dunoyer's 1825 book *L'industrie et la morale* would make an interesting study.

³⁴¹Charles Comte, "De l'organisation sociale considérée dans ses rapports avec les moyens de subsistance des peuples," *Le Censeur européen*, 1817, vol. 2, pp. 1-66. It is not too difficult to see the first part of Comte's magnum opus, the *Traité de législation ou exposition des lois générales suivant lesquelles les peuples prospèrent, dépérissent, ou restent stationnaires* (Paris, 1827) as an elaboration of this early essay.

³⁴²On the history of this conception of development see Ronald L. Meek, *Social Science and the Ignoble Savage* (Cambridge University Press, 1976).

stages in this transformation from warrior and slave society to pure industrial society were warrior tribal societies, the ancient slave societies of Greece and Rome, feudalism which had existed up until the French Revolution, and the age of peace and industry. In all these societies bar the last, there existed "la classe oisive et dévorante" and "la classe industrielle." The precise nature of the productive work which the industrious class did is not important. The vital aspect was that the products of their labour was coercively exploited by those who did not so labour.³⁴³

³⁴³The following is only one of many examples one could select from Comte's essay to illustrate this: "It was natural that the Franks, who were incapable of existing other than by exploiting the industrious men which they had enslaved, despised those amongst themselves who turned to industrial activity. Those who abandoned the trade of pillage in order to become an industrious man renounced the state of barbarism and entered the state of civilisation. He abdicated his title of conqueror by joining the conquered class. This was called in the original French "déroger." On the other hand, a man was ennobled when he left the class of industrious or civilised men to enter the idle and parasitic class (or what Comte termed "dévorant," in other words the class of barbarians. A social organisation as vicious as the Frank's carries within itself the seed of its own destruction. As soon as men who do not belong to the dominant caste discover the secret of creating wealth by their own industry, and as soon as nobles have lost the power to get wealth other than by giving something of equal value in return, the former who are accustomed to order, to work and to economy increase constantly in numbers, whilst the latter group, not knowing how to produce anything and basing their glory on magnificent consumption, will be reduced in a short time to complete decadence." Comte, "De l'organisation sociale considérée dans ses rapports avec les moyens de subsistance des peuples," p.24-25. There are many surprising parallels with the Marxist idea of economic development of class societies through stages. There is the insight that the mode or modes of production had a decisive influence on culture and politics. One can also find the idea that contradictions within each mode of production leads to a crisis and the transformation of that mode of production into a mode closer to that of pure industry. This theory of class and conquest was taken up most notably by Augustin Thierry, and to a lesser extent by Guizot, in their histories of the Norman Conquest and the Third Estate. Neither Thierry nor Guizot developed an economic theory to explain the forces at work in historical evolution. They had no need to since the works of Say and Comte provided the theoretical foundation they needed for their historical interpretation, an interpretation which was to be so influential throughout the nineteenth century. Augustin Thierry, *Essai sur l'histoire de la formation et des progrès du Tiers État* (Paris: Furne, 1853); *Histoire de la Conquête de l'Angleterre par les Normands* (Paris: Didot, 1925); and *Dix Ans d'études historiques* (Paris: Tessier, 1835). François Guizot, *Histoire de la révolution d'Angleterre, depuis l'avènement de Charles Ie jusqu'à la restauration de Charles II* (1826); *Histoire des origines du gouvernement représentatif en Europe* (1851); and *Histoire de la civilisation en Europe depuis la chute de l'Empire romain jusqu'à la Révolution française* (Paris: Hachette, 1985). Alexis de Tocqueville also used some aspects of this economic and class analysis in his history of the Ancien Régime

Dunoyer too made an early effort to develop the theory of industrialism in a handful of essays in *Le Censeur européen*. In one essay in which class analysis played a particularly important rôle, "De l'influence qu'exercent sur le gouvernement les salaires attachés à l'exercice des fonctions publiques," Dunoyer combined a public choice analysis of state employees with an historical analysis of the expansion of the state before, during and after the revolution, showing its seemingly inexorable rise under all manner of régimes.³⁴⁴ Once again, class analysis was the guiding principle in his analysis and the experience of the revolution and Napoleon suggested a veritable war between the contending classes for control of the state.³⁴⁵ But it would be in Dunoyer's book *L'industrie et la morale*, published in 1825, where he developed the ideas he had got from Say, Montlosier, Constant and others into a complete theory of industrialism and liberal class analysis, and it is this book which will be discussed in the rest of this chapter.

which may also be described as an analysis of the state before and after the Revolution. Alexis de Tocqueville, *L'ancien régime et la révolution*, ed. J.-P. Mayer (Paris: Gallimard, 1967).

³⁴⁴Dunoyer, "De l'influence qu'exercent sur le gouvernement les salaires attachés à l'exercice des fonctions publiques," *Le Censeur européen*, 1819, no. 11, pp. 105-28.

³⁴⁵"It is impossible for a government to levy taxes and distribute large amounts of money without by that very process creating large numbers of enemies of its authority and those jealous of its power. The government creates large numbers of enemies because it becomes terribly onerous for those who pay the taxes. It creates many who are jealous of its power because it becomes extraordinarily profitable to those who receive the money from the state. The government thus creates a state of unavoidable hostility between those groups who eagerly covet the benefits which the state provides and the richer members of the public who try with all their power to avoid the burdens which are placed on them. In order to prevent any weakening of its power or to prevent power passing into someone else's hands, the government is forced to surround itself with spies, to fill the state's prisons with its political adversaries, to erect scaffolds for hanging, and to arm itself with a thousand instruments of oppression and terror." *Le Censeur européen*, 1819, 11, p. 112.

In the years immediately after the closure of the daily paper, *Le censeur européen*, in June 1820, Dunoyer was forced to find another career. He was most fortunate to be able to secure a teaching post at the Athénée Saint-Germain in Paris. In the winter of 1825 he gave a series of lectures on a topic he had been formulating ever since he had first come into contact with Jean-Baptiste Say's economic theories, namely the theory of industrialism. These lectures set down the basic framework of his class analysis which Dunoyer retained for the rest of his life and which was elaborated in increasing levels of detail in three important books between 1825 and 1845.³⁴⁶ It was appropriate that Dunoyer gave his lectures at the Athénée because it was at this institution that both Say and Constant previously had given their lectures on political economy and political thought respectively.³⁴⁷ Although the content of Dunoyer's lectures mainly concerns the sociological structure of the emerging industrial society and the various historical forms it

³⁴⁶Charles Dunoyer, *L'Industrie et la morale considérées dans leurs rapports avec la liberté*, (Paris: A. Sautet, 1825). The title gives little indication of the contents of the book which began with some chapters on the nature of liberty and its relationship with race and culture before dealing with the twin issue of the evolution of different modes of production and the nature of class in each of the main economic stages. Dunoyer realised the book was only a preliminary statement on the question of class and economic evolution as he promised to devote a separate volume to the nature of a purely industrial society of the future. Dunoyer successively expanded his work over the next twenty years, reworking the basic theme and treating the various historical stages in greater detail. Charles Dunoyer, *Nouveau traité d'économie sociale, ou simple exposition des causes sous l'influence desquelles les hommes parviennent à user de leurs forces avec le plus de LIBERTÉ, c'est-à-dire avec le plus FACILITÉ et de PUISSANCE* (Paris: Sautet, 1830) 2 vols; and *De la liberté du travail* (Paris: 1845). I have used the edition published by his son in 1886, *Oeuvres de Charles Dunoyer* (Paris: Guillaumin, 1886) 3 vols. Volumes one and two contain *De la liberté du travail*.

³⁴⁷Leonard Liggio, "Charles Dunoyer and French Classical Liberalism," *Journal of Libertarian Studies*, 1977, vol. 1, no. 3, p. 164. On the propagation of liberal political economy in France at this time see Lucette Le Van-Lemesle, "La promotion de l'économie politique en France au XIX^e siècle jusqu'à son introduction dans les facultés (1815-1881)," *Revue d'histoire moderne et contemporaine*, 27 April 1980, pp. 270-94 and Alain Alcuffe, "The Institutionalization of Political Economy in French Universities: 1819-1896," *History of Political Economy*, Summer 1989, vol. 21, no. 2, pp. 313-44.

has assumed in its trajectory into the present, Dunoyer admits that the hidden agenda for his work is the much broader problem of the nature of individual liberty, neatly summed up in the motto appended to the title-page: "Nous ne devenons *libre* qu'en devenant *industrieux* et *moraux*." Another concern, as the full title of the book suggests, is the "morals" or political culture which arises from each different mode of production. Dunoyer believed that the mode of production which existed at any given time had a profound effect on the intellectual, religious, cultural and moral development of individuals and that much of human behaviour could be explained or understood by a close examination of the economic forces which were at work in every society.

When Dunoyer's book appeared in 1825 it sparked off a heated debate amongst liberals and Saint-Simonians, a debate which included the novelist Stendhal who satirised claims that the industrial class were worthier than other classes, Benjamin Constant who critically reviewed Dunoyer's book, and Saint-Simonians from journals such as *La Globe* and *Le Producteur* who disputed the claims of the liberal interpreters of industrialism.³⁴⁸ Dunoyer's 1827 essay on the origins of industrialist theory needs to be seen in the light of this debate and criticism. The debate over the intellectual origins of "industrialism" which Dunoyer began, unfortunately has not shed much light on the problem.³⁴⁹ A careful analysis of the debate is required in order to separate the various threads, since quite different theories were described by the participants to the original debate as "industrial." The basic issue which was not always clearly seen by the participants was over ends and means - the Saint-Simonians identifying industrialism with the ultimate end of rule by an élite industrial

³⁴⁸Stendhal, *D'un nouveau complot contre les industriels*, ed. P. Chartier et al. (Paris: Flammarion, 1972). Benjamin Constant, "De M. Dunoyer et de quelques-uns de ses ouvrages," originally appeared in *Revue encyclopédique*, February 1826, vol. 29 and republished in *Mélanges de littérature et de politique* (1829) and in *De la liberté chez les modernes*, ed. Marcel Gauchet (Paris: Livre de poche, 1980), pp. 543-62.

³⁴⁹On the debate over the origins of industrialism see, Gaston Richard, "Le philosophie et l'individualisme économique: l'école positiviste. Ses origines.", *Le question sociale et le mouvement philosophique au XIXe siècle* (Paris, 1914), pp.97-119; René Gonnard, "L'individualisme: J.-B. Say," and "Dunoyer," in *Histoire des doctrines économiques* (Paris, 1922), vol. II, pp.252-64, 278-83.

class broadly defined, whilst the liberals Comte and Dunoyer understood industrialism in a very different sense. The latter viewed industrialism as the result of a process of radically depoliticised economic activity by the productive industrial class. The actual end would be the social and economic predominance of the industrial class, but not rule by them in the political sense. In fact, as will become apparent at the end of this chapter, Dunoyer's picture of an industrial future had no room for a state at all, as all public functions had either been privatised and provided on the free market or devolved into small municipalities which had almost no political power.

Two years after the appearance of *L'industrie et la morale* Dunoyer published a scathing attack on the Saint-Simonian theorists of industry in a vain effort to distinguish his and Comte's liberal and almost anarchistic theory from the technocratic Saint-Simonian doctrine. In the "Sketch of the doctrines to which one has given the name 'industrialism,'" that is to say the doctrines which base society on 'industry,'"³⁵⁰ to give Dunoyer's essay its full title, Dunoyer discusses what he considers to be the basic difference between the two different forms of industrialism. Fundamentally, the liberal theory was based upon industrialism as a mode of production with a liberal legal and political system designed to protect individual rights to property and liberty, whilst the Saint-Simonian form of industrialism sought the rise of three new classes (scientists, artists and industrialists) to the highest level of political control. These new classes would replace the traditional ruling elites and run industrial society from the top down, in other words a form of industrialism without any liberal underpinning. Naturally, Dunoyer rejected this new form of class rule

³⁵⁰Dunoyer, "Esquisse historique des doctrines auxquelles on a donné le nom industrialisme, c'est-à-dire, des doctrines qui fondent la société sur l'Industrie," *Revue encyclopédique*, février 1827, vol. 33, pp. 368-94. Reprinted in *Notices d'économie politique*, vol. 2 of *Oeuvres*, pp. 173-199. The "Sketch" must be treated with caution as Dunoyer was involved in disputes in the late 1820s which colour his recollection of events. For example, he was disputing the claims of the rival Saint-Simonian school of industrialism over the matter of priority and over who had developed the "truest" form of the theory of industrialism. This might have led him to down play the contribution of Saint-Simon and his secretary Augustin Thierry in the development of his own ideas and to emphasise other influences such as Montlosier and Constant.

which would be just as hostile to freedom of speech and laissez-faire as the traditional elites of the feudal period and the ancien régime had been. Saint-Simon was correct to see the importance of the new industrial and intellectual classes, but he made the mistake of wanting to replace the personnel of the old ruling elite with this new group, rather than wanting to abolish class rule altogether as Comte and Dunoyer sought.

The intricacies of the debate between Comte and Dunoyer, on the one hand, and the Saint-Simonians, on the other, over priority and the authenticity of their interpretation of industry need not concern us here. Since the Saint-Simonian theory of industrialism is much better known than that of Comte and Dunoyer it is perhaps more worthwhile to spend some time discussing the version of Dunoyer who, in the apparent division of labour between the two friends, wrote the first full-length work on liberal industrial and historical theory. One of the key concepts in his theory was the idea of economic evolution through stages, culminating in an optimistic vision of a pure "industrial" society in which all human relations were voluntary. All social and individual needs would be provided through the market and thus the state would either disappear entirely or be broken down into little more than radically decentralised "municipal" structures. Dunoyer's modification of the traditional eighteenth-century four stage theory of economic development is extremely interesting and worthy of detailed analysis.³⁵¹ The contribution made by Dunoyer was to introduce two new stages to add to the traditional four stages of hunting, pasturing, agriculture and commerce through which European society had passed. The fifth stage had been created by the destruction of feudalism and the ancien régime by the French Revolution. Occupations and political office were now open to all but society was dominated by an excessive desire to seek political office ("places" as Dunoyer called them). The sixth and final stage was that of "industrialism" - a stage where the potentialities of extensive manufacturing and the commercialisation of all avenues of life were recognised and in which politics would be virtually done away with.

³⁵¹The classic discussion of the four stage theory is Ronald L. Meek, *Social Science and the Ignoble Savage* (Cambridge University Press, 1976).

According to Dunoyer the economic stages through which European society had evolved were the following:

1. savagery based upon hunting and gathering
2. nomadic life based upon primitive herding
3. slave society based upon slave labour in the household and in the fields
4. the society of political privileges based upon rigid legal privileges beginning with feudalism and extending up to the mercantilism of the pre-revolutionary period
5. the system of political place-getting (especially under Napoleon) which was based upon fierce competition to secure government posts and other privileges
6. and the final stage of industry which was exclusively based upon production for the market.

What follows is a discussion of Dunoyer's theory of economic evolution based upon the differing modes of production and the class structures to which it gives rise.

1. THE STAGE OF SAVAGERY³⁵²

Dunoyer had a very bleak and unforgiving view of life in what he called "the first stage of social life,"³⁵³ which no doubt reflects the bias of the sources he used, such as Péron, Cook, Humboldt, Robertson, and Thomas Malthus,³⁵⁴ as well as the optimism with which he viewed the advent of industrial and "civilised" society. To Dunoyer, life in the "savage" state was violent, brutal, uncaring and short-sighted and he vigorously attacked those, like the Abbé Raynal and Jean-Jacques Rousseau, who had a more positive view of savage life. It was incredible to Dunoyer that writers like Rousseau had glorified the

³⁵²"IV. Du degré de liberté qui est compatible avec la vie des peuples sauvages," Dunoyer, *L'Industrie et la morale*, pp. 119-54.

³⁵³Dunoyer, *L'Industrie et la morale*, p. 119.

³⁵⁴Péron, *Voyage de découvertes aux terres australes*; James Cook, *Second Voyage*; Robertson, *History of America*; Alexander von Humboldt, *Essai politique sur la Nouvelle-Espagne*; Thomas Malthus, *Principles of Population*; John Heckwelder, *Histoires des mœurs et coutumes des six nations*; Franklin, *Oeuvres moraux*; Bouger, *Voyage en Pérou*.

existence of the savage and denigrated the "civilised" life of urban living and industry. Much of the chapter on the savage life is an attack on those who sentimentalised a pre-industrial existence by emphasising the supposed high standard of living of tribes people compared to Frenchman of the late eighteenth and early nineteenth centuries. Their idealisation of life in the savage state ignored the brutality, poverty and oppression which Dunoyer thought was endemic to "savagery."³⁵⁵ Dunoyer disputed their claims that civilised and industrial life caused man's physical strength and moral state to degenerate; that living conditions and mortality rates had become steadily worse as civilisation progressed; and that in general savages were nobler, healthier, more vigorous, and freer than their modern counterparts. The only positive aspect of savagery Dunoyer could find was the absence of a state, but without the opportunities made possible by industry he could not imagine how one could take full advantage of this early form of anarchism.

He mocked Rousseau's claim in *Discours sur l'origine de l'inégalité* that savages could not be oppressed because any would-be oppressor lacked the means to enforce obedience. Potential slaves, serfs or taxpayers, Rousseau thought had the option of fleeing beyond the reach of an oppressor, thus protecting their freedom. To Dunoyer it was an absurd suggestion that individuals could be free if they were willing to abandon their family and their property in order to flee would-be oppressors. This so-called freedom was also available to individuals living in an industrial society, but is not what Dunoyer wished to define as true liberty. Freedom without provision for the protection of property or labour was not freedom at all.³⁵⁶

The brutality, disregard for human life and oppression which Dunoyer thought existed in savage life was partly due to the economic fact that the struggle to survive was a

³⁵⁵Dunoyer frequently quoted Rousseau's *Contrat social* and *Discours sur l'origine de l'inégalité* and Raynal, *Histoire philosophique et politique de deux Indes* as the two best representatives of the pro-savage and anti-industry school of the Enlightenment. He also described the Rousseauists as "the detractors of the civilised life," *L'Industrie et la morale*, p. 125.

³⁵⁶Dunoyer, *L'Industrie et la morale*, p. 123.

difficult one. Simple hunting and gathering did not provide a guaranteed subsistence which made charity and tolerance towards other people possible. Another reason Dunoyer gave to account for the brutality of savage life was a moral weakness, the inability of savages to control their passions in their relations with other people, even their closest family members.³⁵⁷ The result of this economic and moral pressure was that those who were physically weak (such as the sick, the old, the young and, of course, women) were likely to be very poorly treated by the tribe because they were a burden to its survival. Unwanted children and sick or elderly people might be abandoned to the elements, while women were universally exploited as beasts of burden by their husbands or fathers simply because they were unable to resist the physical strength of the males. In an interesting passage, Dunoyer discusses the position of women in savage society (the example he uses is Péron's description of aboriginal women in New South Wales), likening them to the slaves or the "working class of this stage" of economic development who did most of the useful work for the tribe and who were beaten for their trouble as well.³⁵⁸ Dunoyer continues his attack on the condition of women in tribal society in a lengthy footnote, where he explicitly states that it is the violent submission of women to a form of slavery which is an important aspect of the class structure of the savage stage of economic development. It is worth quoting at length in order to appreciate the radical nature of Dunoyer's analysis.

Les femmes sont les esclaves de la vie sauvage; elles forment la classes ouvrière de cet état; elles exécutent presque tout ce qui s'y fait de travail utile. Partout où il y a un commencement d'agriculture, ce sont elles ordinairement qui labourent la terre, qui sèment et récoltent le grain, qui l'écrasent et le préparent... Elles font sécher la viande, préparent les peaux, ramassent les racines pour la teinture... Ailleurs, elles vont à la pêche pour leurs maris... Dans les voyages, elles portent les enfant en bas âge, les utensiles et tous les mobiliers... Tout ce qu'elles produisent est la propriété du mari... Elles n'ont pas

³⁵⁷Quoting the Scottish writer Adam Ferguson's *An Essay on the History of Civil Society*, Dunoyer asserted that "La morale de relation de l'homme sauvage ne vau pas mieux que sa morale personelle. Il ne parait conduit dans ses rapports avec les autres que par des passions, comme il ne l'est envers lui-même que par des appétits; et il cède à ses affections comme à ses appétits, remarque Ferguson, sans songer le moins du monde aux conséquences de ses actes." Dunoyer, *L'Industrie et la morale*, p. 144-5.

³⁵⁸Dunoyer, *L'Industrie et la morale*, p. 146.

même toujours part au fruit de leur travail. Péron raconte que, dans une entrevue qu'il eut avec les naturels de la Nouvelle-Hollande, il vit les hommes se partager le poisson que leurs femmes avaient pris, et le manger *sans leur en rien offrir*... Elles préparent le repas de leur maris; elles ne mangent point, en général, avec lui. Dans certains pays elles ne participent même pas aux jeux auxquels il semblerait le plus naturel de les admettre, par exemple à la danse. M. de Humboldt, parlant de celles de l'Amérique méridionale, observe qu'elles auraient plus de vivacité que les hommes, dont le chant est lugubre et mélancolique; "mais, dit-il, elles partagent les mailheurs de l'asservissement auquel ce sexe est condamné chez tous les peuples où la civilisation est encore très imparfait; *elles ne prennent point part à la danse*; elles y assistent seulement pour présenter aux danseurs des boissons fermentées, qu'elles ont préparées de leurs mains. ... Humiliation et fatigue, tel est partout leur lot dans la vie sauvage. Ce qui caractérise surtout cet âge de la société, c'est l'état de dégradation auquel les femmes y sont réduites..."³⁵⁹

If within the tribe women provided the equivalent of a slave or working class for the benefit of the senior males, then outside the tribe other tribal groups provided an additional source of exploitation for subsistence as well as booty for the male warriors. Since at this stage of economic development cultivation of the soil was unknown, the tribe had to live from the fruits of hunting and gathering which, Dunoyer thought, was a most inadequate way of providing for the needs of the tribe. In times of need neighbouring tribes would be attacked and their food and other possessions pillaged and their members slaughtered in order that the attacking tribe might survive. Dunoyer believed that "savage" society was too primitive even for the existence of slavery, which at least spared the lives of those who were attacked in war, since tribal people had no concept of the economic importance of forced labour apart from their own women. Slavery or the forced economic use of another human being could only exist in a more economically developed state where there already existed the idea of working for another for wages or board.³⁶⁰

Since the mode of production in the savage stage was not very productive, men were often forced to resort to violent means of acquiring the wealth they needed to survive. Thus,

³⁵⁹Dunoyer, *L'Industrie et la morale*, footnote 2, pp. 146-7. This passage was written some sixty years before Friedrich Engels made similar remarks about the condition of women in *The Origin of the Family, Private Property and the State in the Light of the Researches of Lewis H. Morgan* (1884).

