

## Chapter 6

# The Issue of Authority

This study is necessarily concerned with the careful use of words employed to convey political ideas. For if the currency of our language is debased, our thinking will be corrupted with it. In a representative republic, corruption of political thought must necessarily lead to corruption of government, and thereby endanger continuation of a political system dependent upon popular understanding of the ideas on which it is based.

So we have been at pains to distinguish between *liberty* as an individual aspiration and *freedom* as a general condition. We have made the necessary distinction between *Society* and *State* as different genera of co-operative organization. Now it is in line with the development of our subject to give close consideration to the nature of what we call *Authority*. The reason why this is politically important will soon become clear.

The root of the noun "authority" is the Latin *auctor*, from which we also derive the word "author." A completely acceptable definition of the latter offers no difficulties. Every English-speaking person would agree that an author is one who originates or creates. While the word is most frequently applied to a literary composer, its applicability of course goes far beyond this secondary category. A deeper meaning of the word is well brought out by the familiar lines in the hymn "America":

Our fathers' God, to Thee,  
Author of Liberty, to Thee we sing.

By virtue of his creation an author becomes an authority. The significance of the authority is reflected in the nature of the creation. A chef who concocts a new recipe for a soup is certainly a creator and by his accomplishment becomes an authority in culinary matters. With a difference of degree, rather than of kind, Euclid made himself a mathematical authority, recognized as such after twenty-two centuries by the enduring character of what is still called Euclidian geometry.

Because it is influential, in the literal sense of something which "flows in" upon us, Authority is therefore a form of power. But it is clearly a special sort of power: one which does not need to employ physical coercion and is on the whole willingly rather than unwillingly recognized. There is thus a clear and vital distinction between Authority and Force. As well expressed by Joseph Michael Lalley: "We obey authority, in the sense that we listen to it and respond with the will; we *submit* to force and are, as it were, sent under."<sup>1</sup>

This means that the less force involved in Authority, the more truly authoritative it is. And the more that physical force is necessary to sustain Authority, the less authoritative it really is. Hence it follows that if the virtue of Authority can be successfully challenged it ceases to be Authority, even though it may still retain the means of physical coercion. True Authority must have a general acceptance, which of course may be passive rather than active.

The validity of this distinction between acceptable and unacceptable Authority has long been recognized by the common law. For instance, most civilizations have made it customary that parents should have authority over their minor children. Because they are the authors of their children, parents are regarded as having a natural authority over them. But it is also customarily held that this authority involves and is dependent upon a lively sense of responsibility. Modern Society agrees that an insane, inebriate, or otherwise irresponsible person may properly be deprived of parental authority. If injuriously exercised that authority becomes reasonably questionable. Certainly it would be

<sup>1</sup> *Faith and Force*, THE HUMAN EVENTS PAMPHLETS, No. 4, p. 5.

difficult to argue that authority over children is justified merely by the exercise of a physical force sufficient to intimidate and coerce. In this case, and many others could be cited, the common law is directed in accordance with instincts that of themselves indicate the presence of an Authority higher than the individual, the Society, or the State.

Of course Authority is never completely unquestionable. The most important characteristic of the human mind—that which is responsible for all the progress of the race—is its almost irresistible tendency to question. Acceptable Authority is a power that cannot be *intelligently* or *reasonably* questioned, and the emphasis is on the adverbs. The most conscientious parent knows that his or her authority over children can and will be questioned, by obvious resentment and resistance even before there is aptitude to form an issue in words. Nor is it always easy for a parent to draw the line of demarcation between the unreasonable and reasonable questions. “Why can’t I play with matches?”—is clearly an example of the former. “Why can’t I finish this chapter before I go to bed?”—is a more debatable case.

It is precisely because all authority is questionable that the distinction between what should be accepted and what should be repudiated becomes of such tremendous political importance. Discrimination in this field is made easier by starting from the relatively easy distinction between Authority and Dictation. Authority allows itself to be questioned, but withstands the test. Dictation does not allow questions primarily because it cannot withstand them.

No authority is less questionable by man than that ultimate power that rules the lives of all of us. No authority is more questionable than the absolute power that is the objective of the authoritarian State. In the first case we have a true authority against which our questions will always break in vain. In the second case, we have a false authority, which discourages questions because they would lead to its undoing.

Thus we are led to consider whether cumulative encroachments of false upon true authority provide the underlying cause of the breakdown in our era.

## II

If Man were a more ideal creature, and if the conditions of his social life were less exacting, he could be governed, with relatively little political complication, by the authority of God alone. But the Ten Commandments, even if scrupulously obeyed, together with all the detailed ordinances that follow in the Book of Exodus, would of themselves be inadequate for the government of a modern community. Because of human shortcomings this ideal authority was not even effective as civil government for the primitive nomadic groups that proudly called themselves the Chosen People. The theocracy developed by the Israelites after Moses was, indeed, conspicuously unsuccessful in preserving either the moral law or—what in the long run is the same thing—the conditions necessary to secure the blessings of liberty.

But the Hebrew nation, like our own a federation founded on a voluntary covenant, introduced into political thinking one concept of profound and far-reaching influence. This, in Lord Acton's words, was "the principle that all political authorities must be tested and reformed according to a code which was not made by Man."<sup>2</sup> Since the time of the Hebrew prophets, political authority has never been safely absolutist. Regardless of the sanctity attributed to the State, brave men have for centuries reserved to themselves the right to take an appeal from its government to the higher authority of conscience. When the occasion has seemed to warrant, they have not hesitated to say: "If this be treason, make the most of it."

