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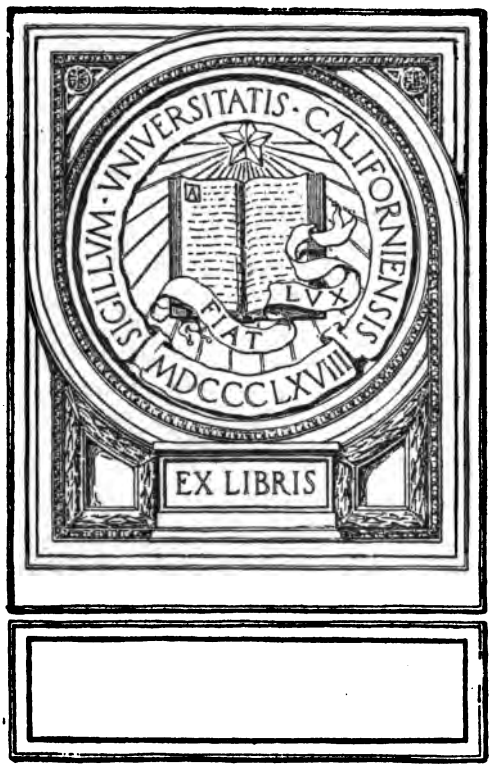
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AMERICANISM
WHAT IT IS

BY

DAVID JAYNE HILL, LL.D.
AUTHOR OF "THE PEOPLE'S GOVERNMENT"

D. APPLETON AND COMPANY
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If we would supplant the opinions and policy of our fathers in any case, we should do so upon evidence so conclusive, and arguments so clear, that even their great authority fairly considered and weighed cannot stand.

ABRAHAM LINCOLN.

343122

PREFACE

THIS little book is intended to set forth as clearly as possible what is most original and distinctive in American political conceptions and most characteristic of the American spirit.

The field of thought here covered, no doubt, admits of differences of opinion regarding the value and importance of that which is distinctively American; but there can hardly be any controversy over what it is.

It requires only a brief employment of the method of exclusion to determine what it is not.

It cannot be maintained that Americanism, whatever it is, is a matter of race. Our country from the beginning has been populated by people of widely different ethnic origins. Some of their qualities are perpetuated with practically little effacement, others are obscured by the syncretism of races; but there is no definable ethnic type that is exclusively entitled to be called American.

Equally futile would be the attempt to define Americanism in terms of geography. There are, it is true, wide diversities of habits, manners, customs, and ideas among our people in the various States; but there is nothing in all these variations that justifies a denial of Americanism to any of them.

And yet not every man who lives in the United States, or who has been born here, can be classed as an American, in the sense which we all, with more or less clearness, attach to that word. We feel that we are not misusing language when we say of a man who entertains certain ideas and sentiments that he is un-American.

We speak of "assimilating" the new elements that enter into our population, and we call it specifically "Americanization." What is it then that is involved in this transformation?

We have developed here in America a new estimate of human values, and this has led to a new understanding of life. It has become difficult for us to comprehend the course of events in Europe, and it is impossible for Europe to understand us. We have, especially of late, imported many iso-

lated European ideas into our country, but they do not seem to fit into our system of things.

The reason is obvious. Our fundamental principles are different. They are even contradictory. We have long ago abandoned a great part of what Europe still holds sacred. If we had a dynasty of hereditary rulers; if we had a State religion; if we had formed a habit, and it had become hereditary, of giving ourselves up body and soul to the exigencies of the State; if we were surrounded by powerful enemies; then we might understand many things that happen in Europe which now seem to us unreasonable and almost insensate. We sometimes forget that our earliest traditions as a people,—and we do not regard ourselves as any longer young,—were an open, a heroic, and a bloody revolt against all that.

But our Americanism is not a mere negation. It is a positive, constructive force. It starts with the idea, that the human individual has an intrinsic value. It holds that he has an inherent right to bring to fruition all his native powers, and to enjoy the fruits of his efforts. His real value lies not in what he has, but in what he is and may

become; and he may become anything his capacities and his achievements may enable him to be.

This whole conception of life is based upon the significance of the individual; but the latest, if not the prevailing, fashion of thought is, to speak slightingly of the individual,—of his rights, of his capacities, and of his responsibilities. We are at present seeking progress, not through a development of the individual, but through what society as a whole can do for itself; forgetting that society is a purely abstract idea, possessing no inherent power either of initiative or of achievement. Yet it has become almost a reproach to stand for the rights of the individual, who is the only motive power that society possesses.

The contemporary reaction against Americanism erroneously assumes that individualism is egoism. On the contrary, it is the only solid foundation for our duty to respect the other man's rights. And this is the essence of Americanism as revealed in the history of its origin.

DAVID JAYNE HILL.

Washington, D. C.

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I

THE AMERICAN CONCEPTION OF THE STATE

I

THE AMERICAN CONCEPTION OF THE STATE

As the theory of Imperialism implies, the State were in reality a superior entity, apart from the individuals who compose it, and this entity were capable of foresight, supervision, and protective care, it would not be altogether unreasonable for men to submit themselves to it without reserve. As a matter of fact, however, there is no such superior entity. The truth is that in civilized communities men live under a system of relatively fixed legalized relations which we call the State; but that which gives us a sense of its reality is not the State itself, which is nowhere visible, but the Government, or body of men, which claims to act in its name.

THE PREËMINENCE OF THE STATE

We are all, no doubt, very much imposed upon by the alleged claims and authority of the State, which in the abstract are so evident that we do not think of denying them. The noblest of human virtues, we are assured, is devotion to the State. It stands for order and justice among men. Without it there would be no security for life or property. No people is deserving of respect that is not ready to make sacrifices for the State; for it is the State that redeems the individual from a merely animal existence, and transports him from the realm of mere sensual indulgence to the domain of far-reaching historic action. At their best, individuals are only like the leaves of a tree. They serve their purpose for a season, and then fall into decay. The State, like the tree itself, lives on. Through summer sun-

shine and wintry storms its roots penetrate to greater depths and its branches rise to greater heights,—a symbol of unceasing growth, of continuity of purpose, and of uninterrupted achievement. Happy should be the leaves it has lifted to the heavens, to fall and perish at its feet, if they may thereby supply it with new nourishment and sustain its larger life!

There is, at first thought, something very plausible about this line of reasoning. The State, when rightly conceived, is, undoubtedly, more important than the individual; and it would seem conclusive that, if one or the other is to be sacrificed, it should not be the State. Not only the magnitude of the interests guarded by it, but its intrinsic character as the organ of justice, would seem to place its claims above all else. But can it be contended that even this high prerogative, through which the State becomes

the custodian of our most sacred rights and liberties, exempts the persons who represent it from the observance of the principles of justice for which it is said to exist?

ALLEGED IMMUNITIES OF THE STATE

To the unsophisticated man it is inexplicable that the State, claiming the right of command as the guardian of human rights, should not be governed by the ordinary precepts of morality. He cannot understand why it is that what would be condemned as a crime if done by an individual citizen, should be made the object of public rejoicing and national pride if performed by a government. "How," he asks, "can the State consistently require honesty in word and deed of me, and at the same time not only practice diplomatic equivocation but expect me to sacrifice my life in defending

it? Why is it that the State punishes me with death if I kill my personal enemy, who has done me a real wrong; and yet may require me to join in killing innocent people, who have injured no one, and only pray to be let alone? Why should the State repress and punish robbery, pillage, and assassination within its own borders; and, at the same time, compel its subjects or citizens to aid in the invasion and acquisition of territory that does not belong to it, and in despoiling the property and taking the lives of noncombatants by exploding shells and falling bombs? In brief, what is it that gives a government a right, without judge or jury, without proof of guilt or evidence of evil intention, at any time, for any reason, or finally for no reason at all except its own glory or aggrandizement, to enjoy a monopoly of doing with impunity that which all individual men

are condemned and punished for attempting?

As a question of ethics, it is impossible to justify a distinction between private and public morality; but it is not primarily a question of ethics, it is a question of historic fact. The privilege of employing armed force for any purpose it sees fit is a traditionally recognized prerogative of every Sovereign State; not because there is in every free and independent community of men an inherent right to treat with violence every other such community, but because the condition of human society offers no method of preventing a nation that wishes for any reason to make war upon another from doing so, except by a similar use of armed force against it. In short, the only restraint upon the conduct of a Sovereign State, outside of its own will, is armed force; and, in an abstract sense, one State has as

good a right to exercise it as another. Everything, therefore, depends upon each State's own conception of its duty.

THE PREDATORY BEGINNINGS OF THE STATE

If we pause to inquire into the origin of the State, we see that, in its beginnings, it was not a moral institution, nor intended to be an organ of justice, but, on the contrary, a predatory enterprise, the result of domination from within by a ruling class deriving a benefit from the subjection of a servile class, or of domination from without by the invasion and conquest of territories and populations unable to resist the aggression of the stronger. At first, all the inhabitants of the conquered territory were destroyed, and its property taken over. Later, the women and children were retained as slaves. Still later, the whole population was spared,

but reduced to the condition of a servile class, and compelled to pay tribute to the conqueror. Such is the history of every dynastic State of antiquity, and the same may be said of most of the Great Powers which exist today. It is only within very recent times, and chiefly because the common people have at last become able, by virtue of representative government, to withhold the payment of tribute from their rulers, that they have come to be recognized as constituents of the State, and allowed some voice in the government.

THE REASON FOR THE STATE'S IRRESPONSIBILITY

The historic origin of the State enables us to understand its comparative irresponsibility. Based primarily on the possession of superior force, the absolute supremacy of the governing authority has been, as a mat-

ter of fact, unquestioned and unquestionable. The unlimited and arbitrary will of the ruler has, therefore, been compulsory; and it has been considered expedient to accord to it a prompt and uncomplaining obedience.

When, with the growth of intelligence, philosophers began to theorize about the nature of the State, they were confronted by the actual existence of absolute power. As authority did, in fact, emanate from the "sovereign," the abstract attribute of "sovereignty," and not the inherent rights of the individuals composing the population, was taken to represent the essence and controlling principle of the State; and "sovereignty," thus conceived, was defined as "supreme power." Wherever that was to be found, there was the substance of the State; and, being supreme, it was not only the source of law, but by hypothesis above the

law, since it is from "sovereignty" that all law proceeds.

Thus was a temporary and abnormal state of fact emphasized and immortalized as a legal conception, the one prime fountainhead from which all other legal conceptions were to be deduced; for what in this conception is the law, if not a decree of "sovereign power"? And what rights has any individual under the law, except those that supreme power accords to him? The State, therefore, is everything. The "subject"—and the "citizen," too, under that conception—is nothing but a creature of the State.

Rightful authority and supreme power, though in reality so widely different, are in this theory completely identified. "Whoever," declares this doctrine, "possesses supreme power has rightful authority to command." If it is the sovereign's will to wage

war, there is no court of appeal. Individual rights and private morality are entirely subordinate in this system.

THE AMERICAN PROTEST AGAINST MERE POWER

It is interesting to note that the first really radical protest against this conception of the State came from America, and it is a protest that may very properly be emphasized today; not officially by our Government, which in recognition of the society of Sovereign States—if one may use that expression without derision—is obliged to respect certain international traditions, however erroneous and inconsistent they may be, but by ourselves as individual citizens, who, not being charged with that obligation, may freely think, and freely express our thoughts.

When I say the first radical protest came

from America, I speak with precision. Long before Jean Jacques Rousseau wrote of the "Contrat Social," or John Locke of a "Civil Compact," a company of plain men, sailing over wintry seas to an unknown land with the purpose of escaping the too heavy hand of an absolute government, on November 11, 1620, as they were approaching the shores of what was afterward New England, drew up and signed in the cabin of their little ship a compact which expressed a new idea of human government. This was nearly thirty years before the famous "Agreement of the People" of 1647, in which the followers of Cromwell endeavored to establish for the security of their rights against the encroachments of arbitrary power a supreme law placed above the power of Parliament. The compact written in the *Mayflower* pledged the signers not only to frame for themselves "just and

equal laws," but *"to yield to them all due submission and obedience."* Here was the beginning of real self-government.

There was nothing original in the mere fact of a written compact, for written compacts had long before been extorted from kings and emperors by popular uprisings. The new leaven was the *voluntary submission to self-imposed law,* as a means of securing a permanent guarantee of individual rights.

No new State was at that time organized on this basis, for the Pilgrims continued to be loyal to the King of England; but a new idea had entered the minds of men, the idea that all just government must be based on the recognition of individual rights and liberties, rights and liberties so sacred that even governments are bound to respect them; for it is only on account of them that governments have a right to exist.

A NEW CONCEPTION OF THE STATE

For the first time since Europe emerged from primitive savagery, an opportunity was offered for the free exercise of intelligence in considering the fundamental problems of government, without interference on the part of arbitrary power and dynastic interests; for the isolation from the Old World was, in effect, a return to a condition of nature, so far as government was concerned; while, at the same time, in mental development and political experience the colonists possessed the full maturity of the age in which they lived. The result was a new and distinctive conception of the State —a conception differing by the whole diameter of human experience from that which was then generally accepted in other parts of the world, not excepting England.

In what, then, did that new conception

consist? In migrating to the New World the men of the colonial period brought with them an exceptionally rich political inheritance, the highest and the noblest that, up to that time, had ever existed. They possessed the traditions of representative government and the idea of personal guarantees contained in Magna Charta, with its solemn pledge that "No freeman shall be taken, or imprisoned, or be disseized of his free hold, or his liberties, or his free customs, or be outlawed, or exiled, or otherwise destroyed, but by the lawful judgment of his peers, or by the law of the land." All that had been long before wrung from the hand of royal power as the heritage of Englishmen. In time the later colonists brought with them, and shared as British subjects, the body of principles vindicated in the English Revolution of 1688, doctrines for which Englishmen had struggled heroi-

cally before their supremacy was established by their triumph over the absolutism of the Stuart dynasty. With the writings of Rousseau and the French philosophers only a few were acquainted. With the sounder political philosophy of John Locke, which in its mode of reasoning was more congenial to the American understanding, a greater number were familiar. But in their own deepest convictions, high above the foothills of mere theory and argumentation, towered like a sun-lit mountain top the self-evident truth that a just government must be based on the inherent rights of the governed; and when that maxim was denied, not only by the King but also by the British Parliament, the moment for separation and the formation of a new government had arrived. To them it seemed preposterous that the State could be one thing and the individuals composing it another. Equally clear to

them was the idea that individuals, in their organic relations as a body politic, not only constitute the State, but the whole of the State; for what, in the last analysis, is the State but the organic union of its citizens? Both royalty and parliamentary representation are merely institutions of the State—the King as the symbol of its unity, the Parliament as the organ of its deliberations—but neither of these is the source of its authority, which must be sought in the body politic itself, in the organic unity of a coherent people, associated together for the security of their individual rights.

THE ESSENTIAL LIMITS OF SOVEREIGNTY

What, then, in this conception of the State, is "sovereignty"—for the word and the idea were already firmly fixed in the legal traditions of the world? Only "Sov-

ereign States" could have a standing in the society of nations. The new State about to be formed must, therefore, be in some sense "sovereign," if it was to be recognized as independent; but the idea of *absolute* sovereignty, the unlimited authority of "supreme power," *that* was precisely what they were opposing; that was what they could *never* accept, and consequently could not claim for themselves, for the simple reason that human nature is not absolute. Not any more than a king could a parliament, or even their own colonial assemblies in which they were represented, be allowed to possess arbitrary power; for there were individual rights which they meant to reserve —"inalienable" rights as they expressed it— which should not be surrendered to any earthly power. So far as the laws of nations were concerned, they, as much as any others, were an independent and a sover-

eign people; but the right of either men or nations to do whatever they pleased, to place themselves above the law, or to declare their mere will to be the law, seemed to them to have no warrant. Such a pretension was, in their eyes, mere usurpation.

The true nature of the State, they considered, must be determined by its end. In this all the colonies at the moment of their struggle for independence were in perfect agreement. What they claimed for themselves they cheerfully accorded to all others, even to the least among them, and on a basis of equality. The State, they believed, existed to preserve their rights and liberties; and the Constitution of Massachusetts, adopted in 1780 and never since superseded, in even more precise terms than the Declaration of Independence distinctly asserted in its first sentence: "The end of the existence, maintenance, and administration of govern-

ment is to furnish the individuals who compose the body politic with the power of enjoying, in safety and tranquillity, their natural rights and the blessings of life." And in the Declaration of Rights which constitutes its first article, it is declared: "All men . . . have certain natural, essential, and inalienable rights; among which may be reckoned the right of enjoying and defending their lives and liberties; that of acquiring, possessing, and protecting property; in fine, that of seeking and obtaining their happiness."

THE DISTINCTIVE AMERICAN DOCTRINE

The American colonies varied greatly in their relations to the British Crown, as well as in their religious ideas and their economic interests; but all united in a definite conception of the ends and purposes of the

State. It existed, they thought, for the protection of individual rights and liberties. All alike shared in the provisions of the Great Charter, which set definite limits to the royal authority; but the Great Charter permitted anything and everything to be done, if it was by the will of those who made the law—and these were far less than a majority of the people. The American colonists believed that there were things that should *never* be done, even by the "law of the land." There were, they thought, human rights, so individual, so necessary to be guarded, so impossible for a God-fearing man to surrender, that the Government had no right over them. Their contest was not merely with the King, but also with the British Parliament. They did not believe that its legislation, if contrary to certain fundamental principles of right, could possibly be law.

The Stamp Act of 1765 was, in itself, no great matter. It proposed to raise only 100,000 pounds sterling to be used for the maintenance of soldiers in America. In Parliament, Conway and Barré raised constitutional objections; but it was the elder Pitt who was the great protagonist of American opposition to the Act. When it was passed, his health was so broken that he could not hold a pen or walk without crutches. When in January, 1766, he was able to crawl into a carriage and be carried into the House of Commons, after referring to the subject as "of greater importance than ever engaged the attention of this House! that subject only excepted, when, near a century ago, it was the question whether you were to be bond or free," he declared: "It is my opinion that this Kingdom has no right to lay a tax upon the colonies." Then follows his argument,

in which he states that "the distinction between *legislation* and *taxation* is necessary to liberty." Since only the Commons have power to vote taxes, and the Americans are not represented in Parliament, he argues, there exists no right to tax them; and yet, he affirms, the Americans, being "subjects" of Great Britain, although not taxable by the British House of Commons *are* subject to the legislation of the Commons, the Lords, and the Crown, which are equally legislative powers.

It is just here that the colonists, and certainly most Americans of today, while not challenging the validity of Lord Chatham's interpretation of the British Constitution, would dissent from the political theory that underlies it. While taxation was, in the War of Independence, the question at issue, the colonists would quite as stoutly have opposed an attempt by the King, the Lords,

and the Commons to impose upon them legislation affecting their civil and religious liberties. The truth is, the American conception of the State was radically different from the British conception. It went far beyond Magna Charta. That provided that specially enumerated rights and liberties should never be taken away from an Englishman "but by the lawful judgment of his peers, or by the law of the land," but the American idea was that there are certain rights and liberties which should *never* be subject to abridgment by law, and that encroachments upon these rights and liberties by a portion—even by a majority—of the people, or by any government they might establish, should be, through a superior and permanent law, declared illegal. For this there was necessary a voluntary renunciation of power in accordance with fixed principles of justice.