³⁶⁰Dunoyer, *L'Industrie et la morale*, p. 148.

far from being a period of peace and well-being, Dunoyer thought the life of a savage was the least secure for life and property of any stage of human economic development. Quoting James Cook's account of tribal life in New Zealand, Dunoyer believed that a constant state of warfare existed in which life was cheap, living conditions precarious at best and where there was a near total absence of liberty. Dunoyer's damning conclusion about savage life left little reason to regret the evolution to higher stages of economic development.

Voyez le sauvage dans les situations les plus ordinaires de sa vie, en proie à la famine que lui font souffrir son ignorance et sa paresse, dans l'état d'immobilité stupide où le retient son inertie, au sein de l'ivresse brutale où l'a plongé son intempérance, environné des périles qu'il a provoqués par ses fureurs; et vous reconnaîtrez qu'à aucun autre âge de la vie sociale l'homme ne fait de ses forces un usage aussi borné, aussi stérile, aussi violent, aussi dommageable, et que, par conséquent, à aucun autre âge il ne jouit d'aussi peu de liberté.³⁶¹

In spite of this rather passionate denunciation of savage life, Dunoyer believes that there were some admirable features of tribal society at the hunter-gatherer stage of production, even if they were only "elements" of a truly free and industrious life. If a tribe was not engaged in war or raiding parties against other tribes, it was most likely engaged in "peaceful and productive labour"³⁶² (or rather the women were so engaged), such as building a shelter, shaping some simple tools and furniture, cultivating a small area around the hut, and exchanging these things with others. These simple economic activities had a profound affect on the attitudes and behaviour of the individuals involved. To the extent that they engaged in these activities, the members of the tribe became more thoughtful and inventive, their passions became more moderate, the hardships of making a living became less, and the need to be violent to one's neighbours or one's own family became much less. In other words, life became more peaceful, productive and free as industrious activity

³⁶¹Dunoyer, *L'Industrie et la morale*, pp. 151-2.

³⁶²Dunoyer, *L'Industrie et la morale*, p. 152.

replaced war and famine, and all these good moral virtues Dunoyer believed were the direct result of the mode of production, that is of production and trade.³⁶³

There is also Dunoyer's admiration for the spirit of independence shown by many savages. He believes their mode of production endows them with what he calls "an impatience of all artificial superiority and all unjust domination," a "passion for individual independence" and a "disposition to resist" unjust authority.³⁶⁴ In places Dunoyer seems to view some aspects of savage life, especially in its peaceful, productive and fiercely independent aspects, as a type of "primitive anarchism." What authority is submitted to, such as a chief, is often voluntary in nature. Submission is voluntarily given to a widely respected chief who is skilled in warfare or leading the hunt undertaken in common or who is particularly wise in solving disputes. This is quite unlike the submission given to a mere individual who wishes to exert power over others for his own personal ends, such as a warrior chief or a priest. This latter kind of submission is rejected by the savage. Authority which is not voluntarily submitted to is strongly resented and the skill learnt in hunting and warfare can easily be used to resist an unwanted authority. Dunoyer was impressed with the resistance shown by some North American Indian tribes to the conquest by the Spanish, some choosing suicide rather than submit to the authority of the conqueror and give up their independence.³⁶⁵ Jean-Baptiste Say was also sympathetic to aspects of savage and nomadic life. For example, he sympathised with those who wished to escape the clutches of the states of Europe by fleeing to join the anarchistic Indians in North America. Say reasoned that, although such a refugee from the state would give up much of value which organized society had to offer, sometimes the price of living in a highly regulated and restrictive society was too high to pay.³⁶⁶

³⁶³Dunoyer, *L'Industrie et la morale*, pp. 152-3.

³⁶⁴Dunoyer, *L'Industrie et la morale*, p. 153.

³⁶⁵Dunoyer, *L'Industrie et la morale*, p.154.

³⁶⁶Jean-Baptiste Say, Section one, "Organes essentiels," of "Tableau général de l'économie des sociétés" in *Cours complet*, vol. 2, p. 334.

Dunoyer's view of the "savage" stage of economic development is important because he establishes the beginning of class domination by males in a combined process of subjection of women, as "beasts of burden" and a virtual "working class," and the violent subjection of other tribes by the warriors. Yet he also identifies the beginnings of productive, peaceful industrial activity, probably by women at first, but also including the non-warrior male members of the tribe. This productive activity alters the "morals" of savage tribal society and begins the long process of "civilisation" and humanisation of society which culminates in the pacifism and anarchism of industrialism.

2. THE STAGE OF NOMADISM³⁶⁷

Whereas Dunoyer took issue with Rousseau and Raynal's interpretation of savagery when it came to discussing the next stage of economic development, the subjects of Dunoyer's attack on nomadism were Montesquieu's *De l'esprit des lois*, Mably's *Observations sur l'histoire de France*, and Ferguson's *History of Civil Society* and the societies studied included the Tartars, the Bedouin Arabs and the ancient Germans. He accused them of making the same mistake as Rousseau and Raynal, namely believing nomadic society to be an essentially free society because nomads could exercise what Dunoyer dismissively described as "cette triste faculté de fuir."³⁶⁸ Montesquieu, like Rousseau, argued that because nomads like the Tartars had a ready means of escape from would be oppressors they were in some sense free.

Dunoyer rejected this interpretation of nomadic life for two reasons. Firstly, because it conflicted with his theory of what true liberty consisted. In his view liberty consisted of the ever increasing capacity to do more complex things, including in this case the capacity

³⁶⁷"V. Du degré de liberté qui est compatible avec la vie des peuples nomades," Dunoyer, *L'Industrie et la morale*, pp. 155-88.

³⁶⁸Dunoyer, *L'Industrie et la morale*, p. 158.

to come and go as one pleased.³⁶⁹ Dunoyer's second reason for rejecting the traditional account of nomadic societies was that it fundamentally misunderstood the defining characteristic of nomadism. According to Dunoyer there were two definitions of nomadism. The commonly accepted definition was that they were people "sans établissement fixe"³⁷⁰ and this is the definition favoured by the traditional school. Not surprisingly, adherents of this view were struck by the mobility of nomadic people and interpreted this mobility as a form of "freedom." The alternative definition, the one favoured by Dunoyer, was that mobility was less important in defining the nature of nomadism than the economic mode of production. The key feature of nomadic society, Dunoyer thought, was that it was based upon the pasturing of animal herds. Their mobility came from the economic necessity of moving on to find new pasture for their flocks, which was in turn dictated by the availability of unenclosed land.

The main characteristics of a society of "peuples pasteurs"³⁷¹ were a product of their economic mode of production. Compared to the previous stage of savagery, nomadic society was more organised and more complex. The tending of animals was almost a full-time occupation and thus required more disciplined behaviour, which was reflected in the "morals" of nomadic society. Nomads lived off the milk, meat and other products of their herds; they used metal tools and weapons; and because of their constant movement from place to place, they were unable to accumulate much personal property, especially property such as a fixed house and its furnishings. The greater wealth provided by herding as a mode of production meant that nomads were slightly "freer" than savages, although the greater wealth led them into the classic Malthusian trap of increasing population pressure on food supplies. Since herding required different skills than those needed by hunters, in particular less emphasis on stalking and killing prey, nomads were less warlike than savages,

³⁶⁹"La liberté ne consiste pas à pouvoir fuir quand on voudrait rester; mais à pouvoir rester ou partir suivant qu'on le désire." Dunoyer, *L'Industrie et la morale*, p. 158.

³⁷⁰Dunoyer, *L'Industrie et la morale*, p. 155.

³⁷¹Dunoyer, *L'Industrie et la morale*, p. 163.

although they remained quite violent compared to the pacific industrials or those who produced exclusively for the market in a modern industrial society. Nomads also had a greater appreciation of other individuals as economically valuable entities and were, to use Dunoyer's expression, more "calculating" in their relations towards others. One aspect of this "calculating" economic attitude meant that the enslavement of others become conceivable. Curiously, Dunoyer believed this was an important stage on the road towards liberty and industry, primarily because he believed it resulted in a crucial amelioration in the conduct of war, replacing the massacre of those defeated in a conflict by their enslavement and use as forced labourers.³⁷²

Although nomadic life provided a greater degree of freedom and wealth than savagery it was still dominated by a class of powerful warrior males, aided by a new class of priests, over a subject class made up of women, children and a few domestic slaves. The relationships between individuals in nomadic society remained "un tissu d'horrible violences."³⁷³ Women in particular remain the backbone of the nomad economy, living "dans un profond état de dépendance et d'avilissement,"³⁷⁴ where they are rigidly controlled in marriage and do most of the domestic work, thereby filling "the office of a slave," as Dunoyer put it.³⁷⁵

However, what distinguishes the pastoral or nomadic mode of production from all others, including surprisingly the highest stage of industrialism, is the relative ease with

³⁷²Dunoyer, *L'Industrie et la morale*, p. 166. This optimism about the gradual realisation of the unprofitability of war and hence its gradual disappearance is an important component of 19th century French economic liberalism. This attitude has been well discussed by Edmund Silberner, *La guerre dans la pensée économique du XVIe au XVIIIe siècle* (Paris: Sirey, 1939) and Edmund Silberner, *The Problem of War in Nineteenth Century Economic Thought*, trans. Alexander H. Krappe (Princeton University Press, 1946).

³⁷³Dunoyer, *L'Industrie et la morale*, p. 176. "Voilà donc chez les peuples pasteurs plusieurs classes de personnes, les femmes, les enfans, les esclaves, qui vivent sous l'empire absolu de la violence et de la force." Dunoyer, *L'Industrie et la morale*, p. 178.

³⁷⁴Dunoyer, *L'Industrie et la morale*, p. 176.

³⁷⁵Dunoyer, *L'Industrie et la morale*, pp. 176-7. Dunoyer bases his argument on Malthus' *Essay on the Principle of Population* and Aristotle.

which a surplus can be acquired. Hunting and agriculture require considerable effort, whereas Dunoyer believes tending a flock or herd is less fatiguing (one assumes he had no personal experience of either hunting or shepherding). Unfortunately, nomadic society cannot long enjoy their easily produced surpluses before the Malthusian population trap is sprung upon them.³⁷⁶ The pressure of population growth on the limited productive capacity of their herds forces the nomads to resort periodically to brigandage and the conquest of others to stave off famine and crisis. They form "entreprises guerrières"³⁷⁷ of the excess population to raid or conquer their neighbours in order to survive. The economic and demographic need to hive off the excess population and raid or conquer others gives rise to a different but still potent form of the warlike spirit which affected the "morals" of the savage stage of economic development. Perhaps borrowing Benjamin Constant's expression, which he used to denounce Napoleon's militarisation of France and conquest of Europe, Dunoyer describes the morals of the nomadic society as dominated by "cet esprit de conquête et d'émigration"³⁷⁸ which, along with the economic pressures of famine, push nomadic societies irresistibly towards "brigandage, war and invasions."³⁷⁹ These waves of conquest and invasions continue until such time as there is no more land available or until a stronger neighbour is met who can resist the nomadic invaders. Along with Malthus, Dunoyer believes this underlying economic analysis of nomadic society adequately explains the barbarian invasion of the Roman Empire and the end of the period of Norman invasions during the eighth, ninth and tenth centuries. When faced with such a barrier to expansion nomadic tribes are either forced to inhabit peripheral barren desert or arctic areas or to gradually adopt more peaceful and productive pursuits such as agriculture. As long as they continue to follow a nomadic pastoral way of life the class structure and morals of a

³⁷⁶Dunoyer, *L'Industrie et la morale*, p. 182.

³⁷⁷Dunoyer, *L'Industrie et la morale*, p. 183.

³⁷⁸Dunoyer, *L'Industrie et la morale*, p. 183.

³⁷⁹Dunoyer, *L'Industrie et la morale*, p. 185.

warrior society will always be present among them. Dunoyer concludes that "la guerre est donc la suite inévitable du mode imparfait du subsistence adopté par les peuples pasteurs."

The importance of the connection between the mode of production and the ideas and behaviour of social groups in Dunoyer's social theory is nowhere more clearly stated than in one of the concluding paragraphs of the chapter on the nomadic mode of production:

Si la guerre est une chose forcée dans la vie pastorale, l'ignorance et les excès de tout genre qui s'opposent au développement de la liberté y sont, à leur tour, des suites inévitables de la guerre. Le barbare, qui croit améliorer son sort par le pillage, ne fait qu'arrêter toute production et se rendre de plus en plus misérable. La misère croissant fortifie son penchant à la rapine et le rend toujours plus incapable de faire de ses forces un utile emploi. Son incurable paresse naît, comme son ignorance, de ses exercices violents; son intempérance et ses débauches naissent, à leur tour, de sa paresse. Tous ses vices sont ainsi la conséquence de son état social. L'esclavage de ses serviteurs, celui de sa femme; ses disputes, ses rixes sanglantes, sa dépendance politique et religieuse découlent de la même source. C'est parce qu'il fait la guerre qu'il a besoin de se soumettre à la volonté arbitraire d'autrui. C'est parce qu'il fait la guerre qu'il est ignorant, par conséquent superstitieux, par conséquent sous le joug de ses prêtres. C'est parce qu'il fait la guerre qu'il veut vider toutes ses querelles comme on les vide à la guerre, c'est-à-dire, à main armée. C'est parce qu'il fait la guerre, et que la guerre le rend fainéant et brutal, qu'il néglige tous les travaux utiles, et en rejette le fardeau sur les êtres les moins capables de le supporter. Finalement, tout ce qu'il y a de grossier dans son esprit et dans ses mœurs, naît de son état habituel de guerre, qui, de son côté, est l'accompagnement obligé de l'état pastoral.³⁸⁰

It is hard to find a better example of the interconnection in Dunoyer's social theory of class, mode of production, ideas and behaviour than this short passage.

³⁸⁰Dunoyer, *L'Industrie et la morale*, pp. 185-6.

CHARLES COMTE AND THE TRANSITION FROM NOMADISM TO PRIVATE PROPERTY IN THE
AGRICULTURAL STAGE OF ECONOMIC DEVELOPMENT IN THE *TRAITÉ DE LA PROPRIÉTÉ* (1834)

Before turning to Dunoyer's next stage of economic development, namely the stage of slavery, Charles Comte's important contribution to the nature of property in the transition between the two modes of production needs to be discussed. In many respects Comte's approach to liberal social theory was quite different from Dunoyer's, the former taking a more theoretical direction and the latter a more strictly historical path. But in the process of trying to define what sort of property was best suited to the future industrial society, Comte could not help touching upon the historical evolution of property over the centuries, most importantly the initial creation of private property in land out of the communal property of the savage and nomadic stages.³⁸¹

Comte focused on the problem of how some property is originally acquired in the transition from the nomadic stage to the agricultural stage of production. Comte's interest was not purely historical or even theoretical, but had considerable contemporary relevance since there were still societies at the "savage" or nomadic stage of economic development in what we would call the Third World, where property rights were not recognised by the colonial European powers. Unlike some of his contemporaries, Comte believed that indigenous people, even though they had not reached the agricultural or industrial stage of production, nevertheless had legitimate property rights which could not be overridden by the arrival of European settlers in, say Algeria or Australia. The property rights of nomadic people were not individual but communal or "national," as Comte preferred to put it, and included established hunting grounds and recognised tribal boundaries. The inevitable consequence of Comte's theory of property for the pre-agricultural stage of development is the rejection of the legitimacy of most European settlement in the Third World. The

³⁸¹Charles Comte, *Traité de la propriété*, 2 vols. (Paris: Chamerot et Ducollet, 1834).

forcible seizure of land from indigenous people was for him a violation of the foundation of liberal property rights.

The nomadic stage was that stage of human development where property first became a vital element. This happens because of Comte's assumption that property is necessary for "organised" humans. "Unorganised" humans, or in other words humans who are not part of society, have no need for property. It is only when humans enter into society that they have a need to have the exclusive use of physical resources in order to survive. When physical objects can have multiple and contradictory uses or if they are limited in quantity (that is scarce because they are poorly provided by nature or because they are the result of human labour) some mechanism must be found to control their use so as to maximise their productivity. For Comte the only solution which maximises productive use of resources and minimises conflict is private property.

Comte believed that the type of ownership of property is determined by the relative scarcity of the physical objects and their "susceptibility" to satisfying needs. According to Comte, scarcity is a function of human labour or industry and he divides property into four kinds according to its relative scarcity: common property, national property, local or provincial property and familial or individual property. Each of these kinds of property are discussed at greater length in separate chapters in the *Traité de la propriété*. At one extreme there are naturally abundant resources such as sunshine, air, and the sea, which cannot be increased or decreased in quantity by human industry. Each individual can appropriate as much as they need without harming the enjoyment of it by others. Thus they are "the common property of the human race"³⁸² and the sole obligation of the individual, with respect to common property, is not to disturb the enjoyment of this property by others. National property comprises things which are somewhat more scarce than common property and which satisfy the needs of large aggregations of humans and includes such things as rivers, highways, and ports. Within the nation this kind of property is a form of

³⁸²*Traité de la propriété*, p. 52.

communal property, but they are not the common property of the whole human race. Between nations this kind of property is a form of private property. Within the nation there are additional forms of association on a smaller scale which also satisfy communal needs. This form of property is known as regional or provincial property and serves the needs of the province, town, canton or commune. The final division of property satisfies the needs of very small associations and is known as familial or individual property. This form of property includes ownership of food, clothing and shelter. Unlike the various forms of communal property held at a national or provincial level, the use of which require only a few general laws to control, individual property is scarce and very much the product of human industry. Thus it requires a legal system to protect each individual's exclusive use of the things they have appropriated to satisfy their needs.

Comte has a number of conditions which must be satisfied before previously unowned or communal property can become private individual property in a legitimate fashion. One of the most important of these conditions is that something can only become property when it is acquired inoffensively, i.e. without taking anything away from other individuals. This condition becomes very important when Comte comes to discuss the emergence of individual property when individuals break away from the nomadic state (in which property is communal) in order to begin settled agriculture (in which property is private). It is also important to Comte's demonstration that wage labour may emerge non-coercively in the new stage of farming the land privately and individually. He also believes it applies to the transition from agriculture to industry. Wage labour on the land and wage labour in the factory must at least in theory be capable of arising "naturally," in other words without the taint of coercion or the violation of other forms of property.³⁸³ Of course, it is

³⁸³"Thus we say that the wheat obtained by a cultivator of a plot of ground which he has brought into a state of cultivation and which he has not seized (ravir) from anyone else, and the fruit collected from a tree which he has planted and cared for, are (his) property. We can say the same thing about some cloth which a man has made, a picture which a painter has painted, finally everything which human industry has produced without taking anything from anyone else." *Traité de la propriété*, p. 55.

over this last characteristic of private property that Comte was to receive so much criticism from Pierre-Joseph Proudhon and other socialist critics of liberal conceptions of property during the 1840s.

The concept of "national property" is quite important to Comte.³⁸⁴ He considers it to be the most important form of occupation which forms the basis for all private property. Long before individuals begin claiming tracts of land as private property for themselves, the community of which they form a part consider the land on which they hunt and fish to be "their" land, vis-à-vis other tribal groups. They have the right to exclude others and to punish those who transgress the community's property rights. This concept of "national property" is important because it provides Comte with the means to attack the practice of colonization which the European nations had exercised since the sixteenth century. In particular, he believed that nomadic peoples in North America and Australia had a legitimate right to their own national property which they had traditionally inhabited. Although they themselves had not reached the stage of permitting private property in land, they nevertheless had the right as a group to enjoy their national land without interference from Europeans. The settlers had the right to purchase land or rights to use the national land of the original inhabitants but they did not have any right to deprive them forcibly or by deception of their traditional lands. In other words, Comte rejected the idea of *terra nullius*. He did recognise that sometimes settlement took place on land that belonged to no nation, but in most cases colonization had taken place in territory which had already been appropriated. In the former case, international law controlled the way in which previously unowned property could be appropriated. In the latter case, once a nation had established regular use of its territory its own laws regulated the way in which property was acquired.³⁸⁵

Comte presents his argument concerning the inoffensive origin of the right to private property in land in Chapter X, "Conversion of National Territory into Private Property" of

³⁸⁴See chapters 7,8,9. of *Traité de la propriété*.

