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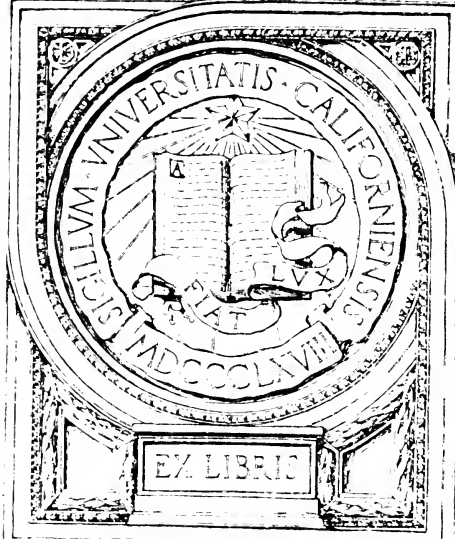
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SAFEGUARDS OF
AMERICAN DEMOCRACY

AN ADDRESS

DELIVERED BEFORE THE NEW YORK HISTORICAL SOCIETY
ON ITS ONE HUNDRED AND NINTH
ANNIVERSARY

TUESDAY, NOVEMBER 18, 1913

BY

CHARLES ALEXANDER RICHMOND, D.D., LL.D.



NEW YORK
PRINTED FOR THE SOCIETY
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PROCEEDINGS

At a meeting of The New York Historical Society, held in its Hall on Tuesday evening, November 18, 1913, to celebrate the One Hundred and Ninth Anniversary of the Founding of the Society.

The proceedings were opened with prayer by the Rev. William Montague Geer, M. A. Vicar of St. Paul's Chapel, New York.

The President addressed the Society on the history, progress and needs of the Institution.

The Anniversary Address was delivered by Charles Alexander Richmond, D.D., LL.D., President of Union College, on "Safeguards of American Democracy."

Upon the conclusion of the address, Mr. J. Archibald Murray, submitted the following resolution, which was unanimously adopted:

Resolved, That the thanks of the Society be presented to Dr. Richmond for the learned, eloquent and instructive address delivered before the Society this evening and that a copy be requested for publication.

The Society then adjourned.

Extract from the Minutes.

FANCHER NICOLL,
Recording Secretary.

SAFEGUARDS OF AMERICAN DEMOCRACY

THERE is a statement of Edmund Burke, written out of his own painful experience, which always stands on the threshold of such a subject as this—as a kind of “cave canem” to warn away the intrusions of the over-bold. It is this: “It is an undertaking of some degree of delicacy to examine into the cause of public discords. If a man happens not to succeed in such an enquiry he will be thought weak and visionary; if he touches the true grievance there is a danger that he may come near to persons of weight and consequence who will rather be exasperated at the discovery of their errors than thankful for the occasion of correcting them.” I mean to postpone this danger as long as I can. I shall, therefore, begin this address by sketching in an historical background to the subject, leaving to the end any enlivening strictures or contemporaneous criticisms.

We have been busy this year celebrating the anniversary of two historical events of capital importance: the centennial of German Liberty and the victories of the American War of 1812.

On August 16th, just a hundred years ago, an interview took place between Metternich and Napoleon at Dresden. This interview lasted nine hours and was enlivened with many violent bursts of temper on the

part of the Emperor. Toward the end, exasperated beyond endurance at the persistence of Austria, Napoleon threw his hat to the other end of the room. At an interview the previous year the same thing had happened. On that occasion Metternich had hastened to pick up the Emperor's hat and hand it back to him; this time he let it lie where it was. The significance of the incident must have flashed into the mind of Napoleon. The coalition of Russia, Prussia, Austria, England, Norway, Sweden and Spain was foreshadowed in this episode of Metternich and the Emperor's hat.

Two months after this, October 16th to 19th, 1813, the Battle of Leipsic was fought. There Napoleon had to face not one power or two but the whole of Europe. Out of that battle the Emperor came defeated and another army of half a million men was destroyed. About that time Talleyrand said: "Now is the time for the Emperor of Europe to become the King of France." A few months later Napoleon had ceased to be even King of France.

The allies entered Paris in March, 1814. Alexander of Russia, looking up at the statue of Napoleon on the tall column in the Place Vendôme, observed to the bystanders: "If I were up so high, I should be afraid of becoming giddy." Another year saw that tragic figure standing alone on the deck of the "Belepheron" looking his last on the receding shores of France and musing over the memories of his faded glory.

In June, 1812, the Emperor had marched his armies across the Nieman and had come back leaving the bodies of a half million of his men frozen in the snows of the Russian plains or caught amid the floating ice

of the rivers. In the same month we declared war upon England.

In July, 1813, Commodore Perry swept the British fleet from the Lakes. In August, 1814, the British troops entered Washington and James Madison took to the woods of Virginia, while Dolly, his wife, scuttled from the White House with her reticule full of silver spoons. In January, 1815, General Jackson with his raw boys from the farms crushed the veterans of Wellington, at New Orleans, inflicting a loss of 2,600 at the cost of 8 killed and 13 wounded. About the same time Waterloo was lost and won and on both sides of the Atlantic the era of good feeling succeeded the twenty years of strife. The issue of the Napoleonic wars rearranged the map of continental Europe; the issue of the War of 1812 made it possible for us to remain upon the map of this American continent as an independent nation.