AN AMERICAN CONTRIBUTION TO POLITICAL THEORY

That is the original and distinctive contribution of the American mind to political theory. It holds that there should be *nothing* in government that is not governed *by law*. The absolutism of Parliament was as odious as the absolutism of the King. When the American colonists set about their constructive work, their problem was to destroy and prevent forever the recurrence of absolutism in *every* form, whether official or popular, whether of dominant individuals or of popular majorities. All alike, grasping for power, aiming to attain their ends by legislation, they should find themselves confronted by granite barriers which they could not pass.

This idea, wholly new and distinctive in its application to the people themselves, the

Americans embodied in their constitutions. Other nations had thrown off the yoke of tyrants, others had won their complete independence, others had made it impossible for a personal ruler to impose his arbitrary will; but never before had a people voluntarily subscribed to certain definite principles of right which they bound *themselves* to regard, and at the same time made it impossible for themselves to abolish without solemn deliberation and a fresh appeal to the whole people. Then, following the tradition of submitting to the judgment of their peers, in order to give security to the system of self-government thus devised, they instituted courts to maintain it by the decisions of neutral judges, with the duty of measuring the legislation they were required to apply *by the restrictions of the fundamental law.*

THE RENUNCIATION OF ARBITRARY POWER

This system of voluntary renunciation of arbitrary power was no man's personal invention, nor was it a deduction from any form of political theory. It was simply the result of experience and the application of common knowledge. The colonists had suffered from the imposition of obnoxious laws, and they were accustomed to read their civil guarantees in their written charters. What, then, was more natural than that, without speculation regarding new theories of the State, they should spontaneously combine their urgent needs with their established customs, and produce the first written constitutions which the world had known?

As an aid to the complete suppression of absolutism, the people of Massachusetts, in their State Constitution, adopted from Montesquieu, with unprecedented explicit-

ness, the idea of the separation and distribution of powers. "In the government of this Commonwealth," runs the text of this document, "the legislative department shall never exercise the executive and judicial powers, or either of them; the executive shall never exercise the legislative and judicial powers, or either of them; the judicial shall never exercise the legislative and executive powers, or either of them; to the end *that it may be a government of laws and not of men.*" Thus explicitly the fundamental law was hedged about with a triple security, each department of government being powerless for great harm without the connivance of the others, and each being made the guardian of its own sphere of action.

THE SEPARATION OF CIVIL AND RELIGIOUS INTERESTS

But a still more radical departure from British and general usage at that time was

the complete separation of civil and religious interests. Intolerance in matters of religion, even in the colonies, had been the rule. In no sphere of human relations had absolutism been more tenacious and persistent in enforcing unity of opinion. The advantage of being able to influence men through their religious sentiments had never been neglected by any great autocratic ruler, and political power from the days of the Roman Empire had endeavored to use religion as an instrument for imposing central authority. On the other hand, religion, bowing in reverence before a sovereignty superior to the authority of the State, had often been in revolt against its arbitrary rule. But how could a conception of the State founded on the inherent rights of the individual suppress or neglect the most sacred right of all? Accordingly, it was to America that "belongs the glory of having

founded the first modern State which was really tolerant, based on the principle of taking the control of religious matters entirely out of the civil government"; and when the Constitution of the United States was adopted, it was ordained that Congress could not make any law respecting the establishment of a religion, or interfering with the right of religious worship.

THE REAL SIGNIFICANCE OF THE CONSTITUTION

We might here speak of other guaranteed personal rights, which even the Government itself has no power to take away; but it is sufficient to point out that it is in the National Constitution that these rights have their only permanent security.

It is, therefore, of supreme importance that every American citizen should comprehend the real and distinctive significance of

the American Constitution. It does not lie mainly in the frame of government and the mechanism of administration, but in the guarantee of individual rights and liberties. The doctrine of the French Revolution, borrowed from Rousseau, that the will of the people is absolute, and that *any* law desired by the majority is acceptable, was not a doctrine of the American Revolution; and it has never been entertained in the United States by any considerable body of thoughtful men.[1]

On the contrary, the doctrine of the Constitution is that the human individual possesses certain inherent rights, including the security of life and liberty, and the prerogative of acquiring, possessing, and enjoying

[1] For a detailed discussion of the difference between the principles of the American and the French revolutions, see the author's "The People's Government," pp. 41, 43, 106, 114.

property, and that no government, however constituted, may justly take them away, or pass other than "just and equal laws," which apply to all citizens alike, without distinction of race, class, or place of residence.

HOSTILITY TO CONSTITUTIONAL GUARANTEES

That a system like this should in time meet with opposition is not unnatural. The egoistic impulses of human nature, which it is intended to check and frustrate, always have been, and always will be, hostile to it. Individuals and classes who desire to dominate, and demagogues who wish to rise to power by appealing to the sordid interests of a numerical majority, regardless of minority rights, may be expected to use every means to break down the constitutional obstructions to their designs; and for that purpose make it an easy matter to destroy, one

by one, through constitutional amendments, the existing guarantees.

There is always a tendency on the part of those who control, or expect to control, a government, to represent the State as a kind of independent and authoritative entity which possesses an unlimited power over the citizen. Men who would not have the insolence as individuals to demand of the more fortunate an equal partition of their possessions for their own benefit, have the impertinence to affirm that the State, as a supreme authority, should demand the surrender to itself of all private property, in order that it may reapportion it in its own way. This is a new and subtle form of absolutism not less despotic than the royal pretensions which Democracy has resisted. Authoritative Democracy is, in truth, as capable of arbitrary action, and of a total disregard of the rights of minorities, as any other

form of autocratic government; and with us, where monarchy is, of course, wholly out of the question, it is the one ever-present danger against which we need to guard. The distinctive feature of the American conception of public authority is that *unlimited* power should be accorded to *no* branch of government, *and not even to a majority of the people.* It was precisely the "tyranny of majorities" that the founders of our republic most feared, and it was the inherent rights of the individual which they meant to preserve. They did not intend, after escaping from the arbitrary rule of the British Parliament, to jeopardize their liberties by creating another arbitrary government.

ILL-CONSIDERED PROPOSALS OF CHANGE

Now that the Constitution has borne its fruits, and has made us a free, united, and

prosperous nation, composed of forty-eight self-governed States—the most important area of absolutely free intercourse in the world—bound together by a single fundamental law, under the jurisdiction of a Supreme Court, we are able to estimate how great should be our appreciation of this system.

It is not necessary to state or to answer here the reasons offered by a new generation of theorists for changing our form of government; but I venture the assertion that the ends contemplated by some of them are not compatible with what is historically the American conception of the State, and that they involve a complete repudiation of that "Americanism" which has been described. What conflicts of opinion upon this subject may yet arise, I do not know; but I apprehend that we have entered upon a period when, if it is to be prolonged, all that is

distinctively American will be compelled to defend itself against very insidious and very persistent attacks that will appeal to passions and interests which may seriously endanger our political traditions.

It is peculiarly unfortunate, at a time like the present, when the acceptance of just principles is vastly important, not only to the peace and order of our own country, but to the union of all nations upon some common ground, that new conflicts regarding the fundamental principles of justice should arise, that the authority of the courts and the value of the judicial system should be called in question, and that the whole conception of social relations should be thrown into the melting pot; for it has been thought by many, and has been hoped by a still greater number, that the American conception of the State, yielding authority to great principles of equity and to the rule

of just and equal laws, might afford a basis for the reorganization of the family of nations, now torn by so many dissensions and plunged into a maelstrom of deadly conflict.

THE IMPORTANCE OF THE AMERICAN EXAMPLE

In some respects our example as a nation has proved of great value to the world. As Edmund Burke said, it has taught England how to treat her colonies, by according freedom and security to the individual under just and equal laws. Even at the time of our great struggle for individual rights, Lord Chatham declared: "If America should fall, she would fall like the strong man Samson; she would embrace the pillars of the State, and pull down the whole structure with her."

The American conception of the State

has been contested at every point, but it has thus far stood the tests that have been applied to it. It has furnished a fruitful example to other nations, and it is not too much to say that its development has created a new era in the history of the world; and yet the system into which it has grown has never been adopted in its totality by any other people. Other nations also are living under written constitutions, but in their attempts to imitate our system they have neglected to adopt the two really original and distinctive features of it, namely, our renunciation of the absolute power of majorities over individual rights and liberties, and our idea of judicial authority as a means of preventing the overthrow of constitutional guarantees by mere majority legislation. The result has been that in rendering the legislative power theoretically omnipotent, without retaining the balancing ef-

fect of the judiciary, the imitators of the American system have made it possible for a faction, or even a single executive, to exercise a despotic domination; thus entailing frequent governmental changes and personal dictatorships.

ESSENTIAL ELEMENTS IN THE AMERICAN CONCEPTION

But, in truth, success cannot be expected from any system of government unless the individuals who compose the State entertain respect for the personal rights and liberties of all. The moment a disposition prevails to deny these, or to impose a dominant will upon the community, the system of guarantees is undermined; and it is in its guarantees of personal liberty that the American conception consists. Local autonomy in all local matters, popular representation in State and National affairs, the federation

of independent communities, a body of unalterable principles accepted in a fundamental law, judicial decision in the settlement of differences—these are essential elements in the American conception of the State.

Can we maintain it? And can we hope that it may furnish suggestions for the peaceful organization of other nations and groups of nations?

In time, perhaps, the example of the American Union, if it continues to accomplish the purposes for which it was designed; if in spite of disruptive and disintegrating tendencies it shows by its stability, unity, coherence, and loyalty to just principles embodied in a fundamental law, that it can endure, it may produce the conviction that here is, in fact, the solution of the problem of a just, pacific, and effective world organization.

OBSTACLES TO WORLD ORGANIZATION

But even if that conviction should become general, there will still remain the dynastic interests, the racial antagonisms, the traditional hostilities, the bitter memories, the industrial and commercial rivalries, and, worst of all, the mutual fear and distrust of the nations, which have written such a sanguinary and humiliating commentary on the perversity and blindness of human nature, and revealed the terrific struggle necessary to maintain a national existence in their presence.

Until a conception of the nature, the end, the authority, and the limits of the State, different from that which seems to be manifested in the conflict which is now agonizing the world, prevails, there will inevitably linger in our minds an undertone of sadness, of doubt, and of deep distress,

as we contemplate the future of mankind.

It is only as men are able and willing to adopt fundamental principles of justice, of equity, of moderation, and of self-restraint; to abide by them, to reverence them, to love them, and to be prepared, if necessary, to die for them, that any light falls upon that shadowed pathway.

THE AMERICAN CONCEPTION AND THE FUTURE

It is not a time for pride, exultation, and self-glorification, that we are Americans. Least of all is it a time for self-righteousness or for dogmatic utterances. It is rather a time for gratitude and thankfulness that, in shaping the form of our government, in securing firm guarantees of our inherent rights, in establishing the traditions of our people, our fathers builded more wisely than they knew, in placing the

emphasis upon the happiness and security of the Citizen, and not upon the power and glory of the State.

Into this heritage has passed the best results of human experience; but there has passed also a spirit of devotion to ideals that had never before been realized; a faith in the possibilities of man based on faith in a Creative Power working in the world. The end is not yet. There is still uplifting power in a faith like that of our fathers.

The stars indeed are old, but life is young,
That in Earth's ruddy morningtime first sung
Its salutation to the radiant dawn;
The yesterday of life seems hardly gone.

So new is Man's still unrecorded day,
Whose noon is yet, perchance, so far away
That his endeavors, only just begun,
May change the scene before the setting sun.

No past, but some far future, holds the key
To that firm door that bars eternity;
Its secrets sleep in aims still unfulfilled,
In deeds undone, but yet not all unwilled.

So turn we once again to our rude task;
A little more of life is all we ask;
Spread all the canvas, every sail unfurled,
To help complete this still unfinished world!

II

THE CRISIS IN AMERICAN CONSTITUTIONALISM

II

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The severest test which the American conception of the State has ever been called upon to endure was occasioned by circumstances connected with the Civil War, but it did not involve a denial of the fundamental principles upon which American constitutionalism is based. It consisted, on the contrary, merely in a difference of documentary interpretation. Had the Federal Constitution produced a nation, or only a confederation? That was the question upon which the North and the South disagreed.

At present, however, we are confronted by a different and a far more radical question, namely: Does the American conception of the State embody the best principles of

government, or are we to look for others?

Thoughtful men in all countries are, no doubt, generally united in the conviction that constitutional government, in some form, is desirable, and embodies the most perfect method of regulating human affairs ever conceived by man.

With regard to the attainability and permanence of this ideal, however, opinions differ widely. Most men agree that certain peoples are not ripe for it. Others consider it necessary to combine with it some vestige of absolutism, as a means of rescuing society from the anarchy that would follow upon its possible failure. Still others openly oppose it, because, for various reasons, it is their personal interest to do so.

THE FRIENDS AND THE ENEMIES OF CONSTITUTIONALISM

The dangers to the American conception of constitutional government do not arise

from the open opposition of its enemies, for in the field of free debate it is abundantly able to defend itself. Its real foes—and they are not a few—are those who do not avowedly attack or resist it; but who, while professing to be its friends, and even its advocates, secretly repudiate or intentionally pervert its fundamental principles.

In contrast with the political absolutism which it was intended to destroy, and which it has endeavored to supersede, American constitutional government is based upon the principle of equal guarantees for the rights of all citizens, without distinction of persons or classes, under the protection of coordinate and distributed powers, exercised by public officers freely chosen by the people, and revocable after fixed periods of office. Recognizing life, personal liberty, and property as elements of inalienable right, the American system of government

aims to guard these from every form of violation.

The mere statement of the meaning of that system plainly indicates who are its natural enemies. These include all those who, in any form whatever, desire to make the State their private servant, and through control of the public powers use it to serve their own personal or class interests at the expense of others.

The division of men into friends and enemies of the American idea of constitutional government is based upon the attitude they assume toward its fundamental principle. This principle being the existence of equal and adequate guarantees, by which the life, the personal liberty, and the property of every citizen are rendered inviolate, every person and every organization that aims by means of exceptional legislation to secure special advantages to the detriment

of others must be classed as an enemy of the American system, which—although not a guarantee of equal conditions, which is impossible—is essentially a guarantee of equal rights.

THE MEANS OF GUARANTEEING EQUALITY

The means by which the fathers of constitutional government in the United States intended to obtain and perpetuate this guarantee were threefold:

First of all, the "inalienable rights" of all citizens were to be secured by a fundamental law which placed them beyond the reach of unequal legislation or executive violence. What the American colonists had suffered from was the exercise of absolute and arbitrary authority. This they intended to end; and, in order to do so, they aimed to place the opportunity of encroachment upon cer-

tain personal rights permanently beyond the power of all legislatures and executives. In brief, legislative bodies and executive officers were themselves made subject to the restrictions of law; and no man was to be judged except in accordance with it. Life, liberty, and property were not to be taken away without a day in court, in the presence of responsible authorities acting under the obligations of equal laws.

The second security afforded was a form of government in which public powers were so distributed that no public officer could commit an act of oppression without rendering himself responsible for his action. The people, through their representatives, could make new laws; but even the people could make no laws which encroached upon the rights already sacredly guarded by the fundamental law. The executive was to see that the law was executed, but he himself

was bound by it and could act only in accordance with it. The judiciary was to decide what the law is, but it also was obliged to respect and maintain the guarantees which the fundamental law provided.

Finally, the people, standing in the place of the sovereign, and exercising sovereign power, did what no other sovereign had ever before voluntarily done in the history of the world—they freely and formally renounced the power to impose their personal arbitrary will upon the organs of government or upon one another. They confided to the operation of the system they had devised and created the legislative, executive, and judicial functions necessary to the application of justice, subject to their approval or reprobation by means already provided for in that system.

Thus absolutism in every form was intended to be excluded from government,

which aimed to be a system of just laws and principles in place of mere arbitrary will actuated by caprice, prejudice, malignity, or self-interest.

It is easy to see how this system could be covertly attacked by those who, consciously or unconsciously, were inspired by motives for subverting it.

THE CONSTITUTION AS A BAR TO DEMAGOGISM

The first method of attack is through the hasty alteration of the fundamental law itself. Believing in the approximate perfection of our system, the people of the United States have, in general, desired to maintain the stability of the Constitution, and so far it has been subjected to very little change. Being essentially a restriction of arbitrary power, it presents a firm barrier to the aims of those who seek to derive private advan-

tage through the control of the State. As long as it remains intact there exists a legal obstacle to depredation. No mere demagogue ever has loved, or ever will love, the Constitution; for it is a restraint upon personal ambition and personal interests. He would much prefer to substitute for it the unrestrained "will of the people," by which he understands assent to his own proposals. With seductive simplicity he blandly asks, "What is the Constitution between friends?"

The analogy between the influence of a demagogue and the power of a despot is forcibly emphasized by Aristotle. Distinguishing between the type of democracy in which the law is supreme and that in which the temporary popular will shows no regard for established law, he says: "The latter state of things occurs when the government is administered by *plébiscite,* or popular vote, and not according to laws, and it is

produced by the influence of the demagogues. In democracies administered according to law there are no demagogues; but where the laws are not supreme, demagogues arise. For the people become, as it were, a compound monarch, each individual being only invested with power as a member of the sovereign body; and a people of this sort, as if they were a monarch, seek to exercise a monarchical power, in order that they may not be governed by the law, and they assume the character of a despot; wherefore flatterers are in honor with them. A democracy of this sort is analogous to a tyranny or despotism among monarchies."

Pointing out that the power of demagogues increases as the people can be disposed to disregard the established law and the magistrates who enforce it, he concludes: "Accordingly, it seems to have been justly said, that a democracy of this sort is not

entitled to the name of a constitution; for where the laws are not supreme, there is no constitution. In order that there should be a constitution, it is necessary that the government should be administered according to the laws, and that the magistrates and constituted authorities should decide in the individual cases respecting the application of them."

CONSTITUTIONAL CHANGES

Undoubtedly, any inflexible obstacle to a transitory popular impulse can at times be made to appear too rigid; but it is precisely this clear and definite obstruction to impulsive and ill-considered action which constitutional guarantees are intended to impose. It is always a dangerous moment for the liberties of a people when it is proposed to substitute for the deliberately established reasonableness of a constitutional

provision the impromptu and uncontrolled impulses of the moment, or to open the way, without serious reflection and debate, for mere political experiments.

It may be necessary with the emergence of new conditions to change in certain particulars constitutional provisions which fail to serve the purpose for which they were intended; but no real friend of constitutional government can wish to facilitate or multiply amendments without a deliberate and cautious consideration of all their possible effects.

Two recent constitutional changes have been urged and passively accepted by the people of the United States. The election of the United States senators by legislative bodies had sometimes been attended with corruption, and this led to a demand for popular nominations and elections. In order to lower import duties, an income

tax—hitherto left to the several States, which can levy no import taxes—had been urged as a means of meeting the expenses of the Federal Government. To accomplish this a constitutional change was necessary, since the Constitution as adopted required the apportionment of direct taxes among the States, and this method was not deemed practicable. It is, perhaps, too early to demonstrate the full results of these changes; and it remains to be seen how the people, if they could not succeed in choosing trustworthy legislators from among their own immediate neighbors, will be able to select worthier senators from among persons whom they know chiefly through newspaper representations, many of which are paid advertisements; nor is it certain that the power to impose a graduated income tax, without any kind of restriction, may not eventually become the instrument of

mere class and sectional legislation. It will, of course, be gratifying if these two experiments result in an elevation of political morals or in greater social equity, but it is not yet certain that these results will be attained.