³⁸⁵*Traité de la propriété*, p. 45.

the *Traité de la propriété*. His aim in this chapter is twofold: firstly, to show how parts of the national territory are "detached" and converted into private property; and secondly, to show how the transition from hunter-gatherer to settled agriculturalist can be achieved without harming others. In fact, Comte's argument is stronger than that, since he claims that the privatisation of communal land by a few actually benefits those who remain at the hunter-gatherer stage of production.³⁸⁶ He begins with the idea that as long as the national territory remains uncultivated it stays undivided. Private individual property only exists in moveable things such as weapons for war or hunting, some food supplies, as well as things which will be abandoned when one has finished using them, such as a simple hut.³⁸⁷ The reason for the absence of individual property in land at this stage of economic development (the state of savagery) is economic as well as technological. As hunter-gatherers, they require an extensive territory to provide themselves with the animal and plant life they require for subsistence. Given their level of technological competence it is impossible for them to fence in such an expanse of territory and thereby control the animals they hunt and therefore to be able to exert some claim to property in the land. What boundaries that do exist between tribes are the result of traditional practice based upon the food producing capacity of the land.³⁸⁸ A tribe of any given size will require a certain quantity of land to provide them with the animals and plants necessary for their survival. If they happen to live in a very fertile river plain the amount of territory they will have to range over in the course of a year in order to find their food will be less than the territory required by a similarly sized tribe in a semi-arid region. In each case the territory which is traditionally used for food gathering is determined by the productive capacity of the land and the recognition the tribe receives from (and reciprocally gives to) its neighbours. It is this territory which

³⁸⁶Comte, *Traité de la propriété*, p. 143.

³⁸⁷*Traité de la propriété*, p. 140.

³⁸⁸Charles Comte discusses in the previous chapter the capacity of land to support a given size of population and how this capacity changes with climate and the level of industrialisation.

Comte calls "national" and which he believes exists prior to the need for and the creation of private property in land.³⁸⁹

The key to Comte's argument about the benign consequences of original private property in land is his belief in the much greater productivity of agriculture compared to hunting and gathering in the same area of land. The actual proportion used by Comte in his calculations, by which settled agriculture is more productive than hunting and gathering, is rather fanciful and is obviously not based upon any scientific or historical comparison of the productivity of different land usage. The figure he uses is purely figurative, being a round thousandfold improvement. He asserts that the product of one unit of land used for agriculture produces the same amount of food and other goods as one thousand units of land used for hunting and gathering. Yet, even though the actual figure is a product of Comte's imagination, the general thrust of his argument is accurate - that the more intensively one works a piece of land the more productive it becomes.

As soon as a part of a tribe of hunter gatherers withdraws from hunting and gathering to devote itself to agriculture, a much smaller extent of territory is necessary to provide for their needs. Instead of ranging over a wide expanse of territory to gather and hunt, the much greater productivity of agriculture allows them to supply most (perhaps all) of their needs from quite a compact space of intensively cultivated land. The land which they previously used for hunting and gathering is no longer needed and they in effect abandon it for the benefits of settled existence as agriculturalists. The key to Comte's argument is this aspect of the transition. Far from taking anything away from their kin who remain hunter gatherers, those who choose the agricultural way of life (or mode of production) make more land available to the others by abandoning a large part of the territory over which they previously foraged. Within the boundary of the national territory the remaining nomads

³⁸⁹See Chapter 7 for a discussion of what constitutes "The Territory Belonging to Each Nation" which Comte regards as being defined by so-called "natural" barriers such as mountain ranges and rivers or anything which interferes with trade or communication between people.

have that much more land to use than they did before some members of their group opted for a settled existence. It is for this reason that Comte believes that private property in land can emerge without necessarily harming the interests of any other person and which in fact leaves others better off than they were before some of their members became property owners. Another reason for Comte arguing that those remaining nomadic are not made worse off by those who choose to become agriculturists, is that the greater productivity of settled agriculture creates surpluses which can be traded for the meat, skins and other products of the nomads. The opportunity to trade opens up enormous benefits for both parties, so long as each treated the other with respect and tolerance.

As for those individuals who live outside of the national territory, they have even less justification for disputing the legitimacy of the conversion of commonly owned land into private property. Although they do not directly gain from the extra common land left for the hunter gatherers to use by those adopting the agricultural mode of production, they are not harmed in any way, according to Comte. In fact their situation is left unchanged. The liberal defenders of private property thought it was a curious omission of socialist critiques not to include, say, Russian serfs and American Indians in any redistribution of property in Europe. Why arbitrary national boundaries should make a difference in any calculation of land redistribution from the "haves" to the "have nots" was never explained, they argued. Surely, if landless labourers in a remote part of France had a claim on the property of Parisian landowners, then others, equally remote and equally landless, also should be considered by reformers. The issue which made these anti-private property reforms worthless was that they ignored the connection between cause and effect. In liberal theory the act of appropriation had to be shown to directly harm someone else for it to become illegitimate. In order to prove that the act of improvement and cultivation of previously commonly owned land was an illegitimate way to make land, the opponents of private property had to show one of two things, either it violated someone else's personal or property rights, or it left someone else worse off than they were before. In both instances the interests and rights of other "nations" were so far removed from the issue at hand (the

privatisation of part of another "national" territory) that they were not involved directly or indirectly at all. Comte dismissed the claims of other "nationals" to be affected by the privatisation of property on the other side of the world. He concluded, that if by economy and hard work, a small group within one national territory were able to clear some land, erect fences and buildings, they firstly left the situation of other foreign nationals unchanged, as he expressed it "they take nothing by force (ils ne ravissent rien) from men foreign to their nation."³⁹⁰ And secondly, far from harming the interest of the fellow "nationals," they actually improved their situation by making more land available to them for hunting and gathering.³⁹¹

³⁹⁰*Traité de la propriété*, p. 148.

³⁹¹"Do they take anything by force from their compatriots? Quite the opposite. They abandon the largest part of the territory which they had previously required for their survival. When they had to rely on fishing and hunting to live each of them had to have more than a square league of land to provide their subsistence. If by their labour they are now able to obtain more produce from one thousandth of this area than they were able to get from the original area as hunter-gatherers, it is obvious that they abandon nine hundred and ninety nine parts of their original property. Far from being a usurpation of the property of others, the appropriation of land by cultivating it results therefore in limiting the man who becomes a farmer to an infinitely narrower space and in increasing the space available to the others by the amount of land that they have abandoned. A stretch of territory which was scarcely sufficient to support ten men in a permanent state of distress now provides the means of subsistence to ten thousand intelligent farmers." *Traité de la propriété*, pp. 148-49. Comte's argument that the original cultivation and appropriation of land, far from harming the interests of those remaining as hunter gatherers, actually provided them with greater territory over which to range appears to satisfy John Locke's important proviso in the *Second Treatise*. After establishing the right of individuals to own "the Fruits of the Earth" John Locke argues that working the land also establishes a property right to it. The only condition placed on this process of "laying" one's labour on the land and thereby making it one's own is the proviso that one leave land aside for others to use. The expression John Locke uses is that there be "still enough, and as good left" after any parcel of land has been withdrawn from common ownership by private appropriation. To quote the relevant passage from Locke: "Nor was this *appropriation* of any parcel of *Land*, by improving it, any prejudice to any other Man, since there was still enough, and as good left; and more than the yet unprovided could use. So that in effect, there was never the less left for others because of his inclosure for himself. For he that leaves as much as another can make use of, does as good as take nothing at all. No Body could think himself injur'd by the drinking of another Man, though he took a good Draught, who had a whole River of the same Water left him to quench his thirst. And the Case of Land and Water, where there is enough of both, is perfectly the same." John Locke, *Two Treatises of Government*, ed. Peter Laslett (New York: New American Library, 1965), Paragraph 33, p. 333. There is no direct

The point of this line of argument is not so much to refute the claims of the critics that this unearned value is unjust, but that it was and is an inevitable part of economic progress and the interdependence of all participants in any mode of production above that of hunting and gathering.³⁹²

A second aspect of Comte's theory which needs to be noted is the parallel emergence of wage labour alongside the appearance of private property in land. Comte apparently believed that these two institutions, so essential to the development of the free market industrial society, appeared at much the same time. In the evolutionary scheme which Comte uses to describe the stages of economic development, the first stage is that of "barbarism" or nomadic hunting and gathering, followed by settled agriculture on private plots of land. Between these two early stages of economic development is a transitional stage in which there exists some communal aspects of the nomadic life along with the beginnings of settled agricultural life. In the "barbaric" state of production the only social distinctions within the tribe are those based upon age, sex, physical strength and beauty. Inequalities of wealth are impossible since no one is required by want to work for another. No individual is sufficiently wealthy to purchase the labour of another. Conversely, no one is poor enough to have to work for someone else to make a living. All members of the tribe are obliged to cooperate in the search for food and what is available to the tribe is equally

evidence to suggest that Comte knew of Locke's proviso although the general tenor of Comte's argument seems to suggest that he was at least indirectly aware of it. It would be an interesting exercise to examine the influence of John Locke's thought on the continent, what translations were available and how his ideas were received, especially in the late eighteenth and early nineteenth centuries when Comte, Dunoyer and other liberals were formulating their ideas on property.

³⁹²"I have shown that the man who passes from the life of a savage to the life of a farmer and who by the process of cultivation converts a fraction of the national territory into private property, far from committing an act of usurpation actually gives up the greatest part of his original property to the fatherland. I ought to now add that in cultivating a fraction of this original property the farmer increases the value of all the land surrounding his and that he therefore increases the wealth of his fellow citizens without causing them the slightest harm. This increase in the value of land which results from the industry applied to neighbouring land is sometimes so considerable that it is hard to believe unless one is willing to be convinced by factual evidence." In *Traité de la propriété*, p. 151.

shared amongst all the members. What is lacking for the transition to settled agriculture and wage labour is the existence of capital, either of stored food or other goods.³⁹³ An individual acting alone within the barbaric stage would find it impossible to find the time or resources (capital in the form of stored food) to clear the land and prepare the soil for sowing crops, as well as providing for day-to-day needs. Furthermore, there is the problem of protecting the crops from animals and even members of other tribes. Because of these factors Comte concludes that the transition to agriculture (and thus private property) has to come about cooperatively rather than individually. In other words there is not a clean break between the two modes of production. Before settled agriculture based on private property can emerge there must be a transitional stage of agriculture based upon a mixture of communal and individual labour and communal and private property. The transitional stage shows some of the communal aspects of production of the nomadic stage, before sufficient wealth was accumulated to permit full independent and private use of the land. His analysis is based upon ancient Roman accounts of the Germanic tribes, travellers accounts of North American Indians and curiously the early days of the English colony in Virginia.³⁹⁴ In these transitional societies Comte believes the cooperative nature of production used in the nomadic mode of production is continued for some period of time. The land is cultivated in common, the products of the land are stored in public storehouses and each family receives what it needs from it.

What makes agriculture so different from hunting and gathering and so difficult to get started is that a much greater time lag is introduced between production and ultimate consumption. Whereas the labour required for hunting and gathering might be rewarded in a few hours or at worst a few days, the reward from agricultural work will not come for some months. During the months between clearing the land and the first harvest the would-be agriculturalists need provisions which they can draw upon until the harvest is ready. The problem of food supplies is compounded if workers other than immediate family members

³⁹³*Traité de la propriété*, p. 145.

³⁹⁴*Traité de la propriété*, p. 144.

are included in the calculations. Thus agriculture, for Comte, is like any other "industrial" enterprise. It requires a "boss"³⁹⁵ who has somehow saved the capital to pay workers for their labour until the product can be sold or the crop harvested. In the case of the transitional stage, this "boss" or "chef de l'entreprise" is a cooperative of one or more families of a tribe. It is the cooperative which introduces a more specialised division of labour and makes the necessary "economies" to accumulate the capital necessary to become farmers. Once family cooperatives become established, it is a short step, Comte thought, to the full privatisation of land and farming as family members gradually spilt off to farm individual plots of land.

The most difficult stage in the transition seems to be the leap of faith required to form family cooperatives, in particular the perception that short term saving and sacrifice will result in a greater long term reward. The impulse which makes individuals of a hunter-gatherer tribe leave the nomadic mode of production and undertake a much harder life, at least temporarily, is not explained by Comte and therefore seriously weakens his argument. The most likely explanation (one not given by Comte) would be that in some extremely fertile parts of the world naturally occurring self-seeding crops might attract nomads at regular times of the year. The step from regular harvesting of wild crops to that of active full-time farming would be a relatively short one. Nomads could then gradually give up their foraging and take up farming only when nature itself had provided the necessary capital from previous years' good harvests.

Comte's less than satisfactory account assumes that an act of will is all that is required to leave the stage of nomadic production and begin the slow climb up the evolutionary ladder to the industrial mode of production. He merely states "that if a tribe *wished* to cultivate a part of the national territory that it occupied"³⁹⁶ it would have to have sufficient provisions to tide it over until the first harvest. Although Comte ignores the reasons why individuals would wish to do this in the first place, his account of the method by which this

³⁹⁵Comte referred to a "chef de l'entreprise" in *Traité de la propriété*, p. 146.

³⁹⁶Emphasis added, *Traité de la propriété*, p. 146-47.

might be done is plausible within his theoretical framework. The first step is to increase the amount of work done in order to do two things at once, namely to continue hunting and gathering to provide for day-to-day needs and at the same time to clear the land and prepare the soil for crops. The latter function Comte believes has historically been done by a sexual division of labour. The men initially do the back-breaking work of clearing the land and then leave the tending of the crops to the women, whilst they return to more traditional occupations of hunting game and attacking their enemies.³⁹⁷ In this manner the fundamental break with the nomadic way of life is achieved and the path is cleared for the accumulation of considerable surpluses. This is made possible by two developments which were not available to hunter-gatherers - firstly, the greater productivity made possible by the division of labour; secondly, by the greater productivity of agriculture compared to hunting and gathering. Once the principle of the division of labour has been established, even if it is the rather crude version based upon a sexual division of tasks, and if it is applied to agriculture, the enormous gains in productivity (Comte fancifully guesses a thousandfold increase) enable, at first families, and then individuals, to accumulate sufficient surpluses for wage labour to emerge.

Comte assumes that in this new stage of economic production inequalities of wealth will emerge inevitably, but in a non-coercive manner. This is due to the fact that once surpluses become possible under agriculture some individuals will be more "industrious" than others, that they will forgo present consumption in order to have even greater surpluses for the future. These frugal or harder working individuals destroy the original equality which existed in the early farming community. It is now possible that some individuals will choose to work for others who now have sufficient surpluses to pay their wages for a period of time. The less thrifty, the less efficient, the less prudent, the less intelligent and the less skilled will prefer to work for others rather than endure the

³⁹⁷*Traité de la propriété*, p. 147.

hardships of clearing the land themselves and working hard to accumulate their own surpluses from scratch.

The key factor in this momentous change in mode of production is, as Marx realised, the existence of surpluses out of which wages can be paid to labourers. Comte believed his account of the transition from the nomadic life of hunter-gatherers to the highly productive agricultural way of life provided a non-coercive means by which private property and economic inequality could arise. What still needed to be demonstrated was the legitimacy of the relationship between the wage labourer and the newly arisen "capitalist" with a surplus saved. Comte had to provide an answer to the question raised by socialists concerning the right of the labourer to a part of the finished product of his labour even after the payment of his wages. The first stage of his argument is that private property in land can be acquired legitimately. This can be done as we have seen by the original process of converting part of the national territory into private property by the act of cultivation.³⁹⁸ The second stage was the just emergence of the payment of wages. Comte believed that this occurred as a direct result of the greater productivity which the combination of private property and agriculture made possible. Although the payment of wages probably began in a communal setting as the productivity of the land improved, individual land owners, through greater intelligence or hard work, eventually acquired enough wealth to employ others on their land. Thus Comte concluded that the socialist critique of both private property in land and the payment of wage labour were both legitimate and necessary to the economic advancement of mankind.

³⁹⁸Another method which was a great interest to Comte was the sale of public land to private individuals as happened during the French Revolution. As long as this land was previously unowned (the issue of land belonging to emigré nobles is not discussed) and uncultivated (such as swamp and forest) the nation gained by its sale. The nation gained much needed revenue, non-productive land was put to productive use and the purchasers had the opportunity to profit from their investment. Just as the original acquisition of private property satisfied Locke's proviso by leaving those remaining as hunter-gatherers no worse off so did the sale of public land to private individuals not harm the nation. There was no usurpation in Comte's view when public land was sold at the market rate to private individuals.

An interesting aspect of Comte's theory of property, which added some complexity to his analysis, is that of the combination of legitimate and illegitimate ownership and use of labour. With respect to the ownership of land, legitimate ownership through first use and non-violent exchange was unfortunately mixed with land that had been acquired through extortion and conquest. The mistake the socialists had made was to confuse the two. The self-appointed task of liberal historians such as Augustin Thierry was to unravel them as much as possible, at least on the pages of their history books, if not in the state legislatures. A similar situation existed with labour practices. Comte was convinced his theoretical and historical analysis had shown how wage labour might emerge in a legitimate fashion as part of the transition between nomadism and settled agriculture. Unfortunately, as in the case of land ownership, the legitimate use of wages had become mixed up with coercive and illegitimate labour practices, such as forced labour and slavery. Once again, the socialists had assumed that coercive labour practices and especially slavery were an essential feature in the emergence of capitalism and that all labour practices were basically "slave-like." Once again, it was the task of liberal theorists to untangle the two and show how slave and other forms of forced labour had harmed economic development. Furthermore, the liberals wanted to show how slave labour ultimately could be done away with and a society based entirely on legitimate and free labour could emerge. This interest explains why both Comte and Dunoyer spent so much time and effort in analysing the phenomenon of slavery in their works.

3. THE STAGE OF SLAVERY³⁹⁹

We have already seen in the previous chapter the importance slavery played in the development of Comte's liberalism in particular and French political economy in general. Although Dunoyer did not take part directly in the debate about the economics of slave

³⁹⁹"VI. Du degré de liberté qui est compatible avec la vie des peuples sédentaires qui se font entretenir par des esclaves," Dunoyer, *L'Industrie et la morale*, pp. 189-237.

labour, he wrote about it at some length in *Le Censeur européen* and his books, and had considerable influence on the liberals who came after him.⁴⁰⁰ For both Comte and Dunoyer slavery was important, both as the diametric opposite of what they were striving for in Restoration France and as an integral part of their social theory. In Dunoyer's case (as for Karl Marx) the slave mode of production provided the important link and foundation stone for the evolution of the modern industrial economy.

The transition from one mode of production to another was a slow and difficult process, as the historical example of the evolution from hunting wild animals and gathering fruit and vegetables, to the use of milk and meat from domesticated animals, to the harvesting of planted crops, showed. At each stage the mode of production determined the need of that society for slaves, the "guerrier sauvage" having no need of them, the "guerrier nomade" needing only enough to sell or to guard his flocks and perhaps tend his garden. However, once the stage of settled agriculture had been reached, the need for slaves by "agricultural warriors" was considerable, as the amount of labour required by the mode of production was much greater than in previous stages. Dunoyer believed that as long as the supply of captives from wars remained high there would always be a ready market for slaves in agricultural societies and that some individuals' wealth would be reckoned almost entirely in the number of slaves they had working the land.⁴⁰¹ The use of slaves for agricultural labour was a universal phenomenon and Dunoyer could not think of a society

⁴⁰⁰The great influence Comte and Dunoyer had in the development of French liberal political economy in the first half of the nineteenth century can be seen from the recognition they received from the authoritative *Dictionnaire de l'économie politique* in 1852. The author of the article dealing with slavery, Gustave de Molinari, who was later to become the editor of the *Journal des économistes* and the doyen of the French liberal political economists in the last half of the nineteenth century, duly acknowledged Comte and Dunoyer's pioneering contribution to the debate. Gustave de Molinari, "Esclavage," *Dictionnaire de l'économie politique, contenant l'exposition des principes de la science, l'opinion des écrivains qu'ont le plus contribué à sa fondation et à ses progrès, la bibliographie générale de l'économie politique par noms d'auteurs et par ordre de matières avec des notices biographiques et une appréciation raisonnée des principaux ouvrages*, eds. Charles Coquelin and Guillaumin (Paris: Guillaumin, 1852), vol. 1, pp. 712-731.

⁴⁰¹Dunoyer, *L'industrie et la morale*, p. 190.

which had not made the transition from nomadism to agriculture without going through this stage. It was certainly the case in ancient Greece and Rome, which Dunoyer claimed had known no other mode of production, in contemporary Russia and Poland, as well as the colonies in America and the Caribbean.⁴⁰²

The degree of civilisation and liberty had been increased in the slave mode of production because of a number of factors, including the much greater productivity of agriculture over hunting and gathering and pasturing, the increase in the division of labour, and the reduction in violence and the destructiveness of war. The latter claim may sound surprising, but Dunoyer took the traditional view that savages and nomads took no prisoners and destroyed as much property as they could in war, whereas in slave societies property in the form of booty and captives was highly prized and kept for later enjoyment.⁴⁰³ The greater surpluses made available by agriculture and the spoils of war were used to create a higher level of civilisation than had existed before. Monuments and public buildings were erected, the slave owning class had time to cultivate art, literature, and philosophy, and some of the surplus was ploughed back into production in order to improve its output.

As impressive as some aspects of Greek and Roman civilisation no doubt were, Dunoyer took great pains to argue against those who, like Rousseau in the *Contrat social*, believed that the ancient world under slavery had reached a pinnacle of culture and political liberty.⁴⁰⁴ Neither Comte nor Dunoyer could forget (or forgive) that ancient society rested upon the exploitation of slave labour by a small class of owners and that any achievements

⁴⁰²Dunoyer, *L'industrie et la morale*, pp. 190-1.

⁴⁰³Dunoyer based his assessment of the destructiveness of nomadic societies on Voltaire's comments in *Essai sur les mœurs* about Ghengis Khan. "Dans l'état actuel il (le guerrier) pille peut-être davantage, mais il détruit moins; il asservit plus d'hommes, mais il n'en extermine pas un aussi grand nombre: il ne commet que les ravages et les massacres indispensables au but de la guerre, qui est la conquête du terrain et la réduction des habitants à l'état d'esclaves ou de tributaires. Il est manifeste que cette nouvelle manière de vivre, toute violente qu'elle soit, est pourtant moins contraire à la liberté que la précédente." Dunoyer, *L'industrie et la morale*, p. 196-7.

