

AMERICAN DEMOCRACY¹

Like the "blessed word Mesopotamia" which gave so much comfort to the old lady, in spite, perhaps because, of her vagueness as to its meaning, democracy of late made us all brothers. While the heat of the struggle persisted, it was enough that democracy was arrayed against autocracy, but with the victory of our cause, there was a moment of unquiet at the obvious incongruities in the family we had adopted. Scarcely had the world been made safe for democracy when the issue arose of making democracy safe for the world. There seemed to be a call for definition or at least a classification of cousinry, when the situation was in part cleared, and the analysis of democracy for the moment stayed, by the discovery of bolshevism. The world was apparently divided not into sheep and goats merely, but a third element existed—perhaps wolves. Enormously convenient and soothing to the personal consciousness by giving us the means of denying relationship with disagreeable persons who were obviously not Germans, this discovery nevertheless caused a suspicion that things were not so simple as they seemed. If one were beset upon the one hand and upon the other, it followed that one was following the middle path which the Greeks advocated but to tread which requires constant care and effort. Democracy as a middle way is very different from those Elysian fields which many supposed to be before them when the dragon of autocracy should be overcome. Some gain there is in realizing the gulf that exists on one side, the desert on the other, but the way is often misty and it is necessary to have compass as well as landmarks, some knowledge of the essence of the thing we seek, some test to distinguish it from the *ignis fatuus* playing through the air.

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It is not the purpose of this paper to attempt the definition of democracy in the abstract, nor to join in the discussion of the working of democracy; but merely to describe what the speaker believes to be the conception of democracy held in the United States. This is certainly not a question to which the hundred million voices that make up our nation would return one answer. In fact, when quite recently the question was asked of a group of a dozen returned heroes, carefully selected for their general intelligence and scholastic training, it evoked but a confused dribble of answers, offered with little conviction. Some thought of democracy as an ideal that could be attained; some, as an ideal that could not be attained; some, as an extreme to be avoided; practically none thought of democracy as a practical working system; few thought the United States government democratic. It is indeed obvious in ordinary conversation that the United States is not democratic in the sense that a lump of coal is coal, but rather in the sense that a lump of coal is carboniferous. On the fundamental question as to whether one has confidence in the mass of the people, or in the few like Saul higher than any of the people, the world is, of course, divided eternally and everywhere, and in the United States as elsewhere. This difference of opinion is somewhat veiled amongst us by the vogue of the word democracy itself, and ardent believers in the government by the few parade as democrats, reserving to themselves the definition of what democracy is.

Out of this chaos, the speaker claims to be able to discern a few simplifying facts. First, that, leaving aside the question of ideals, we have a working system of government which, as contrasted with some other governments, may be called democratic. Second, that, as contrasted with other peoples, those of the United States have certain almost subconscious instincts as to the fundamental principles of that government, which were much more conscious to their ancestors during the period of struggle when it was being established, and which constitute the American conception of democracy. The United States,

however, is a country large for its age, and its ideas of democracy, as of other things, do not analyze alike from Maine to Florida, from Virginia to Oregon. On democracy there have been three differing conceptions, drawn from different sources, long-nourished by different circumstances, and not even now completely blended. The political Puritanism of Sandys and Hampden expanded in the vast area of Virginia into an individualism based on ample elbow room and disdaining the parental care of a close-knit state. Religious Puritanism, held together by the contracting geography of the New England valleys and closing its ranks to fight the world, the flesh, and the devil, found in union, strength. The Frontier, free as air, where all stood equal, confident, was restive of the bridle, but saw no limits to the beneficent power of a state which it could itself control. From these three elements, with their subdivisions, cross currents, and reactions has developed that ideal of political relationships which the word democracy brings to the mind of most Americans.

Probably the first idea which one associates with democracy is liberty. From the beginning the founders of America emphasized this aspect, it has been the inspiration of our poets, it has been the incentive of our immigrants. The mere migration to America, as to any new land, freed the migrant from many things, from the shackles of family and tradition and status—the dead hand of the past. Necessity freed initiative from the inhibitions of custom and of ridicule. Liberty, however, is nowhere absolute, it is always a matter of degree and shades, it differs from place to place, not only in amount but in character.