But the significance of the last period of the 18th Century and the first of the 19th is not to be found in the issues of the wars of Europe and America, but in the assertion of the spirit of Democracy. The men who saw in the American Revolution only a revolt of discontented colonies were far from the truth. The new nation was a new incarnation of Democracy—a new and emphatic statement of the principle of the consent of the governed. The Declaration of Independence was a declaration of human rights; never before had there been such an awakening; never had there been so impressive a demonstration of the inherent strength of the Demos. This was in 1776. A little later came the '93 in France; a decade more saw the

complete triumph of Democracy in America organized into a political party. Chateaubriand, writing in 1812, says: "When the War of the Revolution broke out the kings did not understand it; they saw a revolt where they ought to have seen the changing of the nations—the end and commencement of a world. Monarchs were about to come to sue for peace, in the anterooms of a few obscure demagogues, and awful revolutionary opinion was about to unravel the intrigues of old Europe upon the scaffolds. That old Europe thought it was fighting only France: it did not perceive that a new age was marching upon it." Even then the leaven of Democracy was working not only in France but in England and in Prussia, where the patriot Stein was saying: "I am indifferent to dynasties." It was to be a hundred years before it reached fruition, but like a grain of mustard seed it had found root in the ground and was destined to become a tree that should fill the earth.

If Napoleon could have looked into the present century and seen the Republic of France; if Frederick of Prussia could have seen the rise of socialism in Germany; if George Fourth could have seen the present government of England—a government more democratic than democracy itself—if the Czar Alexander could have looked in upon the deliberations of the Russian Duma; if all the buried kings and emperors of Europe and Asia could rise out of their splendid tombs and see the birth of new nations, and the new birth of old ones, which has marked the opening of this 20th century; our American Republic with its 90,000,000 people, the overthrow of ancient dynasties

and the triumph of popular government in Spain and Portugal, in Turkey and Persia and in China, disgusting as the sight might be to them they could not fail to understand, as Chateaubriand did, that a new age was even then marching upon them.

When we consider more particularly the movement of events in our own country, it is clear that we are passing through political experiences analogous and, in some respects, strikingly parallel to those of the early years of the last century.

It was a time of the breaking up of political parties. That the election of Jefferson in 1800 was due immediately to the colossal blunder of the Federalists in passing the Alien and Sedition Acts of 1798, as well as to the bitter factional fights within their ranks, we cannot doubt. But Democratic sentiment had been gathering head for some years and the triumph of the party of the common people could not long be postponed by even the most astute political management. That Woodrow Wilson's election was made possible by the still more gargantuan blunders of the late Republican party together with the bitter dissensions within their ranks may also be fairly asserted. To these sufficient causes should be added, however, another which was wanting a century ago, namely, the callous disregard of the moral sense of the people which has gradually thickened the skin of our modern Federalists to a pachydermous impenetrability almost equal to that of their political symbol. But even allowing for all this there is to-day as there was a century ago an insistent demand on the part of the people for a larger voice in the government and a more direct hand in the

guidance of its affairs, which indicates a distinctly new impulse and a new and farther advance in Democratic sentiment.

It was this underlying and imperious force which accomplished the annihilation of the Federalist party in 1812, and in the new manifestation of this force which is even now surging about us we find our most interesting parallel.

In 1812, Madison, the Republican Democrat, is made President by 128 electoral votes to 89 for DeWitt Clinton, who ran as an independent but who received the support of the despairing Federalists.

In 1816, Monroe received 183 electoral votes to 34 for Rufus King, the Federalist candidate.

In 1820, Monroe received every electoral vote, excepting one, and this was cast against him only because it was desired that no president excepting Washington should receive the unique honor of a unanimous vote.

In 1912, Woodrow Wilson received 435 electoral votes to 58 for Roosevelt and 8 for Taft. In general, we may say that the vote for Wilson and Roosevelt together had underneath it much the same spirit which rose against the Federalists in 1808 and again in 1812 and 1816, namely, the assertion by the private citizen of his right to have something to say in the management of his political affairs. It would be bold prophesying what may happen in 1916 or in 1920, but a safe guess would be that no party will come to power that does not guarantee, or at least promise, much to the proletariat. Whoever the candidate may be he will have to call himself a man of the people whether he

goes under the name of Democrat, like Mr. Bryan, or Progressive, like his political twin, Mr. Roosevelt, or Republican if the old-line Republican has not by that time become an extinct mammal.

Certain personal parallels though not deeply significant are pleasantly reminiscent:

Thomas Jefferson rides unattended to the capitol, hitches his horse to the fence and walks into the Senate Chamber to take the oath of office. Our own expurgated governor walks to the State Capitol clad in all the unconscious unostentation of a Jeffersonian Democrat and is sworn in. Jefferson receives Mr. Merry, the British Minister, as that offended dignitary describes it: "I, in my official costume, found myself, at the hour of reception he had himself appointed, introduced to a man as the President of the United States, not merely in an undress, but actually standing in slippers down at the heels, and both pantaloons, coat and underclothes indicative of utter slovenliness and indifference to appearances and in a state of negligence actually studied." A description to which a picturesque counterpart might easily have been found at the People's House in Albany, in the present year of grace. This we call "Jeffersonian Simplicity," a custom, or if you will allow it, a costume more honored in the breach than in the observance.

Certain other interesting parallels might be drawn. Between 1800 and 1825, the South and West became dominant, and the influence of Massachusetts and the East declined. To-day the South is in the saddle, and the East is taking orders from Nebraska; as for New England, it has become a small spot on the political

map and Boston is only known politically as a museum of desiccated patriotism. Now, as then, the ideas of Jefferson are more trusted in the newer communities who have their experience still to gain and who at the same time have less to lose, for it has been observed that increase of goods is a marvellous breeder of conservatism.