⁴⁰⁴Dunoyer, *L'industrie et la morale*, p. 194.

of the Greek and Roman ruling élite had to be weighed against the fact that slave labour had made this possible.⁴⁰⁵ His praise was reserved instead for the slave labourers of Rome who had built the monuments and public buildings and without whom the ancient economy would have ground to a halt. Several virulently anti-classical outbursts in this chapter (which one would have expected more from a Marxist like Bertolt Brecht) reveals much about Dunoyer's attitudes towards the classical world, industry and the common people who carry out "industrial" activities.

A typical passage which shows the strength of Dunoyer's venom towards the classical world is the following:

...il semble que ce serait à ses esclaves et non point à lui qu'on en devrait rapporter la gloir. Est-ce bien le peuple romain qui a construit ces nombreux monuments d'achitecture, ces égoûts, ces ponts, ces routes, ces aqueducs que l'on attribue à la civilisation romaine? non; ce sont, pour la plus grande partie du moins, des captifs, des esclaves, qui n'appartenaient point au peuple romain. C'est avec l'industrie et les capitaux des nations vaincues que Rome a exécuté ses plus magnifiques ouvrages. Il ne se faisait, sous son empire, presque rien de véritablement utile qui ne fût exécuté par des hommes asservis. La loi de Romulus avait interdit au Romain toute profession industrielle; les arts libéraux furent longtemps enveloppés dans la même proscription: c'étaient des esclaves qui exerçaient la médecine; la grammaire, la rhétorique, la philosophie étaient enseignées par des esclaves. Tout ce qu'il y avait chez ce peuple de vraie civilisation, toute celle qui pouvait survivre à ses violences, il la reléguait hors de l'état. Son industrie à lui, c'était la guerre; ses oeuvres, c'étaient des pillages et des massacres; les monuments qu'il laissa, ce furent des ruines, ce furent l'appauvrissement et la dépopulation de l'univers. Sans lui peut-être nous n'aurions pas eu les débris d'un Panthéon, d'un Colysée; mais qui sait ce qu'aurait transmis à la postérité l'industrie libre et féconde des nations vaincues, par les de qui furent érigés ces fastueux édifices? Il y a tout lieu de croire que sans ce peuple la civilisation aurait été beaucoup plus en mesure de se défendre contre la barbarie lorsque les hordes errantes du nord de l'Europe vinrent exercer leurs effroyables dévastations dans le midi; et l'on peut justement imputer à ses brigandages le long retard que d'autres brigands purent, après lui, mettre aux progrès de l'espèce humaine.⁴⁰⁶

⁴⁰⁵Dunoyer, *L'industrie et la morale*, p. 198.

⁴⁰⁶Dunoyer, *L'industrie et la morale*, p. 198-200. Compare Dunoyer with the first half of Brecht's poem "Fragen eines lesenden Arbeiters": "Wer baute das siebentorige Theben? In den Büchern stehen die Namen von Königen. Haben die Könige die Felsbrocken herbeigeschleppt? Und das mehrmals zerstörte Babylon, Wer baute es so viele Male auf? In welchen Häusern Des goldstrahlend Lima wohnten die Bauleute? Wohin gingen an dem

As an ardent admirer of "industry," it was not difficult for Dunoyer to point up the weaknesses of the ancient Roman economy. It lacked scientific knowledge and engineering skills, its agriculture was less productive than modern French methods, Roman buildings lacked glass windows, chimneys, there was no post office, printing and so on. Dunoyer's conclusion was that, for all the vaunted greatness of the ancient world, "the simplest inhabitant (bourgeois) of London or Paris" in the nineteenth century should be thankful for the benefits of "progress" such as science, technology, modern agriculture and the much higher standard of living these things made possible, which most Romans had entirely lacked.⁴⁰⁷ Perhaps worse, in Dunoyer's view, was the continued practice of the wars of expansion and the concomitant capture of slaves which condemned the ancient world in his eyes, thus leading him to declare that the ancient Romans had less "true civilisation" and less "true liberty" than defenders of the classics would care to admit.⁴⁰⁸

War was certainly the sticking point in the development of Roman industry. It could not develop any further than it had because of the rôle war and the slave mode of production played in Roman society.⁴⁰⁹ Economically, slavery was the mainstay of the ancient economy and this in turn depended upon "une guerre perpétuelle," in order to maintain the supply of labour, and the disdain the aristocratic class showed to all "professions industrielles." As Livy noted, in the 700 years between Numa and Augustus the gates of the temple of Janus had only been closed twice for peace. Socially, Rome was a militaristic society with a social structure of tribes, curies, and decuries which were based upon military models. Patronage and deference to military leaders resulted in a social form of military subordination, and the function of the censors was to maintain numbers in the

Abend, wo die chinesische Mauer fertig war, Die Maurer? Das große Rom Ist voll von Triumphbögen. Über wen Triumphierten die Cäsaren? Hatte das vielbesungene Byzanz Nur Paläste für seine Bewohner? Selbst in dem sagenhaften Atlantis Brüllten doch in der Nacht, wo das Meer es verschlang, Die Ersaufenden nach ihren Sklaven..." Berholt Brecht, *Kalendergeschichte* (Hamburg: Rowolt, 1953, 1978), p. 74.

⁴⁰⁷Dunoyer, *L'industrie et la morale*, p. 202-3.

⁴⁰⁸Dunoyer, *L'industrie et la morale*, p. 204.

⁴⁰⁹Dunoyer, *L'industrie et la morale*, p. 204.

army and respect for discipline and moral behaviour. Discipline in the military was so strict that a refusal to serve in the army (which any self-respecting industrial would do) resulted in the deprivation of one's possessions, a beating and possibly being sold into slavery.⁴¹⁰ The inevitable consequence of this social and economic dependence on war, military "morals" and slavery was a political constitution and institutions suited to warriors.

The desire to be militarily strong and the willingness to structure the legal, social and economic arrangements of Roman society to achieve this military strength made it impossible, in Dunoyer's opinion, for the Romans to be truly politically and economically free at the same time. "Plus ils voulaient être forts pour la domination, moins ils pouvaient avoir de liberté." The irony was that their desire to reduce others to servitude led the Romans to become subservient themselves to the regimentation and control, "la nécessité de la discipline," which a military state required to function effectively. In the name of war and the security of the empire, individual liberty, freedom of speech and property were often sacrificed. Thus the Romans in effect "enslaved themselves." It was no accident, Dunoyer believed, that the much touted Roman liberties ended in the tyranny of the absolute emperors.⁴¹¹

Dunoyer took issue with historians of Roman republicanism like as Montesquieu, who thought that many Roman institutions such as the agrarian laws, censorship and ostracism were essential aspects of republicanism per se. For Dunoyer, these had little to do with the theory or practice of republicanism, rather they were the natural and inevitable consequence of a warrior people attempting to forge institutions suitable for this way of life. Other writers such as Condorcet, Sismondi and Benjamin Constant interpreted these laws and institutions as the result of the Romans' ardent love for citizenship, for which they

⁴¹⁰"Puissamment fortifiée par l'institution du patronat et de la puissance paternelle, la subordination militaire établie entre les Romains fut encore affermie par l'établissement des censeurs, officiers d'un grade élevé, que l'on chargea spécialement de faire le recensement de l'armée et d'y maintenir la rigidité des mœurs et l'inflexibilité de la discipline." Dunoyer, *L'industrie et la morale*, p. 207.

⁴¹¹Dunoyer, *L'industrie et la morale*, p. 218.

would readily sacrifice their own privacy and independence. Dunoyer rejected this line of argument as well. He could not accept that the Romans would suffer such restrictions on their liberty for the sake of being a republic or participating in the exercise of collective power. Once again, he maintained that these harsh laws were adhered to because they conformed to the needs of a warrior life. Civic discipline and the strong control of individuals was necessary to ensure discipline and success in the field. The only critic who fully appreciated the underlying militarism of Roman society and the effect this had on their institutions and culture was, not surprisingly, his colleague Charles Comte.⁴¹²

Dunoyer next turns to the issue of luxury and its corrupting effect on Roman morals. The claim that "luxury" had damaging effects on a nation's morals was a powerful argument in the anti-industrialist campaign. The pursuit and enjoyment of luxury was claimed to detract from one's attention to civic duty, to encourage selfishness in both private and public life and to foster corruption. Bernard Mandeville's argument that the private pursuit of vice (of which luxury was only one) could have beneficial public benefits was unconvincing to those who saw something wrong in the possession of wealth itself, in particular the kind of wealth made possible by the industrial system.⁴¹³ Dunoyer turned this old debate on its head by arguing along two lines. Firstly, that the only truly moral society

⁴¹²Dunoyer makes these comments in a lengthy footnote which includes the following extracts: "...On a souvent remarqué que leur existence était toute guerrière; mais on n'a pas assez pris garde que leur état social avait dû naturellement s'accommoder à cette manière de vivre, et que toutes leurs constitutions étaient celles des peuples voués à la guerre par état.... il n'est pas croyable que des peuples se soient soumis aux plus dures contraintes pour le seul plaisir d'être en république ou de prendre une part active à l'exercice du pouvoir collectif. Il est à présumer qu'ils ont eu des motifs plus sérieux et plus solides. Ils se sont soumis à ces gênes parce qu'elles étaient conformes au genre de vie qu'ils avaient adopté, parce qu'elles ajoutaient à leur force comme peuple guerriers, parce qu'elles assuraient le succès de leurs expéditions militaires." Dunoyer, *L'industrie et la morale*, p. 208-10. Comte's article which Dunoyer was referring to was Charles Comte, "De l'organisation sociale considérée dans ses rapports avec les moyens de subsistance des peuples," *Le Censeur européen*, 1817, vol. 2, pp. 1-66.

⁴¹³Bernard Mandeville, *The Fable of the Bees*, ed. Phillip Harth (Harmondsworth, 1970) and Thomas A. Horne, *The Social Thought of Bernard Mandeville: Virtue and Commerce in Early Eighteenth Century England* (New York: Columbia University Press, 1978).

was an industrial one. In fact Dunoyer went so far as to argue that the degree to which a society accepted and practiced industrial values determined the degree to which it was moral, civilised, progressive, peaceful and free.

The second line of argument was that the defenders of the argument that luxury was corrupting had made a fundamental error in not inquiring how that wealth or luxury had been acquired. Those who had acquired their wealth through peaceful trade or industriousness also acquired important moral virtues, such as thrift, hard work, the habit of offering one value for another, respect for others and so on. Dunoyer claimed that men only enjoy in moderation that wealth which has been acquired with honour, or in other words by peaceful and voluntary exchange. Those who acquired their wealth by war and pillage, like the Romans, naturally did not. The morals of the warrior were carried over into peace-time and wealth was enjoyed as a warrior would enjoy it, "shamefully." Thus Dunoyer argues for an intimate connection between the corrupting effects of wealth and the means by which it was acquired and dismisses the traditional debate about luxury as ill-conceived and somewhat beside the point.⁴¹⁴

The class structure of slave society also came under Dunoyer's scrutiny. The aristocracy and the upper levels of the army ruthlessly exploited their position of power to control the distribution of war booty for their own benefit, whilst the vast bulk of the enlisted men and the nominally non-slave population, the proletariat, received scarcely enough to survive.⁴¹⁵ Social distinctions between noble and commoner were strong and marks of deference and respect were enforced. But the two greatest class differences lay

⁴¹⁴Dunoyer, *L'industrie et la morale*, pp. 216-17.

⁴¹⁵"... en se soumettant à ce dur régime le gros de l'armée n'en retirait presque aucun profit. Dans cette domination, comme dans toutes, les agens subalternes n'obtenaient qu'une très petite part des richesses et d'autorité. Les dépouilles des ennemis vaincus étaient distribuées là, comme ailleurs les contributions levés sur les peuples: les gros lots étaient pour l'état-major de l'armée, pour les consuls, le sénat, les patriciens; le peuple, les soldats recevaient à peine de quoi vivre. On eût craint sans doute, en les enrichissant, d'affaiblir en eux cet utile amour des conquêtes et du pillage d'où dépendait la fortune des classes élevées. Jamais aristocratie n'a fait de son ascendant un usage plus dur, plus inique, plus hautain que l'aristocratie romaine." Dunoyer, *L'industrie et la morale*, p. 220.

between slave and non-slave, and land-owners and the propertyless "proletariat," who formed "deux classes d'ennemis."⁴¹⁶ Dunoyer maintained that class warfare always lay just beneath the surface of Roman society. The threats to social order came from both within and without, within from the threat of slave rebellions and food riots from the urban proletariat, and from without by the threat of non-Roman enemies. The former problem was kept within bounds by harsh laws and a system of legal terror to maintain the slaves in submission. The latter was solved by constant warfare, which had the added bonus of also providing booty which could be used to subsidise the grain needed to feed the urban proletariat. The urban proletariat was a special problem because it is this class which could have risen out of its poverty by means of "industry" if land ownership had been more equitable and if slave labour had not undercut them economically.⁴¹⁷ This was one of the great tragedies of Roman civilisation. In Dunoyer's view, the system based on war and slave labour prevented the emergence of industry and the progress in job opportunities and living standards which it would have brought to the poorest classes in the Roman Empire.

Although Dunoyer devotes most of his attention to slavery in the ancient world, primarily because he believes it is literally the classic case of a society dependent on slave labour, he also examines in less detail the modern slave societies in America and the Caribbean. The basic difference he finds is that the slave owners are not warriors with warrior "morals," but planters who are to some extent "entrepreneurs d'industrie" who therefore have some of the moral qualities of an industrial.⁴¹⁸ Although the American slave owners did not personally make war to get their slaves, and thus escaped the corrupting influence of war on their morals, they nevertheless still suffered from other sources of corruption, such as the exercise of arbitrary power over another human being, the refusal to permit the education or training of slaves for more skilled industrial jobs, the use of violence to control slave labour, and the persistence of anti-industrial attitudes among the

⁴¹⁶Dunoyer, *L'industrie et la morale*, p. 225.

⁴¹⁷Dunoyer, *L'industrie et la morale*, p. 223-4.

⁴¹⁸Dunoyer, *L'industrie et la morale*, p. 229.

planter class. "En somme, ignorance, incapacité, mollesse, faste, iniquité, violence, voilà ce que l'esclavage tend naturellement à donner aux populations qui en font leur ressource."⁴¹⁹

Dunoyer's overall assessment of slavery in the course of human history is that it was "une innovation heureuse," principally because it ended the practice of killing prisoners of war and, however indirectly, encouraged the development of industry.⁴²⁰ Thanks to slavery, which Dunoyer maintained was an important and perhaps inevitable stage of development between the stage of nomadism and settled agriculture, men were given useful occupations and the long and slow process of accumulation of property could begin. Dunoyer was optimistic that once this process had begun it was inevitable that the worst aspects of slavery would gradually disappear and that both slave owners and slaves would learn the benefits of both working for their own reward. Apparently siding with Henri Storch in the matter of how best slavery could be brought to an end, Dunoyer argued that in the process of economic evolution from one mode of production to another, the granting of economic incentives to the slaves would be a small step on the way towards the eventual liberation of the entire society, first through serfdom, then citizens of free communes, then the third estate and finally a free society.

Ces esclaves qui d'abord ne travaillent que pour autrui travailleront un jour pour eux. Ils sont faibles, ils deviendront forts; ils sont aux sources de la vie, de la lumière, de la richesse, de la puissance: il ne faut que leur inspirer le désir d'y puiser, et les maîtres eux-mêmes sentiront un jour le besoin de leur inspirer ce désir. Voulant stimuler leur activité, ils relâcheront un peu leurs chaînes; ils leur laisseront une part de la richesses qu'ils auront créée. Ceux-ci conserveront ces faibles produits; ils les accroîtront par le travail et par l'épargne; et quelque jour les fruits lentement accumulés de leur pécule étoufferont ceux de la violence et de l'usurpation. Esclaves dans l'antiquité, les hommes d'industrie ne seront plus que serfs tributaires dans le moyen âge; puis ils deviendront les affranchis des communes; puis le tiers-état; puis la société tout entière.

C'est ici, c'est chez les peuples entretenus pas des esclaves, c'est au sein même de l'esclavage que commence réellement la vie industrielle, la seule, comme on le verra bientôt, où les hommes puissent donner un grand essor à leurs facultés,

⁴¹⁹Dunoyer, *L'industrie et la morale*, p. 233.

⁴²⁰Dunoyer, *L'industrie et la morale*, p. 235.

acquérir de bonnes habitudes morales, prospérer sans se faire mutuellement le mal; la seule, par conséquent, où ils puissent devenir vraiment libre.⁴²¹

4. THE STAGE OF POLITICAL PRIVILEGE UNDER FEUDALISM AND MERCANTILISM⁴²²

The transition to the next stage of economic development came about with the military and economic collapse of the Roman Empire. Without wars of conquest to keep up the supply of cheap slaves, or in the case of the eighteenth and nineteenth century Caribbean planters, when the price of slaves went up, land owners were forced by economic necessity to treat their increasingly scarce slaves better.⁴²³ Dunoyer is adamant that the reason for the improvement in the slave's condition is a result of ineluctable economic forces and not the benign influence of Christianity or the greater generosity of the Germanic invaders for example. The influence of Christianity was dismissed as a philosophy which could be used to justify any kind of iniquity and which had been used by slave owners and priests to justify slavery for centuries. Rather, in Dunoyer's view it was the change in morals brought about by industry which had "purified" Christianity of its barbaric practices and beliefs. "On a dit souvent que le christianisme nous a civilisés: il me paraîtrait plus exact de dire que la civilisation a épuré notre christianisme."⁴²⁴

The earliest period of the feudal stage was a form of "demi-servitude" in which some of the practices and burdens of slavery continued. However, as the slaves became more closely tied to the land and as more and more obligations were imposed on the land owner, eventually they became serfs rather than slaves and the form of exploitation was gradually

⁴²¹Dunoyer, *L'industrie et la morale*, pp. 236-7. I have not been able to find any direct comment by Dunoyer on Comte's rejection of the idea of a "half-way house" between slave and free labour as suggested by Storch.

⁴²²"VII. Du degré de liberté qui est compatible avec la vie des peuples qui n'ont pas d'esclaves, mais chez qui tout se fait par privilège," Dunoyer, *L'Industrie et la morale*, pp. 238-77.

⁴²³Dunoyer, *L'industrie et la morale*, p. 240.

⁴²⁴See the long footnote on the connection between religion and slavery in Dunoyer, *L'industrie et la morale*, pp. 241-2.

lessened to a form of tribute or taxation. This amelioration process eventually brought an end to the slave mode of production and a new mode of production emerged in the twelfth century. Dunoyer calls this new mode of production the "régime of privilèges," by which he means the creation of an artificial hierarchy of orders, membership of which determined one's occupation and one's legal rights and duties. The crisis which brought about "cette grande révolution"⁴²⁵ was the restlessness and confidence which a small increase in prosperity and security created in the "classes laborieuses."⁴²⁶ This greater confidence in themselves led the labouring classes to seek protection from their exploiters in civic, community and professional associations and unions.⁴²⁷

The reaction of other classes to this positive and bold action on the part of the "working classes" was also to form themselves into corporations and associations. The warrior class reacted by forming the estate of the nobility, the church officials by forming the clergy, and the lawyers, justice officials and merchants formed the third estate.⁴²⁸ Within these orders were also formed numerous smaller associations or corporations which gave this stage of economic development its distinctive characteristic, namely the "artificial" (that is, the state imposed) monopoly of occupations according to social class. Dunoyer considered that the creation of bodies with the monopoly of certain occupations resulted in "des hiérarchies factices" riven by mutual dislike, rivalry and attempts to seek "privilèges odieux" and "injustes préférences" at the expense of others.⁴²⁹ In the scramble

⁴²⁵Dunoyer, *L'industrie et la morale*, p. 246.

⁴²⁶Dunoyer, *L'industrie et la morale*, p. 244.

⁴²⁷There is a striking similarity in interpretation between Dunoyer's view of the transition from slavery to a limited form of freedom in the twelfth century and Augustin Thierry's *Essai sur l'histoire de la formation et des progrès du Tiers État* (1853). As has been mentioned before, Thierry contributed important historical articles to *Le Censeur européen* on French history and it is quite likely that they influenced each other in formulating a theory of the emergence of the third estate in the feudal period. Thierry also talks about "the slave who had reached a sort of half liberty" in Augustin Thierry, *The Formation and Progress of the Tiers État or Third Estate in France*, trans. Francis B. Webb (London: Henry G. Bohn, 1859), p. 23.

⁴²⁸Dunoyer, *L'industrie et la morale*, p. 246.

⁴²⁹Dunoyer, *L'industrie et la morale*, p. 247. Concerning the monopolisation of occupations: "La noblesse avait le monopole du service public; le clergé celui de

for these legal monopolies (or what Dunoyer also called the "esprit universel d'exclusion") the monarch saw a useful form of power and revenue in the sale of offices and rights of monopoly. Dunoyer listed the legal privileges and monopolies which the four major social classes were granted. The nobility was able to salvage only some of its many privileges which it had in the ancient world. These included the exclusive right to seek favours from the court, the monopoly of "fonctions honorifiques" and most of the lucrative positions in the government, the exemption from paying taxes, the right to "banalités", and the right to hunt. The next class in order of power and importance was the clergy, which had the right to "impose" religious belief on the mass of the people, to raise revenue through the "dîme," the right to escape paying taxes, and to be tried in their own courts. The artisans came next with their monopoly rights to the exclusive manufacture of certain goods and the right to "faire la loi aux marchands." The final social class discussed by Dunoyer was the merchant class which had the sole right to sell certain goods and to make "profits illégitime." Dunoyer concluded that in all of these four social classes the spirit of monopoly and political privilege prevailed and that "(i)l n'y en avait presque point qui ne consistassent en injustices, en exactions, en violences."⁴³⁰

However, in spite of the considerable injustices and violations of natural rights which Dunoyer observed in this stage of economic development, one should now expect Dunoyer to see the positive aspects as well. In all his economic stages Dunoyer believed that each successive stage was more productive, closer to the industrial ideal, less brutal and oppressive, and ultimately freer than each of the the previous modes of production. In "the stage of political privileges" for example, the ancient ruling class had become much less warlike and had begun to develop their skills in new directions, whilst the ancient

l'enseignement et des doctrines; le tiers-état, celui des travaux industriels. Dans ce troisième ordre, les arts libéraux étaient devenus l'apanage d'un certain nombre de compagnies; divers corps de marchands avaient envahi le négoce; les arts mécaniques étaient tombés au pouvoir d'autant de communautés qu'on avait pu distinguer de genres différents de fabrications." Dunoyer, *L'industrie et la morale*, p. 247.