The belief that governmental absolutism is tolerable only if governmental performance is honorable is nevertheless becoming retrogressively and deplorably feeble. The whole theory of the authoritarian State is that the individual is subject in every respect and has no recourse, political or spiritual, from the edicts of his rulers. To achieve this end the Communist hierarchy, immediately after gaining control in Russia, began its crusade against religion as "the opiate of the people." Though the reasoning is

<sup>2</sup> Essay on "The History of Freedom in Antiquity."

almost unbelievably arrogant, yet it is also undeniably logical. God, the Communists argued, is an idea that has attained reality in the mind of Man. Conscience is that which he "knows with" God. So if the idea of God can be obliterated, conscience will also be undermined and it will be far more difficult for men to find any basis for an appeal against tyranny on the part of Caesar.

Fortunately for the survival of liberty, however, the early Jewish insistence on the right of appeal to God is not the only inherited support of liberalism. Mankind has thought out and established other, though allied, political principles as a part of the defense against false authority. When the iron curtain of Asiatic despotism closed over Jerusalem, and the Jews were carried into captivity, the City-State of Athens came to the fore as the center of humanitarian thinking. While the poor, as well as the slaves, were there excluded from office, Solon [640-558 B.C.] nevertheless gave all citizens a voice in the election of their magistrates, and the right of criticizing the performance of these rulers. "This concession, apparently so slender, was the beginning of a mighty change."<sup>3</sup> Theretofore the only effective obstacle to arbitrary government had been religious. Now the idea that the citizen is in that capacity the guardian of his own interest was established as a further check to political absolutism.

With the advent of Christianity there comes another, and mightier, forward stride. It is of transcendent political importance for two reasons. In the first place Christ, speaking as the son of God, gave to mankind an assurance more inspiring than that brought by any other religious leader. He preached, in very simple language, that if men will learn to govern themselves it is possible—though never easy—to conduct mundane activities on the divine pattern. God the Creator, the final Authority, is not to be slavishly feared nor blindly worshipped. His will, rather, is to be understood and advanced in the field of human relations, to the end of social as well as individual regeneration. "For God sent not his Son into the world to condemn the world; but that the world through him might be saved."<sup>4</sup>

<sup>3</sup> Acton, *ibid.*

<sup>4</sup> John 3:17.

In the second place, the case for resistance to temporal force, wherever the latter can be shown to conflict with the Law of God, was enormously strengthened by acceptance of the divinity of Christ. If Jesus were merely an unusually moral human being, his exhortations could be observed or disregarded in conformity with the judgment of the individual intelligence. But once the divinity of Christ was accepted—and until relatively modern times it was never questioned by Christians—a moral authority superior to every earthly political rule was established for all who regard Christ as Master. Conscience was confirmed as the guide of conduct. And human allegiance was thus divided between the sovereignty of God and that of Caesar.

### III

For nearly twenty centuries, the effort of political philosophy in the Christian world has been to reconcile the dilemma posed by the latent antagonism between Divine Authority and mundane authorities.

Some individuals, whom we may class as mystics, have always so far as possible ignored the governmental regulation of daily activity, concentrating their whole attention on the development of an inner life. Other individuals, whom we may call the agnostics, endeavor to be indifferent to the existence of Divine Authority, though willing to admit that all humanity is subject to certain obviously inescapable controls, such as the force of gravity. In consequence, the agnostic, though not necessarily law-abiding, tends to obey without spiritual protest whatever the local political force commands. A third type, still numerous among Americans, accepts the challenge of Christianity with greater or less enthusiasm and energy. People in this category really endeavor to reconcile the mandates of divine and human law. The quality of their striving determines first the practice and eventually the form of representative government.

The Marxist effort to undermine, and if possible destroy, the idea of God is certainly doomed to failure. One comes to this conclusion because distinction between Divine Law, capitalized,

and man-made laws, in lower case, is so deeply ingrained in human understanding.

Indeed, the anthropologists tell us that the distinction is universal for human beings, in space as well as time. Greek philosophy was deeply concerned with the nature of the ultimate Authority that directs men's actions. The quest for justice, as the touchstone of moral law, is the theme of Plato's *Republic*, with its concluding admonition to "hold fast ever to the heavenly way." Blackstone, at the outset of his famous *Commentaries on the Laws of England*, asserts flatly that the "law of nature being co-eval with mankind, and dictated by God himself, is of course superior in obligation to any other." The law of nature, as a set of uncodified commands implicitly accepted by the mind and conscience of every reasonable person, is merely the concept of Divine Law under another name. Time and again the law of nature has been dismissed as mere fantasy. But time and again it has operated to overthrow entire systems of positive law.

Thus the contents of the law of nature vary with the ages, but their aim is constant, it is justice; and though this species of law operates not in positive enactments, but in the minds of men, it is needless to urge that he who obtains command over minds will in the end master their institutions.<sup>5</sup>

We may therefore conclude that Authority will always have its final *locus* beyond the reach of the sheriff and the tax collector. Up to a point men will obey the regulations imposed upon them by the State and undoubtedly the field of their submission can be greatly extended by terrorization. There comes a time, however, when civil regulations become so numerous or so absurd that they conflict too sharply both with the moral and the intellectual sense. It may be a law that prohibits men from taking advantage of the natural process of fermentation. It may be a law demanding that on his eighteenth birthday a boy shall be conscripted for military service. It may be a law that fixes an arbitrary price for a pound of butter. The occasion is less important than the result, which is at first individual, and finally collective, rebellion.

<sup>5</sup> Sir Paul Vinogradoff, *Common-Sense in Law*, Home University Library, p. 245.