UNCONSTITUTIONAL ENCROACHMENTS

A second method of attack upon the Federal Constitution is through the encroachment of one or more of the three divisions of public power upon the legitimate domain of the others. The American conception of government has always laid stress upon the balance of the public powers, which is intended to limit the excesses of all. When, however, we consider the possible effect of concentrating power in one man personally both to urge and to veto new legislation, backed with the enormous influence of Federal patronage, the employ-

ment of which may be easily concealed behind a mask of apparently beneficent legislation, we are confronted with the nearest approach to absolute power now to be found in any constitutional government in the world. In defense of this centralization of authority it may be said that a President of the United States is responsible to the country, and particularly to his party, for the fulfillment of promises made in the platform of the party that elected him, and this is true; but executive urgency and executive prohibition have not always been exercised exclusively with the purpose of fulfilling party promises, but sometimes merely upon the personal initiative of the executive himself, who has thereby assumed the exercise of a prerogative which, however pleasing it may be to those who profit by its results, when considered from a constitutional point of view, is certainly of questionable pro-

priety if not of doubtful legality. Fidelity in urging the fulfillment of previously made party promises and personal *ballons d'essai,* sent up for electoral purposes without regard to the previously determined policies of the party or even in contradiction to them, are two entirely different methods of official procedure. The business of a President is to execute the laws and urge the fulfillment of party pledges, but it is not his prerogative to revolutionize the government.

UNCONSTITUTIONAL LEGISLATION

But encroachments upon constitutional limitations by the executive are not more dangerous than those of a legislative origin. For these latter there is, it is true, always the plausible excuse that they spring more directly from the expressed will of the people, especially when the legislators have

received a general mandate from this source. It is, however, a perversion of reasoning to maintain that their mandate ever includes an instruction to disregard the spirit of the Constitution, or to strain it to the breaking point. It is therefore essential that the judiciary, whose function it is to apply the fundamental law, be free, pure, and faithful in its interpretation of it. It is equally important that it should have the confidence and support of the people. Nothing could so fatally affect the foundations of constitutional government as a loss of confidence on the part of the people in the purity, fidelity, and intelligence of the judiciary. By every means that will leave it free and responsible it should be placed and kept upon the highest plane of honor and authority, for it is by its essential nature the guardian of our guarantees of liberty.

THE RENUNCIATION OF ARBITRARY POWER

There is a third and far more insidious form of attack upon constitutional government which should not escape observation. It is the disposition to withdraw and annul that act of popular renunciation of each in the interest of all upon which the success of the American system of constitutional government is based. It is important that this point should be made clear, for it contains the chief justification for speaking of a "crisis" in American constitutionalism.

Attention has been called to the fact that the third step in the development of the Constitution of the United States was the voluntary surrender of arbitrary power by the sovereign people. This was not an abdication of power by the people as a whole in the interest of a majority, but a determination that absolutism in every form

should be abolished altogether; and that even the majority should be denied the exercise of arbitrary power. It was the complete surrender of will to reason, of private interest to public good, of the individual to the State as the institution of organized justice.

The greatest present danger to constitutional government in the United States is the possible revocation of this splendid sacrifice of personal advantage to the common well-being; for there are indications that the agreement of the people not to attempt an act of conquest upon one another, but to live on terms of equality under just laws, may be revoked.

RESULTS OF THE SPIRIT OF DOMINATION

It is worthy of observation that wherever the renunciation of arbitrary power has not been made, constitutional government has

proved an abject failure. If we consider the revolutions that have stained with blood and ruined the economic life of several of our sister republics on this continent, we shall find ample and striking illustrations of this assertion. They, like ourselves, have had a fundamental law, often expressed in most irreproachable language, and a frame of government in which the division of powers is theoretically accepted. In fact, however, these elements of constitutional organization have not been treated as realities. Personal ambition, conspiracy, and revolution have defied the system, and frequently destroyed it. Instead of devoting themselves to the State and making a religion of vital patriotism—that is, of consecration to the State as the institution of order and justice—these unfortunate republicans have attached themselves to factions, each seeking to dominate by force the others, and thus creating a scene

of constant incertitude, turmoil, lawlessness, and rapine.

We have at the present moment a startling example of this assertion of arbitrary will and repudiation of public authority in our nearest neighbor to the south. Everyone who personally knows the Mexican statesmen of the highest type appreciates their learning, their culture, and their sometimes great executive ability. What is lacking to that country? It is the spirit of personal renunciation of arbitrary power in the interest of the public well-being. Rich in natural resources, situated in a most favorable geographical environment, and not wanting in capable men, Mexico is doomed to stagnation, poverty, and discredit because it is the prey of rival forces within the State, each claiming the right to rule, each determined to destroy the others.

THE FRUITS OF GOVERNMENT BY LAW

Let us not lose the lesson of this impressive illustration of the unwillingness of men to accept the authority of principles because we ourselves are not at present harassed by banditti and visibly divided by opposing powers within the State. It is opportune for us to ask ourselves why we are not subjected to this anarchy, and why we enjoy a high degree of peace, order, and justice in our own republic, which is based on the same fundamental ideas as that of our unfortunate neighbors?

The answer to this question is evident to every thoughtful observer. We have thus far been able to maintain respect for our Constitution and our judiciary. We have, in the interest of the public peace, renounced the primitive right of personal self-defense. We have differences, but we endeavor, for

the most part, to settle them by an appeal to the law and to the courts. We have thus far maintained the renunciation of arbitrary power which has made our government a success where others have failed, and we have had, and are having, our reward.

THE DANGER OF CLASS CONTROL

Will this condition always continue? There is more than one sign that, unless we are on our guard, it will not. The dangers arising from the first and second forms of attack on constitutional government are not unworthy of attention, but they are insignificant in comparison with the third; for further alterations cannot be made in the Constitution of the United States without fresh consideration by the people, and a misuse of power by the legislative and executive, or even by the judicial authorities is

at least subject to correction. But the third form of attack is of a different nature. It results from a scheme of social transformation that may affect constitutionalism at its source through a perversion of the minds of the people.

For a long time the chief danger to constitutionalism in our country was the menace of conflict between the States. That peril seems now to have passed, for the interests of the States in the Union are so nearly identical and their populations are so nearly homogeneous that a divergence of purposes sufficiently wide to lead to armed conflict is altogether improbable.

But there is another source of antagonism which would have an equally disastrous effect upon constitutional government, the possibility of which is not entirely excluded from consideration.

We have in recent years developed in the United States a spirit of class antagonism which is peculiarly disquieting. In stating this point it is not at all necessary to cast the blame on any particular stratum of society, and a careful analysis might distribute responsibility in a manner that would not be welcome in quite opposite quarters. The one undeniable fact is that this antagonism exists and has been stimulated by political ambitions that have found their advantage in creating unrest and in deepening the hostility of certain conditions of life toward others.

The peril of the situation is that it does not consist merely in opposing personal sentiments entertained by isolated individuals, but it aims to control the State by massing its forces in powerful organizations with the purpose of changing the laws, and even the Constitution, in the interest of special

classes. This is the open repudiation of all that is understood by "Americanism."

THE ATTACKS UPON THE CONSTITUTION

Books have recently been written with the endeavor to make it appear that the Constitution of the United States is an antiquated eighteenth-century construction, devised solely in the interest of a property-possessing class, and is at present an anachronism. For the first time since it was adopted the Constitution has within very recent years been treated with open disrespect. What is the reason for this opposition? It is that the Constitution presents an obvious barrier to the designs of those who oppose it. If we seek the actuating principle of this opposition, we find it in the doctrine that the unregulated and changeable will of the majority is a more desirable form of authority

than deliberately accepted principles of government sanctioned by general assent and tried and tested by experience.

Should this tendency become further accentuated by combinations of power able eventually to control the State in their own interest, we should find ourselves in a position not dissimilar to that in which Mexico is placed today—divided into hostile factions, one class plundered by another, and the country utterly powerless to defend its interests or maintain its dignity in the field of international relations.

THE DRIFT OF SOCIAL FORCES

In considering the drift of the social forces now in operation, one is struck by the diminished respect for law. This is, no doubt, in part owing to the changed conception of the source of legal authority. When men

sincerely believed in "inalienable rights" and conceived of law as the guardian of those rights, it was esteemed worthy of a sentiment of reverence. At present the importation of a conception of law as the decree of a dominating will, without relation to fundamental rights—which are alleged to have no demonstrable existence—has made it difficult to respect law in and for itself. If, after all, it is merely arbitrary; if it proceeds from no moral principle; if, in short, it is the expression of mere will and not of reason; it is difficult, it is even unreasonable, to demand that it be respected.

It is necessary in the life of every nation that from time to time it be called upon to reflect upon the principles that underlie its existence. The present generation until now has been confronted with no great national crisis that has called for such reflection. The shock that has been given to the party sys-

tem of government in the United States may prove to be such a crisis. We have suddenly been brought face to face with the question: What is our political future to be? It is for the reason and the conscience of the people to answer, but it remains to be determined on what lines the answer is to be given.

THE NEEDED REVIVAL OF AMERICANISM

The only means of preventing the ultimate collapse of constitutionalism as conceived by the founders of this republic, and the only remedy if this calamity is in some degree already upon us, is a firm determination on the part of the people that arbitrary power in every form must be renounced; that life, liberty, and property shall still enjoy protection against any form of absolutism that may be asserted within the State.

To apply this remedy the country needs two things: first, to consider seriously the drift of the social forces now operating among us, with a view to forming a clear conception of the degree in which we are adhering to or departing from the spirit of conformity to just and equal laws; and, second, an active movement on the part of thoughtful citizens to oppose anti-constitutional tendencies.

PRINCIPLES VERSUS PERSONALITIES

Naturally, in moments of indecision men look for leaders, but unless they look also for principles they look in vain. The choice must be made between experiment and experience, between arbitrary decisions and fundamental principles; in a word, between political anarchy and constitutional government.

The one thing most certain is that if we are to preserve and justify constitutional government, we must be ever ready to defend it. If we are to defend it, all who believe in it must act together. To many minds it seems at this moment the one overmastering issue. When principles have been settled men have always been found to render them effective. What we need at present is not so much leaders as a determination to follow no one not guided by the principles by which we should be led, and which we should then insist upon having applied in practice. In seeking for these we cannot do better than to revert to the great doctrines of our fathers, which, in the midst of revolutions on every side, have brought us to great power as a nation, and which, if faithfully applied, will continue to give us great prosperity as a people.

THE ONLY ROCK OF SALVATION

If, amidst the dissolution of party ties, which has brought home to us the problem of our political future, we are able to rally about the one rock of salvation, the rights of the individual citizen as guaranteed by the Constitution, the atmosphere will clear. We shall see that a State cannot be built upon private interests of any kind, and that our prosperity as a republic consists in the readiness to renounce the control of the State for our own advantage, by giving to each individual not only full liberty to exercise and develop all his powers in his own way, but protection in preserving that liberty by preventing the public powers from falling under the domination of any class or combination of men having for its object the subjection of others to their private will.

THE NEED OF ORGANIZATION

Considered individually, the vast majority of the citizens of the United States are firmly convinced of the excellence of their system of government. Collectively, they act almost exclusively through political organizations. If, however, these seek success in a race for radicalism, each trying to outdo the other in promoting private interests for the purpose of carrying elections, who can be depended upon to look after the conservation of the constitutional guarantees?

In the days of our Civil War much aid was afforded to the cause of preserving the Union by the formation of clubs composed of citizens who perceived in that movement the great issue of the hour. Is it not possible that the time has come when a similar interest in the preservation of constitutional government, through the cultivation of respect

for the spirit of the Constitution, may be desirable and even necessary?[1]

There are overwhelming proofs that we are at present passing through a crisis in which the great structure of liberty and justice erected by our fathers is being insidiously undermined; not in the interest of the people, of whose rights it is the only guarantee, but in the interest of private powers within the State, which, for purposes of their own, wish to dominate it and employ it as the instrument of their designs.

[1] Since these words were written, and partly in consequence of them, a society has been formed calling itself "The National Association for Constitutional Government," having its headquarters at Washington, D. C., Colorado Building. This and the following chapter were first published in the *North American Review,* and are reprinted here by the permission of the editor.

III

TAKING SOUNDINGS

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No one familiar with political developments in the United States in the last ten years can doubt that radical changes have occurred in the ideas and sentiments of a considerable portion of the American people. It has been felt in many quarters that something is wrong in the adjustment of our system of government to our social needs. It was, perhaps, natural, and even inevitable, that the weight of criticism should fall upon the American system rather than upon the abuses of it; leading to the hasty conclusion that the form of government had been outgrown, and that radical revision had become necessary.

The passion for speed, which is charac-

teristic of our people, did not fail to exercise its influence upon the process of popular thinking; with the result that spontaneous impulses and imperfect analyses have in a great degree been substituted for defensible fundamental principles.

THE REVOLT AGAINST FIXED PRINCIPLES

In the period when our government was established it was the common conviction that there are some individual and personal rights so clear, so undeniable, and so worthy of protection that they should receive the most trustworthy guarantees that could possibly be accorded to them. In this spirit the early State Constitutions were conceived, and later the Federal Constitution, as finally agreed upon, the people insisting upon the explicit recognition of these rights in their fundamental law. By this they

meant to set limits to every form of governmental power which might ever tend to invade these rights. Thus, for the first time in the history of the world, life, liberty, and property were intended to be placed under the protection of a law so inclusive that it would in the future bind all executives, all legislatures, and all courts.

A singular example of hasty and superficial thinking is to be found in the disposition to belittle the importance of the great principles of "Law," as compared with the alleged exigencies of "Life"; as if there were some kind of contradiction or incompatibility between them. Thus, a writer who has been esteemed as a high authority in the science of government, has suggested, for the purposes of an electoral campaign, and with an evident intention of disparagement, that "the Constitution of the United States has been made under the dominion of the

Newtonian theory"; and adds that the men of that period "represent Congress, the Judiciary, and the President as a sort of imitation of the solar system." "The Constitution," he concludes, "was founded on the law of gravitation," which he considers purely mechanical, and proceeds to assure us that, under the régime of "New Freedom" which he promised to establish, government, which is "a living thing," and not a mere machine such as the Constitution constructed, "is accountable to Darwin, not to Newton." In other words, such antiquated principles as the "law of gravitation," which were deemed of importance by the founders of the American government, are now to be superseded by doctrines analogous to the less exact processes of biological speculation, on the ground that "government is a living thing."

THE ESSENTIAL PERMANENCE OF LAW

There is aptness in this simile; but it hardly justifies the inference that, since "government is a living thing," "it is accountable to Darwin, not to Newton." Whatever the biologic laws may be—if indeed it is even possible to state them clearly—they have not superseded or rendered superfluous the law of gravitation. All living organisms that ever were, are, or are to be, have been and will be subject to it; and, however varied, fecund, and marvelous the process of natural evolution may prove to be, we shall forever be obliged to go back to Newton and his "Principia" for an intelligible theory of the universe. In like manner, we shall be compelled to return to the great principles of human justice underlying the Constitution for a defensible theory of the State. We may have changed, but

the law of gravitation still controls our footsteps; society may have changed, but the great principles of ethics are its only sure foundation; our ideas may have changed, but the laws of logic, by which alone they may be consistently coördinated, still remain unaltered.

THE SUBSTITUTION OF EXPERIMENT FOR EXPERIENCE

Nevertheless, the suggestion that the present is a Darwinian rather than a Newtonian age is one full of illumination; but this notion does not warrant us in believing that Nature has changed her laws, or that these laws are changeable. It means simply that in our minds the process of change is receiving a degree of attention greater than in the past, and that by centering our thought upon the idea of transformation itself we may be losing sight both of the con-

ditions upon which beneficial changes may depend and the results that may follow from our insistence upon radical action. Although it is true that we live in an age when the evolutionary process has taken the foremost place in our thoughts, it is important to remember that, so far as we know anything about it, it has never been a rapid process, and, in the Darwinian sense at least, has been an unconscious adjustment to natural conditions rather than a swift and purposeful transformation.

It is precisely here that the substitution of experiment for experience presents grave dangers. If we truly wish to be wise, or—should that be more agreeable—if we wish to be rigorously scientific, what we should be most concerned about is to know precisely why and how our existing political institutions came into being, rather than to engage in the exploitation of extemporized

schemes for destroying them. In our country the danger of erring in this matter is greater than in almost any other, for the reason that we have less of the historic sense and more of the spirit of initiative than any other people. In private matters, and even in private associative action, this may be of little consequence; for failure to justify our theories by achievements involves nothing more serious than private loss or disappointment. In public matters, however, the substitution of impulses for deliberate reflection, of unrestrained action for measured powers, and of improvised schemes for settled principles becomes a danger of incalculable magnitude.

REASON VERSUS EMOTION

Those of us who distinguish between reason and emotion, between reflection and im-

pulse, between world experience and spasmodic action, believe that a fundamental law forbidding class, sectional, and inspirational legislation is the indispensable guarantee of personal liberty and the necessary basis of true social justice. We are opposed, openly and fearlessly, to those who, for private or alleged public motives, would ruthlessly sweep it away. We are of the opinion that a non-Newtonian and otherwise undisciplined state of mind is a dangerous one for the well-being of the republic. We freely admit that there are fewer purely personal motives for defending the work of the past than there are for initiating new and ill-considered schemes of public action. We do not forget that novelty pleases, and that conditions imposed by the past are often felt to be at fault when our misfortunes are in reality to be attributed to other causes. We are aware that those who seek the support

and admiration of their fellow-citizens find it to their advantage to offer to them a Promised Land flowing with milk and honey. We realize also that the smug contentment of those who feel themselves beyond the reach of personal harm, and who say in their souls, "After us the deluge," constitutes an absolutely negligible quantity either for promoting needed reforms or resisting public evils. It is from the ethically minded and public-spirited men and women of the country, alone, that any interest in such questions is to be expected, or upon whom any dependence for unselfish action can be placed. And yet it is worth while to take soundings, and to point out to those who have an open mind the perils by which we are confronted, and especially to leave on record for the future the fact that blindness and inertness were not universal in the period of demolition, if such a period

shall follow, when the great work of our fathers is to be undone. It may be, after all, when public attention is turned to the facts, that the efforts of our time to wipe out and utterly efface the distinction between a fundamental law and ordinary legislation, and to place absolute and unlimited power in the hands of legislative majorities —or even, perchance, in the hands of popular minorities afforded control by the division of their fellow-citizens over minor matters—may yet be happily averted. But this cannot be, unless the danger is realized and united action is substituted for indifference.