⁴³⁰Dunoyer, *L'industrie et la morale*, pp. 249-50.

oppressed classes were now able to work for themselves and thus worked harder and were able to gain and keep some surplus. But the most important development of this stage was the creation in some numbers of what would become the industrial class properly called.⁴³¹ Unfortunately the full development of the industrial and productive capacities of society is impossible under a régime of privilege, because of several vital obstacles which must be reformed before the industrial system proper could be established. One of the very great weaknesses of the economic system of the pre-revolutionary period is the sheer economic waste and inefficiency of such political privileges and monopolies. For instance, the monopoly some groups had to exclude outsiders from employment in a particular occupation and to reserve it for one's sons led to the waste of capacities and skills in the population so excluded. Without the right of free entry into occupations which the free market made possible, there was a misallocation of talent and skill which seriously weakened the productivity of the economy.⁴³² Another important source of economic waste was the chronic underemployment of the lowest classes, caused by the closing off of many avenues of trade and industry by the monopoly corporations in order to restrict competition and thus push up the wages of those with privileged jobs. Dunoyer believed this was probably the main reason for the impoverishment of the mass of the working class. Even for those with access to a well-paid job, the political costs of getting and maintaining that job dissipated into unproductive areas the surpluses which that job created. One had to pay a hefty entry price to the state or the existing members of the corporation for the privilege of practicing that trade. There were high costs involved in the lengthy period of training or apprenticeship designed to exclude many applicants. And finally, one needed the support of the police powers of the state in order to prevent non-members of the exclusive corporation from practising the trade illicitly, and this support often cost much in terms of donations to the political powers as well the payment of taxes, loans and so on. In all, much needed capital and energy, which could have been used to expand production and thus employ

⁴³¹Dunoyer, *L'industrie et la morale*, pp. 251-2.

⁴³²Dunoyer, *L'industrie et la morale*, p. 257.

more individuals, was frittered away in unproductive political activities which were essential for the maintenance of their privileges.⁴³³

A very serious structural weakness in this stage of economic development were the impediments to the development of science and technology. On the one hand, any inventions made outside the corporate monopoly were unlikely to be taken up, whilst those made by members of the corporation were often viewed as "innovations dangereuses" which would upset the status quo.⁴³⁴ Generally, without freedom of speech and free trade the development of science and technology is badly curtailed. The church with its monopoly of education is hostile to science and technical training and does its best to prevent it, with harmful affects on the economy and people's standard of living. Dunoyer noted that the development of industry in the new factories occurred in small towns in the provinces, such as Manchester, Birmingham and Liverpool, precisely because this was where the stifling influence of the guilds and corporations was weakest. The same was true for the city of Paris, where industrial expansion occurred in those parts of the city where the guilds could not exercise their monopolies.⁴³⁵

Not only did the régime of privileges harm the development of technology but also the improvement of morals. For the ruling class the most damaging privileges to their moral development were the ban on the nobility from pursuing industrial activities, the law of primogeniture which made it unnecessary for the eldest son to need to learn industrial

⁴³³"Avant d'arriver à la maîtrise, dans toute profession, il fallait dépenser infructueusement un temps et des sommes considérables. Quand on y était parvenu, il fallait en dépenser encore davantage pour défendre contre toute usurpation le privilège qu'on avait acquis. Enfin, comme toute privilège était une injustice criante, et qui ne pouvait se maintenir d'elle-même, il fallait, pour en jouir sans trouble, avoir l'appui de l'autorité, et l'autorité faisait payer cher cet appui. C'était donc encore une masse considérable de capitaux, de temps, d'activité qui était dérobée au travail utile, et dépensée, non-seulement sans fruit, mais d'une manière très-préjudiciable au progrès des facultés de la liberté." Dunoyer, *L'industrie et la morale*, p. 259.

⁴³⁴Dunoyer quotes Say's *Traité* on this matter of inventions and also refers to Colbert's attempts to prevent some workers working more productively than their colleagues in ordinances published in August 1669. Dunoyer, *L'industrie et la morale*, p. 260.

⁴³⁵Dunoyer, *L'industrie et la morale*, pp. 262-3.

skills, the law which protected landed property from confiscation by debtors thus enabling inefficient noble landowners to pass their debts onto subsequent generations, and the privileged access of the nobles to the crown which encouraged them to seek favours and monopolies and to waste their capital in the purchase of office and other monopolies. Dunoyer took issue with Montesquieu's claim that the nobility had traditionally refused to be involved in commerce and industry because these pursuits were contrary to the spirit of monarchy.

Montesquieu, qui voit la raison de toutes choses dans la forme du gouvernement, dit qu'elle (la noblesse) ne faisait pas le commerce, parce que c'eût été contraire à *l'esprit de la monarchie*; ce n'est pas cela. La noblesse ne faisait pas le commerce par la même raison que les Grecs, que les Romains, que les Germains ne l'avaient pas fait; par la même raison que les Turcs ne le font pas: parce qu'il n'est pas dans l'esprit des races militaires; parce qu'il répugne à la barbarie; parce qu'il affaiblit le penchant à la guerre et l'amour de la domination. La raison de ses moeurs à cet égard était dans son origine tant soit peu sauvage.⁴³⁶

Dunoyer rejected this interpretation, partly because he saw no contradiction between the form of government and industrial activity (returning to Constant's debate about the irrelevancy of the form of government to the degree of true modern liberty), and partly because of his theory of economic development. A better explanation for the reluctance of the nobility to engage in industrial activities lay in their origins as a military class who believed that peaceful trade and commerce would reduce their capacity to wage war and exercise domination over others. Since Dunoyer believed that there were only two ways in which one could acquired wealth, either by peaceful production and trade with one's fellows or by theft, war, taxation and legal monopoly, if one refused to engage in industry, as the European nobility did, then the only avenue for wealth making which was open to them was unjust confiscation and parasitism on the working classes. Also, since Dunoyer linked the "morals" of a class to its method of producing wealth, with productive industry leading to tolerance, peacefulness, cultivation of culture and science, and with theft and

⁴³⁶Dunoyer, *L'industrie et la morale*, p. 264.

parasitism leading to the opposite, it is not surprising that he thought the "morals" of the ruling class in pre-revolutionary Europe to be severely lacking.⁴³⁷

The tragedy for Dunoyer was that not only did the restrictions of industry and political privileges have a corrupting effect on the ruling class of nobles, but it also penetrated deeply into the lower and middle classes. The most numerous lower class was degraded and corrupted by the lack of employment opportunities caused by the monopoly of occupations held by the guilds and corporations and the general inefficiencies of a restricted economy. The net result was that many were forced to beg, to attach themselves to the privileged and wealthy for what little they could get, and to fritter away their lives with the boredom of underemployment. As for the middle class their morals were corrupted because it was impossible for them to earn a living by purely industrial means. Because of the widespread nature of the system of legal privileges and monopolies all their economic activity was inevitably a mixture of the fruits of their own labour and peaceful exchange, and the illegitimate profits gained from legal monopolies, restrictions on free trade and other appeals to the state. In such a state of confusion, Dunoyer believed, it was impossible for the industrial middle class to develop the "morals" appropriate to a purely industrial class. The nature of their work thus created a mixture of aristocratic and industrial morals and clearly shows the moral ambiguity Dunoyer considered the industrial class suffered under when working in an aristocratic and privileged society.

Ajoutez que ce système ne dépravait pas seulement les hommes des dernières et des premières classes; mais encore, bien qu'à un moindre degré, ceux de l'ordre intermédiaire des citoyens. Il y avait en effet dans leurs prospérité quelque chose de violent et d'illégitime; elle n'était pas seulement le fruit du travail; elle était aussi celui du monopole, et une partie de leurs profits venait toujours de ce qu'ils pouvaient réduire, d'autorité, le nombre de leurs concurrents. C'était même à écarter les rivaux, beaucoup plus qu'à les surpasser en mérite, qu'était dirigée leur activité, et leur esprit, dans ce système, était continuellement préoccupé d'idées injustes et tyrannique.⁴³⁸

⁴³⁷Dunoyer, *L'industrie et la morale*, p. 266.

⁴³⁸Dunoyer, *L'industrie et la morale*, pp. 267-8. Dunoyer posed a similar rhetorical question in his discussion of the régime of industry: "Quelle est en effet, même dans les pays de l'Europe les plus civilisés, la classe d'hommes qui ne profite pas, directement ou

As in the previous stage of slavery, in the stage of privilege a perpetual state of war existed between the classes. The most obvious conflict took place between those who were members of the corporations with a monopoly of certain occupations and those who were outside this privileged community. The latter resented the former for taking away what they considered their right to practice whatever occupation towards which their own skills and interests inclined them, resulting in what Dunoyer called "une véritable état de guerre, et de guerre universelle."⁴³⁹ Even within the system of orders and privileged corporations there was fierce conflict and rivalry over power, money, privilege and access to the crown. The class war within the privileged guilds, orders and corporations is not a war which leads to deaths, the spilling of blood and physical injury and the weapons used are not swords, muskets or cannons of traditional warfare. Instead the war is waged with weapons created by the state, such as the power of the police and the courts. Normally the desire of the lower orders for power and privilege is contained by the authority and strength of the higher orders, such as the nobility, the clergy and the superior courts. However, ambition being what it is, it is able to find "legal" avenues to pursue its quest for monopoly and the exclusion of competitors. For example, the guilds of the tailors and second-hand clothing dealers do "mutual violence" to each other in their legal challenges to each other's monopolies of trade, in what one might call a kind of union demarcation dispute.⁴⁴⁰ If the legal challenge fails to achieve their purpose the lower guilds and corporations then appeal to the higher bodies of the state to outlaw their competitors entirely, in exchange for which they will gladly pay taxes, accept some onerous government regulation or other restriction on free trade which they will be able to recoup by passing the added costs onto the consumers of their goods. The final result of these appeals to the state for monopolies is to

indirectement, de quelque privilège, de quelque monopole, de quelque prohibition injuste? Qui peut se rendre le témoignage que la violence ne contribue rien à augmenter le revenu de ses fonds productifs? Cela ne serait possible que dans un ordre de choses où rien ne limiterait la concurrence; et nous sommes sûrement fort éloignés d'un tel état." Dunoyer, *L'Industrie et la morale*, p. 322, footnote.

⁴³⁹Dunoyer, *L'industrie et la morale*, p. 269.

⁴⁴⁰Dunoyer, *L'industrie et la morale*, p. 270.

increase government interference and control in the economy and thus to decrease the overall amount of liberty.⁴⁴¹ Dunoyer is very concerned with the growth in authority of the central state as the final adjudicator of all these special interests. As the power with the final say in who gets what, it is able to play off the special interests against each other and all groups end up exploiting each other and, most importantly, becoming tributaries of the state.⁴⁴²

The group which benefits most from the system of privileges is not the lower orders, as we have already seen, but those at the very top. Although the "ordres supérieures" suffer to some extent from the privileges of the lower orders of the guilds and corporations, the benefits they in turn receive from their privileges far outweigh these costs. The profits from seigniorial rights, the exemption from taxation, honours and gifts from the court, and the monopoly of higher jobs in government mean that the nobility is most anxious to maintain the status quo for as long as possible in order to go on enjoying their privileges. For as long as the lower classes are obliged to remain in private occupations of industry and commerce, the nobility is assured of its continuing monopoly of government office and all the financial rewards which this brings.⁴⁴³ Yet there is a sort of dialectic at work here, as Dunoyer observes, because the greater the power and privileges of the nobility the greater is the envy of the lower classes for the political power which makes this possible. The nobility, clergy and judiciary are therefore increasingly subject to "l'universelle animadversion" of the lower orders as they increase in wealth, confidence, and knowledge. This, of course, is the origin of the rivalry between the nobility and the clergy on the one hand, and the third estate on the other, on the eve of the French Revolution. What might appear on the surface

⁴⁴¹"Chacun voulait avoir la grande corporations des gouvernans pour auxiliaire, et s'efforçait de la rendre complice de l'iniquité des ses prétentions. On allait effrontément la supplier de prohiber telle industrie dont on redoutait la concurrence; on ne demandait pas mieux que de recevoir d'elle des chaînes, que de lui payer des tribus, pourvu qu'elle daignât concéder de tyranniques privilèges. On s'épuisait en frais, en sollicitations, en prières; et toutes ces bassesses, on les commettait pour obtenir le droit d'être injuste; *et omnia seviliter pro dominatione*." Dunoyer, *L'industrie et la morale*, pp. 270-1.

⁴⁴²Dunoyer, *L'industrie et la morale*, p. 273.

⁴⁴³Dunoyer, *L'industrie et la morale*, p. 274.

to be order and stability actually hides "une profonde anarchie" in which, from the lowest to the highest order, no one is satisfied with their appointed place, where men are divided because they resent their "arbitrary" and "artificial" classification, where jealousies break out because one's well-being depends so much on political favour rather than on merit, and where the lower ranks despise the higher ranks because the latter have "le moyen d'être injuste envers les subalternes."⁴⁴⁴

5. THE STAGE OF PLACE-SEEKING DURING AND AFTER THE REVOLUTION⁴⁴⁵

The Revolution of 1789 destroyed the system of privileges which had grown up under the ancien régime. It brought to an end to all distinctions based upon membership of an order or a guild, in other words all "hiérarchies artificielles," and thus the need to seek the support of the state in inter-corporate class conflict. Dunoyer greatly admired the Revolution for what it had achieved in destroying the ancien régime and was keen to defend it from its critics for being a social and political levelling process. The "great revolution" in Dunoyer's view, far from destroying what he called "natural inequalities,"⁴⁴⁶ in fact made it possible for these inequalities to flourish by sweeping away the ancien régime and all the "inégalités factices" which impeded industry. The true levellers in his view were the defenders of the system of political privilege of the ancien régime, who classified and forced vastly different individuals into guilds and other corporate

⁴⁴⁴Dunoyer, *L'industrie et la morale*, p. 276.

⁴⁴⁵"VIII. Du degré de liberté qui est compatible avec la vie des peuples qui n'ont pas de privilèges, mais chez qui tout le monde est emporté vers la recherche des places," Dunoyer, *L'Industrie et la morale*, pp. 278-320.

⁴⁴⁶Compare this view with Comte's distinction between natural and artificial aristocracy in chapter three. Dunoyer returns to the discussion of inequality in chapter 10 "Des obstacles qui s'opposent encore à la liberté dans le régime industriel, ou des bornes qu'elle rencontre dans la nature des choses," Dunoyer, *L'Industrie et la morale*, pp. 369-96, in which he makes the point that although an industrial society will have much less extreme inequalities of wealth than say the ancien régime it will nevertheless encourage inequalities based on talent and hard work: "L'effet du régime industriel est de détruire les inégalités factices; mais c'est pour mieux faire ressortir les inégalités naturelles," p. 372.

associations regardless of their talents and interests. The aim of the revolution had been to destroy the system of privilege, "cette égalisation absurde et forcée," and to open up all occupations to anybody regardless of social class. In other words, Dunoyer considered the Revolution to be profoundly liberating.

C'est contre cette égalisation absurde et forcée que fut dirigée la révolution. Elle brisa le niveau que des mains oppressives tenaient abaissé sur les masses; et, sans prétendre assigner de rang à personne, elle voulut que chacun pût devenir tout ce que légitimement il pourrait être, et ne fut jamais dans le droit que ce qu'il serait dans la réalité. Pour cela, il fut simplement décidé que nul ne pourrait être gêné dans l'usage inoffensif de ses facultés naturelles; que toutes les carrières paisibles seraient ouvertes à toutes les activités; que toutes les professions, tous les travaux, tous les services légitimes seraient livrés à la concurrence universelle. C'est en cela que consistait le nouvel ordre social qu'elle proclama.⁴⁴⁷

The revolution had partly succeeded in this task of liberation and the degree of liberty and industrial expansion which the revolution made possible was considerable. Dunoyer believed that the progress which the abolition of corporations and political privileges made possible was "incalculable" and that the ending of a major source of violence and injustice was a considerable improvement for the average person.⁴⁴⁸

Thus the Revolution had created the legal and perhaps material conditions for a purely industrial society to emerge, but for the absence of one crucial factor which prevented it from occurring - the presence of the correct "morals" among the people. True liberty existed "virtuellement" to allow the unlimited development of all human faculties, including the industrial faculties, the progress of morals, the growth of enlightenment and material well-being, and the end to all violence and political privilege. Unfortunately, this liberty did not emerge in reality because of the nearly universal "amour des places" or in other words the desire to seek fame and fortune through the public service rather than through industry. This factor alone, thought Dunoyer, had turned the revolution sour and had prevented the industrial stage of society from appearing at this time.⁴⁴⁹ The desire by so

⁴⁴⁷Dunoyer, *L'Industrie et la morale*, pp. 279-80.

⁴⁴⁸Dunoyer, *L'Industrie et la morale*, p. 290. See also p. 291.

⁴⁴⁹Dunoyer, *L'Industrie et la morale*, pp. 280-1.

many to prefer public employment to that of private industry led to the corruption of the new order and its ultimate failure, as the forces of reaction were able to harness the public mania for government posts in order to ultimately undo the benefits of the Revolution. This was possible because the new class of political place-seekers were trying to emulate the behaviour of the nobility of the ancien régime in treating government posts as a source of personal betterment, as a "resource" to be exploited for profit and fame. Exploitation by political place-seeking, or "le vice politique" as Dunoyer termed it, was present in, Dunoyer's view, when one had the personal disposition to live at taxpayers' expense, when one willingly accepted positions in the government without being sure of their social or economic usefulness, and when one accepted payment from the state for services which in the free market would not be needed or which would be supplied at much lower prices.⁴⁵⁰ Dunoyer believed that this desire for political place-seeking was so widespread that it became the foundation for a new economic mode of production.⁴⁵¹

The reasons for the public's desire for government posts were economic, social and political. Although the condition of the working classes had improved with the changes brought about by the Revolution, the economic and social position of the "classes gouvernantes" still remained incomparably better and it was this surer path to wealth that attracted many of those who previously been excluded from government service to seek jobs there.⁴⁵² It was obviously unjust that a particular social class or family reserved for itself the right to serve in the government and it was understandable, though perhaps an overreaction, for the newly liberated classes under the revolution to seek to replace the much despised old class in government service. The mistake they made, Dunoyer thought,

⁴⁵⁰Dunoyer, *L'Industrie et la morale*, pp. 282, footnote.

⁴⁵¹"Toutes les professions étaient déclarées libres; mais c'était vers celle-là, de préférence, que se dirigeait l'activité; la tendance des idées et des mœurs était d'en faire en quelque sorte un moyen général d'existence, une carrière immense, ouverte à toutes les ambitions. Or c'était cette tendance qui seule aurait suffi pour dénaturer le nouvel ordre social, quand toutes les passions de l'ancien régime ne se seraient pas liguées pour le détruire." Dunoyer, *L'Industrie et la morale*, pp. 282.

⁴⁵²Dunoyer, *L'Industrie et la morale*, p. 283.

was to ignore reason, which should have told them that the size and scope of government should be as small as possible, rather than to see it, as the new doctrine of democracy often portrayed it, as something which all had a right to participate in at the expense of others.⁴⁵³

There were also other less sinister reasons which encouraged the newly liberated classes to seek places in the state. These included the persistence of traditional ways of thinking about the state, the destruction of much industry and thus sources of employment during the revolution, the emigration of the old governing classes which left a need for some replacement of state officials, the need to introduce important reforms, and the need to defend the revolution against the counter-revolution, all contributed to the pressure to abandon private industrial activity and seek jobs in the state apparatus.⁴⁵⁴

Unscrupulous politicians took advantage of this popular desire for government posts to amass power for themselves and to further the centralisation of state power. Dunoyer draws upon Alexander de Laborde's *De l'esprit d'association* (1818) to argue, much like Alexis de Tocqueville was to in *L'Ancien régime et la Révolution* in 1856, that the first of these centralising politicians was not Napoleon, as many believed, and that this practice had not stopped with the end of the Empire.⁴⁵⁵ Tocqueville's argument was that the centralising tendency of French governments since the revolution had not been a direct result of the revolution, but had roots deep within French history. One of the purposes of *L'Ancien régime et la Révolution* was to show how little the revolution had in fact changed French politics. Thus, Dunoyer was making similar arguments about the process of political centralisation some thirty years before Tocqueville.⁴⁵⁶ Even conservative liberal politicians

⁴⁵³Dunoyer, *L'Industrie et la morale*, pp. 285-6.

⁴⁵⁴Dunoyer, *L'Industrie et la morale*, p. 286, footnote.

⁴⁵⁵Alexandre comte de Laborde, *De l'esprit d'association dans tous les intérêts de la communauté; ou essai sur le complément du bien-être et de la richesse en France par le complément des institutions* (Paris: Gide, 1818). Laborde's important book was reviewed by an anonymous reviewer in *Le Censeur européen*, 1818, vol. 10, pp. 101-55.

