

THE CHARTERED LIBERTINE

I find myself in agreement with Mr. Robert Lynd for his most just remark in connection with the Malatesta case, that the police are becoming a peril to society. I have no attraction to that sort of atheist asceticism to which the purer types of Anarchism tend; but both an atheist and an ascetic are better men than a spy; and it is ignominious to see one's country thus losing her special point of honour about asylum and liberty. It will be quite a new departure if we begin to protect and whitewash foreign policemen. I always understood it was only English policemen who were absolutely spotless. A good many of us, however, have begun to feel with Mr. Lynd, and on all sides authorities and officials are being questioned. But there is one most graphic and extraordinary fact, which it did not lie in Mr. Lynd's way to touch upon, but which somebody really must seize and emphasise. It is this: that at the very time when we are all beginning to doubt these authorities, we are letting laws pass to increase their most capricious powers. All our commissions, petitions, and letters to the papers are asking whether these authorities can give an account of their stewardship. And at the same moment all our laws are decreeing that they shall not give any account of their stewardship, but shall become yet more irresponsible stewards. Bills like the Feeble-Minded Bill and the Inebriate Bill (very appropriate names for them) actually arm with scorpions the hand that has chastised the Malatestas and Maleckas with whips. The inspector, the doctor, the police sergeant, the well-paid person who writes certificates and "passes" this, that, or the other;

this sort of man is being trusted with more authority, apparently because he is being doubted with more reason. In one room we are asking why the Government and the great experts between them cannot sail a ship. In another room we are deciding that the Government and experts shall be allowed, without trial or discussion, to immure any one's body, damn any one's soul, and dispose of unborn generations with the levity of a pagan god. We are putting the official on the throne while he is still in the dock.

The mere meaning of words is now strangely forgotten and falsified; as when people talk of an author's "message," without thinking whom it is from; and I have noted in these connections the strange misuse of another word. It is the excellent mediaeval word "charter." I remember the Act that sought to save gutter-boys from cigarettes was called "The Children's Charter." Similarly the Act which seeks to lock up as lunatics people who are not lunatics was actually called a "charter" of the feeble-minded. Now this terminology is insanely wrong, even if the Bills are right. Even were they right in theory they would be applied only to the poor, like many better rules about education and cruelty. A woman was lately punished for cruelty because her children were not washed when it was proved that she had no water. From that it will be an easy step in Advanced Thought to punishing a man for wine-bibbing when it is proved that he had no wine. Rifts in right reason widen down the ages. And when we have begun by shutting up a confessedly kind person for cruelty, we may yet come to shutting up Mr. Tom Mann for feeblemindedness.

But even if such laws do good to children or idiots, it is wrong to use the word "charter." A charter does not mean a thing that does good to people. It means a thing that grants people more rights and liberties. It may be a good thing for gutter-boys to be deprived of their cigarettes: it might be a good thing for aldermen to be deprived of their cigars. But I think the Goldsmiths' Company would be very much surprised if the King granted them a new charter (in place of their mediaeval charter), and it only meant that policemen might pull the cigars out of their mouths. It may be a good thing that all drunkards should be locked up: and many acute statesmen (King John, for instance) would certainly have thought it a good thing if all aristocrats could be locked up. But even that somewhat cynical prince would scarcely have granted to the barons a thing called "the Great Charter" and then locked them all up on the strength of it. If he had, this interpretation of the word "charter" would have struck the barons with considerable surprise. I doubt if their narrow mediaeval minds could have taken it in.

The roots of the real England are in the early Middle Ages, and no Englishman will ever understand his own language (or even his own conscience) till he understands them. And he will never understand them till he understands this word "charter." I will attempt in a moment to state in older, more suitable terms, what a charter was. In modern, practical, and political terms, it is quite easy to state what a charter was. A charter was the thing that the railway workers wanted last Christmas and did not get; and apparently will never get. It is called

in the current jargon "recognition"; the acknowledgment in so many words by society of the immunities or freedoms of a certain set of men. If there had been railways in the Middle Ages there would probably have been a railwaymen's guild; and it would have had a charter from the King, defining their rights. A charter is the expression of an idea still true and then almost universal: that authority is necessary for nothing so much as for the granting of liberties. Like everything mediaeval, it ramified back to a root in religion; and was a sort of small copy of the Christian idea of man's creation. Man was free, not because there was no God, but because it needed a God to set him free. By authority he was free. By authority the craftsmen of the guilds were free. Many other great philosophers took and take the other view: the Lucretian pagans, the Moslem fatalists, the modern monists and determinists, all roughly confine themselves to saying that God gave man a law. The mediaeval Christian insisted that God gave man a charter. Modern feeling may not sympathise with its list of liberties, which included the liberty to be damned; but that has nothing to do with the fact that it was a gift of liberties and not of laws. This was mirrored, however dimly, in the whole system. There was a great deal of gross inequality; and in other aspects absolute equality was taken for granted. But the point is that equality and inequality were ranks—or rights. There were not only things one was forbidden to do; but things one was forbidden to forbid. A man was not only definitely responsible, but definitely irresponsible. The holidays of his soul were immovable feasts. All a charter really meant lingers alive in that poetic phrase that calls the wind a "chartered" libertine.

Lie awake at night and hear the wind blowing; hear it knock at every man's door and shout down every man's chimney. Feel how it takes liberties with everything, having taken primary liberty for itself; feel that the wind is always a vagabond and sometimes almost a housebreaker. But remember that in the days when free men had charters, they held that the wind itself was wild by authority; and was only free because it had a father.