From the viewpoint of political science, the point at which such rebellion may be expected is as important as is the tensile strength of metals to the engineer. No earthly government can be so authoritarian and no people can be so regimented as to eliminate the tendency to rebel against what their inmost instincts deem to be injustice. This tendency, define it as we will, is at bottom the personal recognition of an Authority higher than that of mortal kings and commissars. And since we cannot dispense with political regulations, the art of government is seen to be that of keeping these regulations in general conformity with Divine Law.

But the law of nature is dynamic as well as eternal. Therefore the problems of political government will never be finally solved; will be in process of solution so long as Man continues to exist as "a political animal."

#### IV

The aspiration of bringing earthly government into conformity with Divine Law has always been particularly pronounced among the American people. It could scarcely have been otherwise, considering the important part which the passion for religious freedom played in the settlement of the colonies.

Nathaniel Morton, contemporary historian of the first years of the Plymouth settlement, has left us the wording [in New England's Memorial] of the social contract by which the Pilgrims established the first political community of white men in New England. Its stated purposes were, in descending order, "for the glory of God, and advancement of the Christian faith, and the honour of our King and country." When, "in the course of human events," it became necessary to dissolve the political bonds connecting America and Britain, the task was easier because the primary American political allegiance had from the outset been given to Divine Authority. Loyalty to the British sovereign had always been secondary in the minds of most colonial Americans.

The importance of the role played by the clergy during the period immediately preceding the Revolution is more than interesting. It is also convincing evidence that our government during its formative period was being directed toward the fulfillment



of Divine Law, so far as this can be understood by earnest Christians. In his book entitled *They Preached Liberty* the Reverend Franklin P. Cole has collected an anthology of quotations from the sermons of New England Ministers during the middle decades of the eighteenth century. These divines sought diligently to confirm a connection between Christian doctrine and political arrangement.

A favorite text, Mr. Cole observes, was: "Where the spirit of the Lord is, there is liberty." It was utilized, in particular, by Jonathan Mayhew. On January 30, 1750—the anniversary of the execution of King Charles I—Mayhew preached a remarkable sermon, in the West Church of Boston, afterward widely circulated under the title of: "A Discourse Concerning Unlimited Submission." It asserted that:

Those in authority may abuse their trust and power to such a degree that neither the law of reason nor of religion, requires that any obedience or submission be paid to them; but on the contrary that they should be totally discarded, and the authority which they were before vested with transferred to others, who may exercise more to those good purposes for which it is given.

The belief that civil power is only provisional, and should at all times be subordinate to intangible Authority, of course led to, and will always lead to, many difficult political problems. Civil law can be codified and given a relatively uniform judicial interpretation much more easily than is possible with Divine Law. The only practical way to make the latter effective as a form of jurisprudence is either to give political allegiance to a universal church, with a governing head more powerful than any national potentate, or else to create a theocracy in which a qualified priesthood exercises political command. Mankind has tried both of these methods, but not in this country. From the beginning, sectarian separation was of the essence in American Protestant thinking, as the New England Puritans found when they tried to impress on others the same sort of doctrinal unity that they had themselves so deeply resented in the Mother Country. And the strength of sectarianism in turn made separation of Church and

State inevitable, regardless of the deep respect accorded the ministerial profession as such.

In practice, it was impossible to elevate a single sacerdotal class empowered to interpret and apply Divine Law for all Americans. But it was equally impossible for the colonial mind to accept a civil authority empowered to disregard and override Divine Law as interpreted by the various religious bodies. Therefore, with the genius for practical solutions characteristic of a frontier people, a part of the problem was eliminated by severely limiting the powers of civil authority. We have already emphasized that the limitation of official power is a central characteristic in the American way of life. But we have not heretofore considered the extent to which religious thought is responsible for that limitation.

The evidence in this matter is abundant. A few instances may be taken from the rich storehouse of Mr. Cole's anthology.<sup>6</sup>

In 1765, the Reverend Edward Dorr asserted from his Hartford pulpit the "melancholy truth" that "the rulers of this world have generally set themselves in opposition to the interest of true religion and the cause of Christ." In 1771, the Reverend John Tucker, of Newbury, Massachusetts, told his parishioners in an election sermon that: "Unlimited submission . . . is not due to government in a free state. There are certain boundaries beyond which submission cannot be justly required, nor is therefore due." In 1773, the Reverend Charles Turner said in Duxbury that: "Unlimited power has generally been destructive of human happiness. The people are not under such temptations to thwart their own interests, as absolute government is under to abuse the people." And in 1777, in a sermon as cogent today as when it was delivered, the Reverend Samuel Webster warned in Salisbury, Massachusetts, that:

. . . encroachments on the people's liberties are not generally made all at once, but so gradually as hardly to be perceived by the less watchful; and all plaistered over, it may be, with such plausible pretenses, that before they are aware of the snare, they are taken and cannot disentangle themselves.

<sup>6</sup> *Op. cit.*, pp. 70, 81, 83, 84-85.

Mr. Cole has done a great service in assembling material that shows how sharply the clergy of the Revolutionary period denounced exaltation of the civil power. Their attitude was of course instrumental in curbing the wishes of those centralizers who, like Alexander Hamilton a few years later, sought to establish a strong national government. But it must not be thought that this faith in home rule developed only when the breach between America and Great Britain made it popular to attack the government in London. The distinctively American political philosophy was apparent long before there was any idea of political independence.

