

The following article written by Henry George appeared in the Sacramento Daily Union signed by "Proletarian." Articles by George appeared in the newspaper from 1866 to 1870. This article appeared in Vol. 31, No. 4797, 13 August 1866.

NEW READINGS OF THE CONSTITUTION BY JOHNSON & CO.

Messrs. Editors: The telegraph a few days ago brought us an item of news which is of great interest as showing the views and intentions of the man whom a national misfortune has placed at the head of the Executive Department of the Government. It was to the effect that Johnson had determined to reappoint to office men whose nominations the Senate at its late session had refused to confirm, being fortified in this proceeding by the opinion of his newly appointed Attorney General that such a course was within the constitutional limit of his power.

What does this mean? Why, simply, that the President alone, and not "the President by and with the advice and consent of the Senate," is to control the distribution of the vast patronage of the central Government. He appoints to office a man obnoxious to the representatives of the people, who refuse to ratify and make valid the appointment. He waits a few days in patience. The Senate adjourns; then he reappoints the same person, who takes the position. In course of time the Senate again meet and again refuse their assent. But the Presidential favorite is in office, and according to this theory must hold it until a successor is duly appointed and qualified, which cannot be until the President is pleased to nominate another person, and the only way the Senate can get rid of the man thus placed in position over their heads and in defiance of their clearly expressed will, is by bill, which, to become law, must receive the approval of the President, or a two-thirds vote in each House. If carried out, this plan practically dispenses with the Senate, and gives to the "chief servant of the people" a power of corruption greater than that of any despotic monarch — vaster than that wielded by any Caesar or Augustus who ever sat on the throne of the world.

Astounding as is this new theory of constitutional right, no one who has watched the course of Johnson can doubt that an attempt will be made to carry it out. It is but a part of the wicked scheme which for some time past has been slowly developing itself. Having got rid of a loyal man the President has succeeded in obtaining a legal adviser whose counsel will chime with his own wishes, and we may now look for fresh interpretations of the Constitution which will prove how ignorant of its wonderful flexibility were the sages who framed it, the statesmen and jurists who have administered its provisions and commented upon them, and the people who for nearly eighty years have lived under it, and who for their love of it and its defense have poured forth their blood and lavished their treasure. Who shall say there is nothing new under the sun? The great Convention, which comprised an array of talent and virtue such as the world has seldom seen, who brought to their task patience and wisdom never equaled "builded better than they knew." They dreamed not of what they did. It was left for Johnson, Stansberry & Co., and the "Constitutional Democracy" of these latter days to discover how skillfully they had framed a polity to bind the efforts of freedom and lend the sanction of law to the will of an ambitious man.

And what is the theory upon which this interpretation proceeds? What is the keynote of this

strain which is such sweet music in every traitorous ear, and to which every disloyal heart from Maine to Georgia will beat time? Where has this expounder of the Constitution gone for inspiration? To Mount Vernon or Monticello? to Bunker Hill or Valley Forge? to the silent witnesses of Gettysburg, or the nameless graves of the prison pens and slaughter-fields of the South? or to the birthplace of the nation, where, from walls made sacred by the Continental Congress, the faces of the mighty dead look down? Is it in the admonitions of Washington, the burning words of Henry, or the deathless teachings of Jefferson, that such lesson has been learned?

What is the new light which has been shed upon the sacred instrument we have regarded as the great charter and surety of our liberties which brings out so clearly to the eyes of the President and his supporters meanings heretofore undreamed of, and from which the framers of the Constitution would recoil with horror?

Is it the flames of burning cities and ruined commerce? Is it the lurid flash of musketry, the gleam of naked steel, or the circling fires of hostile camps? Is it the dire necessity of national self-preservation that prompts the sworn defender of the Constitution to strain to bursting its express limitations and violate both letter and spirit of its provisions? Or is it the promptings of an unholy ambition, that would seek power by any means and at any cost? And does the same spirit now animate those who applaud the grossest violations of the Constitution, in the interest of treason, as did when they preferred national disgrace and ruin to the slightest infringement of its strictest letter? When treason marshaled her legions without and treachery plotted within — when every day brought tidings of disaster, and only the eye of faith could pierce the thick gloom which hung about the nation's pathway --- those who now support this audacious policy were clamoring for the letter at the law, though the nation died --- were opposing to every effort of self-preservation a constitutional bar.

Is it in the name and for the ends of freedom and justice — that treason may be beaten back; that the flag may be preserved intact and unsullied; that the national pledge may be kept inviolate, and the national honor remain unspotted— that with the oath of office yet on his lips the President of the republic dares assert and carry into practice a power which the most frantic Federalist in his wildest dream of concentrated authority never imagined?

No; it is that treason may be made honorable and disloyalty rewarded, that the sworn supporter of the laws seeks this unlawful power that strife may succeed to strife and the enmity of hate be perpetuated that a loyal people may be robbed of the rights they have bought with their treasure and blood; that those who have received the national pledge of protection may be bound hand and foot and delivered to their enemies; that those who stood by the flag through its danger may be ostracised and punished, and while those who trusted to our promise curse our faithlessness, our weakness and wickedness, may become a reproach among the nations.

Not from any clause or section of the fundamental law; not from any debate in Convention or any precedent ever set in the history of the republic, does this monstrous assumption of authority proceed, but it is a logical sequence of the Johnsonian dogma that the President, not Congress, is the representative of the people and the repository of their originating and directing power, and entitled, as such, to set aside their clearly expressed will, to defy their unequivocal mandate, and

to use the means their love of freedom has placed in his hands to buy supporters for a policy which would cast away the dearly bought fruits of a bloody war and unexampled sacrifices.

And is the great work of the fathers of the republic —the monument of their wisdom and patriotism— to be wrested to such purposes as these? Not while their names live and their deeds are remembered, as he who tries will find to his cost --- not till the people forget their sacrifices and cease to value their heritage.

When the bold spokesman of the people pointed back through the lessons of two centuries to the fate of an English King, Johnson worked himself into a fever of fear and rage. Let him heed the warning. As stout hearts yet send the same blood through the veins of the descendants of the men who then brought an enemy of public liberty to the scaffold. He may surround himself with those who in the muttering thunder hear only the breathings of soft lutes, and their honeyed flatteries may shut out the stern accents of growing indignation. But let him be undeceived. Let him be warned in time. Let this new Moses who would retrace his steps feel that to the weary desert he must return alone. Let this new Joshua, who would bid the sun stand still, tremble at the fate of the false prophets. Let this Canute, who would stay the waves of the ocean, fly lest they overwhelm him. Let this Julian the Apostate know that the altars of his idols have been smitten by a mightier than human hand, and that beneath the ruins of the temples he would raise smoulder the quenchless fires of Gehenna.

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