The simplest American conception of liberty was that which developed in Virginia and found expression in the philosophy of Thomas Jefferson. To him the only object of government was to protect liberty. Government was not to lead or cultivate, but merely to preserve each man in the peaceful enjoyment of his full freedom, and to mark the boundaries where the exercise of freedom by one would encroach on that of another;

the functions of government were purely judicial and police. This simple conception left out of view many of the complexities that subtler philosophies entail, and it was not inconsistent with a social situation which actually gave the control to a rather narrow aristocracy. It was indeed inconsistent with slavery, but this its leading advocates acknowledged, merely leaving the eradication of that evil to their sons. It would not prevent the retention of the freed slaves as an ignorant and helpless peasantry. Yet in one respect besides their belief in liberty were the Virginia leaders democrats. Recognizing differences, acquiescing in both the profits and the responsibilities created by these differences, they nevertheless had confidence in men generally. In framing their governments they did not so much show a fear of anarchy as of governmental oppression. Their most cherished political instrument was the "Bill of Rights," which enumerates those rights of the individual which the government must never invade. This device, whereby every man was given a certain range of action in which he alone was sovereign, was not only foreshadowed in the Declaration of Independence, and incorporated into the constitutions of the various states of the plantation section, but became a part of all other state constitutions, and, though not logically called for, was inserted into the constitution of the United States by early amendment.

The fighting Frontier, as it swept westward, was not philosophic, and its conceptions were expressed in action rather than in words. It gave some lip service to the Virginians, but it was more virile, having no fears and confident that men once possessing freedom would maintain it. It, therefore, reduced both the limitations upon government and the governmental restrictions upon the individual. The striking difference, however, was that the Frontier democracy really included everyone, and with this went a spiritual change. Few felt the responsibility of the Virginia gentleman for those who were actually inferior, for inferiority was considered a matter of fault. Instead of being tinctured by a gentle sense of *noblesse oblige*,

society rather tended toward the Calvinistic ideal, that a free man is responsible for his own welfare.

The New England conception was much less simple. Man is free, said Winthrop, to do that which is good. This applied, of course, to moral freedom, but in the early New England days of marriage of church and state, it was the obvious duty of the latter to restrain the liberty of the individual not only with respect to the rights of other individuals but also for the purpose of keeping him within the path of right conduct. What was right conduct, however, was on the whole determined by the majority; which meant that the majority were really free. Restraint from evil, moreover, must be distinguished from the guidance to the absolute right, to which the state did not aspire.

The application of this restrictive ideal of liberty was always and increasingly modified by the wide variations of the New England type and by sturdy individualism. Even so ardent a predestinarian as Jonathan Edwards found it necessary to temper his doctrine by magnifying the importance of the act of will by which the individual accepts his fate. Quakerism, with its individual inspiration; the Baptists and Methodists, who modified logic by emotionalism; the growth of Unitarianism, in its first negative phase, and of sheer atheism, gradually loosened the hold of Calvinistic doctrine, first on the institutions of the state, and then on the minds of the community. The limits of freedom in New England, therefore, grew, not by revolution but by evolution, and by the early part of the nineteenth century the area of freedom for the individual was relatively wide.

The early New England conception of liberty, however, lacked the element of appeal to the American spirit, for it rested upon the belief that man was born in sin, the natural man a thing of evil, and hence to be restrained for his own good. The influence of Americanism was revealed by the philosophy of Emerson, who dwelt upon the divine spark in every individual and the possibility that any individual might

expel the base element and render himself all divine, not in the Buddhist sense of merger with the godhead, but still retaining his individual consciousness. While the theology of Emerson had small acceptance, his philosophy, embodying as it did the optimism and self-reliance of the people, affected broadly the American attitude towards life.