The opening of the last century was also a time for the flouting of capitalists. The sledding was made hard for manufacturers. Hamilton had thought it good policy as well as good sense to attach capital to the government; Jefferson saw only danger in this, although how a government can be carried on without capital or even without capitalists is still an unsolved problem. Certainly we ran some risk and what Jefferson feared became a reality. Ten years ago John Fiske could write: "Our political freedom and our social welfare are to-day in infinitely greater peril from Pennsylvania ironmasters and the owners of silver mines in Nevada than from all the ignorant foreigners that have flocked to us from Europe. Our legacy of danger for this generation was bequeathed to us by Hamilton, not by Jefferson." He could hardly say that now; the shoe is on the other foot. To-day we are having something like an open season for capitalists. The golden pheasant is considered fair game for the pot-hunter and lucky, indeed, are the ones who get away.

Another characteristic of the time was the increase in the power of the executive. This was a curious non sequitur. The constitutional convention was careful to limit the executive. Hamilton would have had the President elected for life, but his views were far from

representative. Frequent elections, distribution of power, checks and balances, were the prevailing ideas, but strangely enough when Jefferson came into control, in 1800, encroachments by the executive upon the other branches of the government began, and arbitrary powers were assumed which to Washington and Adams would have seemed excessive. A single backward look at the Roosevelt régime and a side glance at the present administration will suggest an instructive parallel. From 1901 to 1908 "my policies" were the dominant policies. To-day the President walks over to the capitol and tells the Senate and the House what he wants them to do, and so far they have done it—not because they have wanted to, but because they have heard in his voice the voice of the people, and have recognized in him their real representative. For good or for ill the tendency to-day, both in State and National government, is towards a weakening of the legislative and a strengthening of the executive power; a tendency always seen in a government leaning towards a pure democracy rather than towards a strictly representative form.

The period following the War of 1812 was one of blatant and unrestrained Democracy, more aggressive, if possible, than our present-day brand. De Toqueville complains of it: "America is a free country," he says, "in which you are not allowed to speak freely of anything at all." "American Institutions" were defended with all the pugnacity of provincialism, and our vulgar complacency was an irritation to the whole world. But notwithstanding all this flamboyant and senseless boasting, very solid gains had been made. We had learned two all-important lessons from the war; one was the

necessity of preserving the sovereignty of the Union; the other was the necessity of maintaining the sovereignty of law. Sad experience had taught them that to meet the enemy at the gate there must be undivided loyalty within the city. What they had yet to learn was that a strong government was as necessary to meet internal dissensions as it was to repel a foreign foe; this we had to learn at the cost of a million human lives.

The second lesson, the sovereignty of law, we have only half learned. It may be that it will have to be ground into us by an experience no less bitter. Guizot once asked James Russell Lowell how long he thought our Republic would endure. Lowell replied: "So long as the ideas of the men who founded it continue dominant."

Among the many men who may share the honor of founding this Republic there are four commanding figures that stand out above all the rest; they are: Washington, Hamilton, Madison and John Marshall. We might add Benjamin Franklin, but strong as his influence was in the Revolution his hand was not so plainly seen in the more delicate process of construction. John Fiske includes Thomas Jefferson, but Jefferson, in my judgment, is not to be placed in the first rank. The ingredients of Doctrinaire and Democrat, patriot and practical politician were strangely mixed in him, but certainly constructive statesmanship was not his gift. He wrote the Declaration of Independence, a noble document and one worthy of all the reverence we give it; but, after all, it mattered little how we declared our independence so long as we declared it. Without the military genius of Washington it is probable that

we should not have won our war for independence; without his overpowering influence we should not have been able to mould a nation out of such stubborn and antipathetic elements. But influence is not government, as Washington himself observed. James Madison more than any other man was the maker of the Constitution under which we live, and Alexander Hamilton with his constructive genius and his unrivalled capacity for government devised the means of putting the Constitution into effect and by the sheer force of his reason persuaded the State to accept it.

John Marshall, in his turn, by that remarkable series of decisions in the Supreme Court interpreted and gave stability and permanence to that which was regarded by many as a possible instrument of tyranny and by all as at best a hopeful experiment. As James Bryce says: "The Constitution is not merely the work of the convention that framed it, but the work of the judges and most of all of one man, the great Chief Justice Marshall. No one man did half so much either to develop the Constitution by expounding it or to secure for the judiciary its rightful place in the government as the living voice of the Constitution."

When we look for the dominant personalities in the founding of this nation we shall find them in this short list; and when we look for the principles which, in turn, dominated these minds, we find that they were two; they believed in union made secure by a strong central government and they believed in liberty under the sovereignty of law; in these two dominant ideas we find the Safeguards of American Democracy.

