affairs, the sentiment and policy of nations over sea, dominated our politics, and our Presidents were our leaders. And now the same thing has come about again. Once more it is our place among the nations that we think of, once more our Presidents are our leaders.

The centre of our party management shifts accordingly. We no longer stop upon questions of what this state wants or that, what this section will demand or the other, what this boss or that may do to attach his machine to the government. The scale of our thought is national again. We are sensitive to airs that come to us from off the seas. The President and his advisers stand upon our chief coign of observation, and we mark their words as we did not till this change came. And this centring of our thoughts, this looking for guidance in things which mere managing talents cannot handle, this union of our hopes, will not leave us what we were when first it came. Here is a new world for us. Here is a new life to which to adjust our ideals.

It is by the widening of vision that nations, as men, grow and are made great. We need not fear the expanding scene. It was plain destiny that we should come to this, and if we have kept our ideals clear, unmarred, commanding through the great century and the moving scenes that made us a nation, we may keep them also through the century that shall see us a great power in the world. Let us put our leading characters at the front; let us pray that vision may come with power; let us ponder our duties like men of conscience and temper our ambitions like men who seek to serve, not to subdue, the world; let us lift our thoughts to the level of the great tasks that await us, and bring a great age in with the coming of our day of strength.

JANE ADDAMS

“The Subjective Necessity of Social Settlements”
1892

Jane Addams (1860–1935) was one of the most influential and indefatigable social reformers in all American history. Although based in Chicago at Hull House—the settlement house she created to serve the needs of a poor, largely immigrant neighborhood—she helped to lead a host of national movements, including the 1912 presidential campaign of Theodore Roosevelt. Addams was the founding president of the Woman’s International League for Peace and Freedom and in 1931 shared the Nobel Peace Prize. Addams wrote widely on the theory and practice of social reform and international reconciliation. In the selection that follows, she scrutinizes in a social and religious context the motives of men and women who, like herself, had devoted themselves to the improvement of society. “The Subjective Necessity of Social Settlements” was first delivered as an address to a conference of social workers in 1892, but it gained fame as a classic statement of reform commitment after 1910 when it appeared in Addams’ most widely appreciated book, Twenty Years at Hull-House.

“The Subjective Necessity of Social Settlements” is also a strong statement of the “social gospel,” a movement in American Protestantism devoted to the vigorous application of Christian ethics to the contemporary social and economic world. For a more extensive expression of this outlook, see two books by the theologian Walter Rauschenbusch, Christianity and the Social Crisis (New York, 1908), and A Theology for the Social Gospel (New York, 1917). For differing historical perspectives on the social gospel, see Henry F. May, Protestant Churches and Industrial America (New York, 1949), and Susan Curtis, A Consuming Faith: The Social Gospel and Modern American Culture (Baltimore, 1991).

...This paper is an attempt to analyze the motives which underlie a movement based, not only upon conviction, but upon genuine emotion, wherever educated young people are seeking an outlet for that sentiment of universal brotherhood, which the best spirit of our times is forcing from an emotion into a motive. These young people accomplish little toward the solution of this social problem, and bear the brunt of being cultivated into unenlightened, oversensitive lives. They have been shut off from the common labor by which they live which is a great source of moral and physical health. They feel a fatal want of harmony between their theory and their lives, a lack of coordination between thought and action. I think it is hard for us to realize how seriously many of them are taking to the notion of human brotherhood, how eagerly they long to give tangible expression to the democratic ideal. These young men and women, longing to socialize their democracy, are animated by certain hopes which may be thus loosely formulated; that if in a democratic country nothing can be permanently achieved save through the masses of the people, it will be impossible to establish a higher political life than the people themselves crave; that it is difficult to see how the notion of a higher civic life can be fostered save through common intercourse; that the blessings which we associate with a life of refinement and cultivation can be made universal and must be made universal if they are to be permanent; that the good we secure for ourselves is precarious and uncertain, is floating in mid-air, until it is secured for all of us and incorporated into our common life. It is easier to state these hopes than to formulate the line of motives, which I believe to constitute the trend of the subjective pressure toward the Settlement. There is something primordial about these motives, but I am perhaps overbold in designating them as a great desire to share the race life. We all bear traces of the starvation struggle which for so long made up the life of the race. Our very organism holds memories and glimmers of that long life of our ancestors which still goes on among so many of our contemporaries. Nothing so deadens the sympathies and shrivels the power of enjoyment as the persistent keeping away from the great opportunities for helpfulness and a continual ignoring of the starvation struggle which makes up the life of at least half the race. To shut one's self away from that half of the race life is to shut one's self away from the most vital part of it, it is to live out but half the humanity to which we have been born heir and to use but half our faculties. We have all had longings for a fuller life which should include the use of these faculties. These longings are the physical complement of the "Intimations of Immortality," on which no ode has yet been written. To portray these would be the work of a poet, and it is hazardous for any but a poet to attempt it.