In his preliminary sketch for the government of West New Jersey, which foreshadowed the later government of Pennsylvania, William Penn wrote, in 1676, that: ". . . we lay a foundation for after ages to understand their liberty as men and Christians, that they may not be brought into bondage but by their own consent; for we put the power in the people . . ."

Six years later, in the first "Frame of Government" for Pennsylvania, Penn developed even further the idea of civil government as a social contract between men subject primarily to God. One provision was too liberal for many of his own Quakers to approve:

That all persons living in this province, who confess and acknowledge the one Almighty and Eternal God to be the Creator, Upholder and Ruler of the world, and that hold themselves obliged, in conscience, to live peaceably and justly in civil society, shall, in no way, be molested, or prejudiced, for their religious persuasion, or practice, in matters of faith and worship; nor shall they be compelled, at any time, to frequent, or maintain, any religious worship, place or ministry whatever.<sup>7</sup>

No people can be entrusted with power unless their minds have dwelt deeply and reverently on its inner nature. So it is important to remember that generations of political thought and experimentation had made their mark upon the American character

<sup>7</sup> The political documentation on Penn is conveniently collected in Chapter IV of *Remember William Penn*, published in 1944 by the official William Penn Tercentenary Committee of Pennsylvania.

before Benjamin Franklin summed up the dominant conclusion in an apothegm that stands the test of time: "Man will ultimately be governed by God or by tyrants."

## V

To "put the power in the people," with any degree of permanence, it was necessary for the colonists: (1) to establish a system of government in which the individual would not be subjected by the State; (2) to develop a form of Society in which the individual would be inclined to restrain himself through recognition of an alternative and higher authority. The first of these connected tasks, being essentially negative in nature, could be achieved at a stroke, when the separation from Great Britain had been accomplished. But the positive duty of developing self-government, in the literal sense of the phrase, remains as a continuing obligation for citizens of the Republic. Nevertheless, it was believed with good reason, at the close of the eighteenth century, that Americans on the whole had learned how to govern themselves according to the moral law, and would retain and improve their capacity for self-government in a condition of political independence.

Enough has been said about the specific measures taken to insure that political government, while powerful enough to maintain a stable republic, should be neither strongly centralized nor in any way omnipotent in the United States. It is at least equally important to understand the motives that molded the Constitution as devised and accepted. These motives were to a very considerable extent spiritual, and therefore as valid today as in 1787. They were inspired by, and were in turn integrated with, the Christian doctrine that every man has in himself not only a copious measure of original sin, but also at least a trace of the divine. The problem of the Republic was, and is, how best to cope with the former while nurturing the latter. The first and fundamental decision was that this problem can never be solved by governmental agencies alone.

The heavy responsibility thereby placed upon the individual is the foundation of the liberal position, using the word in its true,

historical sense. A person who maintains that the State should solve, by necessarily coercive methods, any problem that individuals are capable of solving voluntarily, is, of course, the very opposite of a liberal. The essence of tyranny is reliance on external, as opposed to internal, compulsion.

Liberalism as a political creed is simply an application of the Christian doctrine that Man has within himself the seed of his own salvation. The liberal obeys Paul's admonition to: "Stand fast therefore in the liberty wherewith Christ hath made us free." To be liberal is to have faith in human decency, without qualification of creed or color or circumstance. It is to possess a sense of justice that applies as well to an enemy as to a friend, and an intellectual discrimination that can admit and admire excellence wherever found. Liberalism is of course an aristocratic attitude which does not suffer fools gladly. In paying tribute to wisdom, however, the liberal demands that it be combined with integrity. His concept of aristocracy is one that includes not only wisdom but also character and conduct. The liberal repudiates class distinction based upon financial status, along with the fantastic assumption that superiority of any kind can be devised from father to son.

The smugness and complacent self-righteousness of the Pharisees could easily taint the surface virtues if there were no element of self-restraint in the composition of the liberal. What distinguishes him most clearly, however, is abiding faith in that self-imposed discipline which, explicitly or implicitly, he regards as a test of loyalty to Authority superior to any on this earth. The liberal knows that self-discipline is necessary, not merely to perfect his own capacities but also to enable him to live co-operatively with other men. Indeed, the exercise of self-discipline is the very center and well-spring of the liberal creed. It develops a sincerity that may not be strong enough to prevent sin, but does guarantee dissatisfaction with perfunctory outward observance of any code, whether civil or religious. The liberal cannot believe that the end justifies the means and must at all times maintain a critical attitude, toward his own philosophy in the first instance but also toward that of other men.

It follows, from these characteristics, that in any place, at any time, the liberal is likely to be a member of the minority. Liberalism is an intellectual philosophy as well as a religious faith. Relatively few people are likely to possess the tenacity, the wisdom, or even the capacity for reflection essential to combine these attributes. Moreover it takes moral courage to give primary allegiance to an Authority that is unseen. Inevitably this elusive loyalty makes the liberal a thorn in the flesh of those who exercise temporal power. Between the man who makes political office his highest aim and the man who tends, no matter how delicately, to deride political office, there will always be an underlying antagonism. So the State machinery operates to discourage liberalism, and liberals become a shining target of State coercion as this instrumentality seeks to enlarge its scope and power over individuals.

Liberalism is neither a proletarian, a bourgeois, an agrarian, nor even necessarily a clerical characteristic, and from its individualistic nature the philosophy cannot survive identification with the spurious aristocracy that demands class loyalty. For that reason England, in spite of the magnificent contribution of many Englishmen to the development of liberal philosophy, has not maintained itself as a stronghold of liberalism. Class government, whether Tory or Labour, is fatal to a doctrine that repudiates the theory of social classes and, consequently, that of class war. There is nothing accidental in the way the Liberal Party in Great Britain has been pulverized between the millstones of Conservatism on the one hand and Socialism on the other.