This exaltation of the individual naturally resulted in increased emphasis on liberty and received added force from the economic liberalism of John Stuart Mill. In spite of the discredit cast upon the Virginia school of thought by the Civil War, the period that followed marked the apex of individualism. The chief activity of government was the breaking of shackles, not those imposed by slavery alone but by all institutions which limited the freedom of the free, and by ignorance which veiled the light. With an irrefragable belief in the goodness and the possibilities of man, freedom seemed enough to guarantee the millenium, or freedom made dynamic by the preaching of the purged.

Although the need for state activity was temporarily lost sight of, the dominant conception of liberty in New England remained restrictive. When, therefore, the millenium failed to arrive and new call for state activity arose, it encountered no philosophic opposition but only that of those affected by the proposed measures, and, the old order having been swept away by the generation of the Civil War, the last thirty years have seen decided progress in hedging in the antisocial impulses of the individual by new codes.

One must, therefore, repeat that while liberty is an essential element in the American conception of democracy, it is not unrestricted liberty, but one modified and complex. On the whole the lines of differences between the sections are less marked than they were in 1800. The South has recognized an increased field for government, New England has turned its thoughts somewhat from restrictions upon the natural evil tendencies of man to assistance in his struggle to rise, and generally over America the basis of liberty has come to be the

Frontier confidence in the strength and the good will of the individual.

Although one's first thought in connection with democracy is freedom, it was obviously not what was in the minds of those who made the word. Not the liberty of the individual, but the power of the people was what they emphasized, and this aspect has always been prominent in the minds of American thinkers, and instinct in those who have not troubled to think. The extent of the power of the people is measured in part by the restrictions on the liberty of the individual, but the dividing line acquires character by viewing it from the opposite side, and the uplifting power of the state does not entirely depend on restriction.

Jefferson himself when his reelection as president seemed to him to confirm the wisdom and stability of the people, began to toy with the ideas which his fertile brain offered him as to the benefits which a beneficent state might confer. Individual liberty was not to be restrained, but rather broadened by the exercise of new functions. By smoothing the paths of travel and commerce, freedom of movement would be increased, by multiplying the means of education, the area of mental activity would be extended. Jefferson failed to carry his own generation in the South; but the exigencies of a community with large credit but little cash led to large state grants for transportation in the forties and fifties, the influence of the other sections led to generous provision for education, and in the first part of the twentieth century the ever present fear of the negro led the most individualistic section of the country to adopt, more generally than any other, that striking encroachment upon the individual's freedom, that emphatic assertion of the power of the people, the prohibition of alcoholic beverages.

Much less hesitating and limited was the New England view of the functions which the power of the people should exert through the state. Historians still dispute as to whether the original New England communities were more political or

business institutions. Certainly they conducted business; they were the organs for common ownership of lands, and cattle, and even ships. While communism was tried and failed, the joint-stock method of managing many public concerns was well fixed and even today one finds many towns engaged in some business enterprise which is not the product of the modern movement for public ownership but a lingering survival of old days of common dependence. Even the Civil War generation, while convinced of the wisdom of restricting state activity in many lines, still clung to and in fact extended the economic theory of a protective tariff, which linked the whole economic life with the policy of the state. New England, therefore, has always regarded the state as an instrument to be used, as the power of the people dictated, for the people.

To the practical mind of the Frontier the activity of the state was a matter not of philosophy but of convenience. Restive of self-restraint, the frontiersman, nevertheless, saw no danger in calling in the aid of the state when he desired assistance. Moreover, as he had the unlimited confidence in himself bred of visible accomplishment, so he saw no limits to what the state, uniting his power with that of his fellows, could do. Thus one sees rough individualistic farmers brushing aside laws hoary with centuries of acceptance, but at the same time uniting in visions of the printing press as an unfailing fountain of money and in plans of uplift which tame city dwellers abhor as dreams of the wildest socialism. Every season of poor crops produces fresh avalanches of plans, and not by argument, but by experiment, the possible are gradually sifted from the fantastic. It is perhaps inexact to say that the Frontier, or its grandchild, the Middle West, has a theory of it all, but its practice has combined the wide range of freedom advocated by the South with the belief in an active state contributed by New England, but whose activities are directed rather to clearing the road of progress than to keeping step among those advancing upon it.