Accustomed as we are to-day to think nationally, it is hard for us to realize how long it took to mould the sentiment of union and how often its very existence was imperiled. As late as 1862, in an article in the *North American Review*, we have the union of the colonies described in such words as this: "It was God's saving gift to a distracted and imperiled people. It was his creative fiat over a weltering chaos." "Let a nation be born in a day." This will do for a safe and sane Fourth of July, it is an innocent explosion of words, but the naked truth, as Von Holst points out, is that the constitution had "been extorted from the grinding necessity of a reluctant people." They were not then nor did they for many years after become a nation. Civil War was a near possibility at almost any time up to 1800. Washington himself feared it. To General Knox he writes: "There are combustibles in every State to which a spark might set fire." It was not until more than half a century later that the question was finally settled. All through the early years of the last century the threat of secession was raised whenever the interests of the State or section were seriously affected by the laws of Congress. The Virginia resolutions, written by Madison in 1797, asserted State Sovereignty. The Kentucky resolutions of 1798 and 1799, the original draft of which was written by Jefferson, went farther and declared nullification to be the rightful remedy. The report of the Hartford convention issued December 24th, 1814, and adopted by the Legislatures of Massachusetts and Connecticut, was practically a document of secession, more soberly garbed, to be sure, than similar utterances from our

fiery brethren of the South, but in effect the same, favoring the withdrawal of the New England States from the Union and the establishment of a separate confederacy. Strange sentiments, indeed, from the Federalists, the party of Union; stranger still that it should meet the approval of such a man as our own Gouverneur Morris. On December 22nd, 1814, in a letter to Pickering, then in Congress, he writes: "The traitors and madmen assembled at Hartford will, I believe, if not too tame and timid be hailed hereafter as the patriots and sages of their day and generation." It was the wave of Union sentiment that swept the country after the Battle of New Orleans that nullified the New England Nullifiers and made it difficult forever after for any man who had taken part in the Hartford Convention to hold up his head.

In 1830, Georgia had defied with impunity the United States Supreme Court. In 1831, South Carolina, always a little forward in such matters, threatened to secede because she didn't like the tariff and Jackson had bought her off. Sometime later Fernando Wood appeared with the proposition that New York City withdraw from the Union and establish an independent government; unhappily for the Union this golden opportunity was lost.

In 1861 the final struggle so long postponed was joined. The storm broke and when the skies cleared, revealing, as it did, a scene of devastation, braided across the dark bosom of the last receding cloud could be seen the bow of promise assuring us that never again should the Sovereignty of the Union be challenged or the blood of brothers be shed in the cause of disunion.

Looking back it seems a tragical mischance that at the very beginning men so sagacious, so patriotic, so enlightened as Jefferson and Madison should have thrown their great influence on the side of such a cause. Perhaps it was one of the natural reactions resulting from strong antagonisms, but it is only just to say that the whirlwind which we had to reap was in no small degree the inevitable consequence of this sowing to the wind. One of the strange things about it all was the mad inconsistency which drove both Jefferson and Madison to act, whenever they did act, in direct contradiction of their own theories. The Louisiana Purchase, the one great act of Jefferson's administration, was the most arbitrary act of any president and the most violent stretching of the powers of the executive in all our history. So long as they were merely in opposition the theory of a Confederacy with a weak government served very well, but the moment there was work to do they were driven by necessity to act upon the principles which Hamilton had laid down, which Washington had applied, and which Madison himself, twenty years before, had approved. When Jefferson talked it was in language something like this: "Were it left for me to decide whether we should have a government without newspapers, or newspapers without a government, I should not hesitate a moment to prefer the latter." This was writing "people" with a pretty large "P." When he acted, however, he wrote Jefferson with a very large "J." Sometimes he seems to have had a flash of consistency: "Societies exist under three forms," he says; "first, without government, as among our Indians. Second, under govern-

ments wherein the will of everyone has a just influence. Third, under governments of force. It is a problem not clear in my mind that the first condition is not the best."

An example of the practical efficiency of these ideas of government is to be found in his preparations for naval defense. He did not like war, therefore war was ruled out of his universe. But pushed by the intolerable insults of England and France to some action, the best he could think of and the farthest to which he could be urged was a kind of amphibious gunboat. These could be built for \$10,000 each, or \$100,000 per dozen. They were to be kept in the barn when not needed, and in case of emergency to be dragged to the water in wagons, manned by the farmers of the neighborhood, and eaten alive by the victors of Trafalgar and the Nile. This is not an extract from a Gilbert and Sullivan opera, but an executive order issued by the President of the United States and actually carried out. Five hundred of these gunboats, carrying one gun apiece, were built. Some of them never even fired their solitary gun; some were overturned by the recoil, and all of them soon found their way to the scrap heap. But we must not forget those gunboats. They serve as a humorous but grim reminder of the dangers of a doctrine. Pertinent, also, at this day when the ghost of Jefferson sits so confidently at our councils of state in Washington. Grape juice is an innocuous beverage, but there are occasions when nothing will do but three fingers of Scotch and we should always have it handy. The dove of peace is a gracious bird, it makes an excellent design for a seal, but until that

divine grace, of which the dove is a symbol, shall incline the hearts of men to beat their swords into plowshares and their spears into pruning hooks she must find her safest shelter in the shadow of some commanding presence.

It is only just to say that when Jefferson became the Sage of Monticello his counsels became the counsels of a sage and men forgot that he had ever been the politician. And in his last solemn advice to "my country," which he said was to be read after his death and to be considered as issuing from the tomb where truth alone can be respected, James Madison gives "as the advice nearest to my heart and deepest in my convictions that the Union of the States be cherished and perpetuated. Let the open enemy to it be regarded as a Pandora with her box opened and the disguised one as a serpent creeping with his deadly wiles into Paradise."

The second great idea that dominated the men who founded this nation was liberty under the sovereignty of law. It has been the dominant idea in the mind of every great statesman, ancient or modern, in monarchy or republic. Bismarck said in 1872: "Sovereignty can only be a unit and it must remain a unit—the sovereignty of law."