You may remember the forlorn feeling which occasionally seizes you when you arrive early in the morning a stranger in a great city: the stream of laboring people goes past you as you gaze through the plate-glass window of your hotel; you see hard working men lifting great burdens; you hear the driving and jostling of huge carts and your heart sinks with a sudden sense of futility. The door opens behind you and you turn to the man who brings you in your breakfast with a quick sense of human fellowship. You find yourself praying that you may never lose your hold on it all. A more poetical prayer would be that the great mother breasts of our common humanity, with its labor and suffering and its homely comforts, may never be withheld from you. You turn helplessly to the waiter and feel that it would be almost grotesque to claim from him the sympathy you crave because civilization has placed you apart, but you resent your position with a sud-

den sense of snobbery. Literature is full of portrayals of these glimpses: they come to shipwrecked men on rafts; they overcome the differences of an incongruous multitude when in the presence of a great danger or when moved by a common enthusiasm. They are not, however, confined to such moments, and if we were in the habit of telling them to each other, the recital would be as long as the tales of children are, when they sit down on the green grass and confide to each other how many times they have remembered that they lived once before. If these childish tales are the stirring of inherited impressions, just so surely is the other the striving of inherited powers.

"It is true that there is nothing after disease, indulgence and a sense of guilt, so fatal to health and to life itself as the want of a proper outlet for active faculties." I have seen young girls suffer and grow sensibly lowered in vitality in the first years after they leave school. In our attempt then to give a girl pleasure and freedom from care we succeed, for the most part, in making her pitifully miserable. She finds "life" so different from what she expected it to be. She is besotted with innocent little ambitions, and does not understand this apparent waste of herself, this elaborate preparation, if no work is provided for her. There is a heritage of noble obligation which young people accept and long to perpetuate. The desire for action, the wish to right wrong and alleviate suffering haunts them daily. Society smiles at it indulgently instead of making it of value to itself. The wrong to them begins even farther back, when we restrain the first childish desires for "doing good" and tell them that they must wait until they are older and better fitted. We intimate that social obligation begins at a fixed date, forgetting that it begins with birth itself. We treat them as children who, with strong-growing limbs, are allowed to use their legs but not their arms, or whose legs are daily carefully exercised that after a while their arms may be put to high use. We do this in spite of the protest of the best educators, Locke and Pestalozzi. We are fortunate in the meantime if their unused members do not weaken and disappear. They do sometimes. There are a few girls who, by the time they are "educated," forget their old childish desires to help the world and to play with poor little girls "who haven't play things." Parents are often inconsistent: they deliberately expose their daughters to knowledge of the distress in the world; they send them to hear missionary addresses on famines in India and China; they accompany them to lectures on the suffering in Siberia; they agitate together over the forgotten region of East London. In addition to this, from boyhood the altruistic tendencies of these daughters are persistently cultivated. They are taught to be self-forgetful and self-sacrificing, to consider the good of the whole before the good of the ego. But when all this information and culture show results, when the daughter comes back from college and begins to recognize her social claim to the "submerged tenth," and to evince a disposition to fulfill it, the family claim is strenuously asserted; she is told that she is unjustified, ill-advised in her efforts. If she persists, the family too often are injured and unhappy unless the efforts are called missionary and the religious zeal of the family carry them over their sense of abuse. When this zeal does not exist, the result is perplexing. It is a curious violation of what we would fain believe a fundamental law—that the final return of the deed is upon the head of the doer. The deed is that of exclusiveness and caution, but the return, instead of falling upon the head of the exclusive and cautious, falls upon a young head full of generous and unselfish plans. The girl loses something vital out of her life to which she is entitled. She is restricted and unhappy; her elders, meanwhile, are unconscious of the situation and we have all the elements of a tragedy.

We have in America a fast-growing number of cultivated young people who have no recognized outlet for their active faculties. They hear constantly of the great social