## VI

Our system of government was consciously designed to protect and encourage the liberal attitude as outlined above. This purpose is apparent in the elaborate dispersion of political power both between the federal government and that of the states, and among the executive, legislative, and judicial functions in all of them. There is far more to the picture, however, than is found in the constitutional setup. Even more significant, because more illustra-

tive of unrestricted popular will, has been the character of party organization in the United States.

As noted in Chapter 2, political parties in our country have from the beginning divided along lines of philosophic principle rather than of class interest. This is not to say that our politicians have been philosophers, any more than were the Honorable Samuel Slumkey and Horatio Fizkin, Esq., of whose "spirited contest" for the honor of representing the borough of Eatanswill the *Pickwick Papers* have left us a no less spirited account. And to say that political parties in the United States have philosophic significance is not to assert that they are devoid of class attachment. The self-interest of slaveowners certainly played a part in the early days of the Democratic Party; the charge that Big Business has dominated the Republican Party contains enough truth to give that indictment ample sting.

Nevertheless, it remains true that no major American political party has ever attempted to identify itself with the welfare of a single element of the body politic: as in England the Tories associated themselves with the landowners; the Whigs with the mercantile and manufacturing interests; the Labour Party with the wage earners. American politics, by contrast with those of Europe, have not been a class struggle as to who should control the machinery of the State but much more a continuing conflict as to how extensive the authority of the national government should be. Though often only half-realized, and always obscured by local or temporary considerations, the real division in American parties has been between those who regard liberty as more important than security, and those who maintain that without security there is no meaning to liberty. To put it sardonically: The Republican Party has not been primarily interested in extending democracy, nor the Democratic Party in preserving the Republic. Yet the interplay of these forces has so far served both to extend democracy and to preserve the Republic.

We are now in a position to realize the fundamental nature of our two-party system of government. The cleavage is really over the issue of Authority and it may divide even families<sup>8</sup> ac-

<sup>8</sup> Cf. Matthew 10:35; Luke 12:53.

ording to whether the individual believes that Man should work out his destiny in accordance with the laws of God, or whether he believes that Man's primary allegiance is to a political artifact. There is no danger to the country in this division. On the contrary, balance is preserved by a clear-cut opposition of political forces. The danger would arise if there should ever cease to be a major party resolutely opposed to centralization of government. For instance, when Democrats abandon states' rights, and if Republicans do not move in to support home rule, then the anomalous and disturbing result is a federal republic in which neither major party upholds the basic principle of federalism.

Liberals, who could not be so defined if they lacked the aspiration of liberty, know perfectly well that their primary allegiance is to political principle and not to any particular political party. If the party of their allegiance deserts the principles of liberalism, then they will leave that party for one that conforms more closely to the liberal tradition. If for a time there is no such party, then one will probably be constructed, as the States' Rights Party was, after the Democratic National Convention of 1948.

If the people as a whole finally abandons the liberal tradition the problem will become more difficult, for one cannot move to another country as one can to another party. But there were many loyal Germans who fought National Socialism to the death in Germany. There are many patriotic Russians and others who are willing to do the same wherever the Communist tyranny controls. In the United States, where political authority has always been suspect, the proportion of honorable rebels would probably be even higher if the necessity should arise. There will be no such necessity if a resolute minority of Americans rally to save their system of government before it is too late.

## VII

There are many liberals who are not Americans and there are many Americans who are not liberals. But the American system of government is particularly favorable to the development of liberal thought. To say that the system encourages liberalism,



however, is not to assert that all the results of the system operate to that end.

In this seeming paradox, indeed, is found the very heart of our present discontent. By limiting political authority the American system has released tremendous energies, which have made our country, from every material viewpoint, the envy of the world. Yet this concentration on material improvement has itself lessened American allegiance to the ultimate Authority in behalf of which the power of political government was circumscribed. The natural result of concentration on the production of material wealth, and of the unequal distribution of the product, has been increasing popular demand for some sort of "New Deal."

In practice, as we have bitter reason to realize, the phrase is likely to mean only a return to the oldest and most impoverishing of tyrannies—the elevation of political at the expense of spiritual authority.<sup>9</sup> It is, nevertheless, idle to expect the masses to learn anything from the lessons of history if they are not applied and made clear by those who have had opportunity to reflect upon them.

The blessings of liberty turn quickly into dust and ashes unless they are disseminated among the people, to whom the power of government has been distributed. So there is need for something deeper and more spiritual than socialistic rationing of wealth or capitalistic profit-sharing devices. Without production, there will be nothing to distribute, either in the field of morals or in the field of economics. Therefore it is an individual responsibility to be a producer of moral as well as of material wealth. Perhaps there is room for argument as to whether private enterprise can produce material goods as efficiently as the State. But it is certain that, in the production of moral wealth, private enterprise is far more productive than the State can ever be.

The reason for this is rooted in the nature of Authority. The character of the State, as noted in the preceding chapter, is essentially amoral. Certainly its machinery outlaws and punishes

<sup>9</sup> The shopworn principles of arbitrary government employed by F. D. Roosevelt's Administration are critically and refreshingly examined by Henry J. Haskell in his study entitled *The New Deal in Old Rome*.

what is considered to be evil conduct. But the State accepts no responsibility for the active promotion of good conduct. The Authority of Christ, on the other hand, is wholly devoted to the improvement of individual behavior. Here is a moral code repressive of that which is degrading; productive of that which is uplifting. So the emphasis of true Authority is on increased individual production of the nonmaterial wealth without which the condition of freedom is meaningless and the aspiration of liberty stultified. The emphasis of forceful government, on the other hand, is increasingly on material production, in order to meet the rising cost of government, even though governmental procedures actually serve to restrict rather than to encourage output.