NO DENIAL OF OPPOSITION TO THE CONSTITUTION

The first and most important reflection to occupy our attention here is the fact that, in the observations of the press and in the private letters that have come to the writer

regarding an article published by him entitled "The Crisis in Constitutionalism," no one has denied that there is a widespread disposition to render easier the modification of the Constitution of the United States; yet no one has cited a single social reform worthy of serious consideration that necessitates a change in our fundamental law, or which cannot be carried into effect without a change. In this case the process of evolution is sought to be facilitated solely for its own sake. In brief, it is urged that we should change our fundamental law, simply because it is a fundamental law, which may some time stand in the way of what a legislative majority may yet be impelled to do.

VAGUENESS OF THE OPPOSITION

What is the nature of this contemplated legislation that finds itself obstructed by

the Constitution? Strictly speaking, it is as yet too much in the state of fermentation to declare itself distinctly. If some of the purposes in view were clearly articulated, the radical nature of this legislation would be too apparent. The time has not come for a frank disclosure of its terms. Already the right of transmitting property by inheritance has been brought in question, and the right of the individual to possess more than a certain limited amount of wealth has been denied in high quarters. No one has ventured to draw the line at a definite point, either as respects possession or inheritance; or indicated any principle upon which the line could be drawn, where it should begin, or where it should end. The one thing most certain is that it would not end where it began.

When duly analyzed, it becomes apparent that in the process of social evolution a new

conception of social justice has been formed. It has not come into being by any process of reasoning. It is a child of the emotions. Our fathers demanded just and equal laws. The modern theorist replies: "Equal laws, laws which apply alike and equally to all men, cannot be just." What is demanded is not "equal laws" but "laws of equalization." Equality of law merely gives the prize to industry, thrift, enterprise, and economy. It creates differences, and bestows a premium upon strength, skill, and talent. It is essentially aristocratic. It recognizes, promotes, and rewards superiority. It condemns and indirectly punishes incapacity. Under equal laws men cannot be equal. What is demanded is equality of condition. This can be attained only by new laws, laws which will distribute to each from the common stock according to his needs.

A NEW THEORY OF WEALTH

Two sophisms underlie this demand. The first is a new theory of the nature of wealth. The idea that the individual creates wealth and may rightfully possess it, it is affirmed, is an erroneous eighteenth-century idea entertained by the founders of the American Republic. Wealth, on the contrary, is a social product; and, therefore, rightly considered, a social possession. Value is a relation between supply and demand. It is the presence of others that gives value to our possessions. Without them, there would be no value.

Plausible and seductive as this reasoning may seem, it is plainly founded upon misconception. Society as a whole never yet initiated, conducted, or brought to successful achievement any industrial process or any wealth-producing activity. It is always

an individual, or a group of individuals, that does these things. It is, therefore, a wholly unwarranted assumption to affirm that the totality of wealth rightfully belongs to society as a whole. It belongs to those who by their enterprise, industry, and skill have produced it, or who by their abstinence from consuming it have kept it in existence.

RIGHTS AS THE GIFTS OF SOCIETY

The second sophism underlying the demand for unrestrained legislation is the assumption that, since society as a whole is the rightful owner of everything, there exists no individual right that is not based on social permission.

The origin of this conception of right, considered historically, is evident. All rights and all public powers were formerly centered in the ruler, who could grant them to

others according to his good pleasure. When the ruler was a prince, the formula of government was, "The will of the prince is law." Now that the people have become the rulers, the formula has become, "The will of the people is law." The people may bestow and the people may take away, according to their good pleasure. In the passage from monarchy to democracy this conception of sovereign omnipotence has merely been transferred, but it has not been changed. Popular political thinking is still, in this respect, as crude and as fallacious as it was in the Middle Ages.

There is not a demagogue in existence who would dare to say to an American audience that a king or an emperor, because he is a sovereign, has an intrinsic right to take from his people and to distribute according to his will any portion of their private property. On the other hand, if there

were an instance of it brought to public attention, he would denounce it as flagrant injustice and as a crime that should bring the offending monarch to the scaffold. And yet he will tell the people that, because *they* are sovereign, they have a right, and should exercise it as a duty, to take and distribute private property to any extent they please; and that their mere unqualified will in the matter is the supreme source of law on this and every other subject.

The fitting penalty for this sycophancy—for it is nothing else—is the prompt exposure of the flatterer's selfish designs. It may be easy to deceive the crowd into believing that, being sovereign, it really possesses this universal proprietorship; but it would take a different view if called upon to endure this procedure by any other sovereign than itself. And the test of sincerity is always available; for no man not expect-

ing to profit by his proposal, either by directly participating in the proceeds of confiscation or by acquiring public office as a confiscatory agent, ever seriously suggested such procedure.

THE TRUE NATURE OF PUBLIC AUTHORITY

What constitutional government intended to do was to end forever the idea that there is any rightful depository of unlimited power; in brief, to destroy the error that anyone's will is law, and to establish the principle that law is not a product of will, but a system of rules for the regulation of will, derived from the authority of reason.

The problem which the framers of constitutions encountered was not merely the distribution of power, but the nature of public authority. Whence proceeds the right of an institution calling itself the State to im-

pose its commands upon the individual members of human society? The answer given was: "There is no rightful authority, and no actual authority should be recognized, to deprive an individual of his inherent rights to life, liberty, and property." The State itself is subject to law—to its own fundamental law—by which it and all its organs are bound to respect and to safeguard the inherent rights of its citizens. If it should cease to do that, it would cease to be the State in the sense of the American conception.

THE NATURE OF NEW LEGISLATION DEMANDED

It is clear, therefore, that there is an inherent and inevitable antagonism between the idea that legislative power should be unrestricted and the idea of a fundamental law limiting the statutory power.

Let us note, then, the array of avowed

purposes actuating radical constitutional changes and pressing for an easier method of modifying our fundamental law. I quote a series of public statements promulgated and advocated by persons more or less highly placed, and in some instances representing hundreds of thousands, and even millions, of supporters:

> The Constitution of the United States was framed by and in the interests of a property-possessing class.

> Property is rightfully the possession of society as a whole; when detained in private hands it becomes a permanent reward for a temporary service, or for no service at all.

> The pretended right to transmit property from one generation to another is not a natural right.

Corporate properties should be valued according to their present cost of physical reproduction, and may rightly be taken over by the people upon that valuation.

The remuneration of the worker will be determined either by deeds or by needs, as may hereafter be decided; but most certainly not upon the basis of allowing him a reward according to the importance of his industrial product.

Employers, as such, have no right to exist. The aim of the employed should be a practice that will enable workers to assume, as the return for their labor, the full control of the various industries.

The idea of inalienable natural rights is an erroneous eighteenth-century conception. Men have no rights, except what society concedes to them by law.

> No court should be permitted to nullify any act of a legislative body on the ground that it is unconstitutional.[1]

THE PRAGMATIC CHARACTER OF THESE DEMANDS

Let it not be imagined that these are merely the sporadic expressions of wholly irresponsible persons, or the incoherent mutterings of discontented men. Some of these doctrines have been heard in sermons, some have been clipped from widely circulated periodicals, some have been quoted from serious books, and others are recorded as the solemn resolutions of influential bodies.

If we were engaged in a polemic rather than a merely expository task, it would be proper to specify the sources of these ut-

[1] See the author's "The People's Government," pp. 204, 206.

terances and to make an attempt to refute them; but the present purpose is merely to indicate the elements of the leaven which is at present working among the people and affecting public opinion. If these propositions were merely academic theses designed to illustrate dialetic skill, or innocuous private judgments like opinions regarding the beauty or meaning of a picture, they might well be passed over in silence; but, on the contrary, they are all of a pragmatic nature, involve the future status and interests of our fellow-citizens, and contemplate legal changes through public action. They supply precisely the kind of materials sought by those who, while aiming first of all at their own self-advancement, desire to appear as the advocates of forms of progress from which their followers may imagine themselves likely to receive a personal benefit.

THE MASK OF PHILANTHROPY

Unfortunately some of these proposals assume a close connection with the aims of a pure and high-minded philanthropy, which serves to conceal their sordid side and imparts to them a glamour of righteousness which they do not really possess. Our sympathies with poverty and suffering and our antipathy to cruelty and extortion are appealed to, and we are led to believe that nothing can be wrong which brings to terms those who have revolted our consciences by their avarice or inhumanity. We are not, in fact, called upon to spare the feelings of those who themselves spare neither manhood nor womanhood nor childhood in their expedients for extortion. But, on the other hand, we should be very untrue to the cause of humanity, as well as to the cause of justice, if, in our zeal to lift up the down-

trodden and to support the weak, we should sweep away the basic guarantees upon which the whole edifice of justice is erected. Loyalty to humanity lays upon us a larger duty than the immediate destruction of some single evil, however monstrous it may seem to us. To cleanse and purify the temple, we do not need to create a conflagration; for, so far as just and needed social reforms are concerned, there is probably not a single one that requires for its accomplishment any radical change in a system of government by which we have progressively exterminated so many evils.

THE CONSTITUTION NOT A CLASS GUARANTEE

Nor can it be fairly asserted that constitutional government, as understood by our fathers, is of interest chiefly to the property-possessing class—particularly the large

property-possessing portion of society. It has never been its aim to protect any particular class to the disadvantage of another; but, on the contrary, to see to it that there were no insurmountable barriers to block the way of human aspiration, with the result that there are few fortunes in our country the foundations of which were not laid by men who once worked for wages. As for the excessively great fortunes, their possessors are the least likely to be affected by any radical legislation, for they will always find a safe asylum in which to meditate upon their woes. It is the wage-earners and the organizers and administrators of wealth-producing enterprises whose hopes are threatened by encroachments upon our constitutional guarantees; for the prosperity of the great mass of our population is dependent upon a mutual confidence that industry will be suitably rewarded and enterprise en-

abled to prosper. Nothing could so effectively check and permanently embarrass the creative forces of the country as the thought that the results of industry and enterprise will be exposed to future expropriation.

What is to become of superior skill or of superior power to organize and manage great industries, if laws of equalization are henceforth to be substituted for equal laws? Old men may placidly fold their hands and say to themselves, "Our work is accomplished, and we shall not be here when the coming cataclysm arrives"; but how are middle-aged men, and especially young men, to regard with equanimity the prospect of unrestrained legislation, based on the assumption that "everything belongs to society as a whole," that "the worker is not to be rewarded according to the importance of his industrial product," that "employers as such have no right to exist," and that "corporate

properties"—built up by years of toil and sacrifice—"may be taken over by the people at their physical valuation."

THE VALUE OF CONSTITUTIONAL GUARANTEES

And what is to insure us against this legislation if the constitutional guarantees are swept away? What prospect have the young men of all classes, if some imperium in imperio, some purely voluntary and irresponsible organization within the State, is able to fill public offices with its candidates and through the control of legislative power impose its will upon every form of production, distribution, and consumption?

Is there any disposition tending in this direction? Is there any power in existence, or likely to come into existence, that can assume full control of the various industries, dictate the hours and conditions of

labor, the amount of the product, the agencies through which it shall be distributed, the rewards which each participant shall receive? If such a power came into being, what would be left of individual liberty, and what would be the value of each individual life? Would there be any open market in which a man might dispose of his own wares at his own price? Would there be any possibility of existence except upon conditions laid down by the State, or by the imperium in imperio that controlled the State, or by the junta of persons permitted to wield the power in this machine within a machine?

What, then, becomes of the conception of society as a "living thing," of free citizenship, of personal liberty? And where is to be found the wisdom, the integrity, the self-abnegation to give wholesome direction to this mechanism composed of human beings

fitted into wheels and pinions, and consumed to furnish its propelling power? Who would be responsible for that satisfaction of needs, that adjustment of capacities, that restraint of appetites, that stimulation of energies without which such mechanism would be a mere lump of death?

And what, finally, would be the gain in such a state of human association, when each man proclaimed that the crusts remaining were "common property," withheld by their transient possessors from those who did not possess, with the cry: "We are taking that which is ours, for all is ours so long as there is a crumb!"

THE SPIRIT OF REVOLT AGAINST FUNDAMENTAL LAW

Only sporadically and occasionally, thanks to our traditions of respect for law and the constitutional system we have in-

herited, have we been afflicted with scenes of violence and open revolt, yet they have not been wholly wanting. But the spirit of revolt against the public order secured by our laws and their constitutional guarantees is frequently and very boldly expressed.

"We want to get something for ourselves, now, not for our grandchildren," said a paid propagandist of anti-constitutional principles in a public address recently in a western city.

"We can't accomplish much under our government," he continued, "which is clumsy and impossible, almost hopeless. . . . Under it we can't pass any law of consequence interfering with vested rights. The Constitution, old, musty, and antiquated, is a barrier, with the Supreme Court all powerful. . . . We must get what we want by standing together. Do something radical."

Is there, then, no "crisis" in American constitutionalism? Will the foes of the Constitution ultimately stand together? It is not unlikely. Will its friends also stand together? They will continue, perhaps, to group themselves about opposing standards chiefly concerned with minor matters, sometimes unconsciously allied with elements which they must finally disavow, until they perceive that a great menace to society has arisen. Then they will make haste to rally about the Constitution, as their fathers rallied about the Union when the gravity of a situation too long ignored compelled their attention. When will that be?

A PERILOUS SITUATION

In the meantime is nothing to be done? The opposition to the Constitution is by no means attributable to the importation of for-

eign blood alone. A high school graduate, writing from a western city, confides to me the change that he has experienced. He says:

"My ancestors fought in 1776, in 1812 and in 1860-1865 for the establishment and defense of constitutional government. I entered the workaday world with a high regard for our Constitution and its guarantees and a deep and glowing patriotism. . . . I agree with you, sir, that a crisis is at hand in constitutionalism, and if those who still have faith in it will make some mighty concerted move to enforce its guarantees and fulfill its mandates of abstract righteousness, the situation may yet be saved; but for my part I do not think the number of those who honestly try to enforce constitutional guarantees is sufficient to warrant serious consideration. I, there-

fore, declare that I have no faith in either the Federal Constitution or its administrators, because neither it nor they secure me anything. . . . Could I do so, I would leave the flag and these hypocritical institutions before another day. . . . There is naught left for me to do save secretly to arm, if yet I may, and await the hour when a Francisco Villa shall arise on this side of the Rio Grande with the cry, 'On to Washington!' "

And what could possibly happen at Washington that would change this young man's state of mind, or the situation of which his frank expression is an index? What is needed is not so much anything to be done at Washington as something that might advantageously happen East, West, North and South—a change in the attitude of men toward the idea of law and toward one another. It is always the individual who suffers. We cannot save or help him by any

kind of mere class legislation. It is not to his advantage to make him dependent, to abridge his powers of self-help, or to take away his liberty of action as long as he does not injure others. We help him most when we leave him free to pass out of any class to which he may temporarily belong, when we inspire him with the idea of self-dependence, and when we secure to him the possession of what by his industry, skill, or enterprise he may honestly acquire. Let us help him, certainly, if he needs help; but not delude him with the error that more is rightly coming to him than he has ever earned, nor frighten him with the dread that he can never come to his own. For sympathy, charity, good example, and unselfish public service there will always be room; but for the suppression of native powers, for public dictation based on arbitrary rules, for the assumption that society is more impor-

tant than those who compose it, and for the forcible expropriation of success for the relief of failure, there is no place in a free republic.

IV

THE TESTS OF AMERICAN DEMOCRACY

IV

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Is Americanism then a foredoomed failure? Must we abandon it for some new experiment? Must we conclude that our fathers were wrong in their conviction that the object of government is the protection of rights inherent in human personality, and also in the belief that a written compact in this sense can afford them a satisfactory safeguard? Is it true, as has been so often predicted, that American Democracy, like other forms of Democracy, will ultimately show itself to be essentially weak and fluctuating; that it cannot live up to an ethical standard; and that, by seeking the basis of public authority in the individuals who compose the nation, it must at last be

rent asunder by their conflicting passions?

Is not the logical inference rather that it is only in the American type of Democracy, as that is embodied in our Federal Constitution, that any rational hope may be found of a permanently peaceful organization of society in which human rights will find a guarantee? The revolt against constitutional principles and the basing of public authority on the unqualified popular will ends, as we have seen, in a proposal of secret arming and a resort to violence. Is it not evident that, where there is no sense of personal duty, no acceptance of universally obligatory ethical principles which majorities as well as minorities must obey, there is no ground of permanence in a democratic form of government? And if there is no standard of conduct but that of predominant "will"—as the unregulated expression of

what the greater number of persons from time to time think they would most enjoy—is there in Democracy any quality by virtue of which it can prove its superiority over that Imperialism against which it persistently declaims, but which it imitates in claiming the right to rule merely because it possesses the power to do so?

THE TEST OF DEMOCRACY AS A THEORY

Unless Democracy can rid itself, as it has in the American conception of the State, of the obsession that those who possess "sovereignty" thereby enjoy the right to exercise unlimited public authority, it cannot successfully debate in the forum of sound reasoning its superiority over its great rival as a form of human government. If it agrees with its antagonist that there are no inherent personal rights which it may not over-

ride, and that the only rights it will respect are those bestowed by its own legislation, does it not by that concession undermine and forfeit its own rightful authority to legislate? For how can it be maintained that a prerogative that belongs only to dominant power is rendered more authoritative by preponderant numbers than it may be rendered by preponderant force of any other kind?

Absolute Democracy, basing its authority upon a process of counting units which, as it claims, connote no natural rights, has no solid ground for its pretension to be the originator of rights; for these, in any sense worthy of the respect of a rational intelligence, cannot be evolved from mere arbitrary decrees. By denying, or disallowing, the inherent rights of a minority, and at the same time asserting that all rights are created by the legislation of the majority, it entirely cuts away the ground from under

its own feet, and leaves without any logical foundation its own right to legislate. If, on the contrary, it bases its right to legislate on the inherent rights of personality, it is bound to recognize rights antecedent to legislation which it cannot deny. Constitutional Democracy, the form of Democracy which has hitherto prevailed in the United States, is at least consistent in theory. By seeking its foundation in human personality, it makes an appeal to universal reason and not to preponderant force, in whatever form it may be measured.

THE REAL PROBLEM OF GOVERNMENT

In America men have rarely doubted that "life, liberty, and the pursuit of happiness" are inalienable human rights, which government must respect. It has been generally recognized that the deepest problem of gov-

ernment is to find the true harmony between the inherent rights of the individual and the authority of the State; for, unless the State possesses a certain measure of authority, there can be no such thing as government. In our search for the source of this authority we postulate "sovereignty," which we conceive of as inherent in the people. In so far as we understand by it a right of the people to organize and maintain the means for their own protection, its existence, like that of other inherent rights, is axiomatic; but, if it be regarded as a right so transcendent that it may override all other rights, we shall have difficulty in establishing its existence. If it is in its nature absolute and unlimited, it could sweep away and efface entirely everything that opposed it. This, in fact, is the pretension of Absolute Democracy; and in this it differs from Imperialism only in the assumption that the right

to impose arbitrary requirements belongs to everyone who is capable of doing it rather than to a single dominant person claiming to possess exclusive imperial authority.