⁴⁵⁶See Alexis de Tocqueville, *L'ancien régime et la Révolution*, ed. J.-P. Mayer (Paris: Gallimard, 1967); Jack Lively, *The Social and Political Thought of Alexis de Tocqueville* (Oxford: Clarendon Press, 1962), "Centralisation," pp. 127-82; Seymour Drescher, *Tocqueville and England* (Harvard University Press, 1964) "England 1835 -

of the Restoration period, such as Decazes and Guizot, argued that the enormous increase in the size and cost of the bureaucracy could be partly justified on the grounds that political equality demanded it.⁴⁵⁷ Dunoyer scoffed at the suggestion that one could have an expanded and costly state and be free at the same time.⁴⁵⁸

One of the differences between the class system of the ancien régime and that created by political place-seeking was that the class of beneficiaries had become much more unified and concentrated around one institution. In the ancien régime the privileged orders, guilds and corporations were scattered and often competed against each other. In the new stage which followed the revolution these scattered bodies had been destroyed and replaced by a more centralised state, "une administration gigantesque," which was now the sole dispensary of privileges.⁴⁵⁹ Entirely new areas of public control and administration had become available for those who were ambitious for careers in the state public service.

Centralisation and Liberty," pp. 74-104. Other liberals in the mid-nineteenth century were also concerned with the question of centralisation of state power. Although it was primarily a French matter, John Stuart Mill took an interest in a review essay of some recent French works on the subject: John Stuart Mill, "Centralisation," *Edinburgh Review*, April 1862, vol. CXV, pp. 323-58. An interesting discussion from a French liberal political economist on the dangers of centralised power is: Charles Coquelin, "Centralisation," *Dictionnaire de l'économie politique*, ed. Coquelin et Guillaumin (Paris: Guillaumin, 1852), vol. 1, pp. 291-300. Dunoyer returned to the issue later in his magnum opus where he devoted a chapter to it and an essay in the *Journal des Économistes*: Charles Dunoyer, *De la liberté du travail* (1845), where the chapter on place-seeking became "Liberté compatible avec le degré de culture des peuples chez qui les privilèges des ordres et des corporations ont été remplacés par une extension exagérée des pouvoirs de l'autorité centrale," vol. 1, pp. 252-300; and Charles Dunoyer, "Du système de la centralisation, de sa nature, de son influence, de ses limites et des réductions utiles qu'il est destiné à subir," *Journal des Économistes*, 1842, vol. 1, pp. 353-89.

⁴⁵⁷Dunoyer quotes the discussion of Decazes on the budget in *Le Moniteur*, June 1819 and Guizot's *Des moyens de gouvernement et d'opposition* in Dunoyer, *L'Industrie et la morale*, pp. 287-8.

⁴⁵⁸Dunoyer, *L'Industrie et la morale*, p. 289.

⁴⁵⁹"... la passion (pour les places) que je signale va élever une administration gigantesque qui héritera de tous leurs privilèges; ce qui était affaire de corps deviendra affaire de gouvernement; une multitude de pouvoirs et d'établissements particuliers passeront dans le domaine de l'autorité politique." What Dunoyer particularly has in mind is education which was once the preserve of numerous private colleges and institutions but which was now the preserve of state "functionaries." Dunoyer, *L'Industrie et la morale*, p. 294 and footnote.

With some horror Dunoyer lists the areas of expanded state activity which he now considered to have infiltrated every part of life:

A mesure que les passions ambitieuses ont attiré plus d'hommes vers le pouvoir, le pouvoir a graduellement étendu sa sphère. Il a multiplié non-seulement les emplois mais les administrations. On compterait difficilement le nombre de régies qu'il a créées pour ouvrir des débouchés à la multitude toujours croissante des hommes zélés et surtout désintéressés qui demanderaient à se vouer à la chose publique: régie des tabacs, des sels, des jeux, des théâtres, des écoles, du commerce, des manufactures. etc. Il a peu à peu étendu son action à tout; il s'est ingéré dans tous les travaux avec la prétention de les régler et de les conduire. On n'a plus trouvé sur son chemin les syndics des corporations; mais on a eu devant soi les agens de l'autorités. Dans les champs, dans les bois, dans les mines, sur les routes, aux frontières de l'état, aux barrières des villes, sur le seuil de toutes les professions, à l'entrée de toutes les carrières, on les a rencontrés partout. Le premier effet de la passion des places a été de les multiplier au-delà de toute mesure: cette passion a fait prendre à l'autorité centrale des développemens illimités.⁴⁶⁰

One indicator of the increase in the size of government and its scope of activities was the size of the budget between 1802 and the early 1820s. The budget papers showed clearly that the high levels of expenditure of the war years had been maintained in peace-time under two very different forms of government - Napoleon's military Empire and the Restored Monarchy. Dunoyer begins with the year 1802 when the budget was F500 million and shows how it increased year by year until in 1813 it had reached the "colossal" sum of F1,150 million. After a temporary reduction to F791 million in the first year of the Restoration, by 1818 it reached the level of the last year of Napoleon's rule, some F1,100 million. After another temporary reduction in 1819, due to the withdrawal of foreign troops on French soil and the subsequent savings in expenditure, by the early 1820s the amount was again pushing the F1,000 million mark. Dunoyer stressed two things to note with these figures. The first was that the expenditure of over F1,000 million was significant because it had been first reached in 1811-1812, when France was at the height of its Empire and had 600,000 men under arms. It seemed extraordinary to him that this level could again have been reached in peace time, unless something had changed in the nature of the state or the

⁴⁶⁰Dunoyer, *L'Industrie et la morale*, pp. 294-5.

economy. The second thing to note was that the tendency to increase government expenditure did not depend on the type of government in power.

Dunoyer concluded from these figures that the same impulse to seek government jobs existed under Napoleon as it did under the restored monarchy, thus confirming in his mind the view that it was the result of the underlying mode of production rather than a result of the outward form of the political structure or constitution. He concluded that, at a time when the costs of government should have been falling as the benefits of peace and industry spread, the increase in costs of government could only be due to several related factors such as the desire (as Dunoyer phrased it "au penchant dépravé") for more people to work for the state, the stupidity of the remaining taxpayers to continue funding their parasitic compatriots, the capacity of the old corrupt government to take advantage of the confusion following the defeat of Napoleon, and finally the present corrupt morals which allowed some of the practices of the ancien régime to return.⁴⁶¹ The parallel increase in national debt was another mechanism by which to measure the results of political place-seeking. Dunoyer thought that debt financing was a particularly evil method of increasing the spoils of office for the new political ruling class. He thought one political effect of increased government expenditure and debt was the corruption of many important institutions. The more the state became a milking cow for the political class, the more it became despotic, and therefore the more it engaged in electoral fraud, and imposed restrictions on the freedom of parliament, censorship, the weakening of jury trials, and other institutions which attempted to place some limit on the power of the state.

A mesure que les passions cupides étendront ainsi les empiétements et les dépenses, elles voudront, pour se mettre plus à l'aise, pervertir toutes les institutions. Plus elles tendront à rendre l'administration fiscale, et plus elles seront intéressées à rendre le gouvernement despotique. On les verra, à chaque nouvelle révolution, à chaque changement de régime, s'efforcer de corrompre ou de fausser tous les pouvoirs, créer des lois d'élection frauduleuses, interdire la discussion aux corps délibérans, ôter la publicité à leurs séances, transformer les jurys en commissions, substituer des juges prévôtaux à la justice régulière,

⁴⁶¹Dunoyer, *L'Industrie et la morale*, p. 298, footnote.

livrer l'élection des conseils généraux et municipaux aux fonctionnaires responsables que ces conseils doivent surveiller, ne pas se donner de relâche enfin qu'elles n'aient subjugué tous les corps destinés à protéger les citoyens, et ne les aient convertis en instruments d'oppression et de pillage.⁴⁶²

One can't help seeing in this observation the reason for Comte's and Dunoyer's search for a more more fundamental explanation for the difficulties of establishing constitutional limits on the power of the restored Bourbon monarchy in the early years of the Restoration. The reason why the very liberal provisions of the Charter of 1814 and the constitution which evolved from it did little to actually create a liberal society in the years after 1815 lay in the underlying mode of production which carried over from the last years of the Empire. The industrial class was too weak and the class of political "place-seekers" too strong to permit a winding back of state privileges and a freeing of the economy to take place. The policies of the Restored monarchy against certain political freedoms, such as freedom of speech and trial by jury, and any broader economic freedoms are now seen as the inevitable consequence of the consolidation of a new mode of production based upon political place-seeking by the classes liberated by the revolution and the continuation of some of the practices of the ancien régime. It is not surprising that the political liberalism of Constant was inadequate to oppose this phenomenon. Before the power of the class of political "place-seekers" could be challenged, its structure, origins, and political culture (or morals) had to be explored and understood.

The morals to which the mode of production of the political "place-seekers" gives rise are, from Dunoyer's liberal perspective, to be regretted. At the highest level of government the prevailing spirit is one of "solicitation" for power and position. Throughout the political hierarchy, from the restricted number of privileged voters to their elected deputies and even senators, the prevailing spirit is that of a political "client" who owes allegiance to powerful faction leaders in the government. One side of the coin is ambition for office and power, the other side is servility towards those with power.⁴⁶³ Dunoyer compared the

⁴⁶²Dunoyer, *L'Industrie et la morale*, pp. 299-300.

⁴⁶³Dunoyer, *L'Industrie et la morale*, p. 302.

behaviour of government officials in the system of place-seeking with that of the royal courts of the ancien régime. In the competition for a restricted number of places, those who behaved most like the courtiers of a previous century, those who could best play the game of intrigue and flatter or lie to their ministerial superiors would be most successful.⁴⁶⁴ Naturally, the "spirit of ambition" for political office is not conducive to the cultivation of industrial morals. It destroys the spirit of invention, enterprise, activity, emulation, courage and patience, all of which are values prized by the "spirit of industry." A considerable danger, Dunoyer thought, lay in seeing talented men abandoning industry for the more lucrative area of government jobs. The loss of these men to the government led to three problems for the economy. Firstly, skills and intelligence which might have been used to make French industry more competitive were syphoned off into non-productive government work. Secondly, in order to pay their salaries, taxes have to be raised or the level of debt increased, both of which place an added burden on the economy. Thirdly, and perhaps more importantly, these same men were employed to control and restrict industry, further adding to the problems of industry and hampering its growth and development.⁴⁶⁵ A similar problem existed with capital which could be invested either in productive private industry or invested in government loans and bonds. Once more, the latter course leads to a double loss to the economy. Productive capital is not only lost to industry but is used by the state to increase its control and regulation of it.⁴⁶⁶

Clearly Dunoyer's argument makes little sense unless one shares his view that government is essentially a parasitic institution which produces little of value, but which depends on the wealth drawn from society by means of taxes. Thus the transfer of men and

⁴⁶⁴Dunoyer, *L'Industrie et la morale*, pp. 308-9.

⁴⁶⁵Dunoyer, *L'Industrie et la morale*, pp. 305-6.

⁴⁶⁶"Notez encore que ses fonds, de même que ces individus, ne sont pas seulement perdus pour l'industrie, mais employés contre elle. Il servent à gagner non des oisifs, non des possesseurs de sinécures (il n'y aurait que moitié mal); mais des hommes à qui on veut faire gagner leur argent, et dont l'activité s'épuise en actes nuisibles; de sorte qu'elle est dépouillée de capitaux considérables et qui contribueraient puissamment à ses progrès, pour voir, en retour, son développement contrarié de mille manières." Dunoyer, *L'Industrie et la morale*, pp. 306-7.

capital from private industry to the state is seen by Dunoyer as a net loss to the productivity of the economy. Although he was unwilling to begin the laborious task of making such a calculation of the number of men lost to the government each year, the amount of capital invested in state loans, and an estimate of the financial cost to the economy of the activities of these new government officials, he was willing to make a broad estimate in very round figures of this net drain on the economy. Dunoyer believed that, without exaggeration, the total loss of productivity in the economy due to the "passion" for place-seeking was at least one half of everything that was produced.⁴⁶⁷

The society of place-seeking was not without its class conflict, its "luttres intestines"⁴⁶⁸ or "luttres homicides."⁴⁶⁹ When it began in earnest during the Empire, when place-seeking had become a "véritable industrie nationale," the struggle for position and power led to a "guerre aux places" with well-defined parties jostling for the spoils of government. Since even the bitterest political enemies share the same desire to use their position for their own betterment, the effect on the taxpaying public is to unite them against the political class in order to defend their property from further abuse. If they can find allies in industry or commerce who are not part of the scramble for government posts, they will unite in common cause with these groups as well, thus dividing the nation into two clearly defined classes - those who benefit from government jobs or favours and those who do not.⁴⁷⁰ Historically, another feature of this régime was to seek additional sources of exploitation above and beyond the domestic taxpayers of France. The struggle for places

⁴⁶⁷"... la puissance productive de ses habitants se trouve réduite de moitié, (et) je ne sais si je ferais une estimation bien exagérée du mal que sous ce rapport elle lui cause." Dunoyer, *L'Industrie et la morale*, p. 308.

⁴⁶⁸Dunoyer, *L'Industrie et la morale*, p. 311.

⁴⁶⁹Dunoyer, *L'Industrie et la morale*, p. 313.

⁴⁷⁰"... et voilà la guerre aux places. L'effet le plus inévitable du vice honteux que je dénonce, surtout quand il est devenu très général, comme c'est ici mon hypothèse, est de faire naître des partis qui se disputent opiniâtrément le pouvoir; et comme aucun de ces partis ne le recherche que pour l'exercer à son profit, un autre effet de la même passion est de rendre le public également mécontent de tous les partis qui s'en emparent, et de le disposer à faire cause commune avec tous ceux qui ne l'ont pas, contre tous ceux qui le possèdent." Dunoyer, *L'Industrie et la morale*, p. 311.

was so fierce during the Empire that Dunoyer believed it gave rise to Napoleon's wars of conquest throughout Europe. Everywhere he went Napoleon established states with huge opportunities for place-seekers to find employment at the expense of the indigenous people. For Dunoyer, the internal and external manifestation of exploitation under Napoleon was inextricably linked to the underlying mode of production. The logic of place-seeking was both internal and external domination.

Enfin la passion des places peut agrandir encore le cercle des discordes qu'elle suscite, et à des luttes intestines faire succéder la guerre extérieure. Mère de gouvernements despotiques, elle donne aussi naissance à des gouvernements conquérans. C'est elle qui a détourné notre révolution de sa fin, qui a fait dégénérer en guerres d'invasion une guerre de liberté et d'indépendance, qui a fourni des instrumens à Bonaparte pour la conquête et la spoliation de l'Europe, comme elle lui en fournissait pour le pillage et l'asservissement de la France. Il suffit qu'elle élève, en chaque pays, le nombre des ambitieux fort au-dessus de ce qu'il est possible de créer de places, pour qu'elle donne à tout gouvernement qui consent à la satisfaire un intérêt puissant à étendre sa domination, et devienne ainsi, entre les peuples, une cause très active de dissensions et de guerre.⁴⁷¹

The situation France when Dunoyer was writing *L'industrie et la morale* was a crucial turning point in the history of industrialism. Either it could return to the régime of privileges, in which political control and economic exploitation would once more be the exclusive preserve of a single social class, or it could move on to the next stage of the régime of industry, in which class exploitation would cease and the state would become a true public good ("travail public"), controlled by all men at a very reasonable price to taxpayers. Since as early as 1815, but especially since 1820, Dunoyer argued that the path taken by France had been the former. The Restoration did not attempt to cut government spending, reduce the budget and cut the size of the public service to the level it was before the Revolution, but instead took steps to ensure that the government was once again "la propriété exclusive, incommutable des classes qui tenaient autrefois le pouvoir."⁴⁷² Signs of their success were the oppressive measures taken in 1820 to restrict civic rights which had

⁴⁷¹Dunoyer, *L'Industrie et la morale*, pp. 311-12.

⁴⁷²Dunoyer, *L'Industrie et la morale*, p. 314.

been granted under the Charter and the way in which the large landed nobility were able to exploit the treasury to the tune of F300 million, or F60 for every F1 they paid into the treasury.⁴⁷³

In spite of the prospect of a return to some form of régime of privilege under the Restoration, Dunoyer had not completely lost hope that the second path could still be taken by France even at this late stage, but in most respects he was merely clutching at straws. He thought there were encouraging signs that the changes brought about by the Restoration might actually improve the prospects for industry. One of these was the closing off of government jobs to the middle class, who were thereby forced to seek alternative employment in industry. It was also possible that their disillusionment with government jobs might lead them to rediscover the nobility of industrial labour, a possibility which Dunoyer accurately described as a revolution in morals after twenty five years of corruption under the régime of political place-seeking.⁴⁷⁴ He thought he could see some tangible change in the attitudes and behaviour of the new political class towards the development of industry which, when combined with their disillusionment with power, would lead them to become champions of the industrial system. Furthermore, the prospects of the counter-revolution being able to defeat the revolution were slim since Dunoyer confidently asserted that the revolution and its benefits were "inherent in human nature," which no change of government could alter.⁴⁷⁵ The underlying forces which were all heading towards industrialism were "invincible," he thought, and this meant that in spite of its intentions the counter-revolution would be forced to tolerate and eventually encourage the development of industry.⁴⁷⁶ Industry was becoming stronger each day, the policy prescriptions of

⁴⁷³Dunoyer took his figures from a speech in the Chamber of Deputies by M. de Pompières on 13 July 1821. Dunoyer, *L'Industrie et la morale*, p. 314, footnote.

⁴⁷⁴Dunoyer, *L'Industrie et la morale*, p. 315.

⁴⁷⁵Dunoyer, *L'Industrie et la morale*, p. 316.

⁴⁷⁶"Mais la contre-révolution tend à changer le cours de la révolution; d'ambitieuse et de conquérante qu'elle était, elle la rend laborieuse; elle se dirigeait de toutes ses forces vers le pouvoir, elle la contraint à tourner son immense activité vers l'industrie." Dunoyer, *L'Industrie et la morale*, p. 317.

political economy were rapidly establishing themselves as a new orthodoxy, the existence of the United States of America and the new republics of South America, the willingness of the British government to adopt liberal economic reforms, and the persistence of expectations ignited by the revolution, were all reasons for Dunoyer's rather excessive and misplaced optimism about the prospects of the régime of industry in the near future.

6. THE STAGE OF INDUSTRY OR INDUSTRIALISM⁴⁷⁷

Dunoyer defined the economic stage of industry as

... un état où ce droit (de s'enrichir par l'exercice de la domination) ne serait le privilège de personne; où ni peu ni beaucoup d'hommes ne fonderaient leur fortune sur le pillage du reste de la population; où le travail serait la ressource commune et le gouvernement un travail public, que la communauté adjudgerait, comme tout travail du même genre, à des hommes de son choix, pour un prix raisonnable et loyalement débattu.⁴⁷⁸

The main characteristics of the régime of industry become clear from this passage: it is a society in which all must work by peaceful production and exchange, where there is no ruling class who exploit the labour of others, where government provides a small number of public services such as protection of personal liberty and property at minimal cost to the taxpayers, and where the government is freely chosen by election. Since Dunoyer readily admits that productive industrial activity has taken place in all societies from the state of savagery onwards, what makes an entire society "industrial" is not the proportion of individuals who live by the fruits of their own labour but the presence or absence of an exploiting ruling class. To the extent that a society has an organised class which lives by exploiting the labour of others and to the extent that the industrious classes are kept in a condition of dependence, to that extent the society is feudal, despotic, or in some other way

⁴⁷⁷"IX. Du degré de liberté qui est compatible avec la vie des peuples purement industriels," *L'Industrie et la morale*, pp. 321-68.

⁴⁷⁸Dunoyer, *L'Industrie et la morale*, pp. 313-4.

unfree.⁴⁷⁹ A similar situation exists with Dunoyer's definition of an "industrious or industrial people." All societies must have an industrious class to some extent in order to produce the surpluses upon which the ruling class live. After all, a parasite cannot live independently of the host's body. But an entire people become "industrious" only when they have won a political victory over their erstwhile rulers, either by forcing them to give up their unproductive ways and to "dissolve themselves" into the working classes (a highly unlikely prospect) or by acquiring a political ascendancy over them, thus rendering them powerless to continue exploiting others.⁴⁸⁰

The country which most closely approached Dunoyer's ideal of a truly industrial society was the United States of America, which he considered "de tous les pays du monde (c'est) celui qui approche le plus du mode d'existence dont je parle."⁴⁸¹ Taking article 36 from the Constitution of Pennsylvania, which stated that "Toute homme qui ne possède pas une propriété suffisante, doit avoir quelque profession, métier, commerce ou ferme qui le fasse subsister honnêtement" as typical, Dunoyer concluded that the United States was a society founded on industry and which had organised its social, political and legal institutions around this fact.⁴⁸² The American government was suitably small, ill-paying and relatively inactive, thus making it undesirable to place-seekers wanting to make their fortunes and their career in it. Within American society the "spirit of domination" was so weak that it seemed likely that the Americans had been able to break the cycle of domination and class exploitation which had dogged human history for millenia. What was lacking, in Dunoyer's view, to make the United States the perfect industrial society was an explicitly recognised and publicly acknowledged set of industrial morals. It seemed that the material conditions in America had somehow run ahead of the public morals and the public

⁴⁷⁹Dunoyer, *L'Industrie et la morale*, pp. 322-3.

⁴⁸⁰Dunoyer, *L'Industrie et la morale*, p. 323.

⁴⁸¹Dunoyer, *L'Industrie et la morale*, p. 371, footnote.