The idea of the power of the people, however, raises two important and difficult questions. In the first place, who are the people? The usual answer in America is "We are the people"; but as no great or representative body is usually gathered together when the statement is made, it does not bring us very far towards our conclusion. In fact, the chase after the people is something like that after God, and even the believing mind, which feels the existence all about, finds difficulty in producing the desired materialization. Nor is there complete unity in the form of materialization desired.

To the original Puritans "the people" were distinctly the "elect"; and they had their methods of revealing upon this earth those whose names were written in that angelic book. This simplicity was, however, marred by a theory vaguely held that the elect would of necessity think alike, and that the only true basis of action was unanimity. It was marred also by the worldly importance of some who did not have evidence of election, and who gradually forced their way in, differentiating the elect from the electors. Altogether without were the non-electors. To the average Virginian, unfortified by such clear cut division, "the people" generally signified the people who counted, the people whom, if one had not encountered at dinner, one might meet at that somewhat select board. Everybody who was anybody, was somebody, in Virginia. Even on the Frontier one thought of the people as of those like-minded with oneself. In fact, how could the simple, honest wielder of the axe, with his confidence in human nature, fail to believe that his fellows, if honest, would believe as he did, and hesitate to apply that sacred name to the obdurate and obviously dishonest capitalists of Wall Street? Of late there has been some tendency to give this doubt expression, and many of those powerful wielders of public opinion, the cartoonists, make the hero of politics not "the people," but "the common people." Thus the essential element of bolshevism, the belief in the divine right of some class to control, is old in America, and the worthies of Beacon Street, the planters of the South, the

barons of banking and industry, the farmers of the West, and the laborers of the great cities, have all, from time to time, sought the seat which Lenine and Trotsky so precariously occupy.

In America, however, none of them have ever quite succeeded in occupying it, and even while one cynically dissects the people, one becomes convinced that something exists, and as one studies the manifestations of its presence there seems to have been a gradual change in its character, not variable, as would result from the seizing of the reins first by one self-conscious class and then another, but constant. Still analysis reveals not one simple conception of the people, but three, each of which comes unconsciously to the mind as the subject under discussion changes.

When the people who shall enjoy liberty or be guided or restrained in their actions are concerned, there has been a growing tendency to identify them with the inhabitants. When the people who have power is in question, there has been an undoubted tendency to regard them as those who can operate the political machinery as it exists from time to time. Often this has been a very queerly selected lot; a citizen of one state, or town, or county, weighing many times as heavy as one of another. Even today a citizen of Delaware or Nevada is about one hundred times as powerful in choosing a United States senator as one from New York. Nevertheless the incongruities of this legal people do not excite the public mind as they would among a population devoted to logic, and its will has been, and is, accepted. Yet there has been a growing feeling that for purposes of action the real people is the majority of citizens. Bitterly disappointed that fellow citizens even of so glorious a country could not be brought to think alike, the statesmen who framed the earlier constitutions attempted compromise after compromise, by fixing special majorities, as of two-thirds or three-quarters, which should be requisite for specified action. While some of these still exist and operate, they grow fewer, and experience intensifies the

identification of the power of the people with the power of the majority, and there is a progressive attempt to make the legal people and the majority identical.

The second difficulty arises out of the distinction between the whole people who are to enjoy liberty, and the majority, who are to possess power, and accounts in large measure for the tolerance of the incongruous middle group who actually operate the political machinery. America has recognized that the tyranny of the majority may be as painful in quality, though not in quantity, as the tyranny of a single person or a class. Confidence in mankind as a body of equals has not extended to the few or many exalted above the crowd. Our democratic philosophers have been keenly aware of the difficulty of reconciling freedom for the individual with freedom of the body politic to move. Obviously matter for compromise, the fluidity of American life has resented any form of static compromise. The solution was early sought and continues to be found in institutions that automatically operate to allow the necessities of the time, and the desires of the majority, to find expression, while protecting the minority in its, or rather in certain rights, and the individual in the enjoyment of an area of liberty.