To elective Imperialism this type of Democracy can raise no valid objection; for, if unlimited power belongs to the people, it may, with their assent, be delegated to a single depository. And this is the conclusion at which this kind of Democracy usually arrives. It places responsibility for action in the hands of a single man. Every imperial throne that has been erected since the Roman Republic was transformed into the Roman Empire has been based upon the assumed assent of the people. And in every instance this termination of popular commotion has been accompanied by a sense of relief and satisfaction; for, as Edmund Burke remarked, in his "Reflections on the French Revolution": "In a democracy the

majority of citizens is capable of exercising the most cruel oppression upon the minority, whenever strong divisions prevail in that kind of policy, as they often must; and that oppression of the minority will extend to far greater numbers, and will be carried on with greater fury, than can almost ever be apprehended from the domination of a single scepter. In such a popular persecution individual sufferers are in a much more deplorable condition than in any other. Under a cruel prince they have at least the balmy compassion of mankind to assuage the smart of their wounds; . . . but those who are subjected to wrongs under multitudes are deprived of external consolations; they seem deserted by mankind and overpowered by a conspiracy of their own species."

RESPONSIBILITY IN A TRUE DEMOCRACY

It is clear that the citizen must accept and obey some form of public authority; but it is equally clear that public authority must consent to limit itself before it goes so far as to invade the sanctuary of the personal freedom that is essential to individual responsibility.

The true solution is found in the American conception of the State, and in this voluntary self-limitation of power lies the true foundation of Democracy. In this system the citizen, being free, is himself responsible for government. He is a constituent, and not a mere subject, of the State. He acts through representatives whom he believes to be competent to deliberate wisely and conclude justly; but, in any case, they are *his* representatives, and are subject to his approbation or disapprobation. The

government, whatever it is, is *his* government. If it be good, he must see that it is preserved and continued. If it be bad, he must see that it is reformed or discontinued. Whatever it is, he can never justly blame it. He can only blame himself.

DEMOCRACY VERSUS IMPERIALISM

This constitutional idea of the limited powers of government, and this alone, is really antithetical to Imperialism, whose watchword is unlimited power. Imperialism does not inquire or exhort, it commands and compels. It wants nothing of its subject but abject submission and obedience. He is not, in its conception, a constituent of the State. He possesses no inherent rights. He can claim as his rights only what government accords to him.

Who, then, is the government? The man

who is in power and has the force to remain in power. In the imperial formula, "The will of the prince is law." Authority, in this conception of it, does not proceed from any source of responsibility toward men. The prince may be responsible to God, but not to man. He renders an account to no one. For the subject his decision is final. To escape it, he must overpower and destroy a system sustained by a horde of pensioners upon it; but the chances are that, if he resists it, it will first overpower and destroy him.

THE IRRESPONSIBILITY OF MAJORITY ABSOLUTISM

Quite as completely as the prince, the omnipotent majority, unrestrained by any fundamental compact, is devoid of responsibility. It may, in concrete instances, limit its action by its own private sense of propriety;

but this is not in any way binding upon it, and is purely voluntary. It is governed by no superior law, and is accountable to no one. It may treat the individuals belonging to the minority as it pleases. It may strip them of their possessions and distribute them to others. It may impose its own arbitrary limitations upon their daily lives in whatever manner it prefers. It may prescribe their daily tasks and compel them to perform them. In short, it may, if it pleases, reduce them to slavery.

It is probable that in an intelligent society even an omnipotent majority would not do all of these things, and it is equally probable that an intelligent prince would not do them. But, unless intelligence sufficiently controlled a community to induce it to set some limits by law to its powers of legislation, it could hardly be trusted in the exercise of its powers. A people so pure, so just,

and so unselfish as never to be moved by its passions would hardly require a government. It would be self-regulative without law.

The plea for absolute majority rule and for the abrogation of fundamental law is made upon the ground that it is necessary to remedy abuses. It is directed against the alleged control of legislation by minorities. But why is legislation ever controlled by minorities? If it is, is it not because of the indifference or incapacity of majorities? We now have nominating primaries, but it is rarely the case that real majorities nominate. The truth is: nothing is so difficult as to induce citizens to give attention to their political duties. If constitutional restraints were removed, there is no assurance that laws would be made by majorities, even with the universal adoption of the initiative and the referendum. Laws would be passed by those who were interested in passing

them, and there would be no one to hold responsible. They would often be conflicting and impracticable, and their effects sometimes disastrous.

JUST GOVERNMENT ESSENTIALLY SELF-LIMITING

It is by no means possible to insure human wisdom, but it is possible to abridge human folly. The value of constitutional limitations lies in this possibility. A constitution is to a State what conscience is to human character. It distinguishes between that which is fundamentally right and that which is fundamentally wrong By curbing omnipotence it directs legislation into a channel of social utility. It makes the individual responsible for obedience to the law, and the legislator amenable to deliberately established standards of justice. Both must give an account of themselves before competent

judges, whose function it is to see that justice, and not arbitrary power, shall prevail.

We perceive, therefore, that just government must be essentially self-limiting. An omnipotent Democracy is merely a complex form of Imperialism, because it is irresponsible. We have, in truth, to choose between Democracy in which a self-limiting sovereignty issues from the composite will of the people organizing themselves under responsible government, and Imperialism in which sovereignty disregards the will and the rights of the people as constituents of the State, and issues its decrees for its own purpose, acknowledging no accountability to any human being.

THE CONFLICT BETWEEN DEMOCRACY AND IMPERIALISM

Now that which gives to these abstract statements a general interest is that, if there

is to be any orderly and peaceable relation between the nations of the earth, and any legal organization of the world, one or the other of these solutions has to be accepted as the means by which it is to be established and maintained. We, in America, believe in Democracy. But the important question is: Can Democracy stand the test that is now applied to it? Has it the virtue, the courage, and the efficiency, to insure its own safety and preserve its own existence in the struggle for life?

Of the two rival methods of establishing peace, order, and justice in the world, the more ancient and the more fully tried is Imperialism. The more recent and the less tested is Democracy. Both imply the necessity of some kind of ethical standard; for both aim in some degree at justice, and both hold up for acceptance the idea of duty. But the postulates that underlie these

methods are not only different, they are contradictory.

Imperialism assumes that the individual as a member of society is a creation of the State. Without it he would be a savage. Existing in its own right, the State should expand as far as possible its jurisdiction and its power; and, knowing no limits, it should aim to be universal.

Democracy, on the other hand, regards the State as a sum of legalized relations instituted for the benefit of the individuals who compose it. It concedes the equal right of other groups of men to establish and to change their forms of government. Finally, it places the happiness and prosperity of the individual above the power and glory of the State. It is, therefore, in permanent conflict with Imperialism; for it proceeds upon a diametrically opposite assumption.

THE STRENGTH OF IMPERIALISM

Unless it is possible to organize all nations under one central empire—which history teaches us is incapable of achievement—if the various races and classes of men are ever to dwell together in peace and amity under definite forms of law, federated for the maintenance of international justice, yet without the extinction of nationality, the task will have to be accomplished by Democracy; for, so long as the State is regarded as existing for itself, it will not and cannot submit to limitations of what it conceives to be its sovereign rights. Empires do not federate, they struggle for supremacy.

There is, nevertheless, in Imperialism an element of strength and endurance which Democracy cannot readily emulate. If the acquisition of national wealth and power, the most complete efficiency of the social

organism, the most perfect security against foreign aggression, the certainty of food, and drink, and shelter—in short, the purely material aspects of human existence—are the main objects of government, then the absolute domination of a wise ruler over an extended territory may be preferable to individual freedom and the responsibility that goes with it.

No one can question the advantage of vigorous captaincy, of strict discipline, and of submission to authority, in any struggle that depends upon united action. The individual may wholly lose his power of self-direction, but he will gain larger spoils by united effort under the command of a superior. As Kipling has expressed it:

Now this is the law of the jungle—
  As old and as true as the sky;
And the wolf that shall keep it may prosper,

But the wolf that shall break it must die.
As the creeper that girdles the tree front,
The law runneth forward and back—
For the strength of the pack is the wolf,
And the strength of the wolf is the pack.
Now these are the laws of the jungle,
And many and mighty are they;
But the head and the hoof of the law,
And the haunch and the hump is obey.

WEAK POINTS IN DEMOCRACY

The strength of Imperialism consists in the full recognition of the law of the jungle. It is frankly based on superior force. But the ethical standard disregards mere physical force, limits itself by invisible boundaries, and sets up law in the place of power. If Democracy is to be inspired by it, it must dedicate all its strength to justice, consent to make sacrifices, and in some degree to

forego efficiency in order to acquire moral dignity.

The weakness of Democracy is, therefore, apparent. It recognizes rights in others which it will not for its own advantage consent to take away, believing that these rights are inherent in personality and, therefore, inalienable. Imperialism is less scrupulous. It knows no duty but duty to the State, which it imposes ruthlessly upon every individual. There are, in this conception, no rights that are not the gifts of governments. Hence Imperialism knows no law but its own will. It follows the path that leads to success. It can promote science, develop industry, extend commerce, and organize armies, without consulting its subjects. Their province is simply to obey.

Democracy can do none of these things. It must propose, debate, persuade, convince, and wait for the answer to its referendum.

And while it is doing this, Imperialism, always provident, always watchful, always ready, strikes the fatal blow.

All this is true of the purest and noblest type of Democracy, but Democracy is not always of this type. In a Democracy, men are likely to think constantly of themselves, of their so-called "rights," but only in crises or at intervals of the State, and of their duty to the State; so that, in emergencies, they open their eyes with surprise when required to make sacrifices for the State, and especially when called upon to defend it.

IS DEMOCRACY AN IMPEDIMENT TO DUTY?

And it is just here that Democracy has to meet its crucial test. Have we, in America, for example, the fiber to meet it?

Lately we have been passing through an orgy of criticism upon our own institutions.

They have been assaulted as archaic, insincere, fundamentally dishonest, and unfair. Our great heroes of the past, the founders of the nation, even Washington—the purest patriot and the most judicious statesman that ever lived—have been made the objects of diatribe and censure. The Constitution has been reviled as an anachronism, and the substitution for it of immediate popular decisions—without debate, without reflection, and without consideration for the country as a whole but only of the assumed interests of a majority—has been advocated. People have sung, "I Did Not Raise My Boy to Be a Soldier," and they have applauded peace at any price. And what must be the feeling of contempt of any watchful imperialist who may be marking us out for the next victim in the game of empire?

To what standard are we prepared to rally, with the fixed resolution to defend it?

To whom may we look as a leader, a knight without fear and without reproach, whose call we may follow even unto death? Alas for Democracy, if it comes to the conclusion that its principles are not worth dying for, and that its chiefs cannot be trusted!

OUR OWN RELATION TO IMPERIALISM

We know, all of us, and it requires no special indictment of any nation to prove it, that the spirit of Imperialism still exists in the world, that it is not confined to one nation, that it is active, that it may somewhere be triumphant, or, what is worse, that it may somewhere be disappointed of its expectations, without being extinguished, and look for new fields of conquest. Some day we may have to resist the intrusion of it into our own sphere of responsibility; and what shall we do then? Shall we remain passive, or shall we act?

We know further that the greatest danger of all is the attempt to amalgamate the spirit of Imperialism with the spirit of Democracy; for this would probably result in the triumph of Imperialism in our own republic and the sapping of the virtues of the democratic ideal. The truth is that there is a deadly incompatibility in the effort to serve two masters. If we really aim at empire, it is suicidal to cultivate Democracy. If we love Democracy, we must renounce the spirit of conquest and world domination. The two currents, coming together, serve to weaken the national energies and to paralyze the body politic.

THE BRITISH EXAMPLE

Great Britain has tried that experiment, and the lesson should not be lost. Take, for example, the swing of the pendulum between

Imperialism and Democracy during the dominance of their great protagonists, Disraeli and Gladstone—the result of the two-party system, in which the rôles of these two great leaders might conceivably have been interchanged; for each was under the political necessity of opposing the other. The one aimed at foreign expansion and world domination, crippling or impeding the progress and ambitions of other nations, securing points of advantage for colonies or naval bases in every part of the globe, guarding Gibraltar, controlling the Suez Canal, contending with Russia in India and Persia, and with the rest of Europe in Africa. The other labored for electoral reform, urging ecclesiastical disestablishment, proposing home rule in Ireland, undoing Disraeli's compacts with the Boers, calling off the conflict in Afghanistan, extending sympathy to the Armenians—but, sad to recall, more

interested in the cotton weavers of Manchester than in the suppression of slavery in the United States.

And now see the fruits of this double policy in England. A democracy, no doubt, but an imperial democracy. A democracy that accords every inherent right to an Englishman, but an empire that claims supremacy on the sea and subordination to its will everywhere where it can be exercised. Has not British Imperialism evoked in other nations a spirit that British Democracy is now struggling to allay?

THE DEMOCRATIC IDEAL

I mean to throw no weight into the scale of the world conflict now raging. I speak only as an American to Americans. And my message is this: that there is an inherent opposition between Imperialism and De-

mocracy; that if we say the State exists for the individual, in order that he may reach his highest development of reason, conscience, personal freedom, and responsibility, and that the individual does not owe body and soul to the ambitions of the State, then we must agree that every people, everywhere, capable of organizing and maintaining a responsible government, should be permitted to do so, to possess and to rule in their own land, and must be held accountable for their conduct on land and sea, in accordance with just and uniform laws of international comity and principles of humanity.

I know very well that, in the present condition of mankind, this program is difficult to realize; for there is, besides Imperialism and Democracy, a third factor that enters into the making of history; and that is anarchy.

What is to be done where that condition reigns, as it does today in Mexico? And yet, the effort to suppress it may be regarded as a manifestation of the imperial spirit and the suppression of democratic ideals. And all this only shows how difficult is the task of true statesmanship.

THE TEST OF OUR OWN DEMOCRACY

But, certainly, we cannot be true to our democratic ideal, unless we are prepared, at whatever cost, to defend it, with all that it implies. Can Democracy endure this test? Can we frame an international policy that we can defend before the bar of reason and conscience; and then, with loyalty and regardless of sacrifices, carry it into execution?

The first requirement of such a policy is to avoid any mixture of Imperialism in our own conduct. We have shown our ability

to do this in the case of Cuba; and we shall show ourselves capable of it, I believe, in every instance; but there are responsibilities that we cannot disregard. We cannot abandon to internal anarchy or external subjugation any people over whom the ægis of our protection has been extended.

It is to the test of strength and purity that Democracy must be brought, and it is to this test that I should like to bring every one of my fellow-citizens throughout the nation. Is Democracy worth what it may cost to defend it? Are we ready to pay the price? Have we the virility, the courage, and the spirit of sacrifice; but, above all, have we the wisdom to unite all our strength and dedicate all our powers to the ideals by which we have lived?

THE TRIUMPH OF DEMOCRACY

Such questions as these have been asked before, and they have been triumphantly answered. In July, 1861, President Lincoln, in an hour of desperate peril for this nation, and, as he said, "for the whole family of man," asked the question: "Is there, in all republics, this inherent and fatal weakness? Must a government of necessity be too strong for the liberties of its own people, or too weak to maintain its own existence?"

We know what the answer was. And the answer, in the end, will always be the same. It is not its Imperialism, but its Democracy, that will save the British Empire, if that Empire is to be saved. Its safety lies not in its imperial authority, but in its democratic rule. It is the spirit of Gladstone, and not the spirit of Disraeli, that it must now invoke. Canada, Australia, New Zea-

land, South Africa, and even India do not rally to the trumpet call of imperial command alone, but far more to the instinct of democratic self-preservation as self-governing colonies.

And if America is to be saved, it will not be by American Imperialism. It will be by the thought that anyone who strikes at the life, or takes away unjustly the property, of any American citizen, strikes at you and at me, even though we be safe at home, and all our possessions may seem to be secure.

If there is ever to be a realization of Tennyson's prophetic dream of a Parliament of Man and a Federation of the World, it will be through Democracy—Democracy asserting the inherent and inalienable rights of man, reaching out hands of mutual helpfulness wherever rights are invaded, binding our American Republics into a true fraternity based on the secure independence of

constitutional States, and welcoming to its brotherhood all nations that love peace and justice, and are willing to be ruled by equal laws.

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AMERICANISM AND WORLD POLITICS

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AMERICANISM AND WORLD POLITICS

What, then, is the prospect of a better organization of the world?

Imperialism offers no principle upon which the rights of nations can be affirmed and coördinated. As it recognizes no inherent right in the individual, it finds none in the small or weak nation which it, therefore, claims the authority to overrule, to subjugate, and to annex, when it is to its interest to do so.

In this, Imperialism is sustained by faultless logic, to which Absolute Democracy also must assent; for, if rights are exclusively the results of legislation, where there is no law there are no rights. What is called international law, the imperialist affirms, is

not law in any true sense; for it is not imposed by any supreme authority; is not enforceable by any organized executive power; and is, in fact, nothing more than an accumulation of customs, to which have been added certain voluntary conventions that may at any time be withdrawn and annulled.

THE REAL BASIS OF INTERNATIONAL LAW

It is worthy of remark, that, historically, Americanism and international law have a common origin and a common foundation. From Grotius onward, including all the early writers on the law of nations, it is assumed that every independent and responsible State possesses certain inherent and inalienable rights; and that it is upon these "natural rights" that the whole fabric of international law is based. Customs and conventions, it is admitted, have been

developed in the effort to secure these rights and, in the future as in the past, these customs will undoubtedly change; but the fixed and immutable principles of international law, which constitute its reason for existence, and express the ideals which it aims to realize, are not the result of customs and conventions. They exist in their own right, as the embodiment and expression of the universal conception of justice.

The influence of Imperialism, both in its theory and its practice, has been to undermine this foundation of international law. Its teaching is that the law of nature and natural rights, on which the American conception of the State and the theory of international law are founded, should be no longer seriously regarded in the world of political thought. Nothing, it is contended, can be accepted as law, unless it has been established by an act of sovereign author-

ity, and is supported by an effective sanction. What is called international law fulfills neither of these conditions. No nation, therefore, is in reality bound by it. Not only so, but it is intrusive and vexatious; for it claims the prerogative of limiting supreme power and arresting the development of a Sovereign State. The unlimited authority of the State entitles it to expand indefinitely—territorially and otherwise—to take possession of whatever it can appropriate, and to hold whatever its armed force enables it to retain.

DO INHERENT NATIONAL RIGHTS EXIST?

In two great international conferences at The Hague the incompatibility of the American and the imperial conceptions was clearly brought to light.

In all international dealings the complete

sovereignty of all truly independent and responsible States is ostensibly assumed and admitted; but there is, without doubt, a wide difference in the conceptions of complete sovereignty entertained by different nations. Is sovereignty in its essential nature limited, or is it unlimited?

The question is fundamental; for upon the answer turns the whole problem as to whether there can exist a society of Sovereign States in a truly juristic sense.

A jural society implies an association of equals, mutually recognizing in one another the same relative rights. Unlimited sovereignty would render this impossible; for, by its very nature, unlimited sovereignty could not be divided, and if it existed at all could be the exclusive possession of only one. It is, therefore, an empty assumption, without support either in fact or in theory. In a jural society members may differ in power

and magnitude, for the reason that these do not constitute the ground of its existence; but if to these inequalities there be added an acknowledged inequality of rights, the whole foundation of social organization is swept away. The small nations then become the predestined vassals of the great.

As this is the confessed aim of Imperialism, it is not surprising that it favors the feudal rather than the national type of world organization. Being disposed to dictate the law to subordinates, it resents any law that is restrictive of its own dominant authority. It does not desire to be held accountable to anyone for its conduct, or to bind itself by self-limiting engagements.