The critical days of the Revolution were after the Revolution. Our greatest victory was the victory over ourselves. It was not wonderful that we should win our independence from England—the story of David and Goliath has often repeated itself—but it was wonderful that these thirteen hateful little colonies with all their separative traditions of jealousy and their

memories of bitter wrongs could get together and found such a nation as this without shedding a single drop of each other's blood. Yet here is no miracle, but only the working out of history. Tradition and heredity will not be denied. We could and did change our allegiance, but we could not change our blood. We could win our liberty, but we could not conquer our inheritance of thought, and so while we threw off the yoke of Great Britain we were still bound by the beneficent bonds of the British Constitution. The unconquerable mother now, as always, subdues the child by the native strength of motherhood. Our true political ancestor, it has been observed, is the English squire, who was often a truculent person but with a great respect for law. The American Revolution and the French Revolution had only one point in common: they were both revolutions; in every other point they were as different as a powerful electric current moving evenly controlled by mind and purpose and a stroke of lightning cleaving a zigzag path through the air and dealing indiscriminate destruction. The contrast between the conduct of the American Revolution and the French Revolution is not more striking than the contrast between the men who led the two movements. Chateaubriand, speaking of those days, says: "We were giants compared to the brood of maggots that had engendered itself." It is true. Danton, Murat, Robespierre and all the slimy roll of his followers; it was, indeed, a "brood of maggots." On the other hand, the names of Washington, Hamilton, Franklin, Jefferson, Madison, Adams, Jay tell their own story. To single out only one—Alexander Hamilton. James

Bryce says of him that "he stands in the front rank of a generation never surpassed in history. A generation which includes Burke and Fox, and Pitt and Grattan, Stein and Hardenburg, and William von Humboldt, Wellington and Napoleon. Talleyrand, who seems to have felt for him something as near affection as that cold heart could feel, said, after knowing all the famous men of his times, that only Fox and Napoleon were Hamilton's equals." Our constitutional convention was, man for man, superior to any body of men that met anywhere on earth. It has probably not been surpassed at any given time in history. And so they went to their work in a way marvellous for its simple and elemental strength and wisdom, and they produced a government that has proven successful beyond the most sanguine hopes.

What made this difference? Certainly it is not to be found merely in a contrast in national traits nor in external conditions. Here is the working out of primal and imperious laws: it is a contrast between passion and principle, between democracy uncontrolled and democracy self-controlled and held in hand by a sovereign self-restraint, between a reign of terror and a reign of law. Both had wrongs to right and both set to work to right them, the one to destroy and the other to construct. Under the one the volcanic fire of the Revolution, under the other the measured strength of the British Constitution. There was nothing of the mob in our earlier democracy.

It must be borne in mind that these men were not men of the people in any glib sense. Washington was not popular in the manner of Jefferson. After the

Jay treaty he was attacked and traduced, called the stepfather of his country and accused of every known vice. Hamilton never had a popular following; he scorned the methods of the demagogue and declined to cater to popular prejudices or appeal to popular passions. When he appealed to the people, as he often did, he addressed their intelligence in such arguments as appear in the *Federalist*—at once a tribute to himself and to them. His trust was not in the passions of the mob but in the reason of the multitude. Later in our history democracy had a freer hand, but for the first twenty years, the formative years of this Republic, the men that moulded our national life—the real founders of our American democracy—were men to whom principles were dearer than popularity and who put their faith not in the shifting suffrages of the people but in the substantial certainties which history and experience had verified. To them an imperfect government based upon principles well tested was better than a perfect government based upon theories untried. They were not in love with any one form of government. They chose a democracy because they believed that the principles of liberty and equal opportunity and human brotherhood, which they loved, could best be secured to all men under that form of government, and they chose a representative rather than a pure democracy because they saw that only so could they escape the tyranny which lurked under their new-found freedom. It was clear to the minds of the founders of our Republic that in government as in education and art men are prone to attach too much importance to the form. When Franklin said in his

speech in the Federal Convention, "There is no form of government which may not be a blessing to the people if well administered," he was stating a profound truth and at the same time illustrating that practical sagacity which distinguished him from some of the doctrinaires of his time. It calls to mind the striking statement of Gibbon: "If a man were called to fix the period in the history of the world during which the condition of the human race was most happy and prosperous, he would, without hesitation, name that which elapsed from the death of Domitian to the accession of Commodus. The vast extent of the Roman Empire was governed by absolute power under the guidance of virtue and wisdom." However true that statement may be Jefferson would never have received it or, if he did, he would have kept it to himself. Certainly it would have been as risky for him to avow it in his day as it would be to-day for his political descendants, although both Jefferson and his descendants are striking examples of this beneficent autocracy.

James Monroe, in his famous message of 1823, after indulging in some rather lofty phrases about our superiority, concludes: "To what, then, do we owe these blessings? It is known to all that we derive them from the excellence of our institutions." But De Toqueville, whose "Democracy in America" has been for two generations the *vade mecum* of all students of popular government, writes to his father in the first month of his visit to this country, in 1831: "I am at present full of two ideas: first, that this people is one of the happiest in the world; second, that its immense prosperity is due not so much to peculiar virtues or

to its form of government as to the peculiar conditions in which it is placed.”