⁴⁸²"Les états de l'Union Anglo-Américaine nous offrent un modèle à ce qu'il semble assez exact d'une société qui a fondé son existence sur l'industrie et qui s'est organisée en conséquence." Dunoyer, *L'Industrie et la morale*, p. 324.

did not therefore understand the reasons for their freedom, prosperity and absence of class domination. Dunoyer noted some oddly anti-industrial behaviour, such as the legislators in the state of Georgia turning to the authority of the ancient Greeks and Romans to justify slavery; taking the name of the Capitol building and the institution of the Senate from ancient Rome; the teaching of young men the Greek and Latin languages; and the adulation of a military hero such as Washington instead of a purely civil hero such as Benjamin Franklin. All of this suggested to him that the pernicious influence of the militaristic and tyrannical ancient world was still potent even in the most industrial nation the world had yet seen and that the United States still had some way to go before its morals matched its industrial economy.⁴⁸³

Even if the United States had not yet reached the stage of pure industrialism, Dunoyer was certain that he knew what such a society would look like. He knew that it would allow for the maximum of individual liberty and the unlimited development of all human faculties (not just the monetary or economic ones), that it was the only society in which science and technology could be developed to their greatest extent, and that it would allow for the first time the emergence of a set of values in which peace, tolerance, hard work and respect for others would be predominant. Concerning class conflict, Dunoyer believed that internally and externally industrial society was essentially peaceful and that only in such a society could inter-class and international conflict be eliminated for good. All this was possible because, for the first time in human history since the formation of the state, the aggression of the state would be eliminated forever by the drastic curtailment of its functions and perhaps even by its ultimate elimination altogether.

Dunoyer believed that true liberty could not exist outside of an industrial society. At any other stage of human development liberty was either non-existent or incomplete. He believed there were three essential conditions which needed to be fulfilled before one could claim to be truly free: one had to have the use of certain faculties of forces; one had to learn

⁴⁸³Dunoyer, *L'Industrie et la morale*, p. 327, footnote.

how to use these faculties without causing oneself harm; and one had to learn to use these faculties without harming others. In the most primitive societies the exercise of one's faculties was severely limited by the underdeveloped nature of the mode of production. Without economic surpluses and some technology one's range of activities and options for action were necessarily small. Only with the development of more productive modes of production such as agriculture could one begin to develop one's faculties along the lines Dunoyer had in mind. Once a basic level of economic surplus was available and once the knowledge to make use of it had become widespread, it became possible then to talk about an increase in freedom for human beings and in Dunoyer's account of the economic evolution of mankind he refers to the fact that each stage expands the freedom of mankind from the more limited freedom of the previous mode of production. However, it was not until the last stage of economic development that men learnt to use their economic surpluses and technology in a way that was not harmful to others, thus fulfilling the third condition for freedom. It is apparent from Dunoyer's discussion that he does not believe liberty to be a purely "negative" thing, in other words the absence of coercion on the part of the state on individual activity. Rather, his view of liberty is a combination of "negative" and "positive" aspects. On the one hand, one is not free unless one has a certain amount of wealth and knowledge to do an increasing number of things. On the other hand, the greatest threat to liberty comes from the actions of a ruling class or a state which coerce individuals. Thus in Dunoyer's view one needs both aspects to be truly free.⁴⁸⁴

The highest level of freedom is reached when the level of technology and economic production is such that it permits the unlimited development of all faculties. In order to reach the highest level of productivity industry requires the most enlightened, the most skilled, and the most intelligent managers, researchers and workers that it is possible to have. Thus Dunoyer believes the industrial system will encourage the development of these skills and will want them spread as broadly as possible, there being no need for "victims" or

⁴⁸⁴Dunoyer, *L'Industrie et la morale*, pp. 330-1.

"dominateurs et ses satellites" in industrialism.⁴⁸⁵ The needs of industrial society mean that there must be a close collaboration between science and technology in order that the discoveries of science can be made available to industry and thus passed on to the public in the form of new goods and cheaper industrial processes. Technological improvements over the past hundred years or so had made it possible to extend the division of labour almost indefinitely and thus dramatically increase production for the benefit of the mass of the people. Therefore engineers had to have the same respect as pure scientists, and the traditional practice of viewing science as a kind of genteel hobby with no practical use, should be replaced with the attitude that science was a "travail sérieux d'hommes vivant tous également des conquêtes qu'ils font sur la nature, et cherchant avec ardeur à connaître ses lois, pour les plier au service de l'humanité."⁴⁸⁶

Two other historical examples, apart from the United States, which excited Dunoyer about the beneficent effects of industry were Scotland in the late eighteenth century and the newly independent South American republics. Scotland in the mid-eighteenth century was a semi-barbarous nation, but in less than eighty years had become one of the most advanced industrial nations. This showed, Dunoyer thought, what might happen when pillaging and murder had come to an end as it had done in 1745. He was also confident about the prospects of the Latin American nations, which after independence had cut taxes, removed restrictions on the economy and reduced the number of government posts. The result confirmed Dunoyer's faith in what industrial values could achieved and he described the progress of these nations as "progrès si singulier, si hors de proportion avec ce qu'on voit dans d'autres quartiers du globe."⁴⁸⁷ He was less sanguine about the prospects for Europe, which he believed would require a miracle to break away from its anti-industrial traditions.

The morals which an industrial society produces in its people are a direct result of the means by which wealth is created. Since wealth is no longer the result of pillage, theft,

⁴⁸⁵Dunoyer, *L'Industrie et la morale*, p. 332.

⁴⁸⁶Dunoyer, *L'Industrie et la morale*, pp. 334-5.

⁴⁸⁷Dunoyer, *L'Industrie et la morale*, p. 337.

extortion and slave labour, those who acquire a surplus do so by their own productive work and exchange with others. Thus, through such peaceful productive work people come to learn self-discipline and moderation in their consumption. Although Dunoyer disagreed with an article in the *Globe* which argued that it was "profoundly moral" for mankind to conquer nature, he did agree that if men got their wealth by this means rather than by privileges from the state or exploiting the labour of slaves, they would inevitably learn about hard work, application, order, economy and frugality.⁴⁸⁸ To use Dunoyer's phrase, "industrie véritable est la mère nourricière des bonnes mœurs."⁴⁸⁹

Perhaps the most far-reaching consequence of industrialism is the abolition of class conflict, which is achieved by two means. Firstly, there is the dismantling of the system of political power and privilege which makes exploitation possible in the first place. Without a state to enforce tariffs and trade restrictions or grant monopoly rights to favoured manufacturers or to provide lucrative jobs for the political place-seekers, there is no more institutional violence and therefore no ruling class which needs this violence to maintain its position of power.⁴⁹⁰ The second means is the assumption common to nineteenth century economic liberals, that in the absence of political privilege there exists a harmony of interests between individuals in the free market.⁴⁹¹ In other words, the belief that there is no antagonism inherent in the nature of market relations between such actors as employer and employee, shop owner and customer and so on. The liberal theory of the harmony of interests is vital for the success of Dunoyer's concept of industrialism. Without it one of the corner stones of the industrial system, the absence of class conflict, is missing. Thus it was important for Dunoyer to refute a broad range of political theorists, the common feature of

⁴⁸⁸Dunoyer, *L'Industrie et la morale*, p. 341, footnote.

⁴⁸⁹Dunoyer, *L'Industrie et la morale*, p. 340.

⁴⁹⁰Dunoyer, *L'Industrie et la morale*, p. 342.

⁴⁹¹The best known exponent of this view in the mid-nineteenth century was the free trade activist, member of the Chamber of Deputies and anti-socialist, Frédéric Bastiat, whose incomplete collection of popular essays appropriately named *Economic Harmonies* appeared posthumously in 1850. Frédéric Bastiat, *Economic Harmonies*, transl W. Hayden Boyers, ed. George B. de Huszar (Irvington-on-Hudson, New York: Foundation for Economic Freedom, 1968).

which was the belief that market relations were inherently antagonistic. For example, the conservative theorist Bonald argued that "(l)e malheur d'un état commerçant est d'être condamné à faire la guerre;"⁴⁹² Montaigne, who devoted one of his essays to the idea that the profit of one necessarily requires the loss of another;⁴⁹³ Rousseau, who put forward a similar argument to Montaigne;⁴⁹⁴ and more recently, an essay in the *Journal des Débats* in 1820. In one respect only did Dunoyer agree with those who, like Bonald, argued that commerce was just another form of warfare between states. In the mercantilist system which existed in the seventeenth and eighteenth centuries and which in part still persisted into the nineteenth century, it was very true that a situation very close to war often existed between trade rivals such as France and England. But, Dunoyer insisted, this was due to the coercion and violence of the system of economic privileges which lay at the heart of mercantilism, than with the nature of trade itself.⁴⁹⁵ The opposition of interests between contemporary English and French cotton spinners, for example, was the result of the political support and protection which the less skilled and less efficient French cotton spinners were able to get. The interests of the mass of the French consumers were definitely not in opposition with the English producers, who could supply them with cheaper cotton products than their French compatriots. The "unjust favours" which the French producers got made them just as much an "enemy" of their own people as of the English producers. The solution to this clash of interests was for the French to open completely their borders to free trade, to compete head on with the English and, if they found they could not do so, then they were obliged to learn English techniques of production by studying in England or working for English factories in France. The final result would be the reduction of political

⁴⁹²de Bonald, *Réflexions sur l'intérêt général de l'Europe* quoted in Dunoyer, *L'Industrie et la morale*, p. 328.

⁴⁹³Michel de Montaigne, *Complete Essays*, ed. Donald Frame (Stanford University Press, 1958), from Book 1, ch. 21.

⁴⁹⁴Jean-Jacques Rousseau, *Discours sur l'origine de l'inégalité*, trans. Maurice Cranston (Harmondsworth: Penguin, 1984), note I, pp. 146-54, especially pp. 147-8.

⁴⁹⁵Dunoyer, *L'Industrie et la morale*, p. 351, footnote.

tensions, an increase in the level of skill of French workers, and the greatest possible diffusion of high technology to the benefit of all.⁴⁹⁶

To Dunoyer the idea of the necessary opposition of individual interests was an important component in the ancien régime and monarchist justification for the division of society into orders and corporations, the basis for this being that only such rigid institutions could prevent these inevitable conflicts from causing too much damage to society.⁴⁹⁷ Dunoyer was particularly scathing about the monarchists' claim that only a system of privilege and state created hierarchy, from which they benefited enormously financially and socially, could bring peace to opposed social and economic groups. As we have seen above, it is this system of privileges and hierarchy which Dunoyer believed was the source of so much conflict under the ancien régime and so, not surprisingly, Dunoyer dismissed the arguments of the monarchists as the self-interested special pleading of a declining ruling class threatened with the loss of its old privileges.⁴⁹⁸

A group of theorists from whom Dunoyer might have hoped to find support in the debate about the "harmony of interests" in the free market was the liberal school of constitutionalism of the Restoration period. Although they shared his view that individual interests are not necessarily opposed in the free market, their solution to the problem of class exploitation and political privilege was much less radical than Dunoyer's. Whereas he welcomed the revolutions in America, which eliminated much of the ancien régime in one

⁴⁹⁶Dunoyer, *L'Industrie et la morale*, p. 353, footnote.

⁴⁹⁷Dunoyer, *L'Industrie et la morale*, p. 329, footnote.

⁴⁹⁸"Certains politiques de nos jours (des écrivains monarchiques) posent d'abord en fait que toutes les classes d'hommes ont des intérêts nécessairement opposés; que, par la nature même des choses, il n'en est pas une qui ne fonde sa prospérité sur des privilèges ou des monopoles contraires à la prospérité des autres, et ensuite il prétendent par leur art faire vivre en paix toutes les classes ennemies." Dunoyer, *L'Industrie et la morale*, pp. 342-3. In a lengthy footnote Dunoyer rejects in typical fashion the similar argument put forward in an article in the *Journal des Débats* on 9 December 1820: "Le remède que l'auteur de ces paroles propose à cette opposition, c'est d'enrégimenter tous les intérêts analogues, de les armer et de leur donner le moyen de défendre leurs prétentions exclusives, qu'il appelle *les intérêts permanens et généraux de la société*. Il prétend fonder l'ordre en constituant, en rendant permanent et indestructible l'anarchie que lui-même vient de signaler."

blow, the other liberals preferred the much slower constitutionalist and evolutionist approach to reform, as for example Benjamin Constant did in his efforts to write a liberal constitution in the last moments of the Empire and the early days of the Restoration. Dunoyer dismissed the liberals' fascination with fine-tuning the form of government in an effort to "neutralise" the conflict between the politically privileged and the industrialist working classes as mere political "alchemy."⁴⁹⁹ The problem with the liberal constitutionalists was that they were prepared to accept unjust and immoral means of acquiring wealth, even in an institutional form, for the sake of order and for what Dunoyer called a superficial form of social peace. Dunoyer parted company with them in his insistence that peace and an end to class conflict was only possible with the complete removal of all institutionalised injustice, whether slavery, feudalism, the tariffs and other controls of the mercantilist system, or the scramble for positions in the government and the state bureaucracy.

On s'est autrefois beaucoup moqué des alchimistes: ne se pourrait-on pas moquer un peu des politiques qui prétendent établir la paix par des formes de gouvernement? les alchimistes se proposaient-ils un problème plus insoluble que ces politiques? est-il plus difficile de produire de l'or avec d'autres métaux que de parvenir, par je ne sais quelles combinaisons, à faire sortir la paix de l'esclavage, du privilège ou de toute autre manière inique de s'enrichir?⁵⁰⁰

Dunoyer laid much of the blame for the weakness of a liberalism which concentrated so much of its attention on legal, constitutional and political matters, and which ignored the more fundamental issues of power, class rule and the economy, at the feet of Montesquieu. He believed that Montesquieu's theory of the division and balance of political powers had distracted attention away from the underlying economic reasons for peace and prosperity. It

⁴⁹⁹"... ils (les libéraux) ne disconviennent pas qu'il n'y ait dans la société beaucoup de prétentions injustes, beaucoup de gens qui veulent aller à la fortune par des mauvais moyens; mais ils pensent qu'une habile organisation du pouvoir pourrait neutraliser tous les vices et faire aller les choses comme s'ils n'existaient pas." Dunoyer, *L'Industrie et la morale*, p. 344. See also Dunoyer's remarks about the inadequacies of traditional political philosophy in the early Restoration due to the neglect of the new science of political economy in "Esquisse," *Revue encyclopédique*.

⁵⁰⁰Dunoyer, *L'Industrie et la morale*, p. 344.

was a serious error, he thought, to attribute English freedom to the separation of power between the crown and the legislature ("par quels artifices") when the real reason was the economic system and the absence of violence in the means of production.⁵⁰¹ Dunoyer admitted that the arrangement of political power was important but denied that it was of primary importance. Rather what was of primary importance in determining the degree of liberty and the amount of class conflict in any given society, as Dunoyer had argued throughout *L'industrie et la morale*, was the means of production and the class structure which emerged at each stage of the evolution of society.⁵⁰² So long as slavery, political privilege and monopoly existed, along with the political culture which these abuses produced, there was no possibility for lasting peace between the classes, no matter what political form the government took, or how liberal the constitution might be. Only in a society where each individual lived off the fruits of their own labour in a completely laissez-faire economy, Dunoyer asserted, could a true harmony of interests exist.

In a long passage Dunoyer summarised his views on the harmony of interests in a purely industrial society. It was his opinion that only when every individual produced and traded their goods and services in a free market could the solution to the problem of political privilege, class conflict and exploitation be achieved. What is notable for its absence in this quotation is any discussion of constitutional freedoms, the balance of power between branches of the government, or the extent of the franchise. These classical problems of the constitutional liberals are irrelevant to Dunoyer and his "socially informed" liberalism, in which class structure, exploitation and mode of production hold the key to peace and freedom.

Il y a cela, dans les pays où l'industrie est la commune ressources des hommes, qu'ils peuvent tous satisfaire leurs besoins sans se causer mutuellement aucun dommage, sans attenter réciproquement à leur liberté. Par cela même que chacun porte son activité sur les choses, il est visible que nul homme n'est opprimé. On a beau se livrer chacun de son côté à l'étude des sciences, à la pratique des arts, nul ne fait ainsi violence à personne; on peut de toutes parts

⁵⁰¹Dunoyer, *L'Industrie et la morale*, p. 345.

⁵⁰²Dunoyer, *L'Industrie et la morale*, p. 347.

entrer dans ces voies et s'y donner carrière sans crainte de se heurter; on ne s'y rencontre point, on ne s'y fait pas obstacle, même alors qu'on s'y fait concurrence. Celui qui exerce une autre industrie que moi ne me trouble point; au contraire, son travail encourage le mien; car il m'offre la perspective d'un moyen d'échange, et la possibilité de satisfaire deux ordres de besoins, en ne créant qu'une seule sorte de produits. Celui qui se livre au même travail que moi ne me trouble pas davantage; sa concurrence, loin de m'empêcher d'agir, me stimule à mieux faire; et si j'ai moins de succès que lui, je peux m'affliger de mon incapacité, mais non me plaindre de son injustice. Il n'y a donc dans la carrière des arts producteurs que des rivalités innocentes; il n'y a point d'oppresseur, point d'opprimé, et il n'est pas vrai de dire que l'on s'y trouve naturellement en état de guerre.

Toute domination disparaît des lieux où l'homme cherche uniquement dans le travail les moyens de pouvoir à sa subsistance; les rapports de maître et d'esclave sont détruits; les inégalités artificielles s'évanouissent; il ne reste entre les individus d'autre inégalité que celle qui résulte de leur nature. Un homme peut être plus heureux qu'un autre, parce qu'il peut être plus actif, plus habile, plus éclairé; mais nul ne prospère au détriment de son semblable; nul n'obtient rien que par l'échange ou la production; le bonheur de chacun s'étend aussi loin que peut le porter l'exercice inoffensif de ses forces, celui de personne ne va au-delà.⁵⁰³

To take full advantage of the benefits which the industrial system has to offer in greater productivity and prosperity, individuals will need to form a variety of voluntary associations to achieve their ends. Whereas in earlier modes of production men formed associations in order to make war or go on raiding parties, in the industrial mode of production there will be much greater need as well as greater opportunity to form private associations to achieve common goals. However, the object will no longer be war or war booty but peaceful production in such areas of activity as agriculture, construction, manufacturing, canal building, insurance and so on. Another similarity with earlier modes of production is that there will be a degree of ranking in industrial associations with large numbers of participants, with a leader, rank and file workers, and "officers" such as engineers and accountants.⁵⁰⁴ Whatever the structural similarities might be with warrior bands or medieval guilds and corporations, the new industrial mode of production requires a quite different method of operation for its associations. Associations in previous modes of

⁵⁰³Dunoyer, *L'Industrie et la morale*, pp. 348-9.

⁵⁰⁴Dunoyer, *L'Industrie et la morale*, pp. 355-6.

production sought to oppress their fellows, to restrict competition, to seize a monopoly of government posts, to get subsidies and other benefits from taxpayers' money. Under the régime of industry, Dunoyer argued, association would have as its purpose voluntary cooperation in order to transform physical resources into products for sale, not to deprive others of their property. It would help individuals to protect their liberty and property and would not be a cause of aggression against others. In all, industrial associations, Dunoyer optimistically believed, would add to the strength, prosperity and unity of the entire world.⁵⁰⁵

Having discussed how important associations are for the achievement of a diverse array of economic and social ends, Dunoyer turns to an analysis of associations of a purely political nature. And as happened on several occasions in the history of nineteenth century liberalism, extreme anti-statism and faith in the cooperative free market were pushed into a form of liberal anarchism.⁵⁰⁶ Dunoyer concluded that the associations created for specific political purposes would gradually give up their monopolistic and coercive attributes and assume the structure and behaviour of private market associations. Like any other corporation or voluntary association, government associations would have to sell their products on a voluntary basis to customers who could not be coerced into purchasing the product. Their special powers of coercively taxing their customers to cover costs and their monopoly powers, which prevented customers seeking an alternative supply of the good or

⁵⁰⁵Contrasting industrial associations with associations in the régime of privilège Dunoyer concluded: "Il n'en est pas ainsi dans l'industrie: on y est également associé, mais c'est pour agir sur les choses et non pour dépouiller les hommes; c'est encore pour se défendre, ce n'est plus du tout pour opprimer. Il n'y a pas une association dont l'objet soit hostile. On est uni pour la propagation d'une doctrine, pour l'extension d'une méthode, pour l'ouverture d'un canal, pour la construction d'une route, on est ligué contre les fléaux de la nature, contre les risques de mer, contre les dangers de l'incendie ou les ravages de la grêle; mais il n'y a visiblement rien d'oppressif dans tout cela. Il ne s'agit pas ici, comme dans les anciennes corporations, d'accaparer, de prohiber, d'empêcher les autres de faire: loin que des coalitions ainsi dirigées limitent les facultés de personne, elles ajoutent à la puissance de tout le monde, et il n'est pas un individu qui ne soit plus fort par le fait de leur existence qu'il ne le serait si elles n'existaient pas." Dunoyer, *L'Industrie et la morale*, p. 357.

⁵⁰⁶The clearest examples of this tendency are Gustave de Molinari, Thomas Hodgskin and Herbert Spencer.

service, would no longer exist as all associations in the industrial era would be competitive. The state in the industrial mode of production would be nothing more than a voluntary association like any other, "une compagnie commerciale"⁵⁰⁷ or "une entreprise d'industrie"⁵⁰⁸ like thousands of others, but charged by the public only with the responsibility of maintaining peace and order. It would not be aggressive, it would not be the private preserve of a particular social class. Those who were in its employ could not behave like political masters. They could not exercise domination over others and could not use taxes as a form of private tribute.