To Constitutional Democracy, on the other hand, sovereignty may be complete without being unlimited; because it is, in reality, nothing more than the right of an in-

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..., therefore, that, while Im-
perialism has no plan of world organization, aside from its own universal domination and the subordination by force of all peoples to its will, Constitutional Democracy, recognizing the rights of nations, offers such

a plan through the progressive federation of self-governed peoples.

A distinction at this point is, however, important. Nationality implies a strict internal unity, and the direct action of central authority upon each individual component of the nation. A federal government, like that of the United States, for example, has direct authority over every citizen in every State in certain matters. A general federation of nations would not admit of such direct action by a central authority; for this would involve the extinction of nationality, which practically all nations would resist.

There remains, however, the possibility of a compact less consolidating in its effects than such a union would be—a federation based upon the acceptance of a codified law of nations, an engagement to unite in observing and enforcing it, and an agreement

to abide by the decisions of neutral judges in disputes arising under it. Such a compact would be, in effect, a Constitution of Civilization. It would recognize the rights of nationality and base itself upon them. It would not destroy national sovereignty, in its true and proper sense; for, while it would frankly admit its necessary limitation, it would not lessen its ethical completeness. Such a plan would secure to every people the unrestricted right of self-government, and furnish to all nations a basis for amicable coöperation in securing their future peaceful development and common prosperity.

THE IMPEDIMENTS TO WORLD ORGANIZATION

Reasonable as such a plan may be, the hope of its realization is obstructed by existing conditions of which it is necessary to take account; and it is important to remem-

ber that it is the passions rather than the reason of men that have hitherto ruled the world.

There was a time, and it was not very long ago, when some of us dreamed that there was a way to secure the rights of nations and adjust the differences between them without the use of armed force. That method was simply an agreement to bring their controversies before a neutral international tribunal and submit to the principles of justice; but alas! it has proved to be a dream—a beautiful and inspiring dream, but none the less a vision of the mind.

We have experienced a rude awakening. We have learned that mankind has not yet advanced to the stage of development where dependence can be placed upon the appeal to reason. It is a sad disillusionment, but we are compelled by the facts to accept it.

Virtue and innocence are not yet exempt from violence. Neither accepted law nor solemn treaties and conventions, to which the sacred honor of nations is pledged, secure them from it. Womanhood and childhood, as well as manhood, are made its victims, and we may read the dreadful truth again and again in ghastly, speechless faces and in desecrated, mutilated bodies, as well as in ruined towns and cities and unnumbered graves.

THE PRESENT BASIS OF NATIONAL SECURITY

That which compels our attention at this time is the fact that the whole superstructure of previously accepted international law as embodied in treaties and conventions and the consensus of opinion of the civilized world, has been shaken to its foundations; and we are confronted with the question,

Upon what does our national security depend?

Our first thought naturally is that it depends upon our resolute determination to avoid being drawn into war. But is it true that exemption from war may be secured by a firm resolution to avoid it? At the present moment all the Great Powers of Europe, and several of the smaller ones, are engaged in a terrific struggle which all of them claim not to have desired, and in which they profess to be unwillingly engaged. The necessary inference is that in the present political organization of the world war may be suddenly thrust upon any peace-loving country, in spite of its sincere and earnest desire to avoid it. Unless it is disposed to sacrifice every interest, to forego every privilege, and to renounce every right—which a nation incapable of defending itself may be compelled to do—it must not only resist

the beginnings of aggression, but must be prepared to do so with success.

Such preparation is opposed by those who dislike the idea of armed defense, on the ground that it tends toward the further development of "Militarism," which is repugnant to them. But what is it in "Militarism" that is repugnant, if it is not the arbitrary domination of others, and the augmentation of force for this purpose? When, on the other hand, the purpose is to resist such domination, and to establish and maintain a reign of law, in opposition to a reign of terror, does not the opprobrium which the word "Militarism" is intended to convey wholly disappear? Or shall we carry the sentiment of non-resistance to such an extreme as to condemn altogether the armed defense of the great principles of equity and humanity against arbitrary force and ruthless aggression?

THE NECESSITY OF NATIONAL STRENGTH

It is not desirable, and happily it is not necessary, to attempt an analysis of the motives and policies of the different governments now engaged in deadly conflict. Such an attempt would inevitably lead to controversy at a moment when our supreme need is a statement of facts and principles that is incontrovertible. If we are not to be weakened by division, we must all unite in taking our stand upon a foundation so solid that it cannot be shaken, so broad that it will afford room for every true American to stand upon it, and so high that it will lift us all above race sympathies, sectional advantages, personal interests, and all the mephitic fogs and mists of mutual suspicion and distrust.

If we are to be influential at the council board of nations, it is necessary that we

should be strong, and if we are to be strong it is essential that we should be united. Unless we are ignobly disposed to shrink from our duty to make our words and our rights respected in the world, we must all, without distinction of race sympathies or party attachments, ask ourselves what it is necessary to do to maintain our rights as a nation, on land and sea, and to secure the permanent safety of our free institutions.

AN AMERICAN PLATFORM OF PRINCIPLES

Eliminating from discussion, therefore, all that does not concern us as a nation, let us confine our attention to that which is vital to our national existence.

There are certain fundamental principles which all thoughtful American citizens unite in accepting. Among these are the proposi-

tions: that government should exist for the sake of the governed; that a just government is based upon the equal rights of all the people to life, liberty and the pursuit of happiness; that, in consequence, governments, in their relation to one another, should recognize these rights; and that all governments, with due respect for the principles of humanity, should regulate their conduct by just laws, freely accepted and faithfully observed.

This simple creed needs no enlargement, and no argumentative justification. It is a platform of world politics upon which all American citizens, irrespective of their ancestral origin or their partisan preferences, may unite. These doctrines are at once our birthright and a sacred trust. They are the lodestone that has attracted the oppressed of all nations to these shores. They have made us a great, a prosperous, and a

mighty people. No true American wishes to withdraw allegiance to them, or would hesitate to shed the last drop of his blood in defense of them, if they were menaced with destruction.

OPPOSITION TO AMERICAN PRINCIPLES

It has been our custom, as a people, to give to these principles all possible support upon all occasions. We have done so in China, in Cuba, and in the Philippines, where we have taken in tutelage a population in its political childhood and conscientiously striven to lay the foundations for its future self-government. We have stood for these principles, and for the judicial settlement of international differences, in the two general conferences at The Hague. We have from the beginning favored the exemption from capture of all innocent private

property at sea, even the private property of persons belonging to a belligerent nation. Equity and humanity have been the watchwords of our diplomacy, and at every opportunity we have pleaded for them.

But we have been as a voice crying in the wilderness. On one point or another, nearly the whole world has been against us; and there is every prospect that it will continue to be against us in our endeavor to carry out our entire program of neutral rights.

When we descend from the realm of ideals to the arena of reality, we find that the rights of peoples have nowhere been respected, except where they were defended by force of arms; that solemn compacts are everywhere imperiled by the lust for conquest; that weakness and wealth are everywhere the designated prey of depredation;

that even alleged democracies are sometimes inspired by predatory instincts; that whole empires have been built up of territorial loot; and that "government of the people, for the people, and by the people" exists only where it is well defended. The one active, aggressive principle in world politics is the spirit of Imperialism. It has raised its flag upon every island of every sea and ocean. It has partitioned Africa and converted it into a patchwork of European colonies. It has prepared new maps of Asia and even of America, and only withholds them from publication until the troops shall have taken possession. Its watchword is "dominion"—dominion by whatever means may be needed to make it possible. Its tentacles are battleships and expeditionary forces that seize the prey which forts and garrisons afterward render digestible.

THE LEAGUE TO ENFORCE PEACE

Before the outbreak of the present world conflict, it was difficult, even in the face of the palpable evidence, to make honest men in America believe this. Even now our pacifist friends accept with reluctance the unpalatable truth. But they are at last beginning to realize that the appetite for dominion and the ideals of justice are still in conflict; and that, in the presence of 42-centimeter cannon, machine guns, entrenched riflemen, and the tempest of deadly gases, their reasoning, however logical, is ineffectual. The most earnest among them have come to the unexpected conclusion that, if peace is to prevail upon the earth, arbitrary resort to violence must be restrained by organized armed resistance.

The present phase of pacifist evolution is embodied in the "League to Enforce

Peace"; that is, to impose and compel it by force of arms.

Regarded in the abstract, the proposal is plausible. It is, however, plainly a retreat from the position that universal peace can be attained, in the present condition of the world, by mere treaties and conventions. It is a recognition of the fact that peace-loving peoples have no other security against aggression than their means of armed defense. A union of their forces for the maintenance of international justice would, undoubtedly, be of great utility; but the project involves considerations which require to be carefully examined.

THE INCOMPATIBILITY OF IMPERIALISM AND DEMOCRACY

In view of the fact that the imperial and the democratic conceptions of international relations are fundamentally different, is it

possible for these two elements to unite for the enforcement of peace? Empires and republics may, indeed, enter into offensive and defensive alliances, in which they bind themselves to act together where their common interests are affected; but can they agree to make war upon each other in case either of them fails to postpone action for a year while a dispute or an insult is under consideration? Is it probable that any imperial Power, seeing its plans frustrated by another Power, would tamely submit the question at issue to arbitration, or await the advice of neutral judges whose conclusion was likely to be adverse? Would it give its antagonist a year in which to prepare for opposing it in case the verdict should finally be that it was entitled to vindicate its position by force of arms? An affirmative answer to these questions would involve the assumption that the imperialistic conception of the State is

to be suddenly abandoned—of which we have not the slightest evidence.

Is it, on the other hand, presumable, that a republic would act wisely if it subordinated its own judgment to the decision of imperial Powers; or, if it entered into a compact with them to engage in future wars without knowing beforehand what they might involve; much less, if it entirely surrendered its own means of self-defense by placing itself under the protection of an international army that might, through some perversion of justice, act against it?

THE RELATION OF PEACE TO JUSTICE

But there is another consideration upon which it is necessary to reflect in cherishing the aspiration of universal peace. It is that universal peace is an abstract idea that has no moral value apart from concrete ques-

tions of right and wrong, which this proposal admits cannot in every instance be settled without preponderant force. What nation can be expected to set up as its highest ideal the mere negative notion of universal peace, until its liberty is achieved, until it no longer needs to be defended, or while the rights of humanity are anywhere trampled in the dust? Such a decision would leave the world a victim to every outrage, and mark the abject degeneration of mankind.

No, there can be no such thing as universal peace until there is universal justice in the world; and there ought not to be.

What we American citizens need to be thinking about is, not how to pacify the world—which will go on fighting as long as there is something wrong to fight about—but how to show the world that there is at least one country where the ideal of human

rights is placed above passive acquiescence in the demands of brute force, and that there is one citizenship that carries with it a national protection that must be reckoned with.

THE RELATION OF PEACE TO FORCE

One thing is certain. Peace can never be insured while brigandage and imperial conquest are profitable forms of business. It can never be permanently established until the lust for loot and conquest is confronted with an armed resistance that makes it too hazardous to be a paying enterprise. When that is fully realized, like piracy on the high seas and other forms of illicit acquisitiveness, these forms of depredation will be effectually suppressed. Nothing but armed force under civil authority can make that condition real.

It is illusory to believe that innocence and

self-effacement afford protection to a weak nation. The whole world knows that we have no aggressive designs or intentions. But will that protect us from insult and injury? The use of high-sounding menaces, alternated with professions of friendship that are believed not to be sincere, is a dangerous pastime for a nation that is weak, divided, and impotent for action. The fact that its people are horrified, offended, and yet so devoted to peace as not to express frankly their convictions, adds nothing to their safety. Europe is paying very little attention to us now, but how many friends shall we have, and how much consideration shall we expect, when, pacified and harmonized, it turns its attention to us?

THE TRADITIONAL AMERICAN ATTITUDE

In the past it has been our liberties and our free institutions, and not our personal

interests, that have been made the objects of our chief solicitude. We have never feared to express our sympathies with downtrodden peoples. It is surprising that it has required the suggestion that we might have to face new dangers, in order to awaken our interest in the international situation. Let us not forget that international law—by which we have always understood international justice—is *our* law, to which we cannot be indifferent. Whoever violates it, indirectly injures us, as well as all mankind. An attack upon it is an attack upon civilization; and it would mark a deplorable state of moral degeneration, if we had not the courage to take our stand for it, without fear of consequences, whatever they might be.

It is not invasion that we have to fear the most—God forbid that we should ever become so supine as to wait for that!—it

is our right of innocent passage and of innocent commerce on a free ocean, and the invisible bulwarks of liberty and self-government on this continent, that should engage our thought. From the foundation of our government we have always in the past, and sometimes under great difficulties, defended these rights and these bulwarks. We have not waited to be invaded, we have aimed at making invasion a dangerous enterprise. In the great emergencies, our fathers, usually without due preparation for meeting them, have fearlessly responded to the demands of national duty. When, in our weakness, the so-called "Holy Alliance" was preparing to reduce to colonial dependence the American republics that had thrown off the yoke of Spain, their voice was lifted up in protest, and the protest was heard and heeded. When Louis Napoleon sent an Austrian Archduke to establish an empire upon our

borders in Mexico, the voice of protest was again uttered, and the undisbanded army that had saved the Union was ready, if necessary, to march for the defense of our neighbor against imperial subjugation.

THE FEAR OF MILITARISM

All the arguments that have been advanced against "Militarism" as an impending danger in the United States might with equal justice be urged against "Patriotism." There is no voice in America lifted for a military régime. All our instincts, all our habits, all our interests, and, above all, our conception of the nature of the State, are against it. We are not a military people. We have no military projects. We are, as a people, hostile to military rule. Our armies, however small, have never, except in great crises, risen to their normal propor-

tion. When the crises have passed, officers and men, with thankfulness that their services were no longer needed, have silently melted into our busy civil population as flakes of snow drop into the sea.

Not one of our great soldiers—Washington, Grant, Sherman, or anyone in the long list of their associates—has ever favored "Militarism." It is not in the character and temper of our people to permit it, either from without or from within. But it is in no respect a drift toward "Militarism" to say that every able-bodied young man in our country should first be well instructed in the meaning and value of our free institutions, and taught a wholesome respect for civil authority, and then be impressed with the privilege and obligation of a full preparation of mind and body to defend them. A resolute determination to do this would not only cause any Power to reflect long before

it would disregard the rights of American citizens, but it would elevate and ennoble the tone of the present and the coming generations of American youth. Wholly apart from any dangers, on land or sea, we need the ethical influence of an enlightened patriotism.

Yes, let us take for our motto, "America First": not with the meaning of a dominating primacy over others, but in the sense of leadership in making human life safer, human endeavor loftier, human suffering less cruel, human toil more equitably rewarded, and human fraternity more real, more noble, and more sincere. We have a part to play in the redemption of humanity and the better organization of the world. Let us play it without being too proud for the performance of any duty, and above all let us play it without fear.

VI

THE DUTY OF NATIONAL DEFENSE

VI

THE DUTY OF NATIONAL DEFENSE

If we are to discuss with profit the subject of national defense, it is necessary to eliminate from the discussion all topics that have no decisive relation to it. This is very difficult to do, for the reason that our minds are incumbered by many considerations that may influence action, and yet have no real bearing upon a decision which circumstances render necessary and inevitable. More than anything else, we require a preparation of mind that will enable us to face, to consider, and to act upon the question of national defense with a clear vision of immediate duty.

SOME IRRELEVANT PROPOSITIONS

We are constantly reminded that war is a horrible scourge which, if possible, we

ought by all honorable means to avoid; that the killing of man by man is unworthy of his nobler nature; that, if armament were totally abandoned, sanguinary war would become impossible; that great armies and navies impose enormous burdens of taxation upon a country that supports them; that money expended upon them might profitably be used in education, in scientific research, and in alleviating suffering; that preponderant force does not necessarily insure perfect justice; that the proper mode of settling international disputes is arbitration; that the nations should organize an obligatory international tribunal and submit their differences to it; that an international police force would serve all the purposes of public peace and order; and, finally, that, by adopting principles of justice and fraternity, war would be rendered entirely unnecessary.

THE REAL QUESTION STATED

Few of us would be disposed to dispute any one of these general propositions, and it may be that every one of them is capable of a conclusive demonstration. The important point, however, is that they have no bearing upon the concrete question: Should this nation, at this time, be prepared to defend its territory from invasion, its people from robbery and murder, its neutral rights of commerce on the high seas, and its privilege of speaking its mind freely and without fear concerning the rights of humanity?

It is to be desired, therefore, that, in discussing a great question of national policy, there may be no attempt to confuse thought or deflect it from its proper object by an appeal to our sensibilities, or by an intimation that those who favor efficient national

defense are less mindful than others of the highest aims and aspirations of our human nature. We may all join most heartily, as some of us have labored long and assiduously, in pleading for universal justice and, if it is possible, universal peace. For my own part, I do not doubt that there is a highway that leads to peace, but I believe it passes through the narrow gateway of international justice. Until these aspirations for peace and justice, in which we all share, are fully realized, we shall continue to be confronted by problems of national duty which cannot be honorably disregarded.

OUR PRIMARY NATIONAL OBLIGATION

It results from the American conception of the State, that the primary obligation of the American Government is the protection of the lives and the property of American

citizens, wherever they may be in the innocent pursuit of their legitimate business.

The duty of the State to protect the rights of its citizens is the corner-stone of American Democracy. It is for that that the State exists, and it is from the intention to render it possible that the State derives the justification of its existence. Our whole political edifice rests upon that foundation, and we cannot consistently permit it to be questioned. It is asserted with emphasis in the Preamble to the Federal Constitution as a principal object of our more perfect Union; which is, in its very nature, a provision "for the common defense," not primarily of the separate States, but of the people of the United States, in whose name the Federal Government is created. It is for that purpose that "taxes, duties, imports, and excises" are laid and collected from the

people; and it is in addition to this duty of protecting the individual citizen that, in a separate article of the Constitution, the United States guarantees "to every State in this Union a Republican form of government," and that it will "protect each of them against invasion."

If our Government has become negligent of this primary obligation, and if absorption in their own private affairs has rendered any of our fellow-citizens oblivious of it or indifferent regarding it, there is occasion for alarm at the national degeneration which such dereliction and apathy would imply.

It may, indeed, involve some trouble and expense to safeguard American life and property in semi-barbarous countries and upon the high seas which are the common highway of the nations; but this inconvenience cannot exempt our Government

from its obligation to protect the rights of its citizens.

THE FRUITS OF THE NEW POLITICS

It would be intolerable that it should ever be advanced, as an excuse for such delinquency, that, being weak, or poor, or helpless, or already dead, any of our fellow-citizens should be made a vicarious sacrifice to preserve our peace as a nation; and that, in the interest of the nation as a whole, the wrongs inflicted upon them should be concealed, or glossed over, or forgotten.

Such a course would betray a depth of moral degradation in our public and private life that should fill the mind of every American with shame for his country.