Source: Jane Addams, Twenty Years at Hull-House (New York: Macmillan, 1910), 91-100.
maladjustment, but no way is provided for them to change it, and their uselessness hangs about them heavily. Huxley declares that the sense of uselessness is the severest shock which the human system can sustain, and that if persistently sustained, it results in atrophy of function. These young people have had advantages of college, of European travel, and of economic study, but they are sustaining this shock of inaction. They have pet phrases, and they tell you that the things that make us all alike are stronger than the things that make us different. They say that all men are united by needs and sympathies far more permanent and radical than anything that temporarily divides them and sets them in opposition to each other. If they affect art, they say that the decay in artistic expression is due to the decay in ethics, that art when shut away from the human interests and from the great mass of humanity is self-destructive. They tell their elders with all the bitterness of youth that if they expect success from them in business or politics or in whatever lines their ambition for them has run, they must let them consult all of humanity; that they must let them find out what the people want and how they want it. It is only the stronger young people, however, who formulate this. Many of them dissipate their energies in so-called enjoyment. Others not content with that, go on studying and go back to college for their second degrees; not that they are especially fond of study, but because they want something definite to do, and their powers have been trained in the direction of mental accumulation. Many are buried beneath this mental accumulation which lowered vitality and discontent. Walter Besant says they have had the vision that Peter had when he saw the great sheet let down from heaven, wherein was neither clean nor unclean. He calls it the sense of humanity. It is not philanthropy nor benevolence, but a thing fuller and wider than either of these.

This young life, so sincere in its emotion and good phrase and yet so undirected, seems to me as pitiful as the other great mass of destitute lives. One is supplementary to the other, and some method of communication can surely be devised. Mr. Barnett, who urged the first Settlement—Toynbee Hall, in East London—recognized this need of outlet for the young men of Oxford and Cambridge, and hoped that the Settlement would supply the communication. It is easy to see why the Settlement movement originated in England, where the years of education are more constrained and definite than they are here, where class distinctions are more rigid. The necessity of it was greater there, but we are fast feeling the pressure of the need and meeting the necessity for Settlements in America. Our young people feel nervously the need of putting theory into action, and respond quickly to the Settlement form of activity.

Other motives which I believe make toward the Settlements are the result of a certain renaissance going forward in Christianity. The impulse to share the lives of the poor, the desire to make social service, irrespective of propaganda, express the spirit of Christ, is as old as Christianity itself. We have no proof from the records themselves that the early Roman Christians, who strained their simple art to the point of grotesqueness in their eagerness to record a “good news” on the walls of the catacombs, considered this good news a religion. Jesus had no set of truths labeled Religious. On the contrary, his doctrine was that all truth is one, that the appropriation of it is freedom. His teaching had no dogma to mark it off from truth and action in general. He himself called it a revelation—a life. These early Roman Christians received the Gospel message, a command to love all men, with a certain joyous simplicity. The image of the Good Shepherd is blithe and gay beyond the gentlest shepherd of Greek mythology; the hart no longer pants, but rushes to the water brooks. The Christians looked for the continuous revelation, but believed what Jesus said, that this revelation, to be retained and made manifest,

must be put into terms of action; that action is the only medium man has for receiving and appropriating truth; that the doctrine must be known through the will.

That Christianity has to be revealed and embodied in the line of social progress is a corollary to the simple proposition that man’s action is found in his social relationships in the way in which he connects with his fellows; that his motives for action are the zeal and affection with which he regards his fellows. By this simple process was created a deep enthusiasm for humanity, which regarded man as at once the organ and the object of revelation; and by this process came about the wonderful fellowship, the true democracy of the early Church, that so captivates the imagination. The early Christians were pre-eminently nonresistant. They believed in love as a cosmic force. There was no iconoclasm during the minor peace of the Church. They did not yet denounce nor tear down temples, nor preach the end of the world. They grew to a mighty number but it never occurred to them, either in their weakness or in their strength, to regard other men for an instant as their foes or as aliens. The spectacle of the Christians loving all men was the most astounding Rome had ever seen. They were eager to sacrifice themselves for the weak, for children, and for the aged; they identified themselves with slaves and did not avoid the plague; they longed to share the common lot that they might receive the constant revelation. It was a new treasure which the early Christians added to the sum of all treasures, a joy hitherto unknown in the world—the joy of finding the Christ which lieth in each man, but which no man can unfold save in fellowship. A happiness ranging from the heroic to the pastoral enveloped them. They were to possess a revelation as long as life had new meaning to unfold, new action to propose.

I believe that there is a distinct turning among many young men and women toward this simple acceptance of Christ’s message. They resent the assumption that Christianity is a set of ideas which belong to the religious consciousness, whatever that may be. They insist that it cannot be proclaimed and instituted apart from the social life of the community and that it must seek a simple and natural expression in the social organism itself. The Settlement movement is only one manifestation of that wider humanitarian movement which throughout Christendom, but pre-eminently in England, is endeavoring to embody itself, not in a sect, but in society itself.