One may read every line of *The Great Stalin Five-Year Plan* for the Soviet Union without finding any advocacy of the production of spiritual wealth. This plan provides, among countless details, that: "The capacity of the cotton textile mills in Stalinabad shall be expanded by 18,500 spindles."<sup>10</sup> But there is not a word about expanding the capacity of the people of Stalinabad for self-government. That is because authoritarian government cannot afford to recognize Authority external to itself.

### VIII

It is important to realize that the aggrandizement of the State has to a large extent resulted from what we vaguely call democracy. And this is bitterly ironical, for the State as such is inherently hostile to democracy and, once it has achieved sufficient power, will destroy democracy, in fact if not in name.

As a result of our failure to differentiate between Society and State, the word "democracy" itself has come to have two distinct meanings, dependent upon whether our usage of the term is primarily social or primarily political. In the social sense, democracy signifies a daily application of the doctrine of human equality—that *égalité* for which the English language, perhaps because it was developed by a class-conscious people, has no sim-

<sup>10</sup> *The Great Stalin Five-Year Plan*, published by the Washington Embassy of the Union of Soviet Socialist Republics (June, 1946), p. 28.

ple equivalent. That which is "undemocratic," socially speaking, is any practice tending to deny the assumption that one man is "as good" as another. Vernacular expression is often beautifully exact, and certainly is so in this instance. For to say that one man is "as good" as another does not mean that his intelligence is as quick, or that his bank account is as substantial. It merely means that in the sight of God, as the source of good, the differences between the pauper and the millionaire, the black and the white, the Russian and the American, are negligible. All are subjects of the same "natural laws." All are brothers under the Fatherhood of God.

Social democracy is thus at bottom a religious conception, enormously strengthened by the precepts of Christianity; therefore indigenous for the American people and also strengthened by conditions of life in this country during the formative period of American institutions. No dogmatic assertion has been received more favorably by American ears than the one in the Declaration of Independence that states as a "self-evident truth" that "all men are created equal." And this has been not only an article of faith, but also a rule of social practice on the part of most Americans who take their ideals seriously. For a long time "equalitarianism," except for slaves, was to a notable extent achieved as well as acclaimed. "During my stay in the United States," de Tocqueville wrote in his introduction to *Democracy in America*, "nothing struck me more forcibly than the general equality of conditions among the people."

But, "democracy" has a political, as well as a social, meaning. Politically speaking, the word can only mean a system of government under which the laws are made and administered in accordance with the will of the majority, so far as this is mechanically ascertainable. So democracy as a political system may be defined as truly representative government with unrestricted majority rule. For propaganda purposes, and to promote the semasiological confusion that has been so helpful to their cause, the Communists maintain that the dictatorship of a small minority is actually democratic. To accomplish this *tour de force*, however, they must reason that there is no opinion where no expression of it is allowed.

If all opposition to a decree of the Politburo is outlawed it can indeed be asserted that the official viewpoint accords not only with that of the majority but even with the *volunté générale* so far as it is expressed. However, common sense, as well as common usage, rebels against the attempt to call this political democracy.

Common sense, however, should also rebel against the attempt to call our system of government democratic. For to deserve that term several conditions, lacking in the United States, must be present.

Obviously a system of government cannot properly be called democratic unless the law-making power is wholly under the control of a majority of freely and periodically elected representatives. The number of these representatives, in a democracy, should be in proportion to the number of citizens and the franchise should not be denied by any arbitrary or discriminatory regulation. And since democracy means rule *of* the people—not rule *for* the people—the democratic principle would seem further to require a continuously compliant attitude on the part of elected representatives, in contradistinction to Edmund Burke's famous argument that "Your representative owes you, not his industry only, but his judgment."<sup>11</sup>

In this country the members of the more representative House, whether in the state or national legislatures, can be said to show habitual compliance with the majority will, or at least with that of the local party organization. But few of the other essential characteristics of democratic government are fulfilled. Until 1913, the election of members of the federal Senate was indirect. And the Seventeenth Amendment of course did nothing to rectify the highly undemocratic arrangement whereby a Senator from Nevada, with fewer than 125,000 inhabitants, can cancel out the vote of a Senator from New York, representing (in 1940) 112 times as many people. In the matter of overriding a Presidential veto—itself a serious dereliction of the democratic principle—it actually takes the vote of both Senators from New York to match that of one from Nevada. The Greek name for a political order of this character was polity, not democracy.

<sup>11</sup> Speech to the Electors of Bristol, November 3, 1774.

The sharp restriction of democratic processes in the American system of government was both intentional and well reasoned. We have already quoted Edmund Randolph's observation that "a good Senate seemed most likely" to check "the turbulence and follies of democracy . . ." Argument in behalf of an undemocratic Senate is less provocatively set forth in Numbers 62 and 63 of *The Federalist*. According to the latter, "history informs us of no long-lived republic which had not a senate" and gives "very instructive proofs of the necessity of some institution that will blend stability with liberty." The conclusion is "that liberty may be endangered by the abuses of liberty as well as by the abuses of power."