But the controlling causes of a nation's prosperity are neither political nor economic, but moral. A government, certainly a democracy, is a projection of personality. It has been said, I think by Montesquieu, that the state was once a private thought. It is not a mere mechanical device, but an incarnation of the thought and will and purpose of the people. “The State, as Plato said so long ago, “is only the individual writ large.” A generation or two ago men spoke of the “system of checks and balances” as the characteristic excellence of our government. But we are now beginning to see that the substance is more than the form. The written constitution has been transformed from a dead to a living thing because, as the years have passed, it has come to express more and more our central thought and purpose. So the word is made flesh and dwells among us.

In the last years of the 18th Century and in the early years of the 19th the doctrine of the Natural Rights of Man was hailed as the pillar of fire which should guide the wandering children of men to their land of freedom; instead of this it proved to be an ignis fatuus leading them deeper into the desert. And still, in spite of the experience of a hundred years and more, this false light dances before our eyes and misguides our feet. A man has no natural rights worth speaking of. The world owes no man even a living; the only rights he has are the rights he acquires by self-restraint and mutual obligation; and the only liberty he has is that which is conferred and made sure

by the social organism of which he is a living member. A government is not the State, but an instrument of the State. Governments come and go, the form may change, but the State remains, and will remain so long, but only so long, as the law is sovereign within its borders. "The State, I am the State," is followed inevitably by its corollary, "after me the deluge." The sovereignty of the people is no more stable than the sovereignty of the king unless it has behind it the sovereignty of the law. When the law is dethroned the people abdicate to the mob, and it makes little difference whether the mob is a rabble of the sans culotte, or a well-dressed mob; which was said to be John Bright's peculiar detestation.

From this direction comes our most serious menace. A venerable statesman who has served his country well for nearly sixty years in peace and war said to me last winter: "I have passed more anxious nights in this last year than ever I did in the time of the Civil War. Our country stands in more danger to-day from the spirit of lawlessness than ever it did from the spirit of disunion." The attack upon the judiciary is the symptom not the disease, and the disease is as old as Democracy itself. Jefferson did not hesitate to say, after the Shays Rebellion, "I pray God that we may not be without such a rebellion once in twenty years." Naturally he distrusted the judiciary and tried to control it; even to recall it by partisan impeachment. The change from the appointment to the election of judges was a mistake. De Toqueville saw it: "I venture to predict," he says, "that it will be found out at some future period that by thus lessening the inde-

pendence of the judiciary they have attacked not only the judicial power but the democratic republic itself." And we have found this true. To-day our judges are, in form, elected by the people; in fact, they are appointed by the party leaders, men, as everyone knows, who could not touch the ermine without defiling it. And who cannot see that, however upright the judge may be, the mode of his selection is an insult to him and a menace to the nation? But, as we have said, all this, whether open attack or covert sneer, is but the symptom; the disease is contempt of law. By law we do not mean specific acts of the legislature, some of which are, indeed, contemptible, nor certain processes of law which are a horrible travesty of justice, but the great body of principles which comes to us authenticated by the experience of the past and by which we control and regulate our conduct—personal, social and political—to despise this is to despise the teachings of experience, which according to scripture is the essence of the fool. We sometimes call this freedom; when we put it in the feminine gender we say emancipation, which is generally honest, in the main, just, and, of course, always fair but tintured with delusion and spiced with a dash of deviltry. But, male or female, impatience of restraint is the distinguishing mark.

The current of thought to-day, we might almost call it the rapids of thought, so swiftly does it move, is set towards the most unbounded liberty. The tradition, the thought, the experience of the past formulated into customs, conventions, laws, are regarded as so many irritating bonds that shackle our powers and prevent self-expression. Literature, social and

political life, conduct, speech, are carried along by this impulse. A very serious woman, writing in the *Edinboro Review*, says: "The woman of the future will be distinguished from others by the indecency of her conversation." Certainly the boundaries of decency have been somewhat extended in the recent past. It is only a part of the general movement; we must needs accomplish our ends and that which balks our purpose must be destroyed or over-ridden. Often the ends sought are good. Sometimes the purpose is sincere; sometimes ambition lurks beneath the cloak of the patriot, for, as Doctor Johnson shrewdly observes, "Patriotism is the last resort of scoundrels." Sometimes it is only misdirected zeal: "The mistakes of one sex find a retreat in patriotism; those of the other in devotion."

So far as the passion for sudden reformation is real, it has its root in the disappointment which has followed repeated failures and the despair of accomplishing any reform through the regular political organization or, indeed, through any regular legal process; in short, the feeling that it is a time for revolt and not for obedience, and we must admit that there is good ground for this feeling. The shame and humiliation under which every pure-minded citizen of this State is smarting to-day is the effect of too much conservatism—a stupid and wicked conservatism that has continued to support party organization long after it had ceased to deserve support. The fault cannot be laid at the door of any one political party; the Democrats blame the Republicans; the Republicans the Democrats, and the Progressives blame them both, which is easy to do, for a party that has never been in power can have no em-

barrassing past and, therefore, enjoys all the immunities of the newborn. But all of these are right as will appear from the most casual glance at recent political history. We have the record: a good deal of pretense; a good deal of the beating of the party tom-tom; not much patriotism; men chosen for office, not because they could be trusted to do right, but because they could be trusted to do wrong—old hacks who could sound but one cuckoo note: I am a Republican or I am a Democrat. Conscience without brains a few times, brains without conscience more often, sometimes neither brains nor conscience; once or twice both together and then consternation in the party—thieves falling out—dog eat dog. Trials, impeachments, Albany administering justice, Tammany a Vestal Virgin, kneeling in prayer. It is a balmy picture, most of it matter unfit for polite ears. We can only say of it as Macaulay says of a certain dramatist of the Restoration: "Its indecency is protected against the critics as a notorious little animal, who shall be nameless, is protected against the hunters. It is safe because it is too filthy to handle and too noisome to approach."