I believe that this turning, this renaissance of the early Christian humanitarianism, is going on in America, in Chicago, if you please, without leaders who write or philosophize, without much speaking, but with a bent to express in social service and in terms of action the spirit of Christ. Certain it is that spiritual force is found in the Settlement movement, and it is also true that this force must be evoked and must be called into play before the success of any Settlement is assured. There must be the overmastering belief that all that is noblest in life is common to men as men, in order to accentuate the likenesses and ignore the differences which are found among the people whom the Settlement constantly brings into juxtaposition. It may be true, as the Positivists insist, that the very religious fervor of man can be turned into love for his race, and his desire for a future life into content to live in the echo of his deeds; Paul’s formula of seeking for the Christ which lieth in each man and founding our likenesses on him, seems a simpler formula to many of us.

In a thousand voices singing the Hallelujah Chorus in Handel’s “Messiah,” it is possible to distinguish the leading voices, but the differences of training and cultivation between them and the voices of the chorus, are lost in the unity of purpose and in the fact that they are all human voices lifted by a high motive. This is a weak illustration of what a Settlement attempts to do. It aims, in a measure, to develop whatever of social
life its neighborhood may afford, to focus and give form to that life, to bring to bear upon it the results of cultivation and training; but it receives in exchange for the music of isolated voices the volume and strength of the chorus. It is quite impossible for me to say in what proportion or degree the subjective necessity which led to the opening of Hull-House combined the three trends: first, the desire to interpret democracy in social terms; secondly, the impulse beating at the very heart of our lives, urging us to aid in the race progress; and, thirdly, the Christian movement toward humanitarianism. It is difficult to analyze a living thing; the analysis is at best imperfect. Many more motives may blend with the three trends; possibly the desire for a new form of social success due to the nicety of imagination, which refuses worldly pleasures unmixed with the joys of self-sacrifice; possibly a love of approbation, so vast that it is not content with the treble clapping of delicate hands, but wishes also to hear the brass notes from toughened palms, may mingle with these.

The Settlement, then, is an experimental effort to aid in the solution of the social and industrial problems which are engendered by the modern conditions of life in a great city. It insists that these problems are not confined to any one portion of a city. It is an attempt to relieve, at the same time, the overaccumulation at one end of society and the destitution at the other; but it assumes that this overaccumulation and destitution is most sorely felt in the things that pertain to social and educational privileges. From its very nature it can stand for no political or social propaganda. It must, in a sense, give the warm welcome of an inn to all such propaganda, if perchance one of them be found an angel. The one thing to be dreaded in the Settlement is that it lose its flexibility, its power of quick adaptation, its readiness to change its methods as its environment may demand. It must be open to conviction and must have a deep and abiding sense of tolerance. It must be hospitable and ready for experiment. It should demand from its residents a scientific patience in the accumulation of facts and the steady holding of their sympathies as one of the best instruments for that accumulation. It must be grounded in a philosophy whose foundation is on the solidarity of the human race, a philosophy which will not waver when the race happens to be represented by a drunken woman or an idiot boy. Its residents must be emptied of all conceit of opinion and all self-assertion, and ready to arouse and interpret the public opinion of their neighborhood. They must be content to live quietly side by side with their neighbors, until they grow into a sense of relationship and mutual interests. Their neighbors are held apart by differences of race and language which the residents can more easily overcome. They are bound to see the needs of their neighborhood as a whole, to furnish data for legislation, and to use their influence to secure it. In short, residents are pledged to devote themselves to the duties of good citizenship and to the arousing of the social energies which too largely lie dormant in every neighborhood given over to industrialism. They are bound to regard the entire life of their city as organic, to make an effort to unify it, and to protest against its overdifferentiation.

OLIVER WENDELL HOLMES, JR.

"Natural Law"

1918

Oliver Wendell Holmes, Jr. (1841-1935) did more than any other American thinker to develop and popularize the insight that law is a living, changing part of culture, responsive to the shifting circumstances with which societies must cope. He argued along these lines as early as 1881, when he published his greatest work, The Common Law, but Holmes achieved broader influence during the Progressive Era and the 1920s while serving as a justice of the U.S. Supreme Court. Although Holmes was aloof from the reform movements of this era, his refusal to defend the vested interests of his upper-class milieu endeared him to younger, liberal intellectuals, who tended to exaggerate his "progressive" tendencies.

Holmes inspired many "legal realists" of the 1930s and was appreciated even by some of the "critical legal studies" scholars of the 1980s. For introductions to these movements, see Laura Kalman, Legal Realism at Yale, 1927-1960 (Chapel Hill, 1986); and Roberto Unger, The Critical Legal Studies Movement (Cambridge, Mass., 1986). Holmes's most important theoretical essays, "Privilege, Malice, and Intent" (1894) and "The Path of the Law" (1896) are available in Holmes's Collected Legal Papers (Boston, 1920), from which is reprinted here the essay of 1918, "Natural Law." This brief piece expresses the historicist bent of Holmes's jurisprudence and displays the aphoristic style in which he often dealt with theoretical issues.