And yet, would not such neglect to exercise protection be a strictly logical position to be supported by everyone who rejects the

fundamental American doctrine that the individual citizen possesses inherent and inalienable rights which government may not ignore, and which majorities may not override? If human rights are merely the gifts of government, and exist only where there is express legislation conferring them, what right has the citizen to complain, if his government refuses to protect him when it finds it inconvenient to do so? And, if natural rights do not exist, if rights are what the majority pleases to make them, without restriction, why may not a few unfortunate citizens be consistently sacrificed for the peace of the country? Why should the contented and prosperous people of the United States—a hundred millions of them—be menaced with the risks and costs of war in defending the alleged rights of a paltry hundred American men, women, and little children, shot through and blown to fragments,

or drowned without even an attempt at rescue, when innocently sailing upon the high seas on a non-combatant vessel? And why should a great government like ours trouble itself about other hundreds of American citizens, driven from their homes and slaughtered on their way to safety, some of them even upon the soil of their own country, at the hands of Mexican cutthroats?

Undoubtedly, the new political philosophy, phases of which have been discussed in the previous chapters of this book, fully justifies the conclusion that, since majorities possess unlimited rights, and minorities none except those generously accorded to them by the will of the majority, the only recourse for an American citizen is quietly to abandon in advance any right he may hitherto have supposed himself to possess, and accept with submission and thankful-

ness any lot which superior force may graciously apportion out to him.

THE DOMINANCE OF ECONOMIC THINKING

If this were really the disposition of our people, it would be superfluous to continue a discussion regarding national defense. If the spirit of the American people is so broken by sybarite living and socialistic dreams that they are no longer regardful of one another's inherent rights, and do not even admit their existence; if a sham altruism has been cultivated to a point where the individual really counts for nothing, it would seem that there would be no valid objection to letting an enemy take possession of us; for, perhaps, his presence would beat into our dulled moral consciousness some faint reminiscence of American manhood.

But this supposition cannot be accepted.

The truth is, we are awakening from a cataleptic state. We have concentrated our attention upon our material condition until we have been hypnotized by it. We have come to consider all things from a purely economic point of view. We cannot afford military preparation, because it is too expensive. The most effective arguments employed against it are economic. It would, it is complained, increase taxation, create useless industries, deflect labor and capital from greater utilities, continue indefinitely to demand increased appropriations for a greater army and navy; and, what is most important, the money spent on such preparation could be more wisely expended upon good roads, scientific experimentation, education, or some form of public philanthropy.

Have we then unconsciously degenerated into mere instruments of economic calculation, and become a race of animated cash

registers? How otherwise is it possible to confront a primary obligation with the question: What will it cost? We might, it is conceded, protect American life and property, if it could be done with less expense, or on some cut-rate plan, where there would be a financial return; or if, for example, we could be assured that Mexico would not be more formidable than Haiti. But if preparation for national defense is to require any proportionally great sum, and especially if it is likely ever to draw us into a defensive war, would it not be better, suggests the objector, to maintain an attitude of peace regardless of all indignities; or at least to postpone active preparation for defense until we are actually attacked? And thus, voluntarily closing our eyes to the actual dangers in which we are placed and the duty to face them, the nation pauses to debate its course, like a boy going to a country fair

with a shilling in his pocket and wondering how he can get the most gratification for his money.

THE INFLUENCE OF PACIFISM

For this state of mind the pacifist propaganda in this country is in some degree responsible. It has tended to conceal the sordid motives of the opponents of defensive preparation under a garb of moral sentiment. Great organizations, richly endowed and conducted by able men, have filled the land with literature condemning war in all its aspects; proclaiming not only its excessive cost, but its cruelty, its inutility, and its criminal character. Exhortations to disarm or to limit armament have been sent broadcast throughout the country and throughout the world. Although little effect has been produced anywhere, except in

the United States, here a general conviction has been produced among our people that war is under all circumstances to be avoided. Eloquent speakers and popular writers had assured us, before the present European conflict, that war had become virtually impossible; and the conclusion was drawn that preparation even for national defense was not only useless but would fatally compromise ourselves as a peace-loving nation, and the cause of universal peace.

So long as this movement remained a purely philanthropic enterprise, appealing to the good will of men everywhere, in the endeavor to persuade all nations to employ judicial rather than military methods in reconciling their differences, it deserved, and, in fact, received, almost unanimous approval in the United States. Only one criticism was passed upon it. It was pointed out that the emphasis should not be placed

upon peace but upon justice. These great endowments, it was suggested, were wasting their energies in advocating futile projects of disarmament, of whose success there was no prospect; and it was urged that they should consecrate themselves to universal justice rather than to universal peace, on the ground that peace without justice is impossible. Even if it were possible, it would mark the end of ethical purpose in the world.

THE EFFECTS OF POLITICAL PACIFISM

When at length antagonism to preparation for the military defense of the country took on the form of influencing legislation adversely to it, what had been in the main a commendable movement became a source of public peril. It was at this point that political pacifism had its birth. Philanthropic pacifism had become the best organ-

ized, the best financed, and the most strenuous political influence in the country. A speech in favor of battleships was likely to occasion the loss of a seat in Congress. The favor of the great peace organizations had become a factor affecting political success.

The officers of our Government were not slow in recognizing the force of the new influence. Arbitration treaties, with no reserve of honor or vital interests, became popular. Even these did not satisfy the ultra-pacifist evangelists. War must be made impossible. Delay of action must be imposed to an extent that deprived it of all value.

Serious and experienced men, familiar with world conditions, were astonished at these adventures, and mild remonstrances were offered; but in vain. The country was behind these commitments, and the Nobel Prize invited preëminence in the pious task of promoting peace.

Having once entered practical politics, the peace movement was soon made openly official. Treaties multiplied, and in the preliminaries to every one of them it was announced that the United States was determined to avoid war. Great and small, the nations were bidden by our Government to the banquet-board of peace. One high official is reported to have declared that while he remained in office there would be no war.

THE LOSS OF NATIONAL PRESTIGE

There was, of course, nothing evil in these pacific intentions; but there was a lamentable ignorance of the effect they were certain to produce. We have already had sufficient proofs of it.

It required only consistency in conforming to this "high ideal" of international conduct, to establish the conviction in foreign

countries that the Government of the United States not only did not want war, but was afraid of war, and was determined to avoid war, no matter what the circumstances might be. In June, 1914, the present writer was told by one of the most experienced diplomatists in Europe, himself a tried and true friend of peace, and a life-long advocate of every good cause: "Your country has completely lost its former international prestige by its conduct in regard to Mexico. I do not see how it can ever recover it, unless it is prepared for action; and disposed, if necessary, to act with vigor. Your querulous tone, unsupported by firm resolution, deprives the United States of all its former influence. You are drifting into the attitude of a scolding old woman!"

If it were not just, it would be a duty to resent this rebuke; but can we dispute the justice of it? We have simply been taken at

our word that, no matter what happens, there is to be no war. Had our attitude been: We seek the conditions of peace; but this nation cannot and will not remain friendly toward any nation that does not treat its citizens justly; and we shall everywhere, with all our resources, protect their lives and property—the situation might have been different. No one would then have decided to treat us with indignity without first thinking it over very seriously. As it is, indignities have been deliberately planned and deliberately executed with the belief that, while we might discuss them, we would not openly declare that friendship with those who could purposely inflict such wrongs upon our fellow-citizens was no longer possible. And thus our excessive zeal for peace and our inadequate sense of obligation to our own citizens have brought us first into humiliation, and finally into a confession of our

helplessness; for we have felt resentment which we could not satisfy, and we have witnessed the spectacle of the President of the United States leaving the capital and making a tour of the country, in order tardily to inform the people that he could not preserve both peace and honor unless they gave him a new mandate and additional means of action through their representatives in Congress. If the means are not furnished, the inference will undoubtedly be that peace is upon all occasions to take precedence over honor.

AN UNRECOGNIZED SOURCE OF DANGER

Hitherto we have paid but little attention in this country to the plans, and purposes, and spirit of other nations. We have proudly imagined ourselves a "World-Power," without considering whether or not

we have become a world-potency. We have all the fresh confidence of youth, but have not yet acquired the wisdom that usually comes with age.

One lesson that we have yet to learn is that no nation can pursue an arbitrary policy of its own without regard to the policies of other nations, unless it is stronger than any probable coalition that may sometime be arrayed against it. There are, in diplomatic crises, but three alternatives: to be able to stand alone with undisputed primacy; to join with others in that which others will agree may be done; or to stand aside in impotence, if not in humiliation, and allow others to work their will.

There are always more reasons for peace than there are for war; but, when the passions of a nation take the place of farseeing statecraft, or the weakness of a nation invites aggression, a very bad reason may ulti-

mately prove more decisive for war than all the good reasons for peace. There are conditions which a proud people, even though devoted to peace, will not endure; and the greatest of all dangers is that a people unprepared to assert its will may suddenly demand what it cannot execute.

So long as a nation is considered a force to be reckoned with, its voice of warning will be listened to; but when it is believed that it has no policies which it will resolutely defend, it ceases to be of international importance. If its opinion of itself and the opinion of others regarding it are widely different, it traverses a moment of supreme danger; for in the eyes of others it has become offensive without possessing the ability to defend itself. Its wealth, however great, unless it is capable of prompt transformation into military efficiency, affords it no protection from aggression; for the sole pur-

pose of assault may be the extortion of a future advantage to be enforced in the terms of peace.

OUR FIRST LINE OF DEFENSE

Our first line of national defense is not, as we are sometimes told, our navy; it is our diplomacy. Diplomacy is to a nation what the senses are to the human body. It is its function to warn the government of the impending dangers, and to enable it to perceive how to meet them. If our diplomacy be casual, fluctuating, negligent, or without instruction, it will afford us no protection. On the contrary, it may betray us in the midst of unseen perils.

For the greater part of our existence as a nation, we have dwelt in comparative remoteness from European conflicts; but the

development of oceanic transportation has abolished our geographic isolation. The mastery of the sea has made all nations neighbors. We possess no natural defenses. We have a widely extended territory, with many thousands of miles of accessible coast-line on two oceans. We must not forget that we have assumed the responsibilities of a World-Power, with insular dependencies, an isthmian canal, sea-borne commerce on every sea, fellow-citizens engaged in legitimate business and, sometimes, of national importance, in every civilized and many semi-barbarous countries. Are we, by some incantation of pure idealism, to dispense ourselves as a nation from the obligation to act with full knowledge of what is going on in the world, and how our interests are to be affected by it? But, unless we are served by intelligent and vigilant diplomacy, we shall continue, however great our national

resources may be, to remain unprepared to meet future emergencies.

OUR SPECIAL AMERICAN INTERESTS

There has been developed on this continent a system of self-government based on the inherent and inalienable rights of the individual man. It is an inheritance which has cost much heroism to establish and maintain. When Europe is reaching out for world dominion, with thoroughly equipped armies composed of millions of men; when Asia is marked for future subdivision, and already subject to foreign spheres of influence; when the map of Africa has become a maze of European colonies; when every island of every sea is a pawn in the game of empire; when many of the American republics are regarded as legitimate fields of imperial exploitation, and are themselves

comparatively defenseless, may we reasonably expect that we can preserve our boasted Democracy, if we have no means of offering it protection?

It is highly probable that if Europe were at peace today we should have a European question in Mexico tomorrow. It must not be overlooked that we are not the only ones who have suffered from the continued state of revolution in that country. Our Government has seen reasons satisfactory to itself in the midst of extraordinary provocations to pursue a policy of passive delay rather than one of energetic action. I shall not here discuss that policy; but the end is not yet. Whether revolution be suppressed or not, when Europe is ready to act in Mexico, that country will have to face the demand for the payment of obligations created by the Huerta Government, which here has been declared to be no government, but

which in Europe has been not only aided and trusted, but regularly recognized.

THE NEED OF A CLEAR FOREIGN POLICY

If we are to avoid future complications, it will be necessary to frame and to unite upon a foreign policy that we can maintain. What should such a policy be?

It will necessarily have a negative and a positive character. On the negative side, we do not desire to annex any foreign territory; we do not entertain any schemes of conquest; we do not wish to meddle with the internal affairs of our neighbors; we do not aim at acquiring exclusive concessions in foreign countries; we do not intend to impose our authority anywhere where a responsible government exists.

On the positive side, we desire to have peace with all nations based on justice, hon-

or, and respect for treaties; we object to the armed intervention of Europe in the affairs of this continent; we expect that claims upon the American republics will be judicially adjudicated before they are enforced; we demand, and will require, the recognition of our right of innocent commerce on the high seas; we shall insist upon respect for American lives and property everywhere; we shall recognize any de facto government that protects these rights within its actual jurisdiction, and shall confide in no government that is incapable of such protection; we are prepared to negotiate conventions for the firmer establishment of international justice, but we shall enter into no formal alliances or any agreement binding us to make war upon any nation, or in the interest of any nation, but shall hold ourselves free by concurrent action with others to pursue a common end of preserving peace

and procuring conformity to international law.

Are we capable of maintaining such a policy? If we are to do so, we must be strong enough to make it advantageous to any nation raising a controversy with us to respect our position.

THE PRESENT INTERNATIONAL PROBLEM

It has been pressed home upon us that the great present problem of civilization is, and will be until it is solved, the suppression of violence by barbarous bands and imperial designs, and the establishment of equal rights among the nations, great and small, under a reign of law. The most important question civilization has to answer is: How can that problem be solved? And we shall have to perform our part in answering it.

When the American people have had time

to realize the character and extent of the emergency our age is called upon to meet—and the moment for action admits of no delay—their decision cannot be doubtful. The call to duty may require sacrifices, but we shall be a nobler people for making them.

The American people will never tolerate the formation of an irresponsible fighting machine, whose chief object is efficiency in the art of killing men, and whose chief passion is a desire for its own glory. What they will demand will be a body of trained citizen-defenders of their country, thoroughly permeated with its spirit and ideals, and devoted to carrying out its pacific policies.

THE ATTITUDE OF OUR YOUNG MEN

This signifies that, in addition to a national policy and an organized force, preparation must be made for the education of the

citizen-soldier in the meaning and duties of citizenship. Such education must be of the mind, the body, the will and the character. It should include the manual of arms and the discipline of the camp.

A million young men during the present year will, for the first time, have a voice in determining the destinies of the United States. What will their attitude be? Will they not, in the conscious strength of their manhood and with a sense of their new responsibility, say to one another: Let us make of the constitutional system of federated States embodied in the American Republic a bulwark, an example, and a ground of hope for the future of the world? Will they not say to the rest of mankind: We in America have stood for the dominion of law, for a world tribunal, for the sanctity of treaties, for the rights of neutrals, and for the inviolability of innocent persons.

We have discouraged armament and sought to accomplish its limitation both by precept and example. Now we say to you, if you are going on with it, if you are intending to overpower helpless peoples and to dominate the world by brute force, you at least shall not dominate over us. If armament is to be continued, if human rights are to be disregarded, and force is to rule the world, we are ready to stand where our fathers stood, and we shall see to it that there is one country where reason and conscience, liberty and law, shall be secure.

THE NECESSITY OF NATIONAL IDEALS

It is its ideals that make a nation truly great. It will be the ideals entertained by our people, and especially by our young men, in the present world crisis that will determine the destinies of the United States.

What then are the ideals that really appeal to us?

We have shown in recent times a deep interest in social progress. We have been impatient of the impediments, real or apparent, to greater equity in American life. It cannot be doubted that there is among the younger generation in our country, and in every part of it, a vigorous growth of ethical feeling—a more ardent love of justice and fair play. We have been disposed sometimes, in our reaction from existing evils, to find fault with our political institutions, and have wished if necessary to substitute others for them. But, when we come to think it over, is it our institutions, or is it our material conceptions of life, that are at fault? Let us frankly ask ourselves if we should all be entirely content, on condition that all our fellow-citizens were well housed, well clothed, well fed, and agreeably amused, if,

at the same time, we were obliged to confess that, as a nation, we were weak, sordid, and afraid?

THE NATION'S DUTY TO THE FUTURE

Do we not realize that we need, as a people, a more powerful tonic than can be found in any of the paltry nostrums dispensed by the critics of our forms of government? They have appealed to our envy of the rich and our love of power; they have flattered us as "sovereigns," and implored us to make them our ministers of state; but when have they sounded the trumpet call of personal duty to the nation, or themselves set the example of personal sacrifice?

For years we have been preaching to one another the gospel of voting-in the millennium, and of financing it by new methods of taxation; but we have forgotten that the

Kingdom of God is within ourselves, and that its fullness of time must come by our own inner growth, and not by outward observation. What has there been since the Spanish-American War to make any young man feel that he is really a part of the country? What has he been taught of its meaning and of his place in it? But why not make him feel, at the time when the whole significance of life is dawning upon him, in that moment of adolescence when he craves an unlifting influence, that he is in truth a vital part of the nation? And why not leave to him, throughout his lifetime, the sweet memory that he has really served his country by fitting himself to be its defender? Why should he not have, as long as he lives, the lingering glow of that inspiration felt by every old soldier who really helped to save the Union, when he sees the flag go by? Then he would know what

it is to be an American. Then he would be able to pass on to his sons and to his grandsons the meaning of Americanism.

There is in every one of us something more than the wish to be well fed and clothed, and to have an easy place in life. We feel, and we know, that there is something greater and infinitely more important than our appetites and desires. To feel that we are a part of the larger life, that it has a right to command us, and that we are never our true selves unless we obey it—that is what makes us really men.

VII

NEW PERILS FOR AMERICANISM

VII

NEW PERILS FOR AMERICANISM

If statesmanship consists in foresight and preparation to meet new conditions, there is at this moment greater need of it than at any time since our Civil War.

It would be almost voluntary blindness not to perceive that this country is exposed to a double peril; for, while our wealth and resources are at present insufficiently protected by our inadequate national defenses, rendering us liable to possible dangers from without, we may be called upon to face even more serious and more immediate misfortunes from within.

THE INTERNATIONAL SITUATION

At this moment, when all the Great Powers of Europe are engaged in a struggle the

most gigantic in its magnitude and the most bitter in its intensity that the world has ever known, when the laws of international intercourse, upon which we had become accustomed to rely for our protection, are more unsettled than for centuries they have ever been, it may be that American Democracy will suddenly be subjected to a test of its virility.

It is not, however, to any sudden military attack upon us that I look forward with most apprehension. It may well be that while foreign nations are preoccupied with so great a contest, and even long afterward, we shall remain immune from violence; but this does not, in the least degree, diminish our responsibility at this time for the protection of American life and property, or justify the postponement of adequate preparation for making our words and our rights respected in the world.

We need especially to be impressed with the fact that it is not of a mere passing crisis in international affairs that we are now called upon to think; but of a long vista of possible future conditions, and above all of the formation and maintenance of the permanent policy by which our conduct as a nation is to be guided in the future.

THE WORLD CONFLICT FOR TRADE

If we subject the existing international situation to a close analysis and endeavor to discover what are the essential elements that enter into it and the hidden causes that have produced it, we find that, at the bottom of the present world conflict, are problems of national economics which concern the industrial, commercial, and financial status of the Great Powers in their struggle for supremacy. The present war is, in fact,

a battle for trade, and for the control of trade routes. It is primarily the Balkan and Near Eastern questions that have set the armies of Europe in motion. Serbia, the vanguard of Slavic predominance in the Balkan peninsula, blocked the way of the Austro-German advance to Asia Minor and beyond; involving the future mastery of the Adriatic and the Ægean, the ultimate control of Constantinople, the possible bottling up of Russia in the Black Sea, the control of the overland route to the Persian Gulf, and in consequence the position of the Austro-German Powers in the Mediterranean and the Indian Ocean. In the West the grand prize has been the possession of the rich deposits of coal and iron of Belgium and France for the further development of industry, and the acquisition by Germany of better ports for transatlantic commerce. In Poland it has been not only the possession

of mineral resources but of agricultural land.