The American method of meeting this difficulty has been by written constitutions, the essential element of which has not been their mandates and prohibitions, but the principle of division of power or, more broadly, of checks and balances. The fantastic lengths to which analyzers like John Adams drew out these balancing features must not be allowed to carry away in a general ridicule the fact that balance is the basic element of American institutions; a balance not dead, but kept erect by motion. Thus length of term in the senates balances the quick response to popular desires in the houses of representation; thus the independent power of the executives balances the independent power of the legislatures, yet the veto gives the executives some check upon the legislatures, the necessity of senatorial confirmation checks the license of the executives

in the making of appointments and, in the case of the United States, of treaties. Again the acts of both legislatures and executives are not checked by the supreme courts, but squared with the written constitutions, and, if found inconsistent therewith, are held of no legal validity. It is not my purpose to discuss the wisdom of the division of power, which is at present rather unpopular among political scientists. I merely point out that it is the system by which American democracy has sought to preserve equipoise between the liberty of the individual and the power of the majority, both of which it considers essential elements of democracy. Nor is it merely the theory upon which the constitutions were framed, but it has actually survived operation. At any time in the United States one will find a strong opinion that it has failed, but if one follows American opinion for any length of time one will find a constantly varying opinion as to which of the elements is in the ascendancy.

It is upon this question of checks and balances, which is now referred to almost solely as one of checks, that the chief disputes as to the differences and relative democracy of the American and British systems are based. Many maintain that the English system, which now gives practically complete authority to the House of Commons, is, therefore, the more democratic, because it gives the majority more immediate control. Setting aside all questions as to superior merit as a governmental system, it can be positively stated that did the majority in England have complete and immediate control, neither our ancestors, nor the average American of today would regard it as more democratic, for in that case the minority and the individual would be absolutely at the mercy of the majority, and the fact that the majority respected in some measure their wishes would not make it a democracy, for not respect for the desires of others limited only by one's own will, nor the mercy of the majority, constitute to the American mind democracy, but only the observance of

acknowledged rights. American democracy consists not of liberty alone, nor of power alone, but fundamentally of system.

As a matter of fact, the House of Commons is very far from having absolute power, and British government is actually replete in checks, which are supplied by an inherent respect for law and established institutions, and render the path of the promoter of new ideas quite as thorny and at times as seemingly hopeless as with us. In fact, the ordinary Englishman regards the defect in American democracy as consisting not in the absence of power on the part of the majority, but in the restrictions placed upon the individual, and considers national prohibition the final word in the definition of the anti-democratic.

Here again, however, the difference is not that which is commented upon. Englishmen are also restricted by the laws, but the limits of personal freedom differ in each country according to the character of the population. In America restrictions are along the line of moral conduct, owing to the strength of what in Great Britain is called "non-conformist" thought; in Great Britain, they are along the line of economic activity, owing to the greater pressure of congested social conditions.

To approach our definition by comparison, therefore, we may say that democracy in America is more a matter of system, in Great Britain, of instinct, that America has gone farther in restricting moral evils, Great Britain, in directing economic conditions; but that both countries recognize that both power by the majority and liberty of the individual are essential elements of democracy, and that a government to be democratic must reconcile the two, must be complex.

In addition to personal liberty and majority power, kept in equipoise by a system of checks and balances, there is one further essential element in the American conception of democracy—equality. The first phrase of the first declaration of the American nation, states that all men are created equal. It is easy to point out that when that statement was made Americans were not equal, that it is extremely difficult to discover

any single respect in which they were equal. Nor did the Declaration itself create an equality. It is, however, unfair to Jefferson who wrote the phrase and to the men wise and unwise who adopted it, to charge them with ignorance or hyperbole. For some of them it was a basis of philosophic theory, for some an ideal, for some a declaration of purpose. Very pathetic and inspiring were the attempts of some of them to subdue their prejudices to their purpose, and very lively has been the influence of that phrase in American history.