Truth is, we simple citizens have been rather hardly treated in this State. Driven from the Republican party by its smooth hypocrisies; repelled by the coarse iniquities of Democracy; we turn to the Progressives only to find ourselves threatened by dangers no less real if strange and new. We cross the street to escape the thug and find ourselves face to face with the confidence man, and if we dodge round the corner, a terrifying vision of eyes that glare and teeth that bite warns us to beware the political Jabberwock. There are only two

parties existing to-day—the ins and outs—neither party has any principles. So careful and critical a writer as Mr. James Bryce has justly said: “All has been lost except office or the hope of it. What life is to an organism, principles are to a party. When life leaves an organic body it becomes useless, fetid, pestiferous; it is fit to be cast out or buried out of sight.”

There is a suspicious aroma in the political atmosphere of this State which suggests to us that more than one old party is ripe and over-ripe for the mortician. The calling in of a couple of distinguished academic doctors to sprinkle rosewater over the corpse of the elephant has not abated the offense, and the augean stables of the Democratic beast of burden still wait their Hercules. The situation calls for elegies not for eulogies. And yet at the risk of a seeming non sequitur, I venture to say that a complete breaking with the past would not be the way of wisdom. Party loyalty is of course a hoary imposition—the snare of the fowler and a noisome pestilence. Regularity is a political epidemic, yielding to treatment, however, excepting in cases of confirmed self-interest or acute stupidity. The most beneficial microbe that has appeared in the body politic, in this generation, is the mugwump. The brightest sign in the political horizon is that party lines are more loosely drawn and that party allegiance sits more lightly upon our minds. The strength of the nation is not in its party men—the independent men are the saving remnant. This does not mean that we shall disregard all precedent nor aim too much at counsels of perfection in this sinful world. This creating of political Frankensteins is a dangerous pastime. Nor

does it mean that we shall fling off all restraint and annihilate time in the handling of our problems. The easiest way is always a way of sin or of folly—the short cut is a fallacy many times exposed, and the longest way round is still the shortest way home. It simply means that we shall do our own thinking in the light of history and experience, uniting with other men for promoting the national interest upon some particular principle in which we are all agreed. This was Edmund Burke's definition of a political party. If there are no principles, of course there is no party, but only the galvanized corpse of a party. It is time then for a new birth.

To many the time seems opportune for good men to unite in a determined effort for good government. The people themselves want it to a certainty—the only men who do not want it are certain corrupt men, some of whom have acquired leadership through the machinery of party, and these are, in fact, numerically few.

There is much loose and loud talk about Democracy, uncrowned kings and the like—what Carlyle calls, "considerable rumbling of the rotatory calabash," a favorite device of shrewd and designing men whose business is the exploitation of the people for revenue only. But the people themselves are not corrupt nor wanting in sense, excepting when they are driven in herds to the political shambles, then, like other gregarious animals, they lose their identity in the herd and cease for the moment to be rational. A great piece of work remains to be done in this country—our success in doing it will determine our final success as a nation. If we can do it and do it well, every other vexing

problem—capital and labor, trusts, tariff and currency—will be vastly helped to its solution. I mean the re-assertion and the re-establishment of the sovereignty of the people under the restraint and rule of the sovereignty of the law. Some political organization will have to do this—some old one or some new one. It will never be a party that chooses for its leaders men who are themselves law breakers, nor men who look upon the law as an inconvenient check upon their personal pleasures or their political ambitions. And it will never be a party organized upon the basis of spoils or of special privilege. It will be a party that not only has a reverence for the law in its heart but also the fear of God before its eyes.

There are two ways in which this Republic of ours may become a practical despotism—one, by too little democracy; the other, by too much, by too much organization, or by too little. We have experienced a little of both. Political parties that have strengthened their organization in proportion as their hold on principles has relaxed have more than once, through their leaders, held this country in their power as Washington, in his farewell letter, predicted they would. On the other hand, we have seen individuals exercising power in a way which the Grande Monarch might have envied. It must not escape our notice that these have usually been the men who worshipped the most solemnly at the feet of the god Demos. Jefferson, Jackson, not to mention distinguished contemporaries who, in the exercise of the functions of government, have not been exactly slow. The remedy for despotism, personal or party, will not be found in less democracy but in more;

not in less power to the people but in more, only it will have to be power exercised not at the hysterical caprice of the rabble which, after all, is only an inconsiderable part of this nation, but by the deliberate and steady will of the multitude of good, quiet citizens who are seldom heard of, but who are, in truth, the very body of the State. And since it is the instinct of men to incarnate their principles in some commanding personality, we say, as the hope of Christianity is in getting back to its divine founder, so the hope of American Democracy is in getting back to the source of its inspiration. And to find this we shall have to go back not to Jefferson, who trusted the people too much, nor to Hamilton, who trusted them not enough, but to Abraham Lincoln.

He believed in the people; he knew them as no American has ever known them, for he was of them—bone of their bone and flesh of their flesh. The passion for humanity was the master passion of his heart. But neither his faith nor his passion were blind. His faith in the people was comprehended in a larger faith, and freedom and law went hand in hand. To him liberty was not an end but a means to higher ends; and so the people gave him their faith as they have given it to no other man and have named him in their hearts as the type and symbol of a true Democracy.