THE POSSIBLE EXPANSION OF EMPIRE

If all the territories now occupied by the Central Powers can be retained by them, it would mean the establishment of what would be the greatest continental and maritime empire that has ever existed; extending ultimately from the Baltic to the Persian Gulf, with positions of advantage on the North Sea, the Channel, the Adriatic, the Ægean, the Black Sea, the Mediterranean, and the Arabian Sea—undoubtedly making it, when developed, the greatest sea power on the globe.

I have spoken of this combination as, in effect, one vast continental and maritime empire; for in this extended area there is no single political unit, or probable combination of nominally separate States, that could successfully resist a word of command from

Berlin. Whatever the form of subordination might be, whether nominally allies, protectorates, or constituent States in an imperial federation, the result would be the same. A customs union, an interchange of raw materials and finished products, a central fiscal and military control, and a community interest in the success of industry and commerce would bind together in one great economic organism about one hundred and thirty millions of men, with a military strength of more than ten millions, and a navy that might ultimately surpass any now existing in the world.

It would, of course, be premature to conclude that this is to be the necessary outcome of the present war. It might, of course, have a quite different issue. It might result in the permanent establishment of undisputed British supremacy on every sea, with such subsidiary sea rights for other

Powers as the British Empire might graciously be pleased to accord to them, while reserving to itself a monopoly of sea-borne commerce and the practical dictation of ocean freights to every part of the world.

THE ALTERNATIVE OF WORLD RIVALRY

It is not to the interest of the American people that any imperial colossus, either on land or sea, should bestride the world; and certainly not that any single military and naval preponderance should prevail. But if we were a weak nation, there would be for us a danger almost as portentous in a world-wide rivalry of Powers equally matched, struggling to possess the ill protected resources of the less developed countries, and to acquire control of all open or accessible markets. In that case, when the military conflict is ended, if it is in fact

ever to be brought to a final termination, we should be placed in the position of mere neutrals, and without the support of allies, in an unceasing economic struggle; and we have already learned in the present contest what it means to be a "neutral," when action and inaction, participation and abstention, the vigorous assertion of our rights and the tacit renunciation of them are alternately urged upon us from opposite sides. There is, therefore, little prospect of our being able to maintain good relations and a free field of action, unless we are strong enough, without depending upon others, to take a firm stand on the principle that we are to enjoy perfect equality with all others in the trade and commerce of the world.

OUR ADVANTAGE OF POSITION

So far as Europe in its entirety is concerned, we are, if we could avail ourselves of

our opportunity, in a position to secure our rightful privileges in any circumstances that may arise; but to do so we must be strong in purpose and capable of execution. We are, in fact, with regard to Europe as a whole, in much the same position that Great Britain has occupied with regard to the Powers on the continent, ever since Cardinal Wolsey instituted the policy, which England has since systematically pursued, of balancing the continental Powers against one another, herself remaining free to pursue her industry and commerce, practically without interruption, while they were contesting their frontiers and wasting their resources in endless wars. Had England not been an island, she could not have accomplished this. If we did not occupy a position of relative isolation afforded by a vast and resourceful continental area, covering the richest zone of the western hemisphere, we could never dream

of maintaining a strict neutrality between the contestants of the eastern hemisphere; but, thanks to that geographical advantage, while accessible to the two great oceans of the world upon which we front, we are able, upon one condition, to hold the balance of power in the world. That condition is that we must be strong, as England has been strong, upon the sea; and able, as England has been able, to guard our coasts from foreign invasion.

THE ADVANTAGE OF OUR DEMOCRACY

There are—and this must be emphasized—two important differences between our situation and that of Great Britain, both of which are to our advantage. England's base is a limited insular area, insufficient for its own maintenance, upon which, as a foundation for her power, she has built up

an empire composed of colonies in every quarter of the globe; while our base is the clean sweep of a broad continent, containing within it practically every natural resource, and sufficient in all respects to maintain within its limits a population of unchecked growth and great prosperity.

But a still more important difference is that, although England is a democracy so far as her own people are concerned, she is essentially an imperial Power so far as the rest of the world is concerned. And that difference is capital for her and for us. It is capital for her, because it is the imperial spirit that has made her great, and to the chariot wheels of imperial procedure her destiny is bound. It is capital for us, because we are a democracy in very truth, composed of States of which even the least is equal in all the attributes of independence to the greatest; and we have no need, or rea-

son, or disposition to enter into rivalry with imperial ambitions in any part of the world.

OUR POLICY MARKED OUT FOR US

Our international policy is, therefore, plainly marked out for us. It is a policy of pacific industrial and commercial development, under adequate national defense. We have no acquisitive inclinations and entertain no aggressive designs. We desire to live in peace here in this great land where Providence has placed us; to utilize its resources, and to enjoy the prosperity which our industry and our enterprise may bring to us. We claim as our just right freedom and safety in our intercourse with friendly nations, and desire if possible to live on terms of friendship with them all. We shall endeavor to treat them all equally; but, if they wish to count us among their friends, they

must treat us also as an equal. If we are weak, vacillating, and pusillanimous in our dealings with them, we shall not receive, and shall not deserve, their respect. And if it ever happens that we seem to them to care more for our ease, our wealth, and our personal safety than for our public interests, and our right to entertain, and to express, our candid opinions upon the rights and duties of the members of the society of States and what should constitute the law of nations, then we shall mark ourselves as their easy prey.

THE ECONOMIC CONTEST

I have said that the present conflict is at bottom a battle for trade; and we see in its terrific consequences what a battle for trade may mean. Let us not beguile ourselves with the illusion that, when the military re-

sources of the contestants are exhausted, and peace comes as a consequence of the depletion of their fighting energies, this battle is to cease. As a military enterprise, it will end when one or the other side perceives that it is hopeless to gain anything further and will, therefore, be ready to make concessions for the sake of peace. It will then be necessary to pass through the stages of diplomatic negotiation leading to the terms of settlement—a battle of pretensions, seductions, arguments, and possibly compensations at the expense of defenseless innocents. When the treaties are signed, there will open the battle for recuperation—the race for quick preponderance in the world's markets.

If men were reasonable, there would be a united effort to form compacts for just rules of procedure and for the maintenance of peace, and there will, undoubtedly, be

such efforts; but the spirit of Imperialism is essentially unreasonable, and unless it is extinguished, there will result merely a new equation of forces, which may have a certain duration before it is again disturbed. However this may be, the one certainty is that the economic contest will be resumed, and with renewed intensity.

THE CONDITIONS OF THE STRUGGLE

What, then, will be the conditions of the struggle?

First of all, the antebellum trade relations cannot for a generation or more be entirely restored. There is nowhere a disposition to crown the future peace with commercial treaties guaranteeing general participation in the benefit of most-favored-nation provisions. On the contrary, trade alliances based on the present military alliances, and

already partly negotiated, will take their place. England, France, and Italy—three important maritime Powers—in January last, at a meeting in which more than one hundred and twenty chambers of commerce were represented, entered into an alliance to oppose Austrian and German commerce during the war and after it is ended, and to promote their own coöperation. "We have already completed a wall of steel around our foes," declared the French Premier, M. Briand, at Rome, on the twelfth of February, in announcing the accession of Italy to the compact of the Entente Allies to forbid, under heavy penalties, the importation of any products from Austria or Germany.

On the other hand, the great organization of German industries, the Hansabund, was at the same time, after a session participated in by representatives of all parts of Ger-

many, petitioning the Imperial Chancellor to prepare and present to the Bundesrat a measure creating an "Economic General Staff" for the purpose of directing and controlling all German business, especially imports and exports, after the war, and to have charge of the transition of German industry and commerce from a war to a peace basis, with the purpose of controlling absolutely all importations into Germany after the war is ended.

THE MILITARIZATION OF INDUSTRY

When we add to this governmental direction of commerce the central organization and supervision of productive industry—a practice already highly developed in Germany, and having a rapid evolution in other belligerent countries, even in England, where it is a startling innovation—we realize

that both commerce and industry are to be "militarized," if one may use such a word, as never before in the history of the world.

That this means much for efficiency and for economy cannot be doubted. Between the mine from which metal is extracted, or the forest from which wood is hewn, and the foreign port at which the finished product of manufacture is finally delivered for sale, there is to be no waste. The laborer in the mine, the attendant who brings the ore to the surface, the railroad that handles it, the furnace that refines it, the factory that receives it and transforms it into an article of utility, the steamship company that carries it across the ocean—all these are to be under a system of direction, by which they are financed and their rates of remuneration fixed, as exact, as rigid, and as authoritative as that of an army engaged in a

military campaign upon which may depend the destiny of a nation.

THE OBSTACLES TO EUROPEAN RECUPERATION

But what can these belligerent countries do, it may be asked, when they have lost great numbers of able-bodied men, when they have used up their available capital in munitions of war, and when they have suffered its attendant ravages? Will they not be so utterly impoverished as to be able to produce nothing, and stand in dire need of everything?

A little reflection will show us how fantastic such expectations are. It is impossible to picture to ourselves that any considerable part of Europe, outside of unhappy Poland, will be in a state of utter and permanent ruin. After eighteen months of war, with the exception of Aus-

tria, Germany, and Russia, we are assured that the exports of the belligerents are nearly normal. The customary channels of distribution have changed, but the amount of exportation has not been so seriously affected as might be supposed. According to the figures published by the Board of Trade for the month of January last, the exports of great Britain show an increase of more than $42,000,000. Among the largest items were cotton goods shipped to India, France, Egypt, and South and Central America. French exports are reported as nearly normal, and in some products the sales of France abroad have increased by many millions of francs.

THE QUESTION OF FUTURE MARKETS

With Germany the case is different. With her merchant marine driven from the

oceans of the world, both her export and import trade, which in 1913 amounted to more than $4,500,000,000, has been almost entirely suppressed. But what is to happen when, at the conclusion of peace, she again enters upon her task of recuperation? Thus far, her productive and distributive agencies, although temporarily reduced to inactivity so far as world commerce is concerned, remain substantially intact, and only await the opportunity to resume their operations. Her fixed capital remains for the most part unaffected. Her circulating capital, particularly her gold, has been to a considerable extent kept within her own borders, and is still in her possession, because she has not spent it lavishly abroad. It is chiefly the immediate product of her human energies that has been expended in the war. To her credit, when liquidation comes, will stand the sums owing to her, and still un-

paid, in the form of outstanding balances. In short, her debt is mainly to her own people. They will be the poorer, and will, therefore, have to work the harder, with longer hours and smaller rewards; but they are a people capable of extreme frugality and great industry.

Her productive personnel will have been diminished by the loss of human life, but this is not irreparable; for the Germans are a fecund race, whose annual increase amounts to nearly a million souls, not to speak of the populations that may be added by territorial conquest.

If this augmented area should include all the territories at present actually occupied by the Imperial armies, which the future will determine, it would not only show an immense increase of natural resources of every kind, but, as illustrated by a map recently published by the *Frankfurter Zei-*

tung, would just about double the former superfices of the German Empire. It is true that the loss of the German colonies, so far as mere area is concerned, would, if permanent, more than counterbalance these territorial accessions; but this would not directly affect the productive powers of the Empire.

The real problem in the German battle for industrial and commercial recuperation will be to find open markets for her enormous capacity of production. With her greatest customer, Great Britain, and the Russian market to which she formerly under a favorable commercial treaty furnished more than half of all Russian imports, lost to her, not to mention the other belligerent countries that may close their ports to her, where is she to place her surplus manufactures?

But that is not the whole of the problem.

Her present antagonists, in their battle for recuperation, will have heavy debts to pay. They will be in every open mart in the world her strenuous rivals. And they will enter upon this competition, not only with new and greatly intensified motives; they will do so, at least some of them, with increased efficiency. "We have introduced scores of millions' worth of automatic machinery," says an English minister, "which will have an enormous effect upon our industries when the war is over."

OUR OWN ECONOMIC SITUATION

Here, then, is what we, in America, shall have to face. And what are our industrial defenses?

It will not do to base our expectations upon present conditions, for these are but temporary, essentially abnormal, and cer-

tain to change. Our present appearance of industrial prosperity is only superficial and fundamentally unreal. In the amount of our exports we are at present leading the world; but for that there are obvious reasons. The first is that there is for the moment an unusual market, because our ordinary competitors are engaged in military operations which require their main and almost exclusive attention. The second is that, apart from our abundant crops, which may not always be so bountiful, the great percentage of our exports is composed of products that will not be wanted when peace really comes. Were these causes not in operation, we should, perhaps, be today, as we were in 1913, limiting our enterprises and trying to provide for idle workmen.

Not only so, but our very prosperity creates for us a danger. There is no country in the world where a sudden, or a pro-

gressive, lowering of the standard of living among the people would be such a calamity; for the reason that our natural resources are so great, and our possibilities of widely diffused prosperity are so evident, that the American people will not gracefully submit to privations, and the experience of them, acting upon a sensitive and decisive temperament, would expose us to social unrest in various forms.

Nor would our extraordinary accumulation of gold, as a basis of currency, be an advantage to us. If there is sound philosophy in the quantitative theory of money —the misinterpretation of which has already led us very near to the brink of financial ruin—there would soon, in adverse circumstances among our people, be a demand for an expansion of the currency, based on the increased volume of the gold basis, which would tend to raise prices in this country

at a time when the cost of American production, in comparison with low prices for foreign goods seeking to force themselves into our market, would stifle new enterprises, imperil old ones, and bring upon us a condition of industrial stagnation and unemployment such as we have never known.

THE MEANING OF MILITARIZING INDUSTRY

In this coming trade rivalry Americanism will be subjected to a severe trial. Are we to adopt the new economic policy of Imperialism, and militarize industry? More and more we see the signs of a growing dependence upon governmental action in the solution of economic problems. If we lack a merchant marine, it is said, we must ask the Government to build ships and organize steamship lines. When something goes wrong with the railroads, or when peo-

ple entertain a prejudice against them and a disposition to punish them, a cry is raised: Let the Government own and manage the railroads.

In truth, there has been already a growth of governmental functions and activities in the United States far greater than the average citizen imagines. It is startling to be assured that, in the Treasury Department alone, there has been an increase of nine hundred and thirty-eight offices within the last two years; and that in the past four years the total number of Government employees has increased from 384,088 to 482,-721. In fourteen presidential elections no successful candidate ever had so large a popular plurality as this vote would give, and only eight have ever surpassed it.

But the militarization of industry does not consist merely in our enlargement of governmental activity; it involves also the

Government's right to command, prescribe, and compel. It would not only take from every man his right to conduct his own business, but it would employ him as its passive instrument in carrying out its plans, assigning him such a place and such a compensation as it might see fit. And yet governments are only men!

THE POSSIBILITIES OF AMERICAN INITIATIVE

In the American economic system reliance has been placed upon the initiative of the individual, encouraged and protected by the State. There will, perhaps, in the future, be necessary, as a measure of conservation, closer supervision in some particulars than was demanded when the natural resources of the country offered to everyone a richer and more immediate reward of labor and enterprise. The regulation of industry can-

not be wholly denied to Government; but it would be not only revolutionary but of doubtful advantage to the community as a whole to substitute for individual initiative a governmental conduct of industry. Even as respects efficiency, we may doubt if militarized industry would bring to those engaged in it returns at all comparable to the well coördinated efforts of private initiative.

The question opens an interesting field of discussion into which it is impossible to enter here; but the analogy between militarized industry and slave labor on the one hand, and between individual initiative and free labor on the other, should be sufficient to justify the probability that the latter, if afforded a fair opportunity, would eventually prove the more efficient. Whatever may be true of a temporary emergency, such as a great military crisis creates, in the long run the expectation of increased personal re-

wards should prove a more powerful motive to exertion than any system of compulsion that could be applied. The success of the American system, however, will require that the Government should not depress and discourage the spirit of private enterprise. On the contrary, by enlightening it and smoothing its way to success it might evoke the maximum productive energies of the nation.

THE DANGER OF ECONOMIC MENACE

Whatever our ability may be to maintain and render triumphant our American conception of economic success, it is practically certain, as all competent authorities admit, that, when the European industrial struggle for recuperation is resumed, there will be an unprecedented attempt to unload foreign products on our shores, as well as a vigorous rivalry for all foreign trade.

To meet this future inundation of cheap wares, which if not prevented would adversely affect our own industries, the enactment of certain "anti-dumping" laws has been proposed, declaring underselling to be illegal, on the ground of "unfair competition."

But if we ourselves intend anywhere to undersell anyone else in the markets of the world, how can we consistently lay down the principle that underselling is "unfair competition"? Can we maintain the principle that to lower the price is to lose the market? And by what authority may the Government at Washington undertake to fix the minimum price of commodities of foreign origin that shall be considered fair? Is the Government then to determine prices also in the United States? But, if not, on what ground is discrimination to be justified?

Such a policy would not only prove an apple of discord in the realm of valuation and discussion, but a veritable *casus belli* in a diplomatic sense; for, while there is a sovereign right to impose customs duties, and this no responsible government will dispute, for all exercise it in some degree, it is a different matter positively to prohibit trade with a foreign country. It is an act of economic war, which would not only destroy our most important source for the raising of revenue, but involve us in controversies and complications with countries with which we desire to deal, and expose us to reprisals that would seriously damage our export trade with our best customers.

THE INDUSTRIAL SITUATION TO BE FACED

There is no doubt that, when the present belligerents in Europe once enter upon the

struggle for recuperation, they will lower their prices to a point that will enable them to find a market. It will seem to their governments, and these will urge upon the people as an obligation of patriotism, that the lengthening of the laboring day, the acceptance of smaller wages, and the reduction of the profits of business, will be necessary in order to secure markets for their goods. It will be a form of warfare less terrible than that in the trenches, but it will not be without its hardships. Unless we are prepared to encourage the close and loyal union of capital and labor, by offering them every reasonable form of guarantee and confidence for the future, and by permitting them to work out, in their own way, the great problems of world competition under enlightened guidance, we shall share, perhaps beyond the endurance of our people, in the dire consequences of

a contest from which proper foresight might wholly exempt us.

THE OPPORTUNITY OF AMERICA

There is an aspect of this subject which we should not permit ourselves to overlook. We have labored long and sincerely in our international councils for peace, and for the organized means of preserving peace. Our efforts have been, to a great degree, in vain. There is no just cause affecting the rights of man that has brought about this terrific and murderous European war. It has been visited upon Europe, and upon the world, by a spirit of imperial domination that we, in this American democracy, do not share. Why, then, should our standard of life, as a free people, in a resourceful country, be lowered to meet the economic exigencies of

those whose rulers have inflicted this curse upon mankind? If men would be governed by reason, respect one another's rights, and live in peace, there would be an abundance for all. Let us prove, therefore, that Democracy can perform what Imperialism has failed to accomplish; that a well ordered government, based on the rights of the people, and supported by the sense of duty of the people, is able not only to maintain its existence in the midst of discordant nations, but to realize its own ideals of human happiness, and become an example and an inspiration for the progress of mankind.

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