Equality is an ideal, and its strength may be calculated by the tendency toward its realization. It must be kept in mind, moreover, that an ideal need not be absolute and it is, therefore, important to test it for limitations, not to throw it out of court because exceptions can be discovered. The claims of refined ladies who amuse themselves with genealogy, and limit their circle to descendants of colonial governors or of the scalpees of King Philip's War, must be checked against the effect those claims make upon the people who are excluded from the sacred circle; and it is profitable to point out that American ancestry has no weight in the matrimonial market, and a substantial English title of the day before yesterday, can outbid the inheritor of a much longer and more distinguished inheritance of American culture. The exclusiveness that fails to excite jealousy may well be classified as an aberration of personal freedom. I am not sure, however, that there is not in a democracy an element of greater exclusiveness than in an aristocracy. Regardless of equality, it remains true that one does not want to marry or to dine with anyone; that equality is not sameness. The less artificial ties bring the uncongenial together, the more the congenial tend to flock together. I believe that a foreigner once launched into a social set in America, is apt to find, as he goes from city to city, a greater uniformity of thought and manner than would an American in Europe. He must be on his guard, as must the members of the set, against supposing that the dinner talk represents American thought, and he must remember that his associates, no

matter how highly placed, represent not a society toward which all the successful are struggling but merely a congenial group among many other congenial groups. Equality has taken the form, not of association regardless of opinion and status, but rather of association of equals in opinion and status. The forms of social intercourse have a profound influence on the life of a nation, and undoubtedly one of the serious problems we have to confront is the fact that most people who meet at dinner in America agree, and that those who do not agree choose not to meet.

Sets would seem to be an inevitable concomitant of democracy; whether or not classes are equally so is a question; certainly they have continued to exist. The cultured, the educated, the straight-laced, the irresponsible, farmers, merchants, employers, and the employed, have always existed; and at the present time, when the arrival of different nationalities at different periods have left the later waves in layers, each successive one enabling the one before it to climb out of the least desirable occupation, the element of difference of origin has to some degree strengthened the lines of demarcation. Classes struggle for their interests and tend to become important factors in politics. It is worth noting, however, that up to the present classes have not become the basis of politics. No attempt to form a party of labor has as yet succeeded in the United States; representatives represent their districts, not their class, although their action may, of course, be influenced by class consciousness. This distinction between class divisions and party divisions is illustrated by the tendency of classes to shift their political views with the situation. In the first days of the republic, the supporters of personal freedom as against the power of the state were the classes who had the least to defend and feared the Biblical aphorism "from him that hath not shall be taken away even that which he hath." The late Mr. Harriman, a man of exceptional insight, realized that the balance of power had changed hands, and was leader in bringing the great capitalists of the country to school to Jefferson

and Andrew Jackson, to seek safety, not in power, but behind the restrictions of the Constitution. Classes have, therefore, existed independent of political theory.

Turning from the negative to the positive method of seeking the American conception of equality, it is in New England that we find, amid the most complex social structure America has developed, the germ of that innate sense of equality which has become American. At first it was not the exhilarating conviction it subsequently became, but a sense of the triviality of all worldly differences between men, in view of the fact that all would stand equal in the great and awful day of the Lord. Scorched into their consciousness by an almost universal belief, intensified by at least five hours of preaching a week, with many an exhortation besides, and dwelling continually with them in the most secret chambers of their home and soul, it revealed a picture of mankind standing naked, as in Michael Angelo's "Last Judgment," subject to a universal law and a single judge.

It was in this burning heat that the fripperies of earthly rank gradually withered away. First went hereditary titles. There can be no doubt that an American considers the inheritance of an inescapable title as quite a different thing from the inheritance of millions of dollars which may fly away. Still more grating to their sense of equality, because they cannot divorce it from the idea of cruelty, is the institution of primogeniture. In early Massachusetts the eldest son received the Biblical double share, and in Virginia, the full English portion; but both his advantage and the responsibility and family leadership on which the practice rested went against the grain and vanished completely after the Revolution by the separate action of every state. The final accomplishment of the New England sense of equality was the harmonizing, at the close of the Civil War, of conditions human and divine by bringing all sorts and conditions of men, native and foreign, under one law and one system of courts. This is undoubtedly one of the basic conceptions, not indeed distinguishing, but

characterizing American democracy, applied often with relentless logic, where distinction of treatment would be more merciful, if less just. For a time equality before the same law seemed sufficient. At the time of the Revolution "No taxation without representation" had a very definite significance, but it was quite obviously not that one should not be taxed unless allowed a vote. So long as the power to vote was determined by a law that applied equally to all, and the taxes were based on a general law, the views of the political theorists were satisfied.

