

Socialism is a short name for this attempt to rest everything on Government. It is a real danger which is presented in our time, and the danger is the danger of paternalism. While we have been overlooking the simple truth, which is obvious on every hand, special classes, each with its own particular interest, have been securing the enactment of their own selfishly desired laws, each intent only in securing for itself the largest measure of participation in government funds, government protection and government aid. It is clear that a set of individuals, enthusiastically determined to secure its own ends, should accomplish its purposes, in view of the indifference or neglect of the rest of the citizenship. It is, therefore, no more than might have been reasonably expected that our statute books have become the repository of an overwhelming mass of fragmentary, unconnected legislation. Law has become an obsession of our citizens. It has become the habit of anyone, who conceives a half developed idea about anything, from the preservation of the Commonwealth to the preservation of songbirds, or the treatment of cancer with radium, to rush to the legislature and hysterically demand a statute. And the pity of it is that they frequently get them enacted. We become concerned with little things and forget the big ones. We take account of statutes for the preservation of everything except the preservation of individual liberty. Government, meaning by that simply what it is, namely, the laws which the people themselves enact, has invaded the freedom of the individual to such an extent that we wonder whether any of it is left. He is regulated at every step he takes, from the time he rises in the morning until he retires at night, and also, in no small degree, during his sleeping hours. It may not be too much to say that law is fast becoming a collection of undigested chunks of legislation, unconnected and unrelated, except from the fact that they are contained in the same set of books. Such a condition is far from satisfying the true definition of a science.

I submit to you the proposition that our jurisprudence will, in no small degree, become great in something like the proportion in which we amputate from the body of the law the excess-