The Senate, moreover, is by no means the only one of our governmental institutions designed to prevent "a mutable policy," which "poisons the blessing of liberty itself."<sup>12</sup> Even less democratic than the Senate, designed to represent states rather than citizens, is the institution of the Supreme Court. This permits nine appointed judges, or rather a bare majority thereof, effectively to nullify any legislation that may be deemed contrary to our written Constitution. Finally, and most important, the theory of democracy is directly flouted in numerous clauses of the Constitution, especially in the first ten amendments (the Bill of Rights). These flatly deny to the representatives of the people any power to curtail freedom of speech, right of assembly, and other individual privileges, no matter how unwelcome to the majority these may be.

During the life of the Republic there has been some tendency to democratize its institutions. But changes like the direct election of Senators, or the extension of suffrage to women, have been offset by such undemocratic procedures as the disfranchisement of the District of Columbia and the increasing use of the presidential veto. On balance, it is impossible to assert that the American people show any strong desire to see their system of government made more democratic. When President Franklin D. Roosevelt sought to push through the notorious Judiciary Bill of 1937 he was justified in saying demagogically that: "If we would keep faith with

<sup>12</sup> *The Federalist*, No. 62.

those who had faith in us, if we would make democracy succeed, I say we must act—Now!”<sup>13</sup> But Mr. Roosevelt apparently failed to realize that Americans did not want the sort of democracy that would have made the judiciary subject to the executive by having the Supreme Court “packed” with servile nominees. And this devious legislation—a good example of a tyrannical measure depicted in seductive terms—was defeated.

There is, of course, an underlying reason for the seemingly illogical American habit of continuously exalting “democracy” while carefully modifying its practice as a political system. The egalitarian flavor of the word supports the stimulating belief that each and every one of us, regardless of handicaps or limitations, may by honorable effort progress toward whatever goal we set for ourselves. Since such progress is always primarily dependent upon individual endeavor, it is wholly in accordance with liberal philosophy to praise “democracy” in this discriminating sense. But it is equally important to remember that true liberalism insists on protecting the individual from tyranny of every variety, and that tyrannies are almost always imposed on minorities with the acquiescence of majorities—in other words, by democratic means.

## IX

Democracy and liberalism have much in common; but they are not the same thing, regardless of whether we are considering Man as a member of Society or as a subject of the State. The distinction between the democratic and the liberal attitudes is very important, and again it hinges on understanding the nature of Authority.

Both democracy and liberalism are opposed to privilege, but the opposition springs from different motives. The hostility of democracy is directed against the supremacy of an estate—whether it is legally recognized, as a hereditary nobility or an “established” Church, or whether it is something vague and indeterminate like “Wall Street” or the “leisure class.” But while the instinct and desire of democracy are to destroy the vested interest, it generally has no formula of replacement. Demos is apt in

<sup>13</sup> Democratic Victory Dinner, March 4, 1937.

destruction but unskilled in reformation. Its emphasis is always on distribution rather than production; on rights as contrasted with responsibilities. "To the victor belong the spoils."

It is a fundamental characteristic of democracy to believe that there is some virtue in a majority as such. Psychologists tell us that this behavior pattern results from the herd instinct. If animals of any kind group together, whether to build an anthill, to construct a hive, or to establish a colony, the action of the individual must be disciplined to the purpose of the group. So the case for democracy is not undermined by suggesting that as often as not the majority opinion, at any given moment and on any given issue, is demonstrably false. To avoid complete frustration the group, as a group, must frequently take decisive action. If one believes that the individuals forming the group are fundamentally of equal worth, then the majority opinion is for that reason alone worthy of respect.

But "the cardinal quality of the herd is homogeneity."<sup>14</sup> So it follows that once a direction has been chosen, pressure is brought to bring all opinion into conformity with the choice. Critics and skeptics must be silenced; the more resolutely if their questions are effective. This effort to enforce uniformity is too universal to be casually condemned. It has been as pronounced in the conduct of the Society of Friends, where a member formerly could be expelled for joining the Army even in time of war, as in the Army itself, where the same individual could be shot for showing the same independence of mind at the expense of similar group welfare.

This natural desire of the group for uniformity provides the opportunity of the demagogue, who is both the product and the menace of democracy. For it is the ambition of the demagogue to exploit the natural regimentation of a democracy in behalf of his personal leadership, utilizing and developing the disciplinary machinery of the State to that end. As State controls become more plausible, more far-reaching and more effective, the tendency of democracy to succumb to the demagogue becomes ever more pronounced. This degenerative tendency has been present from the

<sup>14</sup> W. Trotter, *Instincts of the Herd in Peace and War*, p. 29.

beginning of political organization. Indeed no modern writer could analyze it more clearly than did Plato, in the Eighth Book of *The Republic*:

The people have always some champion whom they set over them and nurse into greatness . . . This and no other is the root from which a tyrant springs; when he first appears above ground he is a protector. . . . At first, in the early days of his power, he is full of smiles and he salutes everyone whom he meets;—he to be called a tyrant, who is making promises in public and also in private! Liberating debtors, and distributing land to the people and his followers, and wanting to be so kind and good to everyone! . . . then he is always stirring up some war or other, in order that the people may require a leader. . . . Has he not also another object, which is that they may be impoverished by payment of taxes, and thus compelled to devote themselves to their daily wants and therefore less likely to conspire against him? . . . And the more detestable his actions are to the citizens, the more satellites and the greater devotion in them will he require? . . . Thus liberty, getting out of all order and reason, passes into the harshest and bitterest form of slavery.<sup>15</sup>

As one reflects upon this discerning passage, written more than 2300 years ago, it is difficult to avoid identification of Plato's hypothetical tyrant, "wanting to be so kind and good," with outstanding politicians of our own day.