Equality on the Frontier, however, was something very different. Probably no so large a population had ever before so closely approached actual equality of condition and experience. It was not a theory but a condition. Assumption of superiority was laughed down with good nature, it meant so little; and artificial inequalities were blown away by the clean, fresh air of an agreeable actuality. Equal law was no longer enough, the demand that all men share in the making of the law swept all counter arguments before it. Today no view is more widely and confidently held in the United States than that a vote is as inherently attached to a man as his nose, while the idea that no man can possess more than one vote is as strong as that he should not be allowed two wives. The strongest argument for woman suffrage is that of right and not of expediency. You may find Americans who doubt the desirability of universal male suffrage; I have known at least one who believed that a large hole ran connecting the North Pole with the South.

The frontier itself did not consider that political rights ended with the vote. If all men were equal, why be content with electing officers, why not hold office? Andrew Jackson said that the duties of all public offices were or admitted of being made so simple that any citizen could hold them. Other leaders advocated rotation in all offices, administrative as well as elective, in order that they might be shared round the more rapidly. Wicked New York made service to the party the basis for appointment, and the Spoils System was set going, of which

you probably know, without my saying, a great deal more evil than was true. For it was not without compensations, one of which was that it created a sense among the people that the government was theirs and not a thing apart.

In addition to equality before the law and equality in making the law, there is a third element in the American idea of equality, that of opportunity. Not without truth, and in the beginning without any especial merit, America has been known as the land of opportunity. An area suitable for cultivation of every kind, that seemed until recently boundless, covered by forests that the most unthinking prodigality has not yet exhausted, with mineral resources not even yet measured, gave and yet gives to enterprise, and under conditions of protection and of market facilities always possible and increasingly facile, a field for endeavor never rivalled. The United States has never seriously feared proletarian government, because no man with sufficient energy to revolt need or can remain proletarian. Gigantic differences in fortunes and in expenditures have existed, but differences in the actual consumption of the necessities of food and clothing have been relatively small. No whole class has been pressed below the limit of comfortable existence, and enough has remained, with cleverness, for almost the poorest of the great cities to put on in appearance a passable imitation of the rich.

In the past this has been a fruit of the freedom of institutions added to the accident of a land too large for its people. With the passing of the era of exploitation, this latter condition is undoubtedly threatened, will undoubtedly vanish unless steps be taken to preserve it. On no point has American opinion been more determined than that it shall not come to an end, and thus the belief in equality has become constructive. As is true of most American conceptions which have been strongly and widely held, the plans for preserving equality of opportunity are simple.

First is education, compulsory for all to a certain point, and open to all to any point—an education contrived to leave the

freedom of choice as to direction open to the last possible moment, that all may find satisfaction; an education which, by taking cognizance of every trade, shall render all occupations to some degree learned professions and those engaged in each fit for association with those in the others, that the good fellowship of the frontier days may be preserved.

Second is the attempt to preserve to some degree the conditions of the Frontier, by pressing forward the boundaries of knowledge. Every state and the nation maintain scientific commissions and subsidize research in universities and colleges, to learn how three blades of grass may grow where one grew before, how a greater proportion of the same may be converted into milk, how families may be raised comfortably on the by-products of pigs' tails, how new sources of power may strengthen each arm and brain, in order that the rare luxuries of our ancestors may become the universal necessities of our children, in order that the manual laborer may enjoy leisure for the cultivation of his tastes and his wisdom. Each year is revealing unsuspected resources, and one may well doubt whether with proper effort the Frontier will ever cease to afford opportunity, though its exploitation is becoming the work of the specialist, dependent for his whole existence upon the organized assistance of his fellows, and no longer that of the Jack of all trades, independent of any man's aid.