We have not all understood it nor caught its fine infection, but most of us have come to see that the safety of our nation will not depend upon any doctrine of natural rights, nor upon any theory of government, nor upon any political specific or nostrum whatsoever, but upon character and the presence of that principle

of devotion, or patriotism, or public spirit—call it what you will—the principle or impulse which opens in the soul of man those springs of heroism and service by which nations have been saved in the past and to which we must look for all future redemptions.

The real safeguard of American Democracy is national virtue. We assume it and then forget it, but inevitably we come back to it. Human government is not a question of economics, nor of politics, but a question of morals; it is not mechanical but personal. It throbs with vital interest because it is human; never at rest because human life is forever on the march, reflecting life at every point, representing not things but men, it wrestles not with academic problems but with interests of flesh and blood, health and happiness, life and death. Its inspiration is spiritual, but like Antæus its sinews are strengthened by contact with mother earth. The sources of its strength are in the people and the sources of their strength, in turn, are in the homely virtues: honesty, self-control, industry, courage, patriotism. Out of the heart of the people are the issues of a nation's life. "The Kingdom of Heaven is within you" is the principle of soundness, in government as it is in religion. If it is not there it is not anywhere.

In thinking over this subject there has often risen before my mind a picture of the ancient city of Athens. Not free in our sense, for there were ten slaves to every free man, there was an idealization of the State and at the same time a freedom of initiative and self-expression which points to a very perfect idea of liberty in the service of patriotism. It was a little democracy—something like two or three hundred thousand souls; we

could almost smile at its very size, but the depth and richness of their life expressing itself in the incomparable beauties of their art, in engineering, in architecture, in sculpture, philosophy and poetry is a thing to which we, with our hundred millions, can show no parallel. It appears from the ruins that the private dwellings of even the richest of their citizens were modest and even mean; of their business houses we have hardly a trace. But upon their public buildings—the Acropolis, with its Propylæa, its Parthenon and its Erechtheum, they lavished not only a consummate genius but also sums of money staggering even to the modern imagination. The meaning of it was that the triumphs of their art, as well as the triumphs of their arms and of all their labors, were public triumphs and the fruits and the glory of them were shared in common by the whole of Athens.

I have wondered whether the root of their unrivalled greatness is not to be found in their unrivalled public spirit. If Macaulay's New Zealander, after viewing the Acropolis and gazing at the ruins of Westminster Abbey, should cross the ocean and visit the site of old New York to inspect the remains of our American Democracy, he would find that our most imposing building was not a cathedral, built to the glory of God, nor indeed any monument of civic greatness, but maybe, let us say, the apotheosis of a five and ten cent store. There is nothing wicked in this, but it does suggest a contrast instructive as it is grotesque. The honest truth is that the dignity and grandeur of the true conception of the State has only just begun to dawn upon our minds. We have yet to develop a race of men

noble enough to be content to labor obscurely, not to build up a private fortune but to conserve the public fortunes of the State. But this belongs to the Democracy of the future and is a part of the long, slow, painful process of education through which our race must go before it can enter into its promised land of freedom.

“It cannot be repeated too often,” says De Toqueville, “that nothing is more fertile in prodigies than the art of being free; but there is nothing more arduous than the apprenticeship of liberty.”

The success of this Republic is itself a prodigy. We should hardly call it a “Triumphant Democracy,” only a man who can reckon the fruits of democracy in the hundreds of millions can afford to use language so luxuriant, but our success has been striking. We have failed in some things; we have produced great things, but we have not produced great men. With the exception of Abraham Lincoln, who was formed to greatness in the supreme moment of a nation’s travail, our greatest men were our first born—Washington, Franklin, Madison, Marshall—we have never been able to match them. We love the members of our present cabinet too much to ask them to stand up and be measured by the side of such men as Hamilton and Jefferson who sat in Washington’s first cabinet. But we have succeeded in a harder task; we have done what even De Toqueville said could not be done: “Whatever faith I may have in the perfectibility of man, until human nature is altered and men wholly transformed I shall refuse to believe in the duration of a government which is called upon to hold together forty different nations spread over a territory equal to the half of

Europe." We have done more than this. There are fifty not forty and nearly a hundred millions spread over a territory equal not to the half but to the whole of Europe, gathered from the four corners of the earth, speaking different languages, practicing different customs, professing different religions, and we have made of these one nation; we have confirmed the sovereignty of the Union; we have, so far, maintained the sovereignty of the law; we have preserved the liberties for which our fathers died and we have flung the protecting folds of our flag over alien and oppressed people and established their feet in the paths of peace. We have stood the shocks of adversity and endured, with loss but without utter loss of ideals, the more searching test of prosperity. We have come safely through the period of children's diseases which afflict youthful nations. We have been swollen with the mumps and spotted with the measles, yet recovered; we have carried burdens which might have broken the strength of so young a giant; we have had our operations and have rallied; we have slept and in our sleep evils have grown; old men of the sea have fastened their loathsome limbs upon us and then by the help of God we have girded our loins, unclasped their hold, cast them down and buried them under a heap of ballots. Whatever its faults and weaknesses, and they are many, a nation that can do this is sound at the heart. Upon the whole then, American Democracy has been equal to its task, and while we must still endure with patience the arduous apprenticeship of liberty we have good hope that we shall one day become masters in the art of being free.



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