## X

It is on this question of majority rights, and the leveling process that they imply, that the liberal separates from the democrat, even to the extent of opposing enlargement of political democracy. So long as the struggle is against conservatism as such; so long as the desired reform is directed toward the elimination of arbitrary privilege, or monopolistic practice, the liberal and the democrat are allied. They part company as democracy slides into socialism, which it must do to the extent that the democrat trusts and employs the State as an agency for the rectification of social abuses.

Liberalism believes in equality of opportunity, but does not

<sup>15</sup> *The Dialogues of Plato*; Jowett's translation. Vol. III, pp. 274-9 *passim*.



assume that equality at birth means automatic equality throughout life. There is stimulus in the assumption that "all men are born equal." There is repression in the illogical corollary which asserts that men *remain* equal, regardless of their individual effort for self-improvement and self-government. This secondary assumption is denied by something more than all the evidence of biology, which even questions the literal accuracy of the basic premise. A belief in automatic and continuous equality is also wholly at variance with Christian doctrine, which emphasizes throughout that intense and persistent personal struggle is necessary for salvation. "He that shall endure unto the end, the same shall be saved."<sup>16</sup>

As Croce points out, liberalism has gained in strength, as has democracy, with the decline of privilege as a class prerogative. But liberalism is far more careful than democracy to avoid the substitution of a new form of privilege for that which is eliminated. The liberal, as a case in point, fought side by side with the democrat to establish the right of collective bargaining. The liberal was as staunch in advocacy of the principle of free association as the conservative was stubborn in his opposition. But liberals maintained their principles when State intervention was called in to make trade unionism compulsory. Croce has defined the line of demarcation: "Liberalism is in contrast to democracy in so far as democracy, by idolizing equality conceived in an extrinsic and mechanical way, tends, whether it wishes to or not, toward authoritarianism. . . ."<sup>17</sup>

It is the idolization of equality that has produced what Ortega y Gasset has called "hyperdemocracy," developing that mass mind which contributes little or nothing, but nevertheless vociferously demands "security" as a right. This is the meat on which our Caesar feeds. And the mass man is, by definition, always a member of the majority whereas the liberal is, as we have seen, habitually a member of the minority. The democrat, whose emotional urge is always stronger than his critical faculty, is more in danger

<sup>16</sup> Matthew 24:13.

<sup>17</sup> Benedetto Croce, *Politics and Morals*; essay on "Liberalism as a Concept of Life."

of being pulled over into "hyperdemocracy." And because of this pull he is often "unaware that the select man is not the petulant person who thinks himself superior to the rest, but the man who demands more of himself than the rest, even though he may not fulfill in his person those higher exigencies."<sup>18</sup>

Liberalism, in short, is a reasoned philosophy, bolstered by faith in the essential goodness—or God-ness—of Man, whereas democracy is tinged with a passionate quality to the extent that resentment and jealousy can easily overwhelm the necessarily dispassionate sense of justice. Consequently, the aspirations of democracy can never be satisfied unless and until mankind is reduced to a single plane, of which the level would at best be that of mediocrity. And since the instinct of liberty rebels against the dull oppression of the mass, there will always be a latent conflict between democracy and liberalism. In this conflict, moreover, the thorough democrat will often be more hostile to the liberal than to the selfish conservative. The self-interest of the latter can be intelligently exposed and advantageously denounced. But the position of the ideal liberal is both morally and logically unassailable. So liberal opposition to the aspirations of democracy can only be countered by contemptible denunciations of motive and character—in a word, by "smearing."

Thus there is something tragic in the thoughtless acclaim given to democracy as a political movement. As soon as it overthrows one impediment to egalitarianism, another arises. When a hereditary nobility is destroyed, "economic royalists" are seen to usurp the stage. As these are struck down, an elite of Nazis or Commissars moves in. Abolishing privilege by purely political means, by either legal or illegal force, is like killing the hydra. Even if two evils do not arise for one eliminated, at best the original oppression continues in another form. Its name is changed, but not its essential character. Thus many well-intentioned democrats are pitifully confused when the Communists say, with some reason, that they have achieved democracy, wherever their writ runs. It takes a discerning mind to realize that the Soviet system *is* political democracy, brought past the transition into tyranny.

<sup>18</sup> José Ortega y Gasset, *The Revolt of the Masses*, p. 15.

A few years after the establishment of our Republic the people of France rose in a spontaneous upheaval, of which the record has been carefully compiled; from which important lessons are still to be learned. Spurred by American accomplishment, goaded by almost incredible injustice, the French revolutionaries moved to destroy the *Ancien Régime*. On their banners and on their lips was a ringing phrase, as eloquent of democratic aspirations as it was destined to be fatal to human welfare. "*Liberté; Égalité; Fraternité,*" the people chanted. But very soon equality strangled liberty; and fraternity passed swiftly into atrocity. The Reign of Terror indicated the absence of some essential ingredient, necessary to transmute democratic yearning into liberal accomplishment.

Americans had carried that missing ingredient with them, to the New World. It was not, is not, a national monopoly, for Frenchmen, too, were Christians. But around the Court of Louis XVI it was not Christianity, it was merely the Church that counted. So there was excuse for the forlorn decree transforming Notre Dame into a "Temple of Reason" and it was understandable when, on the 17th Brumaire, Year II, the President of the Assembly declared that, "The worship of Reason should in future be the national religion."<sup>19</sup>

The sequel showed that nothing is more unreasonable than Reason, when it forgets the nature of Authority.

<sup>19</sup> Louis Madelin, *The French Revolution*, p. 388.