Equality of opportunity has a chance to survive, it does not require great optimism to believe that it will survive and become more general; but it is plain that the method of maintaining it involves a great change in the character of American life. No longer can the functions of public offices be made so simple that any citizen can exercise them, no longer can government be reduced to a minimum; the power of the state must expand to regulate the individual, the expert must be trusted with affairs of state. Democracy must become efficient; and many, not only of the cynical, but of the lovers of democracy, doubt whether it can become efficient, and retain the characteristics which have endeared it to its believers.

It is undoubtedly true that the expert must play a larger and larger part, and it is equally true that the expert, confident of the superiority of his own subject and of his authority in his subject, tends to become an autocrat. For thirty years we have been organizing commission after commission for special purposes, and we are gradually getting men specially trained for the work to serve upon them, the formation of the work gradually attracting the best brains of the country.

This drain of talent, added to that of private business, has been depleting the legislatures. It is rare indeed at present to find real leadership in our state legislatures, and, if it appears, it is promptly snatched away for executive purposes, or into the courts. How indeed can one lead when a single session combines topics ranging from bee raising and eugenics, through water power and butter marketing, to theories of education and the ethnological study of the Indian tribes, especially as the calendar is so full that one has scarcely the time to "read up" each subject in the pocket edition of the *Encyclopedia Britannica*? Do not the experts loom imminent overshadowing the legislatures of our ancestors, autocrats whom one cannot roughly jostle out of office, because their special knowledge is so intricately tied up in the whole mesh of government activity, which more and more closely draws the net about one's private life?

I think few will deny that this is a problem of immense moment at the present time. While American, it is not uniquely American, and the same problem is causing the British Parliament to discuss devolution, or an approach to American federalism. In America I seem to have observed a gradual adaptation, without changes in the fundamental law, to this condition. Less and less have the discussions in the legislature attracted attention, more and more has interest concentrated in the various committee rooms, where groups of legislators have listened to the findings of the experts of the government commissions and to the counter cases presented by the principals or attorneys of the interests affected by the proposed

laws. Through ten, twenty, thirty, forty sittings, the committees attend, questioning but not much arguing, and at the end they give their decision like a jury after listening to evidence and arguments. In this way the legislature representing the public makes the decisions as to policy, the administration of the legislation is left in the hands of experts, checked by the executive and the courts. It is worth consideration whether this adaptation of the jury method may not reconcile the efficiency demanded of the modern state with the freedom of the individual, while the political system and education afford to all an equal opportunity to become expert or jurymen. It is significant in this connection that the legislatures are more honest than they were.

To the American, therefore, democracy means liberty for the individual, limited by the power of the state, the one protected within a certain minimum by a constitution, the limits of the other determined from time to time by the will of the people, subject to the same constitution, and exercised by a majority; the two kept in equipoise by the mandates of the constitution and by the system of checks and balances upon which government is formed. In addition it means the equality of all before the law, the equal share of all in wielding the power of the state, and an equality of opportunity, which has so far placed no limits to the possibilities of individual accomplishment, but which tends to insist that each receive a minimum share of the common income.

To us democracy is not a logical conclusion or a final determination, but a middle road, an equipoise kept in balance by continual effort; it is not based upon the perfection of man but takes account of his weaknesses. It is neither a simple thing, nor an easy thing, but something worth having. Few, however, would say that this is the whole of democracy. The struggle to maintain it would certainly fail if the will to maintain it were not strong, if the people as a whole were not inspired by the spirit of democracy. First is necessary the faith that, though all the people may be fooled some of the

time, and therefore the decisions of the majority cannot be trusted from moment to moment, the mature decisions of the majority will be right, the voice of the people will be the voice of God. Secondly is necessary hope, for a democratic government cannot provide for the contingencies of the future, but must learn by an experience which all feel, and therefore one must have confidence that the truer wisdom that comes from universal understanding is worth the struggle and suffering it entails. Finally without charity, without a preponderance of love for one's fellow man, no democracy can long exist. One cannot claim that the spirit of Lincoln is typical of American democracy, but in the Platonic sense it is the reality, of which, what appears to the eye is the dim shadow.

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