L'association chargée du service public n'a pas dans le régime industriel un caractère plus agressif que les autres. Le pouvoir n'y est pas un patrimoine; ceux qui le possèdent ne le tiennent pas de leur épée; ils ne règnent pas à titre de maîtres; ils n'exercent pas une domination; l'impôt n'est pas un tribut qu'on leur paie. Loin que la communauté leur appartienne, ils appartiennent à la communauté; ils dépendent d'elle qu'ils ont reçu ce pouvoir. Le gouvernement, dans l'industrie, n'est en réalité qu'un compagnie commerciale, commandité par la communauté et préposée par elle à la garde de l'ordre public.⁵⁰⁹

In other words, although the commercial company would be charged with maintaining public order, it would have exactly the same rights which every other citizen or private voluntary association has. It would only have the right to act against criminals who had committed acts against private property and public order. The life, liberty and property of citizens who have not acted in a criminal manner towards their fellows must not ever be interfered with by the officers of the company. In other words, Dunoyer believes that the

⁵⁰⁷Dunoyer, *L'Industrie et la morale*, p. 358.

⁵⁰⁸Dunoyer, *L'Industrie et la morale*, p. 323. Dunoyer had already hinted at this idea in an essay in *Le Censeur européen*. In this essay Dunoyer argued that the ultimate industrial state would be at most a nightwatchman state and at best non-existent: "Man's concern is not with government; he should look on government as no more than a very secondary thing - we might almost say a very minor thing. His goal is industry, labour and the production of everything needed for his happiness. In a well-ordered state, the government must only be an adjunct of production, an agency charged by the producers, who pay for it, with protecting their persons and their goods while they work. In a well-ordered state, the largest number of persons must work, and the smallest number must govern. The work of perfection would be reached if all the world worked and no one governed." *Le Censeur européen*, vol. 2, p.102.

⁵⁰⁹Dunoyer, *L'Industrie et la morale*, p. 358.

public does not cede any of its rights concerning its liberty or property to the company in exchange for protection. It makes no compact with the state, as the Lockean tradition would have it, to give up some of its rights for public security.

La communauté, en le créant, ne se donne pas à lui; elle ne lui donne pas l'autorité sur elle; elle ne lui confère pas sur les personnes et les propriétés un pouvoir qu'elle-même n'a point: elle ne lui donne le pouvoir que contre les volontés malfaisantes, manifestées par des actes offensifs; elle ne lui permet d'agir contre les malfaiteurs qu'à raison de ces volontés et de ces actes. Du reste, chaque homme est maître absolu de sa personne, de sa chose, de ses actions, et le magistrat n'a le droit de se mêler en rien de la vie d'un citoyen tant qu'il ne trouble par aucun acte injuste l'existence d'aucun autre.⁵¹⁰

The industrial state would behave differently to other states in previous modes of production in that it would no longer be an avenue for the ambitious to pursue a career. Strict controls on any increase in taxes or in the number of personnel would be placed upon it by a public jealous of its liberties. Only the barest minimum of money and man-power would be granted to the state to carry out its very limited functions and even this nominal amount of capital would be regretted. Resources would be reluctantly diverted from productive industrial use because of the unfortunate necessity to protect life and property from attack by those few unscrupulous individuals who lacked productive employment or who maintained pre-industrial morals. Much like Herbert Spencer, Dunoyer expected that as industrial morals became more widespread and as the prosperity of the industrial mode of production became increasingly apparent to all, then even this modest size of the state could be further decreased.

Comme le pouvoir n'est pas institué en vue d'ouvrir une carrière aux ambitieux, et seulement pour créer une industrie à ceux qui n'en ont aucune, la société ne lui permet pas de s'étendre sans motifs, et d'agrandir la sphère de son activité pour pouvoir multiplier le nombre de ses créatures; elle veille attentivement à ce qu'il se renferme dans son objet. D'une autre part, elle ne lui donne en hommes et en argent que les secours dont il a besoin pour remplir convenablement sa tâche. Elle regrette même d'avoir à faire un tel emploi de ses capitaux et de son activité; non que cette dépense, tant qu'il y a d'injustes prétensions à réduire, des ambitions à contenir ou des méfaits à réprimer, ne lui paraisse très utile et même très productives; mais parce qu'il vaudrait encore

⁵¹⁰Dunoyer, *L'Industrie et la morale*, p. 359.

mieux pour elle qu'elle ne fût pas nécessaire, et qu'elle pût employer à agir sur les choses le temps et les ressources qu'elle consume à se défendre contre certains hommes. Aussi, à mesure que tous ses membres apprennent à faire un usage plus inoffensif de leurs forces, diminue-t-elle par degrés celles de son gouvernement, et ne lui laisse-t-elle jamais que celles dont il a besoin pour la préserver de tout trouble.⁵¹¹

Concerning the possibilities of gradually reducing the size, scope, and cost of government as societies industrialised, Dunoyer took issue with the conservative Friedrich Gentz who argued the very opposite, that the costs of government would necessarily rise as civilisation progressed.⁵¹² Dunoyer's confident prediction about the future costs of the government could be compared to the early works of Herbert Spencer, who predicted the elimination of the state on much the same grounds as Dunoyer did. Spencer believed the world was evolving from "militant" to "industrial" forms of organisation in which there would be little for the state to do, apart from protect property rights. He even granted that individuals had the "right to ignore the state" if they themselves were law-abiding. However, as he got older and the prospects for "industrial" society became worse, Spencer gave up his liberal anarchist beliefs and admitted that a long "transitional" stage, during which the state was necessary, was required.⁵¹³ Although there are striking similarities between Dunoyer's theory of industrialism and Spencer's idea of a militant and industrial types of societies, there is no evidence that Spencer was aware of Dunoyer's work. It appears that Dunoyer came to the anarchist position as a result of his belief in the harmony of economic interests and his liberal theory of class and history.

⁵¹¹Dunoyer, *L'Industrie et la morale*, pp. 359-60.

⁵¹²Dunoyer, *L'industrie et la morale*, p. 297-8, footnote.

⁵¹³Herbert Spencer, *Social Statics: The Conditions essential to Human Happiness specified, and the first of them developed* (New York: Robert Schalkenbach Foundation, 1970), chapter XIX, "The Right to Ignore the State", pp. 185-94 which Spencer left out in later editions of *Social Statics*. David Wiltshire, *The Social and Political Thought of Herbert Spencer* (Oxford University Press, 1978), chapter 6, "The Limits of State Intervention", pp. 135-64. J.D.Y. Peel, *Herbert Spencer: The Evolution of a Sociologist* (London: Heinemann, 1971), "Anti-Politics of the 1840s" pp. 56-81. Spencer develops his arguments about industrial types of society in Herbert Spencer, *Principles of Sociology*, ed. Stanislaw Andreski (Hamden, Connecticut: Archon Books, 1969).

The same forces which were acting to reduce the need for the state in domestic matters were at work in the relations between states. As more people gradually turned to industrial activities, the impulses to wage war against other nations (such as the desire of monarchs to seize neighbouring territory, or to create exclusive trading zones for privileged domestic producers) would also gradually disappear. Each nation would come to realise that its own best interests would be served by having prosperous and civilised neighbours with whom one could trade and visit. The military forces of an industrial state would be used solely for defence and even then only with considerable regret and reluctance. As with the costs of internal policing, the costs of defense are regretted because it drains off capital which could be used to increase production. Even in a just, defensive war the industrial state would be most reluctant to use its military forces as it would realise how disastrous the consequences of any war are. The "passion of industrious people for peace" would be so strong that they could not wait for the moment when industrial values had spread sufficiently for them to disarm completely, to abandon all their armed fortresses, to cut military spending, and to see all resources entirely directed to productive industrial activity.⁵¹⁴ Once again it was the United States which Dunoyer used to show what was in store for European nations that took the path towards an industrial society. Internally its economic system resulted in an absence of a ruling class and externally it posed no threat to other nations by invasion or the conquest of colonies. Each state's militia and armed forces were subordinated to the federal government with the purely industrial purpose of self defence. The only reservation Dunoyer had about the size and cost of the American military was that it was still higher than it would be if European nations too were industrial. The

⁵¹⁴"... elles (les nations) savent combien sont encore funestes les guerres les plus légitimes et les plus heureuses, et combien il serait préférable pour elles et pour le monde qu'elles pussent employer à des travaux utiles le temps et les ressources que la barbarie de leurs ennemis les oblige de sacrifier à leur sûreté. Aussi, n'auraient-elles pas, malgré la supériorité de leur puissance, de plus grand désir que de pouvoir poser les armes, abandonner leurs fortresses, relâcher les liens que la nécessité de la défense a formés, laisser agir en liberté l'esprit local et l'indépendance individuelle, et consacrer en paix toutes leurs forces à ouvrir au monde de nouvelles sources de prospérité." Dunoyer, *L'Industrie et la morale*, pp. 361-2.

major reason why the United States did not altogether abolish its military was the threat posed by aggressive European states, who still clung to pre-industrial modes of behaviour. In fact, he thought that it was only because of the threat posed by "l'esprit dominateur des gouvernements d'Europe" that the American states felt the need to form a federation and have a national defence force in the first place. Dunoyer confidently predicted that as soon as the major European nations entered the industrial stage of economic evolution America would no longer be forced to maintain even this low level of defence spending and could therefore introduce the necessary cuts in military spending, which would make it a truly pacifist and industrial nation.⁵¹⁵

THE WITHERING AWAY OF THE STATE, OR THE MUNICIPALISATION OF THE WORLD

What then can we conclude about Dunoyer's attitude concerning the role of the state in the future industrial society? There are three possibilities all of which he advocated at various places in *L'Industrie et la morale* - the liberal anarchist position where the state gradually withers away to the point where only voluntary private associations of free individuals existed;⁵¹⁶ a more liberal constitutionalist position of a severely limited state whose only functions would be the protection of individual liberty and property by the police and armed forces; and a position part way between free market anarchism and

⁵¹⁵"Et quoique, dans ce déploiement de forces purement défensives, l'Amérique reste forte arrière de ce qu'elle pourrait, elle va encore fort au-delà de ce qu'elle voudrait. Son désir le plus ardent serait de pouvoir être tout entière à ses affaires, à ses travaux, au soin de sa culture intellectuelle et de son perfectionnement moral; et lorsqu'un jour l'activité industrielle, devenue prédominante en Europe, y aura détruit enfin les ligues de l'ambition, elle sera heureuse sans doute de rompre celles que nous la contraignons de former pour sa défense, et de pouvoir offrir au monde le spectacle de populations innombrables, livrées sans partage aux arts de la paix." Dunoyer, *L'Industrie et la morale*, pp. 365-6.

⁵¹⁶Interestingly the Saint-Simonian type of industrialism also envisaged a withering away of the state. In the case of Auguste Comte it is not the ties of the market which make the state redundant but the ties of civic responsibility in the city and the morality of the church. See the interesting article by Richard Vernon, "Auguste Comte and the Withering-Away of the State," *Journal of the History of Ideas*, October-December 1984, vol. XLV, no. 4, pp. 549-66.

limited government where nation states are broken up and the world is "municipalised" into small communities based upon economic and cultural ties.

Occasionally Dunoyer seems to go as far as Molinari was to in 1849 with his startling proposal to view the defense and police functions of the state as just another business venture which would charge for its services to individual customers.⁵¹⁷ His use of the description of the state as only "une compagnie commerciale" or "une entreprise d'industrie" seems to support this interpretation but, like Spencer, he offers no detailed plan as to how commercial associations could provide the essential functions of law and order and national defence without collapsing into chaos. On the other hand, there are times when Dunoyer appears more conventional in his advocacy of a strictly limited state, limited to protecting individuals and their property from the aggression of others. If Dunoyer is a defender of the limited state he is so reluctantly, because he is aware of the state's inner momentum to always expand its sphere of operation, to increase the burden of its taxes and charges, to increase the number of those who are employed by it, and to favour certain individuals and even entire industries with special legal and economic privileges. What little power and funding Dunoyer might grant the state is done so very reluctantly and very cautiously.

Perhaps a more accurate interpretation of Dunoyer's theory of the rôle of the state in a future industrial society lies somewhere between these two views. While not a consistent liberal anarchist, as say Molinari, he also should not be seen as just another defender of the traditional "night-watchman" state which, though small, still had a monopoly of political power in a given geographical area. Dunoyer's solution to the problem of the state was to so radically decentralise its power that the entire world would be literally "municipalised." He was so convinced of the benefits of small-scale voluntary associations and the evils of

⁵¹⁷Gustave de Molinari, "De la production de la sécurité," *Journal des Économistes*, 1849, vol. 22, pp. 277-290, and a little later in *Les soirées de la rue Saint-Lazare: entretiens sur les lois économique et défense de la propriété* (Paris: Guillaumin, 1849), "Onzième soirée," pp. 303-337.

political society that he thought that industry would gradually dissolve most large-scale political associations in a process which would result in what one might call the "municipalisation of the world." What Dunoyer meant by municipalisation was the gradual break up of the nation state into more logical economic units which were united cooperatively by cultural and economic exchanges. He thought there was no logical reason why ten, twenty or thirty million people should be forced to associate within the boundaries of a nation state. Rather, Dunoyer predicted that borders would gradually become invisible and towns and cities hitherto separated by artificial barriers would form their own economic and cultural units voluntarily. This vision of a decentralised industrial world more closely approximated the communitarian anarchism of Gustave de Molinari in his later writings, once he had abandoned his more extreme free market anarchism of private police and defense companies. Molinari later modified his views, under the double pressure of isolation and criticism by his liberal colleagues, to a position in which competition would not be between private companies within a city or town for protection services, but between proprietary communities competing for citizens.⁵¹⁸ Dunoyer explained in a lengthy footnote towards the end of chapter nine of *L'Industrie et la morale* that his model nation, the United States of America, had been forced into a large-scale political union because of the threat posed by the "dominating spirit" of the various European governments. Without the external threat of hostile European states the United States of America, he thought, would have more naturally evolved into a less structured and centralised political system, more in keeping with his own hopes for a future purely industrial society, rather than a clumsy federation.

Il n'y a point dans l'industrie de motifs à des coalitions aussi vastes; il n'y a point d'entreprise qui réclame l'union de dix, de vingt, de trente millions d'hommes. C'est l'esprit de domination qui a formé ces agrégations monstreuses ou qui les a rendues nécessaires; c'est l'esprit d'industrie qui les dissoudra: un de ses derniers, de ses plus grands et de ses plus salutaires effets paraît devoir être

⁵¹⁸The evolution of Molinari's views are discussed in David M. Hart, "Molinari, Gustave de and the Anti-statist Liberal Tradition: Part I," *Journal of Libertarian Studies*, Summer 1981, vol. V, no. 3, pp. 263-290.

de municipaliser le monde. Sous son influence les peuples commenceront par se gouverner plus naturellement; on ne verra plus réunis sous une même dénomination vingt peuples étrangers l'un à l'autre, disséminés quelquefois dans les quartiers du globe les plus opposés, et moins séparés encore par les distances que par la langue et les moeurs. Les peuples se rapprocheront, s'agglomèreront d'après leurs analogies réelles et suivant leurs véritables intérêts. Ensuite, quoique formés, chacun de leur côtés, d'éléments plus homogènes, ils seront pourtant entre eux infiniment moins opposés. N'ayant plus mutuellement à se craindre, ne tendant plus à s'isoler, ils ne graviteront plus aussi fortement vers leurs centres et ne se repousseront plus aussi violemment par leurs extrémités. Leurs frontières cesseront d'être hérissées de forteresses; elles ne seront plus bordées d'une double ou triple ligne de douaniers et de soldats. Quelques intérêts tiendront encore réunis les membres d'une même agrégation, une communauté plus particulière de langue, une plus grande conformité de moeurs, l'influence de villes capitales d'où l'on a contracté l'habitude de tirer ses idées, ses lois, ses modes, ses usages; mais ses intérêts continueront à distinguer les agrégations sans qu'il reste entre elles d'inimitiés. Il arrivera, dans chaque pays, que les habitants les plus rapprochés des frontières auront plus de communications avec les étrangers voisins qu'avec des compatriotes éloignés. Il s'opérera d'ailleurs une fusion continue des habitants de chaque pays avec ceux des autres. Chacun portera ses capitaux et son activité là où il verra plus de moyens de les faire fructifier. Par là les mêmes arts seront bientôt cultivés avec un égal succès chez tous les peuples; les mêmes idées circuleront dans tous les pays; les différences de moeurs et de langue finiront à la longue par s'effacer. Dans le même temps, une multitude de localités, acquérant plus d'importance, sentiront moins le besoin de rester unies à leurs capitales; elles deviendront à leur tour des chefs-lieux; les centres d'actions se multiplieront; et finalement les plus vastes contrées finiront par ne présenter qu'un seul peuple, composé d'un nombre infini d'agregations uniformes, agrégations entre lesquelles s'établiront, sans confusions et sans violences, les relations les plus compliquées et tout à la fois les plus faciles, les plus paisibles et les plus profitables.⁵¹⁹

Using the experience of the United States as an historical case study and his theory of industrialism as a guide for the future evolution of modern society, Dunoyer endeavoured to predict what his ideal industrial society of the future might be like. Since the "spirit of domination" had created vast nation states or "agregations monstrueuses," the spirit of industry would inevitably break them down into smaller communities in a process of "municipalisation" of the entire world. Associations among people would now follow the "natural" inclination encouraged by language, religion, shared political values, or trade and armed frontiers would dissolve as individuals moved about the globe trading with each

⁵¹⁹Dunoyer, *L'Industrie et la morale*, p. 366-7, fn 1.

other. Without the need to enforce trading monopolies and protect privileged political classes, there would no longer be any need for customs officials or soldiers. Capital, goods and people would then be free to travel wherever they wanted. By a process of the fusion of people brought together by the free market and a process of the breakup of the centralised nation state, the world would now approach the ideal of myriads of trading communities bound together only by economic self-interest and culture and no longer by military, political or religious compulsion.

CONCLUSION

The study of Comte's and Dunoyer's liberalism raises a number of important issues concerning the nature of liberalism in the early nineteenth century. Firstly, it is clear that Comte and Dunoyer were unremarkable in their defence of what is traditionally regarded as "classical" liberalism in the earliest years of the Restoration, with their campaigns for freedom of speech and constitutional liberty. However, they were forced to reconsider the nature of their liberalism when their journal, *Le Censeur*, was closed down by the censors. Under the influence of Jean-Baptiste Say's political economy and two works by Benjamin Constant and François Montlosier on history, Comte and Dunoyer became aware of much deeper, underlying forces at work in politics which made their liberal constitutionalism less appealing. In effect, what they discovered in eighteen months of intensive reading, courtesy of the French censor, was a "social dimension" to political theory, which suggested that the campaign for political and constitutional rights had little chance of success whilst the underlying mode of production, the system of class power, and the prevailing political culture were operating to bolster illiberal policies, beliefs and institutions.

Secondly, the social theory which emerged from their work in the years from 1817 to 1826 (but which went up to as late as 1834 because of the publishing difficulties Comte faced) suggests that some ideas which are commonly associated with the socialist and even Marxist tradition, are also very much part of the liberal tradition. Comte and Dunoyer saw no contradiction between a belief in classical liberal constitutionalism, private property and the free market, and the use of class analysis and a theory of history based upon changing modes of production in their major theoretical works. What is now required is a reassessment of nineteenth century liberalism which takes into account the "social dimension" of liberalism. Comte and Dunoyer are not the only liberals to have expressed an interest in the problem of class, power and the evolution of modes of production, although they did develop their ideas in greater depth and sophistication than most. There are others,

including Thomas Hodgskin, Herbert Spencer, Gustave de Molinari, Vilfredo Pareto and Max Weber, to mention only a few, who would form part of such a new interpretation of liberalism

Thirdly, it also suggests that it is not an interest in the "social dimension" of class, power and economic change per se which characterises socialism and Marxism. Rather, I would suggest that the real distinguishing feature which separates liberalism from socialism is the use of power by the state. Liberals fear the use of power by the state and seek to limit it through a variety of means, such as constitutionalism in the case of Constant and Guizot, and the virtual abolition of the state in the case of Comte and Dunoyer. Their faith in the justice of private property and the economic harmony of the market leads them to regard the state as the source of privilege and injustice rather than the means by which these can be removed. Socialists come to the very opposite conclusion. They want to use the power of the state to create a more perfect and just society on earth, by abolishing private property, or at the very least strictly regulating its use. They aim to replace the existing ruling class with a new group of men (and more recently women) who will act in the true interests of the previously exploited class. For them, the power of the state is no enemy but a tool which has been badly misused in the past. Thus socialism and Marxism, according to this view, are just two of the very many political ideologies which seek to use the power of the state to bring about change.

Fourthly, Comte and Dunoyer suggest a new theory of class analysis which is based upon liberal rather than Marxist assumptions. One of Dunoyer's enduring insights is that no matter what the political ideology or social background of those seeking power, the enjoyment of the trappings and privileges of office soon becomes an end in itself and a new ruling class of political office-holders and their clients emerges. The power of Dunoyer's class analysis is shown by the following example. He would have had no trouble recognising the class structure of the variety of political régimes which have emerged in the twentieth century. Certainly, he would not have been surprised by the new ruling classes which have emerged in Eastern Europe since 1917. In fact, he predicted that *any* attempt to

regulate and control the economy, for whatever purpose, must lead to the emergence of such a class. He thought that the only way to rid the world of the exploitation of one class by another was to destroy the very thing which made it all possible - the power of the state to distribute and control property and favours. Comte's and Dunoyer's interest in the class structure of slave societies provides an excellent example of how a liberal class analysis might be developed. Their focus on the means by which wealth is accumulated, whether by voluntary means through exchange and production, or by coercive means usually guaranteed by the power of the state; the incentives and disincentives to labour and to innovate which coercion introduces into the economy; the ways in which the politically privileged lobby and use the power of the state to maintain their position; the relationship between the means of production and the political culture of each of the classes which make up a society; and their overall view of the course of history and its future direction, are provocative and suggest a range of further questions about the development of a liberal theory of class.

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